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THE PROBLEM OF WAR: PERSPECTIVES FROM ANCIENT INDIA

Upinder Singh

Department of History,
University of Delhi

I consider it a great honour to deliver the Hari Ram Gupta Memorial Lecture at Panjab University. Professor Hari Ram Gupta is very well-known in the academic world as a historian who wrote prodigiously and insightfully on the history of the Punjab and the Sikhs. This lecture offers us a special occasion and opportunity to remember him and his contributions as a scholar, teacher and person, and I am grateful to the History Department of Panjab University for giving me the privilege of being part of this important event.

The topic of my lecture is: ‘The problem of war: perspectives from ancient India’. Violence in its various manifestations has characterized all human history, and the ways in which various societies grappled intellectually with this phenomenon is therefore an important historical issue. That this has not been realized in the historiography of ancient India is due to at least three reasons. The first is that historians have failed to take cognizance of the phenomenon of violence as underlying the entire political and social history of ancient India. The second is that many decades of a preoccupation with economic and social history have led to a gross neglect of the history of ideas. And the third is that many have been mesmerized by an image of a non-violent ancient India in which Buddhism, Asoka and *ahimsā* are centre stage. This is a modern construct, rooted in the idealization of Buddhism by western scholars during the colonial period. Towards the end of the colonial period and even thereafter, this image found resonance with the role of non-violence in Gandhian nationalism; it therefore continued to be an image of our ancient past that we chose to project to ourselves and to the world. This is in spite of the unequivocal testimony of ancient sources that violence of various kinds was an intrinsic, and even accepted, part of life in ancient India, even if it was challenged from time to time. From this arises the question which is the focus of my current research and of my talk today: If violence was pervasive in ancient Indian (as in all) societies, how did ancient Indian societies deal intellectually with this problem?

The English word ‘violence’ and the Sanskrit *himsā* are both tinged with a negative implication, namely that the force used and the injury inflicted is at least to some extent excessive or unjustified. Because this is a very broad issue, I

will focus today on one particular form of political violence, namely war, in two specific contexts – those of the Maurya (4th-2nd century BCE) and Gupta (c. 3rd to 6th century CE) empires -- in order to understand how certain texts generated by these empires dealt with the problem of war. Because war is closely linked to other, larger issues concerning political power, especially the nature of kingship and empire, I will also touch on them as well. The three sources I will take up for discussion are the inscriptions of Aśoka (3rd century BCE); a political treatise called the Nīṭisāra (c. 500-700); and a very beautiful and powerful poetic work – Kālidāsa's *Raghuvamśa* (c. 400).

The general point that I would like to emphasize is that the historian's general approach towards ancient political systems, which is to use the conceptual vocabulary of history or anthropology, needs to be supplemented by a study of kingdoms and empires which looks at their conceptual universe 'from within.' I would also like to emphasize that ideas, including political ideas, are an important part of history, and have to be taken seriously, instead of being constantly reduced to something else, for instance legitimization strategy. These ideas cannot be comprehended through a piece-meal or selective rummaging; what is required is a close and nuanced reading of texts in their entirety, in a manner that is sensitive to their genre as well as to the rigorous demands of historical inquiry. Such an analysis would bring out the different perspectives contained within the rich ancient Indian intellectual tradition.

The edicts of Aśoka

In the history of ancient India, the Maurya empire (c. 324/321-187 BCE) stands out as the first virtually all-India empire, and the inscriptions of Aśoka (c. 268-232 BCE) as the earliest self-representations of imperial power. Most of Aśoka's epigraphs are in the Prakrit language and the Brahmi script, but there are also a few Kharoshthi, Greek and Aramaic inscriptions¹. Judging from the frequent use of the first person in the Prakrit inscriptions and their strong personal tone, it can be inferred that Aśoka played an important role in determining their content.

The major issues of debate regarding the Mauryas are the nature of the empire, the extent of Aśoka's pacifism, and the nature of Aśoka's *dhamma*. The idea of a highly centralized polity has been abandoned in favour of a more realistic and textured view of the empire². Questions have been raised with regard to the extent of Aśoka's pacifism and its impact on the fortunes of the empire³. Aśoka's *dhamma* too has been a subject of lively debate and has

¹For the text of the inscriptions, see E. Hultzsch, *Corpus Inscriptionum Indicarum*, I: *Inscriptions of Aśoka* (New Delhi, [1924] 1991); D.C. Sircar, *Aśokan Studies* (Calcutta, [1979] 2000); B.N. Mukherjee, *Studies in Aramaic Edicts of Aśoka* (Calcutta, 2000).

²See Gerard Fussman, 'Central and Provincial Administration in Ancient India: The Problem of the Mauryan Empire', *Indian Historical Review*, 14.1-2 (1987-99), 43-72; Romila Thapar, *The Mauryas Revisited* (Calcutta, 1984).

been variously understood as a Buddhist lay ethic, a set of politico-moral ideas, a universal religion, and as a political ideology aimed at consolidating a vast empire⁴. And yet, in all this discussion and debate, the political philosophy of the edicts has not been properly examined on its own terms⁵.

Aśoka's voice resounds strongly across the centuries through his edicts and presents us with the idea of two different but overlapping kinds of empire — a political empire and a moral empire. On the one hand, this was a state that was involved in practical activities of governance related to taxation and the administration of justice in the area that lay within the king's political domain. On the other hand, there was a higher moral empire, the geographical extent of which was much greater, in fact infinite, in which Aśoka's goal was the inculcation of happiness among all beings, including humans and animals.

The most detailed expression of Aśoka's ideas about war occurs in rock edict 13, which speaks of a war against Kalinga, which took place eight years after his *abhiṣeka* (consecration).⁶ Although this is the only specific military campaign mentioned in his inscriptions, Aśoka could not have been a stranger to war — he must have been exposed to it as a prince. In this edict, Aśoka talks of his pain and the pain of others, of his remorse, and of his resolve and commitment to propagate *dhamma* after the Kalinga war. Rock edict 13 is not found at Kalinga itself — it is replaced by Separate Rock Edicts 1 and 2 at Dhauli and Jaugada — perhaps out of sensitivity, shame, or pragmatism.⁷ Rock edict 13 is a very important document — it contains the emperor's reflections on the consequences of not only a specific war but all wars, redefines the nature of the injury they cause, and replaces the political goal of military victory with the moral goal of dhammic victory.

The inscription states that when Kalinga was taken (*vijita*), 150,000 people were carried away as captives and 100,000 were killed in action. These figures should not be taken as accurate casualty figures; instead, they seem to point towards changes in the nature of warfare in the Maurya period -- higher levels of military deployment and casualties, and mass deportation of captives, perhaps even of non-combatants. But what is interesting is that Aśoka goes on to state that military

³For the two basic points of view, see H.C. Raychaudhuri, *Political History of Ancient India from the Accession of Parikshit to the Extinction of the Gupta Dynasty*, with a Commentary by B.N. Mukherjee (N. Delhi, 1996), pp. 309, 324; Romila Thapar, *Aśoka and the Decline of the Mauryas* (Delhi, [1963] 1997), pp. 201–03.

⁴See B.M. Barua, *Asoka and his Inscriptions* (Calcutta, [1946] 1955), pp. 225–71; D. Devahuti, 'Aśoka's Dissent from the Hindu and the Buddhist Goals and Methods of Chakravarti, the Great Conqueror', in *Dissent, Protest and Reform in Indian Civilization*, ed. by S.C. Malik (Simla, 1977); Thapar, *Aśoka and the Decline of the Mauryas and The Mauryas Revisited*.

⁵For a detailed discussion of this political philosophy, see Upinder Singh, 'Governing the state and the self: political philosophy and practice in the edicts of Aśoka', *South Asian Studies* 29, 2 (2012): 131–45.

⁶All dates in Aśoka's edicts are to be understood as expired years from the time of his *abhiṣeka*.

⁷The Separate Rock Edicts are also found in another border context at Sannati (Gulbarga district, Karnataka).

campaigns are terrible even if the number of casualties is small. Further, he extends the scope of injury (*upaghāta*) caused by war beyond those who directly suffer physical harm or death to the emotional injury caused by this to their friends, acquaintances, companions, and relatives. He especially singles out the emotional injury caused to Brāhmaṇas, śramaṇas (renunciants), members of various sects, and householders who are devoted to the practice of the good.

In Aśoka's political philosophy as it evolved after the Kalinga campaign, war and military victory are not essential parts of politics or empire. In fact, they are extremely reprehensible. Rock edict 13 introduces the idea of *dhamma vijaya* ('victory through *dhamma*'). It should be emphasized that this is not a conquest but a *victory*, which consists of successfully propagating *dhamma* everywhere. In fact, Aśoka says that this is the best kind of victory because it leads to fruits in this world and the next, and he claims to have won this victory repeatedly within and beyond the frontiers of his kingdom. He also urges his sons and grandsons to aim at dhammic victory rather than military victory, but recognizing that they may not be able to follow this rather unconventional path, urges them to be merciful and moderate in their punishment if they do wage war.

And yet, although rock edict 13 contains a serious and deep reflection on war, it does not rule out the use of all military force by the *dhamma*-inspired state. Forest people and forest chieftains (*aṭavis*) posed a serious impediment and challenge to the expansion of all pre-modern Indian empires. The edict exhorts these people to follow *dhamma*, but goes on to present a scarcely veiled threat in its announcement that although the king can forgive that which can be forgiven, he possesses great power in spite of his repentance, and that the forest folk should take care not be shamed and killed. This suggests that Aśoka made a conceptual distinction between unnecessary and necessary force. The force used in wars based on aggression was unnecessary, undesirable, and condemnable; the force used by the state to control rebellious forest tribes was necessary, acceptable and justifiable.

In Aśoka's political philosophy, wars of aggression are not natural or desirable elements of statecraft or empire. Instead, war is described as a source of pervasive suffering, for which the king bears full responsibility. Aśoka removed victory and fame from the martial sphere, and repositioned them in the dhammic sphere. What is most important is that he considered war and its consequences as subjects of serious reflection and ethical inquiry, to be pondered over along with other forms of violence prevalent in state and society.

Aśoka's renunciation of war was not merely a pragmatic political strategy. It was part of his wider discourse on *dhamma* (goodness, virtue), which addressed the problem of violence against both humans and animals. And this *dhamma* was not only about the elimination or minimization of violence. It was also about the

nature of the good, and about human happiness in this world and the next, and the attainment of heaven. The king declares that his aim is to ensure the happiness and welfare of all beings in this world and the next. Because of the operation of the laws of *karma*, happiness in the next life and heaven can only be attained through virtuous, meritorious action. This is why making people good is an important item on Aśoka's political agenda, and this is why there is a close connection between the governance of the state and the self in his political philosophy. Aśoka's *dhamma* was a radical political stand rooted in ethical and metaphysical concerns connected with *karma*, rebirth, heaven, merit, demerit and happiness. We see here an extremely radical view of politics--king, officials, and subjects are presented as united in a quest for moral perfection and in a vigorous campaign of moral engineering, based on the emperor's optimistic belief in the cultivation and perfectibility of human character.

Aśoka's edicts emphasize the moral foundations of royal authority and empire and seriously engage with the problems of violence and conflict in the political and social spheres. At the same time, although his ideas are in many ways exceptional, especially because they emanated from someone who actually possessed political power and was not just theorizing in the air, it should be noted that Aśoka was addressing issues that were central to the larger ancient Indian discourse on politics.

The Nīṭisāra of Kāmandaka

Kauṭilya's *Arthaśāstra* is the most celebrated of the ancient Indian political treatises, because it is the oldest surviving text on the subject and also because of its masterful coverage of a vast range of issues related to statecraft. But I would like to focus more on the *Nīṭisāra of Kāmandaka*, a text in Sanskrit verse, probably written some time between c. 500 and 700 CE, and often wrongly dismissed as a poor imitation of the *Arthaśāstra*⁸. Both Kauṭilya and Kāmandaka talked of the seven *prakṛtis* (elements) of the state⁹. For both, the king's goals were the attainment of political paramountcy, as well as prosperity for himself and his subjects. Attaining these goals often necessitated using deceitful and violent means, and the political theorists accepted this in a matter-of-fact manner. But while the *Arthaśāstra* presents

⁸For a detailed discussion, see Upinder Singh, 'Politics, violence and war in Kāmanadaka's *Nīṭisāra*', *The Indian Economic and Social History Review*, 47, 1 (2010): 29-62. The published versions of the texts used in this section are Rajendralala Mitra ed. *The Nīṭisāra, or The Elements of Polity by Kāmandaki*, revised with English translation by Sisir Kumar Mitra (Calcutta, [1861] 1982) (*Bibliotheca Indica Series*, No. 179); and R. P. Kangle, *The Kauṭilya Arthaśāstra*, Part I: A Critical Edition with a Glossary (Bombay, 1971) (University of Bombay Studies, Sanskrit, Prakrit and Pali series, No. 1). In reference citations in this paper, *Nīṭisāra* has been abbreviated to *NS* and *Arthaśāstra* to *AS*.

⁹The seven elements of the state in the *Arthaśāstra* are *svāmī*, *amātya*, *janapada*, *durga*, *koṣa*, *daṇḍa* and *mitra*. The *Nīṭisāra* (*NS* 4. 7. 1) makes a slight modification in terminology, replacing *janapada* with *rāṣṭra*, *daṇḍa* with *bala*, and *mitra* with *suhṛt*. It is interesting to note that it cites Bṛhaspati rather than Kauṭilya as the authority on the seven elements of the kingdom (*NS* 8.12.5).

a brilliant and startling vision of an omniscient, omnipotent and omnipresent state, the *Nīṭisāra*'s tone is more cautious and restrained. It is certainly concerned with how a king can increase his power; but it is equally, if not more, concerned with how this power could be contained and controlled.

Daṇḍa means both coercive power as well as justice, and the Indian tradition distinguishes between legitimate and illegitimate force, insisting that the king's use of force must always be carefully tempered by reflection and pragmatic cost-benefit calculation; it must never be excessive, random, or impulsive. The *Arthaśāstra* and *Nīṭisāra* have much that is in common in their discussion of inter-state relations. The key player whose interests are central to the text is the *vijigīṣu* (the king who desires victory), and both texts talk of the *rājamaṇḍala* (circle of kings) and the six strategies (*guṇas*) that can be adopted¹⁰, but there are also significant differences. For the political theorists, war was a natural and necessary instrument of state policy. Kauṭilya and Kāmandaka discuss war (*vigraha*, *yuddha*), military formations, strategies, and expeditions (*yāna*). The *Nīṭisāra* in fact culminates in a description of a successful military campaign. However, what is interesting is that within all this, this text is also acutely aware of the problematic nature of war and makes a very strong case for the exercise of extreme caution in waging war.

The *Nīṭisāra* makes a basic distinction between *prakāśayuddha* (open war) and *kūṭayuddha* (secret or crooked war) (NS 19.31.54). *Prakāśayuddha* is a direct face-to-face encounter between two armies at a pre-designated time and place. *Kūṭayuddha* includes duping and enticing the enemy, nocturnal raids and setting up camouflaged encampments. Kāmandaka states that the king does not violate dharma if he kills the enemy through the tactics of *kūṭayuddha*. He also mentions another kind of war – *mantrayuddha* (diplomatic warfare) (19.28.15-17) which involves discussion, persuasion, and negotiation with the enemy, as opposed to military action¹¹. The causes of war (NS 10.15.3-5) include the usurpation of the kingdom, the abduction of women, the enticing away of learned men and soldiers, the killing of friends, and political rivalry. It is noteworthy that Kāmandaka does not mention Kauṭilya's three-fold classification of victors – the *dharmavijayin* (who seeks victory for the sake of glory and is satisfied with the mere submission of the defeated king), *lobhavijayin* (who wages war out of greed and wants to obtain land, money, or both) and *asuravijayin* (who wages war like a demon, seizing the land, money, sons and wives of the conquered king and kills him) (AS 12.1.10). In the *Arthaśāstra*, the connection between war and honour is tenuous, but existent; in

¹⁰The six *guṇas* are *sandhi* (alliance), *vigraha* (war), *yāna* (marching on an expedition), *āśana* (staying in one place), *saṁśraya* (seeking shelter) and *dvaividhibhāva* (a double policy of *sandhi* with one king and *vigraha* with another).

¹¹ Kauṭilya too uses these three categories, but also has a fourth – *tūṣṇīmyuddha* (silent war), which involves the use of secret practices and instigation through secret agents (AS 7.6.41).

tune with its over-all perspective, honour has to usually take a back seat in the face of the demands of political pragmatism. In the *Nītisāra*, on the other hand, even the grading of war according to a hierarchy of honour and propriety has fallen by the wayside. Shorn of these embellishments, war becomes only a matter of a bald cost-benefit calculation.

Further, the *Nītisāra* contains many arguments *against* war. While such arguments are to be expected in a political treatise, what is noteworthy is their number and the over-all emphasis of the text. The basic point on which the experts on politics agreed was that it was essential for the *vijigīṣu* to carefully assess the likely costs and consequences of war. The potential gains of war are land, allies and wealth, and the king should embark on war only if there was a clear prospect of attaining these (NS 10.15.31). But Kāmandaka goes on to list 16 types of war that should not be fought (NS 10.15.19-23). For instance, there was no point in embarking on war if the enemy was much more powerful and the chances of victory bleak. Even if the enemy was equal in resources to the *vijigīṣu*, war could lead to death and destruction, sometimes of both parties. Other wars that should, in Kāmandaka's view, not be fought included those for the sake of others, those for the sake of women, those likely to be protracted, those against venerable Brāhmaṇas, and those undertaken in times when troop movement was difficult. War is a risky, uncertain business, and Kāmandaka tells us that risk should never be taken in staking what is seen for what is unseen (NS 16.24.14). The policy of canes or reeds (*vaitasī vṛtti*) rather than that of snakes (*bhaujaṅga vṛtti*) should be followed, i.e. it was better to be flexible rather than to attack at the slightest provocation (NS 10.15.35-36).

As if all this were not deterrent enough, many verses in the *Nītisāra* elaborate on the disastrous results of war, especially one launched without due consideration and consultation. These include the loss of wives, friends, allies, wealth, kingdom, fame, and even the king's own life (NS 9.14.75). According to Kāmandaka, in view of the constant anxiety and mental suffering resulting from war, the intelligent ruler should not indulge in frequent warfare (NS 9.14.74). He should not continue war, even if he has to willingly accept hardship, for war has inherently disastrous consequences (*doṣas*) (NS 9.14.72).

Thus, Kāmandaka succeeds in driving home the point that war, especially frequent war, must be avoided. He also points out that wars often serve other people's selfish interests. For instance, ministers may desire to prolong war due to their own self-interest, and a ruler who acts on their advice may simply be playing into their hands (NS 12.17.41). The idea of setting his house in order before launching on fresh military campaigns is also emphasized when Kāmandaka states that the (calamities) of state should be remedied before a ruler launches an attack against

the enemy (NS 14.21.18).

The text further points out that war was neither the only nor the best expedient (upāya) that could be used by the *vijigīṣu* to achieve his ends. *Sāma* (conciliation), *dāna* (gifts), *daṇḍa* (force), and *bheda* (creating dissension) were the well-known list of political expedients mentioned by Kauṭilya. Kāmandaka expands this list by adding three more – *māyā* (deceitful tactics), *upekṣā* (indifference) and *indrajāla* (conjuring tricks) (NS 18.27.3). Like Kauṭilya, Kāmandaka emphasizes that conciliatory measures should always be adopted in order to prevent war.

The ancient political treatises refer to three types of power at the command of the king – *mantraśakti* (the power of counsel) *prabhuśakti* (the power of the lordship, i.e. military might), and *utsāhaśakti* (the power of energy). Like Kauṭilya, Kāmandaka describes *mantraśakti* as superior to *prabhuśakti* and *utsāhaśakti* (NS 12.17.7). By possessing *mantrabala*, a king, following the track of *naya* (wise statecraft), becomes capable of subjugating powerful enemies (NS 12.17.58). The idea that is implicit in all this is that brute force is not the best way to maximize political gain. In fact, Kauṭilya also emphasizes this point when he asserts that if the *vijigīṣu* uses excessive force, the circle of kings may rise against him and he may be destroyed (AS 7.16.30-32). The political theorists were obviously keenly aware of the limits of the use and usefulness of force and violence.

The *Nītisāra* ends with a brief description of a successful military charge against the enemy. But before getting to this point, Kāmandaka has offered his audience much food for thought and has presented abundant reasons to think of war as a last resort. All this suggests the despondency of a political thinker who disapproved of the frequent destructive warfare that marked his time. Further, Kāmandaka's objections to war seem to be linked to a larger stance vis-à-vis violence. In contrast to Kauṭilya, he was against the use of capital punishment for a wide range of offences, and only recommends the death penalty in the case of treason. He was also against hunting, saying that it weakened the king's moral fibre and caused violence to animals¹². As in the case with Aśoka, Kāmandaka's position on war is linked to his position on the larger issue of violence.

Kālidāsa's Raghuvamśa

While kings and political theorists dealt with political issues directly, poets dealt with them within the aesthetic conventions and idiom of *kāvya*. Poetry and drama were meant to elevate, entertain and enthrall, and the aesthetic, emotional and narrative elements of *kāvya* made it a very powerful medium for the dissemination

¹² The royal vices that the political theorists talk about are excessive indulgence in women (*strī*), alcohol (*mada*) hunting (*mṛgayā*), and gambling (*dyūta*). While hunting is the most serious royal vice for Kāmandaka, Kauṭilya sees hunting as beneficial (AS 8.3.46).

of ideas and ideals related to political power among the participants and consumers of literary culture. Let us now look at ideas related to war in an extremely influential *mahākāvya* – Kālidāsa's *Raghuvamśa*.¹³

When exactly Kālidāsa lived and wrote is the subject of much debate; a fourth/fifth century date and a connection with the city of Ujjayinī are likely.¹⁴ The implied audience of the *Raghuvamśa* (as is the case with all *kāvya*) included members of the political elite and those sections of urban society such as poets and courtesans, who understood the Sanskrit language and had a taste for its literature. The *mahākāvya* is a brilliant poetic narrative, with a vast and varied cast of characters and many dramatic events. Its theme is a royal lineage, one descended from Manu, the legendary progenitor of all human kings, but its special focus is on a sequence of kings from Dilīpa to Agnivarṇa. Kālidāsa seamlessly knits together four locales – military marches, the capital city, forest, and *āśrama* – into an interacting, interdependent, harmonious and aesthetically satisfying whole. But the importance of the work does not only lie in its literary and narrative qualities. Issues related to the exercise and perpetuation of power are central to the *Raghuvamśa*, and it is political poetry of the highest order. In fact, this text provided an extremely important holistic, authoritative, and aesthetically refined delineation of the mid-first millennium classical Indian ideal of kingship. Its influence seems to have far surpassed Kālidāsa's other works and extended beyond the Indian subcontinent to Southeast Asia.

The political importance and influence of the *Raghuvamśa* stemmed from two features. On the one hand, Kālidāsa painted the portrait of the ideal king with unprecedented and unsurpassed comprehensiveness, artistry and elegance. The most important of this king's attributes were: military victories, the performance of *yajñas* (sacrifices), devotion to *dharma*, a complex relationship with the gods, veneration of the ṛṣis, benevolence towards the subjects, detachment, and self-control. The second reason for the text's great influence is that in spite of his strong idealization of kingship, Kālidāsa simultaneously draws attention to some of the problems associated with monarchical power politics. These include harem intrigues and periods of regency during the reign of minor kings. Further, behind the idealized perfection of the various kings of Raghu's line lurk imperfections, excesses, errors of judgement, and addiction to vices. Agnivarṇa, the second last

¹³ For a detailed discussion, see Upinder Singh, 'The power of a poet: kingship, empire and war in Kālidāsa's *Raghuvamśa*, *The Indian Historical Review* 38, 2 (2012): 177-98. The published texts of the *Raghuvamśa* used for this section are *Raghuvamśa-mahākāvya* with Mallinātha's commentary, and *vyākhyā* and Hindi translation by Acharya Dharadatta Mishra (Delhi, [1974]2004); and C. R. Devadhar ed. and transl. *Raghuvamśa of Kālidāsa* (Delhi, [1985] 2005). In reference citations in this paper, *Raghuvamśa* has been abbreviated to RV.

¹⁴ See Daniel H. H. Ingalls, 'Kālidāsa and the Attitudes of the Golden Age', *Journal of the American Oriental Society* 96, 1 (1976): 15-26.

ruler, who is described in great detail, epitomizes the flawed king. He is a debauch whose debauchery creates a political crisis. He ultimately dies of a disease caused by excessive addiction to the pleasures of love, and his ministers (who had earlier covered up for his dissolute ways and his sickness), in consultation with his *purohita*, furtively throw him onto a funeral pyre in the palace garden and place an unnamed pregnant queen on the throne. Thus, the *Raghuvamśa* describes both the heights of perfection to which a king should aspire as well as the depths of depravity to which he could sink. This is what makes this *kāvya* so powerful.

It is interesting to note that the vocabulary of the political theorists surfaces frequently in different contexts in the *mahākāvya*, especially in sarga (Canto) 17. This *sarga* is ostensibly devoted to the reign of Atithi, son of Kuśa, and describes him as an exemplary king who meticulously follows the dictates of *nīti* in order to create peace and prosperity throughout his kingdom. Atithi is, in fact, the only king in the *mahākāvya* who we see actually engaged in the nitty-gritty of administration. The etymology of the word *rājā* derived from the king's pleasing his subjects (*prakṛti rañjanāt*) is given by Kālidāsa (*RV* 4. 12), and there are several references to the seven elements of the state. There is agreement between the political theorists and Kālidāsa on the need for the king to maintain secrecy. There are several references to the *upāyas* (expedients) of statecraft and to the *śaktis* of royal power. Other ideas common to the political treatises and the *Raghuvamśa* are that the king must be *yuktadaṇḍa* (fair and measured in his punishment) (*RV* 4.8), and that he should follow a policy of flexibility (*vaitasī vṛtti*, policy of canes/reeds, *RV* 4.35). The text also contains several references to the political theorists' conceptual vocabulary of the circle of kings (*RV* 4.4, *RV* 9.15).

The heroic element is central to the *Raghuvamśa*'s conception of kingship. War is considered a natural and necessary aspect of kingship, and the reign of a great king must be marked by spectacular military victories. There is an awareness of devious kinds of war – we are told that although king Atithi knows *kūṭayuddha* (deceitful methods of war), he always fights in a righteous manner (*RV* 17.69). The poet emphasizes that force must always be balanced and tempered with righteousness and restraint. Raghu is described as a *dharmavijayin* (righteous victor, *RV* 4.16), and as one who seeks victory (*vijigīṣu*) but does not crave it (*RV* 1.46). Honour and war are inextricably linked.

The *Raghuvamśa* gives a detailed description of the *digvijaya* (conquest of the quarters) of king Raghu. This description emphasizes the importance of political paramountcy, but the notion of empire and sovereignty that it reflects does not involve conquest. It involves the demonstration of military superiority by the great king and the acceptance of this by defeated kings. The claim to political

paramountcy is also publically enacted and expressed in the performance of the *aśvamedha* sacrifice, which is performed by three kings – Dilīpa, Rāma and Atithi.

Kālidāsa's description of Raghu's *digvijaya* involves a detailed and very specific mapping of the subcontinent. Sheldon Pollock has suggested that this account was modeled on the actual conquests of the Gupta king Samudragupta (c. 350-370 CE). He argues that Raghu conquers the same territory as Samudragupta as described in the Allahabad pillar inscription, except that he moves in the opposite direction.¹⁵ Actually, the Allahabad inscription does not give us a clear idea of the precise direction and sequence of Samudragupta's military campaigns, whereas Kālidāsa's description of Raghu's *digvijaya* (RV 4. 24-87) is a carefully constructed clock-wise circumambulation of the subcontinent. Raghu first moves eastward, towards the Eastern Ocean, uprooting the kings of Suhma, Vaṅga, Utkala, Kalinga, and the Mahendra mountain on the way. Then he moves southwards along the eastern coast, and crosses the Kāverī, Pāṇḍya country, and the Malaya and Dardura mountains. From here, his armies sweep across to the Kerala country and up the western coast to the northwest, where they battle with the Pārasīkas and the Yavaṇas. Thence, Raghu moves to the north, reaching the Sindhu country and defeats the Hūṇas and Kāmbojas. Then he ascends the Himalayas and fights with the mountain tribes and the Utsavasamketas. The last lot of kings who face his terrible and yet magnificent military might are those of Prāgjyotiṣa and Kāmarūpa in the northeast.

We have here a mapping of the *cakravartikṣetra* (the field of conquest of the emperor) consisting of the entire subcontinent. It is significant that this mapping is accompanied by reference to the landscape and the produce of the various regions – for instance the betelnut and coconuts of Kalinga; the pepper, cardamom and sandalwood trees on the fringes of the Malaya mountain; the pearls of Pāṇḍya country; and the saffron of the Sindhu region. There is the occasional gory description, such as Raghu's encounter with the westerners, where he strews the earth with the severed bearded heads of his adversaries (RV 4. 63). But by and large, graphic descriptions of the violence of war are avoided in favour of abstract aestheticized descriptions of adversaries who are overwhelmed and spontaneously submit to Raghu; those who are uprooted; others who are uprooted and reinstated; and still others who offer tribute and prostration.

What stands out in all this is the perpetual, endemic nature of war and the constant need to reassert political power. A great king goes forth on a *digvijaya* or performs an *asvamedha*, but his successor seems to start from square one and has to do it all over again. The justifications for war include the desire for *digvijaya*, or

¹⁵ Sheldon Pollock, *The Language of the Gods in the World of Men* (New Delhi, [2006] 2007), p. 241.

as corollaries to specific events – for instance, war is inevitable when the jealous suitors attack Aja and his bride Indumatī as they return home. The war between Rāma and Rāvaṇa may seem on the surface to be the result of the abduction of a woman, but it is presented as part of a larger, divine plan.

The *Raghuvamśa* articulates certain key ideas related to war and empire that were to become widely pervasive in the classical Indian tradition — that empire (sāmrājya) involved military victories but not necessarily conquests; that the great king won many battles but did not crave victory or its fruits. He fought wars for the sake of fame, and having attained victory, he thought nothing of giving up his kingdom and renouncing the world. It is the act of victory and eliciting the acknowledgment of victory, not the actual possession of conquered territories, that is valorized. That is why, having achieved many great victories, a great king could give up his kingdom and walk away, his lustre not only undiminished but actually enhanced. This is what Raghu did. In fact, renunciation – towards the end of life – is a central aspect of the model of ideal kingship in the *Raghuvamśa*.

Conclusions

Aśoka's inscriptions, Kāmandaka's *Nītisāra*, and Kālidāsa's *Raghuvamśa* should make it apparent that political violence was an issue that greatly concerned ancient Indian intellectuals -- whether they were thoughtful rulers, theoreticians on *dharma* and politics, or imaginative poets. The discourse on political violence included others issues such as punishment and the royal hunt, but war stood out as a major topic of reflection and debate. Poets and political theorists and practitioners visibly grappled with very real problems while they presented normative views on war. In fact, the distinction between normative and actual is a misleading one – political theory and practice were inextricably linked.

The treatment of the subject of war depended on the genre of the text, the perspective of its author, and the nature of its audience. Aśoka announces to his subjects a radical rejection of war on moral grounds and visualizes a politics sans war. Kāmandaka cautions the political elite with a series of pragmatic reasons to avoid unnecessary war. Kālidāsa presents to the urbane literary-minded an edifying spectacle of war as an aestheticized activity, divested for the most part of its actual blood and gore, through which the great king demonstrated his power and attained political paramountcy.

The different attitudes towards war were also rooted in different intellectual, philosophical, metaphysical, and ethical matrices. Ideas about war in Aśoka's edicts were an expression of the king's personal and political concerns (the two cannot be separated). The king's reasoned critique of war was part of a larger ethical concern

about violence towards humans and animals; it was connected to a metaphysics dominated by karma, rebirth, and the desire for heaven; and was an important element in Aśoka's idea of a moral empire. And yet, as we have seen, Aśoka's passionate argument was not against *all* military engagements, but against wars of aggression; it did not rule out using force to put down rebellions of forest people, which he seems to have considered as necessary force. Kāmandaka dutifully deals with details of war and military strategy, and at the same time expresses serious reservations about needless and fruitless wars, an attitude which seems to be rooted in political pragmatism. But his limited support for the death penalty and his condemnation of the royal hunt on the grounds that it involved taking life, suggest a deeper ethical and metaphysical underpinning of this apparently pragmatic discourse. In Kālidāsa's *Raghuvamśa*, war is an instrument for demonstrating political paramountcy, but the great kings of the lineage are constantly torn between the paths of *pravṛtti* and *nivṛtti*. The *pravṛtti mārga* is world-affirming; its goals are happiness and success in this world, and the attainment of a favourable rebirth, including heaven, in the next. The *nivṛtti mārga* has a negative attitude towards worldly life and aims at the attainment of liberation from the cycle of birth and death. Having engaged with the world in an exemplary way, the greatest kings of Raghu's lineage (Raghu, Rāma) ultimately turn their backs on it¹⁶.

The three sources we have examined also reflect a different sort of relationship between political power and *dharma*. In the edicts of Aśoka, the king presents himself as an innovative messiah who is personally the promulgator and exemplar of a *dharma* in which politics, social ethics, and metaphysical goals are entwined. In the *Nītisāra*, politics is largely disengaged from the sphere of *dharma*, and political gain is the prime concern. In the *Raghuvamśa*, Kālidāsa creates a model of kingship which welds together *rājadharmā* (the *dharma* of the king) and *varṇāśrama* *dharma* (the *dharma* of the four *varṇas* and *āśramas*). At first glance, it is Aśoka who strikes us as the most radical with his renunciation of war; but in an important sense, it is actually Kālidāsa who is the most radical -- Aśoka renounces war, but Raghu and Rāma renounce power and they renounce the world.

And yet, notwithstanding such differences, there are also some important common elements in the political discourse of these sources. Politics, ethics, and metaphysics are closely interlinked in them all. They all emphasize victory (in Aśoka's case, of a dhammic kind) rather than conquest. They make a distinction between necessary and unnecessary force (we could perhaps use the word 'violence'

¹⁶ After a dazzling reign, Raghu enters life's last *āśrama* and becomes a *yati*, practices *yoga* and meditation, and realizes the ultimate reality. On the completion of his earthly mission, Rāma plunges into the Sarayū along with all his subjects. We may also note that Aja starves himself to death at the confluence of the Gaṅgā and Sarayū, while Nala and Puṣya go off to the forest and attain freedom from rebirth (the latter practices *yoga*).

for the latter), and emphasize that the king must be measured and fair in his exercise of force in the context of punishment. They also come up with an interesting solution to the problem of how the king's power was to be controlled and checked in a polity which lacked any institutional checks. The contradiction that the *Nītisāra* and *Raghuvamśa* offer can in fact be described as an important element in the classical Indian conception of ideal kingship—that of a king who wants to become a world conqueror but is not moved by the lust for power, or, for that matter, anything else. In the ancient Indian tradition, elements of renunciation came to be built into the prototype of the ideal king. The degree of envisaged disengagement ranged from self-control and discipline (*vinaya*) to complete renunciation (*saṁnyāsa*), with the ideal of the *rājarṣi* (king-seer) standing in between.

Virtue, caution and power of counsel were emphasized again and again. But everyone knew that ultimately no external controls could be counted on, and the only real control on the king's power and his ability to unleash unjustified and excessive violence was the one that he had to be persuaded to exercise over himself. In a stance simultaneously rooted in a philosophical and pragmatic matrix, ancient Indian thought therefore emphasized the close connection between governing the state and the self.



GANDHI AND NEHRU – AN EPITOME OF IDEOLOGICAL CONTRADICTIONS

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Abstract

The present paper seeks to examine the ideological contradictions between Mahatma Gandhi and Jawaharlal Nehru, the two dynamic personalities and partners in our freedom struggle. The two differed in respect of their ideology and perspective on religion, politics, socialism, capitalism, method of non-violence, doctrine of trusteeship etc. While Gandhi claimed that no one could live without religion, religion was not indispensable for Nehru. While Gandhi never separated politics from religion, Nehru never mixed them together. While Gandhi was a supporter of spiritual socialism, Nehru believed in scientific socialism. While Gandhi upheld the ideology of rural economy, Nehru taught the lesson of urban economy. While Gandhi advocated pure non-violence, it was a puzzle for Nehru. While Gandhi believed in doctrine of trusteeship, it was totally unacceptable to Nehru. Despite these ideological contradictions between them, Nehru considered Gandhi as the greatest revolutionary of India whose selfless actions remained and will remain an inspiration for all

Relying profusely on just and moral means to achieve the goal, Mohandas Karam Chand Gandhi appeared on political arena of Indian National Movement with a strong zeal of patriotism. He launched and carried his struggle for reforms, not remaining strictly within the framework of constitutionalism. He feared not to employ methods of boycott, non-cooperation and civil disobedience. He reposed unflinching faith in ahimsa (non-violence) and *satya* (truth) throughout the struggle. According to him, nothing enduring could be built on violence¹. He, therefore, condemned violence involved in Russian revolution of 1917. In view of Nehru, the said revolution was a landmark in the life of mankind and its leap from capitalism to socialism deserved applause and appreciation from all corners. He remarks, “for the first time in history the representatives of the poorest classes, and especially of the industrial workers, were at the head of a country”. (Nehru J. L., 1948, p. 649). Though Gandhi had rejected violence of Russian revolution, he did acknowledge the patriotic spirit and sentiments of its participants. Gandhi drew a great inspiration from the method of strikes employed against tyranny in the Russian revolution of 1905. He wished to resort to this method for the cause of Indians in their national struggle but at the same time he strictly wanted to adhere to the technique of non-

¹*Harijan*, March 13, 1937

violence². Nehru personally supported Gandhi's technique of non-violence with a belief that it suited the most for India's salvation and had confidence, rather over-confidence, in Gandhi's leadership whom he took as his mentor. Nehru became "one of the signatories of the Satyagraha vow, formulated by Gandhi pledging refusal to obey certain laws and a member of the committee formed at Allahabad to organize Satyagraha in that district." (Gopal, 1976, p. 35).

Both Gandhi and Nehru shared certain common basic traits of personality, but they were two strong independent souls who developed ideological contradictions during the performance of their roles in the national freedom struggle. Nehru himself admitted, "it was obvious that we differed considerably in our outlook on life and politics and economics". (Nehru J. L., 1936, p. 370). Both exchanged their views on a wide range of themes and national strategies. They either agreed or disagreed, but their correspondence always remained "dainty and decent", "silvery soft and subdued"³. Gandhi was the man of his own vision and action who never severed from the path of moral and spiritual truth. He acclaimed the phenomenal progress of the western civilization in scientific and material forces but he was unhappy to observe that there had been no progress made in basic human values. Rejecting the linear theories of social and economic progress, Gandhi felt that the western civilization had a little to offer to India. Nehru, however, had a composite view of life while attempting to discover India. He responded well to the influence of western civilization and attached Indian values to it.

In Gandhi's view, no man can live without religion. Gandhi not only wore his religion on his sleeve; he lived it. He argued that "the world is moved and always will be moved according to the rules set by God". (Nehru J. L., 1936, pp. 511-12). Though, he followed throughout his life the moral law of truth and had no faith in dogmas, rituals and customs, yet he was the man with a "definitely religious outlook on life."⁴ He never separated politics from religion. Whenever he made up his mind to keep a fast on a political issue, he claimed, that the divine power inside him indicated the date of fast⁵. This religious approach of Gandhi never impressed Nehru who felt offended on occasions more than once. Gandhi's decision of "fast on to death", disapproving separate electorates to depressed classes in the wake of 'Communal Award', came as a "bombshell" to Nehru. He remarked that this had "upset my equilibrium completely". (Nehru J. L., 1936, p. 370). He doubted the wisdom of Gandhi for risking his life over the petty political issue of electorates and he felt angry with his 'religious and sentimental approach' to the issue. He was

²No.148. 'Russia and India', *Indian Opinion*, 11 Nov. 1905, CWMG,78:131-132.

³No. 383. 'Cable to V.K. Krishna Menon', November 12, 1944, *The Hindu*, 14 Nov 1944, CWMG, 78: 289.

⁴*Young India*, Jan 21, 1926.

⁵*Harijan*, April 2, 1938.

afraid that Gandhi's religious approach in the matter might "fade larger issues of our freedom movement into the background for the time being at least". (Nehru J. L., 1936, p. 370). Similarly, Gandhi's twenty-one day fast for 'self-purification' during the fag end of civil disobedience movement in May 1933 was condemned by Nehru as a 'strange tactic' and an 'incomprehensible thing'.

Gandhi saw untouchability as a great sin and a great crime. He opined that Hinduism must destroy the serpent of untouchability lest it should be devoured by it. In his article 'A stain on India's forehead', he said: "The untouchables must not be considered as falling outside Hinduism. They should be treated as respectable members of Hindu society and should be assigned their varnas according to their vocations". (Murti, 1970, p. 82). Due to the sanction of the custom of untouchability, according to Gandhi explained, Hinduism for the last two thousand years had been "burdened with the load of sin in the name of religion". (Murti, 1970, p. 83). Gandhi firmly believed that the followers of Hinduism who practised untouchability were often punished by Almighty God. He blamed the people of Bihar for committing the sin of untouchability and the Bihar earthquake naturally was the punishment inflicted by God on them. The remark of this religious nature from the mouth of Gandhi on Bihar earthquake shocked many leaders including Tagore. Tagore's rational thoughts on religion did not allow him to digest Gandhi's weird view of religion and he condemned it as "unscientific view of phenomenon". Nehru was equally taken a back by Gandhi's irrational statement on 'sin' and he was not ready to imagine and accept a thing which was opposed to the scientific outlook. Nehru enquired, "And if the earthquake was a divine punishment for sin, how are we to discover for which sin we are being punished?... Providence has made us "full of imperfections, to surround us with snares and pitfalls, to create a miserable and cruel world, to make the tiger and the lamb and then to punish us". (Nehru J. L., 1936, pp. 490-91)

Gandhi usually acted on instinct or inner voice or an answer to a prayer. Nehru understood that very often his instinct was right and he had a wonderful knack of sensing mass mind and acting at the psychological moment. The reasons, however, given by Gandhi to justify his actions were "usually afterthoughts". Many a times, these reasons were not acceptable to Nehru. For instance, the inspiration drawn from inmates of Satyagraha Ashram became a reason for suspension of civil disobedience movement by Gandhi. This according to Nehru, was "an insult to intelligence and an amazing performance for a leader of national movement" (Nehru J. L., 1936, pp. 505-06) In fact, Nehru was not clear in his mind about Gandhi's objective and he doubted if Gandhi himself was clear about it. Gandhi's passionate desire of going in a certain direction was wholly at variance with modern ideas and conditions and he had so far been unable to fit the two. Gandhi was driven too far

by his instinctive actions while overlooking sometimes the ground realities of life.

Contrary to the religious outlook of Gandhi, Nehru hated the outward formal appearance of religion and religious people; he hated the exploitation of people by so-called men of religion. He never mixed religion with politics. He pointed out that the combination of politics and of religion in the narrowest sense of the word, was the most dangerous combination and must be put an end to. (Nehru J. L., *Speeches*, 1958, p. 74). To him, religion perhaps is the inner development of individual which powerfully influences the outer environment and vice-versa and both act and interact on each other. In view of Nehru, an organized religion, within India and without, invariably exists in form of vested interest which acts as a reactionary force against change and progress always. (Nehru J. L., 1936, p. 377ff.).

The repeated requests of Gandhi to the British Viceroy for peace talks, in order to solve the communal question on the formula of goodwill, shook Nehru's faith in the leadership of Gandhi. Nehru wondered as to where the peace talks were, when the government was triumphantly trying to crush the nation in every way and making prisoners starve to death in Andamans. Nehru strongly believed that the national problems of social, economic, political or communal nature could no longer be satisfactorily resolved by the reformist methods. The revolutionary perception, planning and solutions were the needs of the hour. But there was no one among the leaders who could offer them. (Nehru J. L., 1936, p. 107).

Tracing the history of communalism in our country, Nehru stated with a conviction that the "communal question is essentially a middle class question in India because our politics are dominated by middle classes... it assumes an undue importance." (Nehru J. L., 1948, p. 723). The communal problem had surfaced not merely out of question of reservation of more seats in the legislatures and the respective efforts of political leaders to seek their influence in the government. The problem in fact had its roots in competitive struggle among people of educated middle class, both Hindu and Muslim, for getting more jobs. The competition of economic nature led to the mutual conflicts which had been made to wear a communal colour. A scientific approach was required to deal with it and also to deal with other socio-economic issues of our nation. Since Marxism is purely scientific in dealing with material factors and forces and it has a deep concern for down-trodden people, Nehru was attracted towards it. According to him, "Marxism is a theory as well as a call to action". (Nehru J. L., 1948, p. 544). It believes in materialist conception of history and talks of exploitation and class struggles. The dominant class, forming a part of the system, tends to exploit others. Nehru believed that in India, British imperialists tended to exploit Indians. Their economic policy of exploitive nature which "appears in all its crudity and nakedness" were responsible for our nation's

economic decay as well as the impoverishment of a large number of its people (Nehru J. L., 1948, p. 547). While Nehru advocated scientific socialism, Gandhi upheld the ideology of spiritual socialism. According to Gandhi, anyone who had the capacity to serve people was a socialist. The west had shown no concern for moral progress and it had made progress in material things only. Such progress had widened the gap between the rich and the poor and had led to the “spiritual impoverishment of mankind”; this had been no real a progress. The real progress lies in contentment; it lies in curtailment of one’s wants and desires which in turn enhances one’s capacity to serve.

On account of the fact that in India the hands were more than the required, Gandhi never stood in favour of an advanced mechanization, and industrialization here. The industrialization, according to him, could not march a long distance to solve economic problems faced by millions of Indians. There existed in our nation a vast number of self-employed, underemployed and unemployed people in the form of living machines who should not be pitted against the dead machinery. Their lot could be improved by the maximum utilization of labour resources. He, therefore, recommended to keep rural economy intact by reviving village industry, which was an extension of his *khadi* programme. The *khadi* movement, including hand spinning and hand weaving was a blessing which would enable the people to tread the road of self-reliance and help in mobilizing human resources required for our nation’s development. Nehru, however, held the view that the *khadi* movement was an intensification of individualism in production. It could do immediate good, mostly of temporary nature. “It will help the villager in his present distress and revive certain artistic and cultural values which were in danger of dying. But in so far as it is a revolt against machinery and industrialism, it will not succeed.” (Nehru J. L., 1936, p. 525). Gandhi’s programme of *khadi* and village industry in the eyes of Nehru was a “throwback to pre-industrial age”.

‘Back to villages’ was Gandhi’s slogan and creation of ‘Village Swaraj’ was his dream. He wanted that each and every village should become a self-sufficient unit. To this effect, each village should grow its own food crop and its own cotton for cloth; it should provide for controlled irrigation, compulsory education and rejection of caste system⁶. The state of poverty, in Gandhi’s view was praiseworthy. The praise of poverty, however, was an absurd idea for Nehru who ardently desired to extend the urban cultural facilities to all ruralites. (Nehru J. L., 1936, p. 510ff.). He wished to build a strong industrialized India — the India of his dreams — and he was not at all keen to revert to the stage of primitiveness at any cost. He considered the growth of a large scale industry in our nation as a necessity so that a suc-

⁶ *Harijan*, July 26, 1942.

successful crusade to eradicate poverty could be launched and a strong foundation of India's independent economy could be laid down. He was anxious to take out peasantry from the quagmire of poverty by way of modernization of agriculture. Nehru stood for controlled production and controlled distribution of wealth, removal of disparities and a good quality life to each and every Indian. (Nehru J. L., 1948, p. 543). He remarked, "Production means wealth. If we do not produce we have not enough wealth. Distribution is equally important, so that wealth cannot accumulate in the hands of a few". (Nehru J. L., 1958, p. 103).

Nehru in early years praised Gandhi's method of pure non-violence which rested on truth, love, goodwill and morality. He, however, opined that the national and social groups were incapable of imbibing sufficiently the individual creed of non-violence as it involved "a tremendous rise of mankind in the mass to a high level of love and goodness". (Nehru J. L., 1936, p. 539). The mankind was not sufficiently advanced to adopt the ideology of non-violent resistance and technique in its entirety. Life was full of conflicts and violence and even if the worst form of violence was removed from the State, it was impossible to ignore the fact that both government and social life necessitated some coercion. In the imperfect world, a national state will have to use force to defend itself against an unprovoked attack from outside. Nehru argues, "It is an illusion to imagine that a dominant imperialist power will give up its domination over a country or that a class will give up its superior position and privileges unless effective pressure, amounting to coercion is exercised". (Nehru J. L., 1936, p. 544). Gandhi too was in favour of applying pressure not by means of coercion but by means of self-suffering. This, according to Nehru was difficult to consider as there were 'metaphysical element' and 'psychic influences' in it. The emphasis of Gandhi on "pure non-violence has made it something remote and apart from life". (Nehru J. L., 1936, p. 548). Nehru contended that it was impossible to ignore violence in the past and present but the bad and evil motives behind the violence should be condemned by all.

Gandhi reposed his faith in the doctrine of trusteeship. He attached great importance to the non-possession; he thought that the property should be held as a trust for the people. The members of the propertied class or the capitalists should act as trustees and work in cooperation with the members of property less class in wider interest of nation, thus preventing misuse of wealth⁷. They should entirely use the resources for public good and contribute to eliminate the cause of social unrest thereby providing a strong base for national development. Gandhi, as such, stood not for destruction of capitalism but for its conversion. Gandhi's ideology of trusteeship was totally unacceptable to Nehru as he could never imagine the

⁷ *Young India*, Nov 26, 1931.

existence of “perfect persons” anywhere in the world who could be fully trusted to carry out the said task. (Nehru J. L., 1936, p. 528). Nehru was against capitalism as it was deemed to be the root cause of class-system conflicts.

It may be concluded that, of course, there existed serious ideological contradictions between the two fascinating political personalities and partners, Gandhi and Nehru. Gandhi was counted occasionally by Nehru as one among ‘amazingly backward’ persons in ideology, but in action, he saw him as the greatest revolutionary who understood India to her deepest core and who “has shaken up India as no so-called revolutionary has done”. Behind Gandhi’s “language of peace and friendship there was power and the quivering shadow of action and a determination not to submit to a wrong”. (Nehru J. L., 1948, p. 713). In fact, the action has been the hallmark of Gandhi’s temperament and life. “In his own peculiar way he has a knack of releasing powerful forces which spread out like ripples on the water’s surface, and affected millions... Reactionary or revolutionary, he has changed the face of India.” (Nehru J. L., 1936, pp. 373, 406) The method of non-violent non-cooperation or civil resistance was his unique and powerful contribution to India and the world. His selfless and untiring actions, of course, remained and will remain an inspiration for one and all.

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The Ghadar: Role in Revolutionary Propaganda

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Abstract

Publication of the 'Ghadar' – weekly newspaper of the Ghadar Party was a unique enterprise in the history of the Indian journalism. It was circulated in large numbers free of cost with a single objective to prepare Indians for a direct battle with the British masters. The paper stirred the consciousness of the bulk of the immigrants living on the Pacific Coast and also found an echo in Singapore, Bangkok, Rangoon, Borneo, Penang, Shanghai, Tokyo, Canton, Rangoon, Manila, Berlin and Panama. No other journalistic initiative before the publication of the Ghadar challenged the British rule in the tone, tenor and tactics in a way in which the mouth organ of Ghadar Party did. It instantly struck a chord with a large number of immigrants. Propaganda mechanism through Ghadar worked in pointing out the miserable condition of the Indian masses. Vernacular publications of the Ghadar Party had an aim to excite active disaffection and prepare a group of brave-hearts for extermination of the British. The illustrations vividly portrayed the atrocities perpetrated by the British officials to evoke hatred. This paper traces the publication of the Ghadar and examines its role in revolutionary propaganda against the British colonists.

Patriotic journalism and revolutionary parameters were the backbone of the Hindi Association of the Pacific Coast, which later on became popular by the name of *Ghadar* Party. Its aims, objectives and policies rested upon the twin pillars of dedicated cadre and powerful propaganda. Birth of the *Ghadar* Party had its genesis in the conceiving of the *Ghadar* press by immigrant Indians on November 1, 1913. *Ghadar* contributed in a phenomenal way for the origin and survival of the movement. It disseminated the message and achievements of the party in an articulate way and within a short span of time struck a chord with thousands of migrant Indians, mostly Punjabis living across the globe. Apart from a weekly newspaper, the Ghadar Party published number of pamphlets, leaflets and books in Punjabi, Urdu, Gujarati and English. Propagation of the French revolutionary ideas of liberty, equality and fraternity among immigrants can be considered as a turning point to understand the process of political activism abroad. It was the *Ghadar* which reduced the need of a popular leader to organise the immigrants. It, itself attained the stature of a leader and minimised the need of physical presence of its organisers. *Ghadar* was the biggest organiser, colloquial-preacher and vocal-leader of the *Ghadar* movement. It was the profoundly patriotic nature of the *Ghadar*

poetry which inspired its readers to get ready for extreme sacrifices at the altar of Indian independence. It was the first newspaper in the history of Indian journalism which vociferously appealed for an extermination of the British rule and indeed, aroused a sense of fear and anxiety among British authorities. To Michael O'Dwyer, the then Lieutenant-Governor of Punjab, the *Ghadar* Movement was, 'by far the most serious attempt to subvert British rule in India' (O'Dwyer, 1926, p. 189).

In the first decade of the twentieth century, a large number of Punjabis migrated to North America in search of greener pastures. Retired British Sikh soldiers were the harbinger of this migratory progression. Most of the Sikhs belonged to the peasantry stock of the *Doaba* region. Integration of the Punjab's agriculture with market economy, frequent famines and epidemics badly disrupted the self-sustaining mode of their livelihood. Acute financial conditions forced many of them to enroll themselves in the British Army on a meager salary of Rs. 7 per month (Tundilat). Army service gave them an opportunity to travel far off places, even abroad. This opened a new horizon of employment for those who had the option to maneuver. These adventurous men got employment in South-East countries from where they further migrated to Canada and America. Canada was also a part of the British Empire. Hence, the migrants had a belief that their voyage to Canada was similar to that of travelling and residing in any other part of India. Moreover, service in the British Army added an element of loyalty and fidelity in their minds. They held a firm belief in the principle and practice of just British rule.

But soon it was dawned upon them that their loyalty was nothing more than servility to British interests. In North America, they cut the bitter harvest of slavery to British rule. They faced racial discrimination at the hands of the white population. It was believed by the native population that Punjabis were job snatchers. Industrial recession in 1907 rendered hundreds of white men unemployed. There were widespread violent incidents reported against *Hindu slaves* at many places of Canada and America. American newspapers such as the *Bellingham Herald*, *The Morning Reveille*, *The World*, *Morning Oregonian*, *St. Johns Review*, *The Salt Lake Tribune* and *The American* are some of the newspapers who reported matters related with Indian Hindus. For immigrants, social milieu of hate became hard to swallow. Their fervent pleas for protection to British consular and other high officials fell flat on the deaf ears. Sohan Singh Bhakna in his biography *Meri Ram Kahani* explains the woes of migrants (Rahi, 2012). He himself approached the British Consulate officials but he got an evasive reply from them. Bitten by racial insults in a ruffed up environment, these migrants started the process of mobilisation and organisation. Sohan Singh Bhakna, Pandit Kanshi Ram, Harnam Singh and Lala Har Dayal took lead in the foundation of revolutionary outfit Hindustani Association or Hindustani Association of Pacific Coast. Weekly paper of the association, *Ghadar*, became a

powerful vehicle for political propaganda. Lala Har Dayal, contributed with the might of his pen to canvass the message of independence. Har Dayal was twenty eight year old when he took over the editorship of the *Ghadar*. Before coming to America, he had attended Oxford University as a Government of India scholar. For a short time following his arrival in the United States in 1911, Stanford University honoured him with an offer of a visiting professor honour. There, he delivered lectures on Indian philosophy. Later on, his services were terminated for preaching free love on campus, dissolving private property, religious practices, marriage and even government. But it was the editorship of the *Ghadar* which brought out the best of his revolutionary-intellect.

Ghadar represented the politicisation of Punjabi peasantry who experienced a different kind of discrimination as immigrants. It was perhaps the first time in their lives that they were castigated abroad not because of Indian citizens but because of British subjects. It was the publication of the *Ghadar* which gave a shape and direction to the anger of the migrant Indians. Before the publication of the *Ghadar*, some Indian intellectuals were publishing papers like *Circular-i-Azadi* (Urdu), *Pardesi Khalsa*, *Sansar*, *Swadesh Sewak* (Punjabi), *Free Hindustan*, *Khalsa Herald* and *The Aryan* (English) in America and Canada. *Ghadar* was published from San Francisco. Har Dayal named the party office as Yugantar Ashram, a revolutionary name, borrowed from a Bengali newspaper published during the times of Swadeshi agitation of 1905. *Ghadar* Party issued the first newspaper on November 1, 1913 in Urdu followed by Punjabi issue on December 9, 1913 and in Gujarati on May 10, 1914. The first issue of the paper was released in Shattuck hotel in Berkley in the presence of large number of immigrants. Some American intellectuals, known to Lala Har Dayal also graced the occasion. Gurmukhi edition became more popular than the Urdu edition. Kartar Singh Sarabha translated Lala Har Dayal's Urdu writings into Punjabi, which were published in Gurmukhi edition. Sarabha ran the lithographic machine. The Gujarati edition of the paper was published with the help of Khem Chand, who was well versed in both Punjabi and Gujarati. The Gujarati paper was widely distributed among the business community of Gujarat, living mostly in Africa. *Ghadar* made its progress very fast. Its circulation increased with each passing week. Yugantar Ashram – publication place of the *Ghadar* – situated on 1324, Valencia Street, California became a focal point for nationalistic propaganda. Many immigrants volunteered themselves for this cause and donations poured across the world to run the paper. Initial response was unexpected for Sohan Singh Bhakna, Harnam Singh Tundilat, Lala Har Dayal and Pandit Kanshi Ram. Soon the demand of paper surpassed its publication and it forced the organisers to purchase new publication machinery. Approximately 2200 copies in Urdu and 2500 copies in Punjabi were printed weekly for circulation.

This was a first big challenge to the British rule by Indian exiled or migrated diaspora having close connections with two imperial powers, namely Germany and Japan. It was the first manifestation of politically institutionalized resistance to colonialism and indigenous racism emanating from Indian immigrants overseas (Gould, 2006, p. 148). It was distributed free of cost to all Indians, living anywhere in the world. Punjabi workers of the Pacific Coast immediately gave a ready response to the *Ghadar*. The paper instantaneously struck a revolutionary chord with a large number of Punjabi immigrants and raised their enthusiasm high. Its success created awe in the hearts of the founders of the Ghadar Party. It helped them to build up a formidable organisation on the Pacific Coast. In fact, *Ghadar* galvanised the entire Punjabi fraternity living abroad. Sohan Singh Bhakna himself admits in his autobiography: The success of *Ghadar* was a magic. It became a powerful medium of dispensing information. Paper gave a frantic pace to the movement. Masthead of the paper carried a line from *Adi Granth* composed by Guru Nanak – ‘Should thou seek to play the game of love, step into my way with thy head on thy palm’¹. The Urdu word ‘*Ghadar*’ commonly refers to as mutiny, rebellion or revolution. Inaugural issue of the *Ghadar* carried a blood throttling advertisement. The words themselves spoke about the intent, nature and purpose of those who issued this periodical² :

“Wanted: Brave soldiers to stir up revolution in India
Remuneration: Death
Prize: Martyrdom
Pension: Liberty
Field of Battle: India”

The *Ghadar* clearly reflected the bruised feelings of the Indians in its columns. It synthesised the revolutionary spirit of independence by raising scattered voices. The paper was a national narrative of Indians as well as a collection of comments and reports from diverse sources.

Organisers declared their intentions under the heading of ‘Our Work, Our Name’. It levelled allegations against the British rule and set the tone for a propaganda war with the following words³:

On November 1, 1913, a new epoch heralds in the history of India. From today, there begins in foreign lands, but in our country’s language, a war against the British rule. It is an auspicious occasion for all of us. What is our name? GHADAR. What is our work? GHADAR. There is no need to ask about ourselves; before you people raise doubts, we shall answer them all. If you could muster courage, listen to us, otherwise

¹ *Ghadar* (Urdu), Nov. 1, 1913.

² *Akali te Pardesi*, April 20, 1930.

³ *Ghadar* (Punjabi), Dec. 9, 1913.

need not to waste time and go to your homes. Where will GHADAR break out? In India. When? In a few years. Why? Because the people of India, can no longer bear the tyranny practised by the British rule. We are ready to fight and die for freedom. Indians have established Hindustani Pacific Coast Association. This association has set up its branches in Portland, Astoria, Saint John, Sacramento and Bridal Veil. Patriots contributed funds for the publication of the *Ghadar*. In San Francisco, party established its headquarters, named Yugantar Ashram. From here, this paper is being published. This Ashram is akin to a fortress, from its' ramparts, we have bugled a warfare against the British government. This is not only a piece of paper, but a lightning cannon. This paper is published in ink, but scripted with blood. The words of the newspaper preach sermons of our gurus and warriors. These words will inspire our Indian brethren to overthrow the British misrule. The time will soon come, when rifle and blood will take place of the pen and ink. Pray only for the GHADAR. Speak only for the GHADAR. Dream only for the GHADAR.

The members of the Ghadar Party took pains to distribute the paper widely among Indians in America as well as in other parts of the globe where Indians had a good presence. After the foundation of the Ghadar Party, 'it became the responsibility of various Indian groups abroad who were enthused by *Ghadar* literature to organise fellow settlers and open up Ghadar branches' (Deepak, 1999). Voluntary subscriptions were invited to sustain the paper's wide circulation. Members of the party were instructed to provide the *Ghadar* to every Indian living in Canada and America. In his confessional statement, Mula Singh told the police that Sohan Singh Bhakna gave him a copy of the *Ghadar* at Portland in November or December 1913, and that about 100 *Ghadars* used to be received weekly at the saw mills, and well maintained by voluntary subscription (Waraich & Singh, 2008, p. 116). The paper was read out to Indians at weekly meetings. The newspaper was sent to London, Paris, Latin American nations, India and other Far Eastern countries.

Ghadar appealed to the Indians living abroad to send the addresses of their friends and relatives to facilitate the postage and delivery of the paper to as many people as possible. The party headquarters was supplied with lists of addresses by sympathisers of the movement (Sareen, 2009, p. 153). Every effort was made by the party volunteers to secure a wide distribution of Ghadar both in India and foreign countries. Translations of the *Ghadar* in various Indian vernaculars were being freely circulated in America and secretly smuggled into India in the year preceding the War (O'Dwyer, 1926, p. 186). Moved by the national appeal of the paper, some Indians residing in Hong Kong and Shanghai requested that the paper should be sent at addresses of their Chinese friends as their own mail, they feared would be censored. Indar Singh, another returning comrade of ghadarites, in his statement during Lahore Conspiracy Case confessed that *Ghadar* was freely distributed in China, Japan and Hong Kong (Waraich & Singh, 2008, p. 117). Paper also got

access to the Punjabi regiments stationed in these countries. *Ghadar* exhorted the people to launch a whole hearted struggle for attaining complete independence of India. In fact, it lit a prairie fire that touched the hearts of the Punjabi immigrants wherever they were living. In the gurdwaras in United States, Canada, Shanghai, Hong Kong and Singapore, the poems taken from *Ghadar* were recited and discussions on political problems were held generally after evening prayers (Singh & Singh, 1966, p. 21).

The *Ghadar* endorsed party's agenda firmly, stating that it was an urgent task of all people that they must pursue revolutionary tactics to fight against the colonial government. Articles, notes, news and especially poems openly expressed discontent against the British rule in India. It explained reasons which compelled the Ghadarites to take cudgels against the British rule. It held the British government responsible for all the woes of the Indians – political, social, economic or religious – and accused it for unleashing the most exploitative and authoritarian regime in the history of the world. The thrust of the paper was to highlight the failures of the British government with regard to the mismanagement of the Indian economy. It provided an incisive analysis of the colonial economic policies and the drain of Indian resources. *Ghadar* accused England of siphoning off the wealth of India by ruthless economic exploitation. Lala Har Dayal, the chief spokesman of the *Ghadar*, pointed out that during British mis-rule, ruthless oppression and atrocities on the Indians had become an order of the day. In hindsight, it focused on the hollowness of the British rule which called for united and concerted efforts of Indians to turn it upside down. Har Dayal used the *Ghadar* platform to draw attention to the grievances, trials and tribulations of the wretched Indian masses and vividly portrayed their plight by using the statistical data prepared by British officialdom. The front page of each issue of the *Ghadar* carried a regular feature – “*Angarezi Raj Ka Kaccha Chittha*” (An open account of the British Rule) which through circumstantial evidence published all pervasive ill-effects of the British rule, such as the following⁴ :

1. British take to England every year Rs. 50 crore. Consequently, the Hindis have become so poor that their daily average income is only 5 paisa.
2. The land tax is more than 65 per cent of the produce.
3. The expenditure on the education of 24 crore people is rupees 73/4 crore, on their health is rupees 2 crore, but on military it amounts to rupees 291/2 crore.
4. Under British rule, famines are on an increase. In the past ten years, two crore people have died with starvation.

⁴ *Ghadar* (Punjabi), Dec. 9, 1913.

5. Within last sixteen years, eighty lakh people have succumbed to the epidemic of plague.
6. In native princely states, British spread disaffection among rulers and try to inculcate fear among people.
7. Englishmen are not punished for the murder of Hindustanis and not outraging the modesty of Indian women.
8. The Christian missionaries are doled by taxing Hindus and Mohammadans.
9. British always make efforts to cause dissension between Hindus and Muslims.
10. The military services of Indian soldiers are utilised for fighting in foreign lands for the British.

Lala Har Dayal used the government statistics in his propaganda expose the dark face of the imperialism and severely indicted the colonial government for its apathetic attitude towards the grievances of the Indians. Without any flabbergasting, *Ghadar* directly raised the issues of Indian illiteracy, repeated occurrence of famines and hunger, death of millions of people by plague, exploitation of peasantry and workers, police oppression, drain of Indian wealth etc. British rule had ruined the cottage industry, thus rendering millions of artisans jobless. The political, economic, social and related matters of Indians, including Indian immigration and legal matters were taken up for wide scale publicity. Within a short span of time, the Ghadar Party euphemistically made a revolutionary transformation in the outlook of Panjabi community living abroad. The paper exhorted Indians to contribute towards the emergence of a new political order in India leaving behind the trivial matters of cast, religion and communal affiliations.

The *Ghadar* brought significance to the party in both elemental as well as combined form. The paper published biographical sketches of Indian freedom fighters, as also of Irish, Mexican and German national heroes which kindled the spirit of nationalism and patriotism. Excerpts from Vir Savarkar's book *The First War of Independence* were a regular feature in its columns. The articles of the paper admired revolutionary spirit of Indian youth and counted among its heroes the Nathu Brothers, Bal Gangadhar Tilak, Arbindo Ghosh, Ajit Singh, Sufi Amba Prasad, Nana Sahib, Mangal Pande, Khudi Ram Bose, Madan Lal Dhingra *etc.* Acclaiming the heroic deeds of the said heroes, the paper remarked: They performed their duties and set an example for us to follow. A band of men belonging to the above party has arrived in America. From here, they will make an attack on the enemy (Waraich & Singh, 2008, pp. 133-34).

During the early years of *Ghadar's* publication, Harnam Singh wrote poetic verses on political developments chastising British rule. Other members of the

party also contributed poetry which was acclaimed as poetry of a great merit and a wide appeal. The poetry of the *Ghadar* had displayed revolutionary fervour, fire and brimstone. It may seem remarkable that a print medium became gluing force for scattered but ethnically equal immigrants. The simmering discontent which had its origin in the biased and discriminatory policies of the British rule found an outlet through the columns of this weekly paper. Poetry composed by anonymous authors reveals their inborn talent which took the form of a cultivated art for expressing their real-life experiences. All poetry published in the *Ghadar* was laced with emotionally charged patriotic feelings. The paper published wretched conditions of India in colloquial language, which tenaciously influenced the psyche of common men. Poetry, written by novice writers played the most active and abiding role in their endeavour of liberating their nation.

Poetry of the *Ghadar* was widely appreciated by its avid readers. Anonymous writers used chaste Punjabi words and idioms to convey their anguish. Poetry forcefully expressed the themes of sectarian and ethnic unity, communal strife and triviality of the religious dogmas. Although majority of the contributors of the poetry were Sikhs, but they never used the communal tones in their writings. Loyalty of the Sikhs to British rule became questionable on part of the immigrant community. *Ghadar* again and again reminded the Sikhs that the support of the Sikh army was highly useful in saving the British Empire in 1857, and now if the Sikhs chose to fight against it, no one could save it from a doom. In fact, there was chastising advisory to Sikhs to sever their ties with the British.

The Gurus founded this path for the welfare of others.
Otherwise what was the need?
Open your eyes and look at the world...
People say the Singhs are cruel and insensitive.
Why did they turn the tide during the Delhi mutiny?
The country would have enjoyed freedom.
How and why did they commit this blunder? (Ramnath, 2011, p. 42).

Intellectuals arose from among the Punjabi labourers and began to contribute articles, poems and addressed the public meetings. Harnam Singh Tundilat, Kartar Singh Sarabha, Munsha Singh Dukhi, Wasakha Singh, Bhagwan Singh, Bela Singh and many others wrote ranging from local to international issues. These wordsmiths could hardly be called uneducated or unlettered poets, a general perception held in scholarly circles about the organic members of the Ghadar Party. To narrate the woes of the people, they drew inspiration from the glorious Indian past. Living abroad, what the immigrants faced and suffered provided a catalytic relationship between their assumed sense of British justice and actual response to their grievances by British masters. Its message was clear – to oppose the British

rule with all vehemence.

The *Ghadar*'s editorials openly preached revolutionary actions including murder, use of bombs and employment of all tactics for overthrowing British rule. Except Lala Har Dayal, all writers used pseudo names for hiding their identity and had venomous expressions against British rule in their words. The language of the paper was throatily sanguinary. "It was violently anti-British in nature, playing on every passion that it could possible excite, preaching murder and mutiny in every sentence and urging all Indians to go to India with the express intention of committing murder, causing revolution and expelling the British government by any means, and holding up to admiration every seditionist and murderer who had attended notoriety" (Singh & Singh, 1986, p. 30). *Ghadar* advocated the killing of the guilty Europeans and those Indians who were loyal to the British. Its barbs flew in all directions including Congress, Princely States and government allies. The party wanted to overthrow the existing political structure of the Empire and replace it with the republic of Indians on American model.

The literature of the *Ghadar* press comprised of pamphlets, booklets and a weekly paper. Sohan Singh Bhakna informs us that for fulfillment of the avowed object of independence, the party published a certain number of pamphlets and leaflets such as *Ghadar-di-Goonj* (Echo of Mutiny), *Ilan-i-Jung* (Declaration of War), *Naya Zamana* (The New Era). *Ghadar di Goonj* was the collection of poems and songs published in the *Ghadar*. It was first published in Gurmukhi language and later in Urdu as well. Distribution of its copies numbered ten thousand. *Ilan-i-Jung* was a leaflet which painted India as downtrodden country being constantly trampled over by the foreigners (Singh & Singh, 1986, p. 41). It exhorted the Hindus and Muslims to make a common cause to bring revolution in India and drive British out of our nation. Har Dayal published a pamphlet, *The Philosophy of Bomb* in which he laid stress on adoption of violent methods for the cause of liberation of India.

The *Ghadar* cause was identified with anti-imperialist sentiment. Ghadarites used the liberty of thought and expression available in America to target the exploitative character of the British rule. Writers reflected their new consciousness in their write-ups. Apart from general resentment, there are ample examples of their understanding of the international affairs. There was a clear tilt towards the interests of organised labour movements, the cause of Irish independence struggle and even suffragist sentiment. Every effort was taken to enlist the American sympathy. *Ghadar* represented the politicisation of Punjabi peasantry who experienced a different kind of discrimination as immigrants. This forged a common link with their Indian identity. It was perhaps the first time in their lives that they were castigated abroad

not because of Indian citizens but because of British subjects. This created a sense of expediency in freeing India by using all means available to them. The *Ghadar* was the global face of the party. Its outlook can be summed as, “Overall the movement revealed in the Yugantar Ashram publications with a romanticist emotional intensity was militant, insurrectionist, patriotic, internationalist, modernist, secularist and anti-sectarian, and egalitarian, favoring politically federated democratic-republicanism, while leaning ever more toward socialist redistributive economies – two factors that can be seen as the strongest expressions of their two beloved principles, liberty and equality” (Ramnath, 2011, p. 41).

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MILITANCY AND THE PLIGHT OF WOMEN IN JAMMU AND KASHMIR

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The state of Jammu and Kashmir has witnessed frequent violations of rights and liberties of people during the ongoing terrorist violence since 1989 onwards. Frequent violations and excesses have been manifested in various forms like coercion, killing, maiming, custodial deaths, fake encounters, torture, abductions, rape, extortions, destruction of property, forced marriages, murder, imposition of dress codes etc. As rightly observed, “There are deep scars on the body and soul of Kashmir. Thousands of its children have been laid to rest in its graveyards due to the violence. A huge army of widows and orphans have been produced by the war machine. Thousands of Kashmiris are forced to live outside Kashmir as refugees in shanty camps.”¹

The perpetration of such blatant and brutal violations could be attributed to both the terrorist-assaults and the counter-insurgency operations launched by the security forces from time to time. If the armed forces have targeted the militants, their hideouts and those who have provided them shelter and support, the militants have attacked the police, security forces, informers, non-believers and those who have opposed the agenda and objectives of militancy. Comparatively, women have been the worst sufferers of violence in the disturbed areas of the state. The incidents of molestation, kidnapping, rape, forced marriages and imposition of dress codes (*burqa, bindi etc.*) have shaken them now and then. They have become victim of violence unleashed by the gun totting militants as well as the combating police and military personnel. According to some, the anguish and victimhood of women in disturbed areas, “is perhaps symbolized by the common place terms in circulation that identify them – rape victims, kidnapped and abducted women, migrants, widows, “half widows” and so on”². Agonizingly, the traumatized victims of rape live their lives as stigmatized women and yet again suffer as victims of social ostracism.³ The present paper is divided into two parts. While the first part deals with acts of gender based excesses allegedly perpetrated by the militants, the

¹ Firdous Syed, “Views from the valley”, *The Hindustan Times*, November 6, 2005.

² Half widows are those women whose husbands are presumed to be dead or missing but they have no proof to prove so. See, Krishna Misri, “Identity of Kashmiri Women”, in Rekha Choudhary (Ed.) *Identity Politics in Jammu and Kashmir*, New Delhi, Vitasta Publishing Pvt. Ltd., p.315 and 317.

³ Ibid. P.316.

second part focuses mainly on two incidents of alleged rape and murder committed by the security personnel in areas ridden with violence. These two cases include the iniquitous Kunan-Poshpora incident in which over two-dozen women were allegedly raped in June 1991 and the Shopian case in which two women were allegedly sexually assaulted and murdered in 2009.

I

Militancy and Gender Based Excesses: Women in the disturbed areas of the state have been the major victim of gender differentiated abuses since the outbreak of militant upsurge in the Kashmir Valley in 1989-90. One of the barbaric acts of excesses on women at the initial stages of militancy was of a staff nurse at the medical institute, Srinagar, who was gang raped on 14 April 1990 by unknown persons. Her dead body was found on the road in the Lal Bazar area. Likewise, a 22-year-old girl and her father were picked from their village Mehad (in Doda district) and the girl was reportedly raped and in the end the abductors chopped off her tongue, nose and ears. Her fault, according to press reports, was that her brother, who was a militant, had surrendered to the army.⁴ This was not the first incident of its kind. Three young girls were allegedly beheaded and the nose of two persons chopped by the abductors to create a scare among the people. In another incident, a woman was abducted and hanged to death at Tangmarg in the Baramulla district.⁵ Similarly, on February 24, 2006, a 26-year -old woman was shot dead inside her home in Sahruti in the Poonch district. Her fault was that she refused to marry a militant. She refused because she was already engaged to a person, who had been beheaded by some militants. She still refused to marry and paid the price.⁶ Besides this, the story of one of the four women, who figured in a moving documentary film ‘The Final Autumn’ by a Delhi based journalist-photographer, gives a vivid account of abuses and atrocities perpetrated on women in the violence stricken-areas of the state. It is described that: “She was abducted by militants in the early years of militancy for six months. She was raped, tortured and drugged, and also began to work for them. When she handed over one of the militants to the police, the latter rescued her and handed her over to Intelligence Bureau (IB), who whisked her to Delhi. For two years, she not only worked for them but was subjected to the same treatment that militants meted out to her. Finally, she came to Jammu and got married. But the nightmare followed her. When her husband got to know that she had been raped by both the militants and the IB men, he abandoned her, also leaving behind two children”.⁷

⁴ *The Dainik Bhaskar*, July 17, 2003.

⁵ *The Tribune*, May 24, 2005.

⁶Praveen Swami, “J & K: Politics of Death”, *The Hindu*, April 3, 2006

Apart from this, when militancy was at peak, some militants had also issued commands to some persons to give their daughters in marriage for which the Mullahs were pre-arranged. More than that, at one point of time, a knock at any door after dusk in the hill Kaka Ranges in Surankote Tehsil of the Poonch district used to bring horror and panic. In many households of the area the men folk either worked in Saudi Arabia or in the towns of Surankot and Poonch or went along with the herds leaving behind the women and children to live alone.⁸ The women “had faced the brunt of terrorism and remained its worst victims”. Consequently, the tall and slender looking women of the area had formed an all women brigade in 2007, the first Women Village Defence Committee (VDC) – to encounter the gun-totting militants.⁹ Likewise, the young women from the border villages obtained training from the Army as sharp shooters to prevent militants from entering their villages. This had helped the women to protect themselves. They targeted the militants who strayed into their villages and houses looking for food, shelter and other comforts. According to press reports : “As many as 27 women of Naushera tehsil completed their training in the handling of AK-47s, INSAS and 303 rifles to match the arms carried by terrorists”. They were made part of the village defence committees.”¹⁰ Many women of this area as a result of arms’ training had lost their fear of militants and started standing up to them. In a daring incident, the frail 18-year-old girl attacked one of the militants with an axe and then shot him dead with his own gun. All this happened when the strangers barged into her home in the dead of night, accused her father of being an informer and rained blows on him and her mother.¹¹ In another incident, a woman in Bhaderwah, 200 km northeast of Jammu, helped the police arrest the perpetrators who had held her hostage for over a month and reportedly raped her.¹² The woman was pregnant at the time and filed a complaint with the police. When she was called to spot the offenders at the police station, she identified one and thrashed him.¹³

Another factor which had wreaked havoc on women, particularly the students and working women in the Kashmir valley, was of imposition of women’s dress codes (*Burqa, Bindi etc.*) by certain militant groups. Ironically, some incidents

⁷Quoted in Anuradha Bhasin Jamwal, “Women’s Identity and Politics in Jammu and Kashmir” in RekhaChoudhary (ed.) *Identity Politics in Jammu and Kashmir*; opcit, PP.327-28

⁸Kavita Suri, “Gujjar women pick up Gun against terrorists”, *The Tribune*, March 30, 2007.

⁹Ibid.

¹⁰ “Now women to take on militants”, *The Tribune*, August 12, 2007.

¹¹ Tarun Upadhyay and ShyamSood, “J&K girl guns down terrorist”, *The Hindustan Times, New Delhi*, September 29,2009.

¹² Ibid.

¹³See, Arjun Sharma, “Rajouri girl who killed Lashkar militant to get bravery award”, *The Hindustan Times*, September 30, 2009.

of throwing acid on women in Srinagar had also taken place on the ground that they were not dressed in Islamic style.¹⁴ So much so, some had lost their lives on account of defiance of dress codes. Four women in the Kashmir valley, two of them young students, another a teacher and the fourth a 43-year-old woman, were reportedly done to death when they stepped out without wearing *Burqas*. Three of them were shot dead and the fourth one, a second-year student of a Girls Higher Secondary School was beheaded.¹⁵ Such incidents sent a wave of fear through the Kashmir valley. Girls in several places, where the messages insisting that women wearing burqas or face death were pasted outside girls' school and colleges, were forced to go into hiding. Even attendance in schools and colleges at some point of time was affected due to widespread fear of reprisal. No one dared to defy the ban. "Our lives are dearer than a dress code", said a young woman.¹⁶ According to some scholars, "Women in the valley have no channel for expressing their anger at fundamentalism. They have been forced into silence".¹⁷ Like the Muslim women, the Hindu women were also asked to wear the "*Bindi*". A number of women in the trouble-torn areas had to submit to the medieval mindset fearing of their lives. It is observed that militants had threatened "with the call on women to observe *Purdah* and not to visit cinema halls, and Hindu women were urged to wear the *Tikka* (the dot on the forehead) to identify them. The village Muslim women hardly wore *Purdah* in Kashmir and even in urban town the practice had almost been given up."¹⁸

Apart from above, the panic-stricken women of displaced families from the Kashmir valley have had to bear with the pathetic conditions in the make-shift camps deprived of bare minimum necessities of life. As a matter of fact, the migration deteriorated the health of many women who had to reconcile with insanitary conditions in the shanty camps. One of the migrants, who also owned apple and apricot orchards in Kashmir, felt that "even those living in jhuggis have some privacy. We have not".¹⁹ There were some migrant Kashmiri Pandit families living in unhygienic conditions in the Geeta Bhawan (Jammu). The bare-footed children squatting there and the ladies washing dishes at the nearby taps".²⁰ All this

¹⁴ Available at <http://www.satp.org/satporgtp/countries/india/states/JandK/terrorist-outfits/dukhtaran.htm>, accessed on 2 January 2015.

¹⁵ Available at <http://www.thehindu.com/thehindu/mag/2002/12/29/stories/2002122900630300.htm>, accessed on 12 January 2015.

¹⁶ Ibid.

¹⁷ Uma Chakravarti, "Archiving Disquiet : Feminist Praxis And The Nation State" in Ujjwal Kumar Singh (Ed.), *Human Rights And Peace : Ideas, Laws, Institutions And Movements*, New Delhi, Sage Publications, 2009, P.65.

¹⁸ Hari Jai Singh, *Kashmir – A Tale of Shame*, New Delhi, UBS Publisher's Distributors Ltd., 1996. P.111

¹⁹ Nirmal Mitra and Punam Thakur, "The Hindus as Refugees", Sunday, Vol. 19, 27, July 5-11, 1992, PP 26-27.

makes it evident that women have been the biggest victims of militant violence in the disturbed areas of the state.

II

Security forces and incidents of excesses on women: Since the security-centric approach has determined the nature and course of counter terrorist operations, the police and armed forces, which are supposed to safeguard the rights and liberties of people, have often indulged in violation of human rights in the terrorist affected areas. In the Kashmir valley, it has also resulted in local people taking to streets in protest against the security forces. The repressive acts have invariably deprived the people the right to life and dignity enshrined in the Constitution as the armed forces have indulged in coercion and atrocities during the counter insurgency operations. Regarding this, even the Supreme Court of India in *Shakila Abdul Gafar v. Vasant Raghunath* stated that: “The vulnerability of human rights assumes a traumatic nature when the functionaries of the state whose paramount duty is to protect the citizens and not to commit gruesome offences against them, in reality perpetrate them”.²¹

Several incidents of rape and molestation have also occurred in Kashmir during the course of counter-terrorist operations undertaken by the security forces. The known cases of sexual harassment of women at the hands of security personnel include incidents such as Chhanpora and Pazipora (1990), kunan-Poshpura (1991), Chak Saidpora (1992), Haran (1992), Thenobudapathary Kangan (1994), Wavoosa (1997), Bihota (2001), Handwara (2004) and Sopian (2009)²². The present paper, however, focuses only on the two major cases viz, the Kunan-Poshpura rape case (1991) and the Shopian rape and murder case (2009).

The Kunan Poshpora Case: Regarding this case, the troops of the 4th Rajputana Rifles of the 68th Brigade allegedly raped 32 women when the twin villages of Kunan-Poshpura of the Kupwara district were raided on the night of 23-24 February 1991 during the counter insurgency operation. This led to protest by the local people demanding justice and punishment for the culprits. The protesters alleged that many men from the village were taken away and interrogated about the activities of armed militants. At the same time at least 32 women were allegedly raped in their homes at gunpoint. “Some were said to have been gang raped”²³, others too have been raped in front of the children. The Kunan-Poshpura Coordination

²⁰P.S. Verma, *Jammu and Kashmir at the Political Crossroads*, New Delhi, Vikas Publishing House, 1994, P.256

²¹AIR 2003 SC 4567.

²²Seema Kazi, “Shopian : War, Gender and Democracy in Kashmir”, *Economic and Political Weekly*, Vol. XLIV No.49, December 5-11, 2009, p.13.

²³Seema Mustafa, “A living hell”, *Frontline*, Vol.30, No. 15, July 27-August 9, 2013, p.41.

Committee, which was formed by the victims and their family members to pursue the case, alleged that the soldiers did not even spare girls as young as 12 years. It took the women around ten days to summon up the courage to file a complaint. Although many were afraid, 32 women finally registered FIRs at the local police station and underwent medical examination.²⁴ The FIR did not mention any of the unmarried girls as “it would have been difficult to marry her off if word of it had come out”.²⁵ However, after two days of the incident, the people went to Kupwara to file a report. The district magistrate reported to have recorded in his report that the armed forces “behaved like violent beasts”²⁶. He concluded that there was sufficient evidence to warrant a full inquiry. The army, however, denied the allegation of rape and torture and appointed an army Brigadier to conduct an inquiry into the case. He dismissed the allegation of rape as “malicious and untrue” and levelled to “defame the army”, “prevent further search and cordon to prevent inconvenience” and “prevent search to provide protection to some suspected ANEs (anti-national elements)”.²⁷ On 18 March 1991, the then Divisional Commissioner, who led a team of officers of the army, the Border Security Force and the police, visited Kunan-Poshpora and spoke to around 41 women. He recommended in his report that there was a need for a detailed judicial inquiry to investigate the incident.²⁸ However, his recommendations hardly found any space in the report published by the then state government.²⁹ More than that, a two-member team consisting of senior journalists BG Verghese and K.Vikram Rao from the Press Council of India, who visited Poshpora, found that the allegation of rape was a “figment of imagination” of the Kashmiri terrorists, a “bogus” and concluded that it was a lie being spread at the behest of the militants.³⁰ The report, popularly known as Verghese Committee report, concluded:

“The Kunan rape story on close examination turns out to be a massive hoax, orchestrated by militant groups and their sympathizers and mentors in Kashmir and abroad as part of a sustained and cleverly contrived strategy of psychological warfare and as an entry point for reinscribing Kashmir on the International agenda as a human rights issue. The loose ends and contradictions in the story expose a tissue of lies by many persons at many levels.”³¹

²⁴“See A Festering Wound”, *Economic and Political Weekly*, Vol. XLVIII No.29, July 20, 2013, p 9.

²⁵ Poulomi Banerjee, “Kashmir’s Festering Wounds”, *Sunday Hindustan Times*, August 02, 2015.

²⁶ See, Seema Mustafa, “A living hell” , *opcit*, p.41

²⁷Poulomi Banerjee, “Kashmir’s Festering Wounds”, *Sunday Hindustan Times*, *opcit*.

²⁸Seema Mustafa, “A living hell” , *opcit*.

²⁹*Ibid*.p.43

³⁰See Editorial, “A Festering Wound”, *Economic and Political Weekly*, *opcit*.

³¹ Press Council of India, *Crisis and Credibility*, 2-3 (1991). Quoted by K.M.Shrivastava, “ Terrorism and Media”, in R.K.Nayak (ed.) *Terrorism, Drug Trafficking and Corruption*, New Delhi, Ashoka Law House, 2004, P.230.

The report gave a clean chit to the soldiers and allowed the political establishment to close the case without a trial of any kind.³² But it was widely criticized and the local people felt offended and rejected it. The statements of several alleged rape victims were not taken into consideration. The recommendations of the inquiry conducted by the Divisional Commissioner, which suggested thorough investigation, is not known to have implemented.³³ The case was virtually closed towards the end of the year 1991. While reacting to the recent amendments in Criminal law, a woman in Kunan-Poshpora said, “When the poor young girl in Delhi was raped, you changed the law. Here, when our women were raped by men in uniform for an entire night, you have only intervened to give them a clean chit. Is this justice” . This apart those who had been raped “were being stigmatized and taunted for what happened to them even by the men of their own village”. In addition, a report by Zahir-ud-Din on the condition of the victim women of Kunan-Poshpora, published in the Greater Kashmir (a daily) on February 22, 2002, lamented:

“The society is not ready to accept them, the government has failed to dispense justice and the Hurriyat Conference has added salt to their wounds by “giving Rs 100 to each of them as compensation”. Though the Kunan rape victims have horrifying to tell they do not narrate their woes anymore. Destiny has sealed their fate and the poor victims have sealed their mouths for good”.³⁶

Even so, on October 19, 2011, the State Human Rights Commission (SHRC) passed a judgment on the incident demanding reopening of the case and filing a case against the then Director, Prosecution, for “deliberately scuttling” the investigation into the matter.³⁷ The SHRC had also asked the state government to constitute a Special Investigation Team (SIT) headed by an officer not below the rank of Superintendent of Police to re-investigate the case. Furthermore, the SHRC stated that the medical examination of the alleged rape victims conducted on the orders of the state administration had confirmed that they were subjected to atrocities. The high court also observed that the recommendations of the Jammu and Kashmir State Human Rights Commission were supported by the evidence. Moreover, a judicial magistrate court in Kupwara district also ordered for reopening the case in March, 2013. Parvez Imroz, who took up the protest petition of victims before the

³² Seema Mustafa, “A living hell” , opcit, p.41

³³ Ibid.p.43

³⁴ Ibid.p.43

³⁵ Uma Chakravarti, “Archiving Disquiet : Feminist Praxis And The Nation State”, opcit, p.68.

³⁶ A.G. Noorani, “Human rights in Kashmir”, Economic and Political Weekly, Vol. XXXVII No. 12, March 23, 2002, P.1081.

³⁷ IshfaqTantry, “1991 ‘mass rape’ case reopens after 22 years”, The Tribune, June19, 2013.

court, said, “The court in its orders did not agree with the final closure report of the police and reopened the case by sending the file back to the police for further investigation”.³⁸ The orders of the court came following a submission of a protest petition by victims seeking reinvestigation of the case by the SIT. The court sent the file back to the police for further investigation to be completed within three months. Later, the time for investigation was extended for three months.

The army, on the other hand, filed a review petition in November 2013 before the Kupwara sessions court against its order of reinvestigation by the judicial magistrate. It called this process “a pre-planned, politically motivated game against army”, and that the “statement of victims are stereotyped and like recorded rotten stereo sounds that play rape all over again”.³⁹ The counsel for the army argued that the order of June 18, 2013 was “against law, arbitrary, capricious and without judicial learning”. He said the army has remained cooperative and sincere in the investigations and that the perusal of the case after 24 years is exploitation of army by “certain people”. The army, while invoking section 125 of the Army Act, 1950⁴⁰, further argued that the competence of filing the chargesheet to decide whether the accused should be tried through court martial or criminal court lies solely with the army.⁴¹ While rejecting the argument of the Army, the Sessions Judge dismissed the petition paving way for the probe. Against the order of Sessions Court, the Army filed a plea in the Jammu and Kashmir High Court and the High Court stayed investigation in the case in January 2015.⁴² Reacting against the stay order of the High Court, the Jammu and Kashmir Coalition of Civil Society (JKCCS) accused the Army of “using the judiciary”.⁴³ According to the spokesperson of JKCCS the stay order was passed by the High Court without hearing the survivors who were party to the orders in the lower courts for further investigations. Meanwhile, the

³⁸ Ibid.

³⁹ “KunanPoshporaCase : Army Cries Conspiracy”, *Rising Kashmir*, 1February2014. Available at <http://www.rising-kashmir.com/kunan-poshpora-case-army-cries-conspiracy/>. Quoted in Ayesha Pervez,

“Sexual Violence and Culture of Impunity in Kashmir: Need for a Paradigm Shift”, *Economic and Political Weekly*, Vol XLIX No.10, March 8, 2014, P.10.

⁴⁰“1b According to section 125 of the Army Act, 1950, where a criminal court and a court-martial have each jurisdiction in respect of an offence, it shall be in the discretion of the officer commanding the army, army corps, division or independent brigade in which the accused person is serving or such other officer as may be prescribed to decide before which court the proceedings shall be instituted, and, if that officer decides that they should be instituted before a court-martial, to direct that the accused person shall be detained in military custody.

⁴¹“ Afzal Sofi, “Army Challenges Court Order in Kunan-Poshpora “Mass Rape”, Kashmir Reader, 29 November 2013. Available at <http://www.kashmirreader.com/11292013-ND-army-challenges-court-order-in-kunan-poshpora-%E2%80%98mass-rape%E2%80%99-23856.aspx>. Quoted in Ayesha Pervez, “Sexual Violence and Culture of Impunity in Kashmir: Need for a Paradigm Shift”, opcit. P.11

⁴² “J&K : HC stays probe into kunan Poshpora mass rape”, *The Indian Express*, January 16, 2015.

⁴³ Ibid.

state government has challenged the High Court decision (in an ongoing petition that the victims had filed) in the Supreme Court on the issue of compensation that the High Court ordered them to pay”.⁴⁴

The salient characteristic of this case is that it has refused to die. Since the closer of the case and clean chit to the soldiers had disappointed the victims and the local people, they did not relent in their fight for justice. Consequently, the case was reopened after over two decades. However, as it is rightly observed, “After such a long lapse of time, it will not be easy to investigate the case so that a prosecutable case be made. Yet the very fact that the women’s demand for a fresh investigation has been heard is significant in itself”.⁴⁵

The Shopian Rape and Murder Case: Another gruesome case was of two young women of the same family (sisters-in-law) whose bodies were found in a stream in Shopian on May 30, 2009. The incident sparked off violent protests and processions by local people who had suspected the hands of the personnel of the Central Reserve Police Force (CRPF) of rape and murder of the two women. “In the wake of mounting public outrage and protest, a post-mortem examination conducted by two doctors from Pulwama confirmed rape”.⁴⁶ To express their solidarity with the affected people a delegation of 100 Kashmiri Pandits also visited Shopian and staged a sit-in outside the Jama Masjid.⁴⁷ Ms. Mehbooba Mufti, the then MLA and President of the PDP, even flung a microphone in the state Assembly and took out a procession demanding justice for victims. She also demanded revocation of the Armed Forces Special Powers Act (AFSPA) and reduction of troops from the area. The massive protests in Shopian continued for 47 days uninterruptedly during which four protesters lost their lives. Keeping the seriousness of the situation in mind, the then Chief minister, Omar Abdullah, ordered a judicial inquiry into the incident to be conducted and completed within one month by the retired judge, Justice Muzaffar Ahmad Jan, of the Jammu and Kashmir High Court.⁴⁸

The bereaved family of the two women had also staged a hunger strike to force the police to register a murder case. The police, however, insisted that both women died of drowning and therefore refused to register the case.⁴⁹ The first team of experts which carried out the autopsy also did not point to any foul play.⁵⁰ However, the finding of the forensic report forced the police to register an

⁴⁴ Poulomi Banerjee, “kashmir’s Festering Wounds”, Sunday Hindustan Times, August 02, 2015.

⁴⁵ “A festering wound”, Economic and Political Weekly, opcit.

⁴⁶ Seemakazi, “Law, Governance and Gender in Indian-Administered Kashmir” (Working Paper Series), Centre for the Study of Law and Governance, JNU, Nov. 2012, p.26.

⁴⁷ Arjun Sharma and Sonika Raina, “Pandits stand by Shopian victims”, *The Hindustan Times*, August 4, 2009.

⁴⁸ Ehsan Fazili, “Judicial probe into death of 2 women”, *The Tribune*, Chandigarh, June 2, 2009.

⁴⁹ *The Tribune*, Chandigarh, June 6, 2009.

⁵⁰ *The Tribune*, Chandigarh, June 8, 2009.

FIR for rape.⁵¹ Moreover, a detailed report submitted by the doctors to the police mentioned “excessive bleeding” and “neurogenic shock” as the likely cause of death.⁵² The autopsy report of June 6, 2009 claimed that while one of the woman had died because of injuries on her head, which caused haemorrhage, followed by cardiovascular arrest. The probable cause of death of another woman may be a “neurogenic shock”. The second autopsy report of June 8, 2009, claimed that one woman had suffered “sexual assault” before dying of “haemorrhagic shock” due to bleeding from her multiple injuries while no cause of death for the second woman had been mentioned.⁵³ Added to this, the one-man judicial committee, headed by Justice Muzaffar Jan, also made it clear that the two women did not die of drowning and one woman was “certainly killed”.⁵⁴ The interim report of the Jan Commission had indicted the police, the Deputy Commissioner, doctor and FSL’s scientific officer for serious lapses and destroying evidence which could have proved to be useful in tracing the accused.⁵⁵ The Commission, however, “remained silent on the identity of the perpetrators, as well as on the manner in which the crime was covered up by the authorities”.⁵⁶ The state government on the basis of this interim report suspended four police officials, including the then Superintendent of Police (SP) and a senior forensic official. The Jan Commission also recommended their prosecution but the government went for a departmental inquiry after placing the officials under suspension.⁵⁷ In its final report the Jan Commission concluded that the “involvement of some agency of the J&K police can not be completely ruled out”. However, it had maintained that the commission could not gather conclusive evidence to nail the guilty due to several constraints.⁵⁸ The report, however, proved to be a huge reprieve for the CRPF which was at the receiving end of political campaign blaming it for the rape and murder of the two victims.

Subsequently, the case was referred to the Special Investigation Team (SIT). The Jammu and Kashmir High Court ordered the exhuming of bodies and gave sweeping powers to the SIT for nabbing the accused besides allowing SIT to carry out narco analysis test, if required, of four suspended cops and two witnesses, who said that they had seen on May 29, 2009 night a blue-coloured Tata-407 police vehicle and heard female cries.

⁵¹ *The Tribune*, Chandigarh, June 19, 2009

⁵² Ibid.

⁵³ *The Sunday Tribune*, Chandigarh, June 15, 2009.

⁵⁴ *The Tribune*, Chandigarh, June 11, 2009.

⁵⁵ *The Tribune*, Chandigarh, June 22, 2009.

⁵⁶ Seema kazi, “Law, Governance and Gender in Indian-Administered Kashmir”(Working Paper Series), opcit, p.27.

⁵⁷ *The Tribune*, Chandigarh, June 26, 2009.

⁵⁸ Kumar Rakesh, “Jan Panel finds evidence of police involvement’, *The Tribune*, Chandigarh, July 11, 2009.

The High Court also ordered the arrest of four suspended policemen and asked the SIT to collect the blood samples for DNA tests to find out if they could be involved in the crime, a possibility that the Jan commission had suggested in its final report. Furthermore, the court appealed to the people of Shopian to call off the 47 day long protests and assured the deceased women's family that they would go to the bottom of the matter and "bring the culprits to the justice."⁵⁹ On this, the Mazlis-e-Mashawarat, which had spearheaded protests in Shopian, called off agitation till July 23, 2009 when the Division Bench heard the case.⁶⁰ The accused four police officials, including the SP, applied for bail but the same was rejected by the court.⁶¹ Meanwhile the SIT took all the four arrested cops to the Jammu and Kashmir High Court Registrar's office to collect their blood samples so as to speed up the probe. But the two senior cops, including the suspended SP, had already moved the Supreme Court against the High court's decision of asking the SIT to collect their blood samples for DNA profiling.⁶² Subsequently, all the accused police personnel were granted bail by a single bench of the High Court after the SIT failed to provide enough proof of their involvement.⁶³

However, judging the sensitivity of the case and local protests, the government decided to hand over the investigation to the Central Bureau of Investigation (CBI) from the SIT. The CBI exhumed the bodies of two women and a team of experts from Delhi's All India Institute of Medical Sciences collected samples four months after their death when a doctor admitted to the CBI that she had fabricated the vaginal swabs of the two victims when she conducted the second post-mortem on them.⁶⁴ The doctors who collected the samples had given a fresh turn to the controversy by stating that one of the two women actually died a virgin. Regarding the second women, they said as she was married and also a mother of a child it was not possible to confirm or negate rape in her case. As regards their death, the doctors did not rule out drowning as these women had died while crossing a stream on their way home.⁶⁵ The CBI, while basing its report on the autopsy report of the experts of AIIMS, declared that their death was caused by drowning. It obviously, led to booking of around two-dozen people, including six doctors, for destroying evidence and creating disturbances in the state by claiming that the women were raped and

⁵⁹ Kumar Rakesh "HC orders arrest of cops, their DNA tests" *The Tribune*, Chandigarh, July 16, 2009.

⁶⁰ *The Tribune*, July 17, 2009.

⁶¹ *The Hindustan Times*, August 7, 2009.

⁶² *The Tribune*, Chandigarh, July 20, 2009.

⁶³ Ashiq Hussain, "Geelani posters burnt in Shopian" *The Hindustan Times*, New Delhi, September 13, 2009.

⁶⁴ Ashiq Hussain, "Shopian Case: CBI Sleuths Exhume Bodies", *The Hindustan Times*, New Delhi, September 29, 2009.

⁶⁵ Arun Joshi, "Shopian victim was a virgin : Doc Report", *The Hindustan Times*, New Delhi, September 30, 2009.

murdered by the police and security personnel. But the Majlis-e-Mashawarat, which had spearheaded a 47-day-long violent agitation in Shopian, presented a letter written by the forensic department professor in AIIMS, claiming that the leader of the expert team lacked “integrity and required qualification.” Further he added that even after admitting that the report could be correct, “You can’t say drowning rules out murder. Someone could have killed them by drowning”. Moreover, the fact that hymen of one of the victims was intact “doesn’t mean no rape had happened.”⁶⁶ The family members and the separatist leaders in the valley also refused to accept the findings of the CBI. Nevertheless, on 22 April 2010, the CBI approached the state High Court to dismiss charges against the four arrested cops. And the state government charged the team of doctors, which conducted the first post mortem, with fudging evidence to defame the police and the security forces.⁶⁷

Since the CBI’s verdict disappointed the affected families and local people, they had observed a complete bandh in Srinagar on the occasion of the first death anniversary of these two women. Besides this, the Majlis-e-Mashawarat, while demanding an international probe into the incident, had vowed to continue the struggle till its demand was not fulfilled.⁶⁸ Late Balraj Puri, known for his perceptive writings on J&K, had also urged the government to pursue the case earnestly and expedite the decision. According to him, “as the judicial inquiry headed by Justice (retd.) Muzaffar Jan in his report held some police officers guilty of the crime, the CBI reversed his judgment, it needs to be probed”.⁶⁹

Nonetheless, on the basis of CBI’s recommendations the accused policemen were reinstated, although the case was still sub-judice in the High Court which had refused to treat the CBI report as the gospel truth. The high court, which had earlier ordered their arrest and later released them on bail, had still not cleared the four policemen.⁷⁰ Mention may be made here that the policemen were indicted by both the Jan Commission of Inquiry, which held that the tempering of evidence was a deliberate pre-meditated act, and the Jammu and Kashmir High Court, which maintained that “either they had committed the crime or they knew who had done it”. The local people believed that the men in uniform had enjoyed impunity and got patronage from authorities. Since there existed disparities and contradictions in the reports of various investigations carried out by different agencies like the CBI, SIT and Justice Jan’s Commission of inquiry, the grieved family had approached

⁶⁶ Toufiq Rashid, “AIIMS row shadow on Shopian case”, *The Hindustan Times*, December 16, 2009.

⁶⁷ Tejinder Singh Sodhi, “March to Shopian foiled”, *The Tribune*, Chandigarh, May 31, 2010.

⁶⁸ Ehsan Fazili, “Total bandh in Shopian”, *The Sunday Tribune*, Chandigarh, May 30, 2010.

⁶⁹ J&K Human Rights Perspective, Vol. 9-No.3, May-June, 2011, p. 8.

⁷⁰ Saheli, Warisha Farasat and others, “Shopian Provocation”, Independent Women’s Initiative for Justice in Economic & Political Weekly, October 2 – 8, 2010, Vol. XLV, No.40, p.5.

the Jammu and Kashmir High Court with a motion seeking reinvestigation of the case. The court, on this issued a notice to the state government and asked it to file objections within two weeks.⁷¹ However, subsequently on July 14, 2014, the High Court ruled out any fresh investigation, holding that the report of one-man judicial commission alone cannot form the basis for ordering a fresh probe into the case. While disposing of the public interest litigation and other connected applications, the High court validated the CBI probe which described the death of two women as “accidental drowning”.⁷² The case was handed over to the CBI after the Kashmir High Court Bar Association had filed a PIL seeking the High Court’s monitoring in the case. While ruling out re-investigation, the Division Bench observed “The CBI in its probe has revealed false facts in various autopsy reports and fudging of evidence by doctors involved in the post-mortem. The slides sent for scientific examination were allegedly fabricated”.⁷³ The court observed “the doctor who is reported to have conducted a lung floatation test had stated that he had removed the lungs from both bodies and conducted the test. The lungs, however, were found to be intact in the bodies in the subsequent probe by the CBI”.⁷⁴ The court said the earlier report submitted by doctors that death didn’t happen due to drowning was belied by the investigation conducted by the CBI.⁷⁵ In addition, while ruling out rape it was said that the earlier post-mortem report had stated that the hymen of one of the women victim was torn but the team of AIIMS doctors had found it intact”. Therefore, the court said “the very basis of the medical report and other evidence, whereupon the Jan Commission based its findings and conclusions, has been found to be absolutely false by the CBI.”⁷⁶ Therefore, the report itself cannot form basis for this court to order a fresh investigation into the entire episode”.⁷⁷ Finally, the court held “With the CBI having completed its investigation and presented the chargesheet, no further monitoring is required by this court”.⁷⁸

Nevertheless, the issue of alleged rape and murder of the two women, has yet to pass away. In spite of the CBI’s closure report and the consequent denial of any fresh probe by the court in the incident, the doubts have persisted and the relatives “vowed to fight for justice”. The case, among others, has also acquired electoral significance. For example, during the current assembly elections (2014), some parties, including the Peoples Democratic Party (PDP), made it a poll issues to

⁷¹ “High Court notice to state on Shopian killings”, *The Tribune*, November 27, 2012.

⁷² IshfaqTantry, “HC rules out re-probe into ’09 Shopian case”, *The Tribune*, Chandigarh, July 16, 2014.

⁷³ Ibid.

⁷⁴ Ibid.

⁷⁵ Ibid.

⁷⁶ Ibid.

⁷⁷ Ibid.

⁷⁸ Ibid.

garner votes in the area and attacked leaders of the rival National Conference (NC) for failing to bring the culprits to book during their rule.⁷⁹ Some, while denouncing the drowning theory said “Even those non-Kashmiris who have travelled down from here to there, refuse to believe, refuse to acknowledge that theory—that the two women died because of drowning in those shallow waters!”⁸⁰ However, a 34-page report prepared by six women activists highlighted:

“The Shopian rapes and murders epitomize the wrongs and injustices perpetuated on the people living in a militarized society. The incident not only manifests the extent of the fear psychosis, denial of security and democratic rights to the people, it also demonstrates the abject refusal of those at the helm of affairs to bring the culprits of gross violation of human rights to book. Shopian is not a case in isolation. It is a fear out of history of human rights abuse and absolute impunity that men in uniform enjoy...”⁸¹

CONCLUSION:

In brief, it can be concluded that women in the disturbed areas of the state have faced excesses and atrocities such as kidnapping, molestation, rape, forced marriage and imposition of dress code. These violations occurred more frequently at the initial stages when the militancy had a powerful presence and the counter insurgency operations were launched in a recurrent manner. The horrific incidents of rape, murder and kidnapping have had caused shock waves and anger in the Kashmir valley. Some cases of kidnapping of women belonging to powerful political families in the valley had also helped militants in earning publicity, securing release of fellow militants, instilling fear and demoralizing the state machinery. Such deeds, however, had considerably tarnished the image of some militant groups. Women had suffered indignity and violence at the hands of both the militants and the police or security forces. According to Asia Watch and Human Rights Watch, “Rape by state forces is not a privately-motivated form of...abuse...but an abuse of power that implicates public responsibility”.⁸² It is a travesty that the various security legislations or statutes enacted by the government to effectively deal with terrorism have been misused to cover up the wrongful deeds of the security personnel. In Kashmir where the AFSPA is in force, the major criticisms of the Act is that once the police file and investigate a case against

⁷⁹ See, Aurangzeb Nakshbandi, “Elections bring Shopian rapes back in spotlight”, *The Hindustan Times*, December 14, 2014

⁸⁰ Humra Quraishi, “On Shopian Tragedy, Mulk Raj Anand”, *Mainstream*, December 25-31, 2009, p.85.

⁸¹ Report Quoted in Ibid.

⁸² Rape in Kashmir: A Crime of War, New York: Asia Watch and Human Rights Watch (1993). Quoted by Seema Kazi, “Shopian : War, Gender and Democracy in Kashmir”, op-cit, p.13

members of the armed forces, they need sanction, which is frequently denied, from the Ministry of Defence (to prosecute army personnel) or Home (to prosecute paramilitary forces). Consequently, the armed forces frequently get immunity from prosecution in civilian courts after their personnel have been charged with rape. Even the recommendation of a committee headed by former Chief Justice of India, Justice J.S. Verma, that the AFSPA be amended to remove the requirement of sanction for prosecuting security force personnel for crimes involving violence against women has not been implemented and ignored completely.⁸³

⁸³Report of the Committee on Amendments to Criminal Law, 30 January 2013. Available at <http://www.prs-india.org/uploads/media/justice%20verma%20committee/js%20verma520committee%20report.pdf>, accessed on 20 April 2015.



AN ALTERNATIVE HISTORIOGRAPHY: ARTICULATING DALIT IDENTITY IN G. KALYANA RAO'S *UNTOUCHABLE SPRING*

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The word *Dalit*, literally, “oppressed,” refers to the politically regrouped outcastes of Hindu society, whose adoption of this name signifies their struggle for social justice. In 1970s the ‘Dalit Panthers’ revived the term and expanded its reference to include scheduled tribes, poor peasants, women and all those being exploited socio-politically and on the basis of caste and religion. The Dalit Panther movement practiced an exclusionary male-dominated politics. According to Omvedt, the word ‘Dalit’ includes “neo-Buddhists, the working people, the landless and poor peasants, women and all those who are being exploited politically, economically and in the name of religion” (Dutta 2). The Indian Government’s refusal to include caste on the agenda prior to the 2001 UN World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance (WCAR) held in Durban, spurred a massive Dalit opposition campaign, and several heated debates about the relationship (or lack thereof) of race to caste. The moot question was whether or not caste can be re-defined as “racial discrimination based on descent” simply to draw it into the international spotlight.¹

In tandem with the international and national debates on caste, there exists a complex narrative of personal memories, heard fragments and lived experiences foregrounding continuing prejudices and suffering of Dalit communities. Such narratives attempt to dislocate the centrality of the upper castes, and relocate the Dalit often relegated to the margins. An attempt to redefine Dalit identity through music, dance and oral histories is reflected in Telegu Dalit writer G. Kalyana Rao’s *Antarani Vasantam (Untouchable Spring – 2000)*. The title has a two-fold meaning – “untouchable” or “*antarani*” is indicative of the social caste, whereas “*Spring*” or “*vasantam*” directs our attention to Spring which remains an elusive, unattainable season for the Dalit community. Translated from the Telegu (published by Orient Black Swan in 2000) by Alladi Uma and M. Sridhar, the book is a narrative which circumscribes several narratives across generations within its fold.

¹ United Nations Information Service, “Committee on the Elimination of Racial Discrimination Concludes Sixty-Fifth Session,” August 24, 2004 <<http://www.unis.unvienna.org/unis/pressrels/2004/rd985.html>> (December 2, 2004).

Kalyana Rao is a Dalit writer and a Dalit convert to Christianity. Most importantly, as an ardent believer in revolutionary ideology, he has been significant functionary of Virasam Viplava Rachayitala Sangham (Revolutionary Writers' Movement). He was an active participant in the post Karamchedu movement and was a secretary and then president of the radical writers' forum, VIRASAM. He has been playing an involved role in the editing of their journal, *Aruntala* over a decade. In 2004-05, he was one of the three emissaries of the Peoples' War in the peace talks between the Andhra Pradesh Government and the Naxalites. Kalyana Rao spent over fifteen years in the preparation of *Untouchable Spring*. He writes: 'The question I am asking is: Where does the true revolutionary come from? To Gurajada and Gandhi, I say: "My history, my culture, my heritage is no less than yours. I do not need to change my culture and move into yours."' (Quoted in Susie Tharu: 2011). Rao draws on oral material passed down through generations, personal lived experiences, church and missionary records to weave his narrative. *Untouchable Spring* which spans almost five generations of malas and madigas in Yellana Dinni in Andhra Pradesh foregrounds the oppression of malas and madigas – socially as well as culturally.

Telegu Dalit literature emerged as a powerful force during the 1990s. Anthologies such as Dalit-Bahujan writing—*Chikkanautunna Pata* (1995), edited by G. Lakshmi Narasaiah and Tripuraneni Srinivas, and *Padunekkina Pata* (1996), edited by G. Lakshmi Narasaiah reflected Dalit involvement with the Left Movement. On the other hand, *Dalit Manifesto* (1995), edited by Keshav Kumar and K. Satyanarayan epitomized both the Left ideology and the rising idea of a Dalit consciousness. Spartacus, G. Mohan Rao's *Khaki Batukulu* (1996), Chilukuri Devaputra's *Panchamam* (1998) dealt with caste discrimination within the Indian bureaucracy while Yendluri Sudhakar's *Mallemoggala Godugu: Madigakathahulu* (1999) focused on 'self stories' of oppression. In their 'Translator's Note', Alladi Uma and M. Sridhar posit the following question: "What happens when a Dalit Community, pushed into the crevices of mainstream history, surfaces to tell its stories, by inventing an in-between genre that simultaneously interrogates 'objective' histories and 'self' driven autobiographies?" (Translator's Note 2000: 275). The resultant is a 'memory text' such as *Untouchable Spring* which inscribes the oral in the backdrop of nationalist struggles, caste based reformist movements and the politics of the newly emergent nation. Rao also provides alternative versions of history which have been neglected within the official discourse. Laura Brueck writes that "Dalit literature, in its social activist role, orients itself towards two specific target audiences: a Dalit audience among whom it intends to foster political consciousness, and a non-Dalit audience for whom it attempts to reveal the "reality" of caste society" (Brueck 121).

Dalit literature is often a reflection of the struggles, and dilemma of Dalit communities across the country. More importantly, it is emblematic of an aesthetic which thrives beyond established literary canons. Sharankumar Limbale's *Towards an Aesthetic of Dalit Literature: History, Controversies and Considerations* is a provocative and thoughtful account of the debates among Dalit writers on how Dalit literature should be read. In this book, Limbale explores several crucial questions:

- What is Dalit literature?
- What are its concerns and features?
- What aesthetic considerations should be taken into account in interpreting Dalit writing?
- Is it appropriate to apply to Dalit literature the criteria used in assessing the work of non-Dalit writers generally, and high-caste Hindu writers in particular?
- Who is a Dalit, anyway?

Limbale argues that Dalit literature is aimed at raising the consciousness of the Dalit masses and making them aware of their consciousness. The uniqueness of Dalit experience is reflected in the core, materiality of “untouchability”. Dalit literature therefore becomes “a lofty image of grief.” In this context, the central goal in the process of unlearning develops from an ability to listen to the other constituency but also to learn “to speak in such a way that one will be taken seriously by that other constituency,” (Spivak 1990: 42, 57) which does not need to imply denigrating the other or succumbing to anti-intellectualism. Spivak insists that:

I have no doubt that we must learn to learn from the original practical ecological philosophies of the world. Again, I am not romanticizing. . . . We are talking about using the strongest mobilizing discourse in the world in a certain way, for the globe, not merely for Fourth World uplift. I say this again because it is so easy to dismiss this as quixotic moralism. This learning can only be attempted through the supplementation of collective effort by love. What deserves the name of love in an effort—over which one has no control yet at which one must not strain—which is slow, attentive on both sides—how does one win the attention of the subaltern without coercion or crisis?—mind changing on both sides, at the possibility of unascertainable ethical singularity that is not ever a sustainable condition. The necessary collective efforts are to change laws, relations of production, systems of education, and health care. (Spivak 1999: 383)

Given its overarching preoccupations with the location of Dalits in the caste-based Hindu society, and their struggles for dignity, justice and equality, this literature is by nature oppositional. With the growing translation of works by Dalit writers from various regional languages into English, Dalit literature is in fact poised to acquire a national and an international presence as well as to pose a major challenge to the established notions of what constitutes literature and how we read it. For instance, in her autobiography *Antasphot*, Kumud Pawde narrates a story of oppression and discrimination that she suffers as a woman and a Dalit who dares to learn the sacred language, Sanskrit, in a rigid, caste-ridden Indian society. At every step, as a teacher of Sanskrit at a Government College, she is reminded of her caste and gender:

Well, isn't that amazing! So, you are teaching Sanskrit at the Government College, are you? That's very gratifying I must say." The words are quite ordinary: Their literal-meaning is straight-forward. But the meaning conveyed in the tone in which they are said torments me in many different ways! "In what former life have I committed a sin that I should have to learn Sanskrit even from you?" "All our sacred scriptures have been polluted" Some despair is also conveyed by their facial expressions. "It's all over! Kaliyug has dawned. After all, they are the Government's favourite sons-in-law. We have to accept it all! (Pawde: 1981)

Kumud is accepted in society only after an inter-caste marriage, which then provides her a job and social security. Her experiences suggest that less powerful members of a society need to be understood from an epistemological standpoint. Further, they provide a more comprehensive view of social reality than others because of their deprived position. This location grants them a certain epistemic privilege over others. Dalit women justify the case for talking differently on the basis of external factors (non-Dalit forces homogenizing the issue of Dalit women) and internal factors (the patriarchal domination within the Dalit communities). Dalit women's narratives foreground the experience of caste deprivation and highlight the struggle of individual women to overcome impoverishment, discrimination, and hostility, whether through education or political involvement. In recent years, Dalit women have challenged their exclusion from the top positions in India's literary and academic circles. Their protest has brought to the foreground three aspects of Indian society:

- (1) It is not only caste and class identity but also one's gender positioning that decides the validity of an event;
- (2) Dalit men are reproducing the same mechanisms against their women which

their high caste adversaries had used to dominate them;

(3) the experience of Dalit women shows that local resistance within the Dalits is important. The whole situation compels us to defend the claim of Dalit women to talk differently. (Gopal 1995: 2549)

Dalit women writers have come to the forefront since the 1980s with major contributions in autobiographies from stalwarts such as Shantabai Kamble, Kumud Pawde, Mukta Sarvagod, and Babytai Kamble.

Dalit writing reflects distorted minds nurtured by a rigid caste system which refuses to recognize the human. *Unclaimed Terrain*, a collection of seven short stories in Hindi by Dalit writer Ajay Navaria is dedicated "To the characters in my stories who fight for their dream of justice and to the tradition that teaches us to struggle for dignity, equality, and freedom" (Navaria 2013). The stories address the identity crisis of Dalit individuals who have paved their way into an ambiguous middle class sensibility of a metropolitan city and at the same time are forever terrorized by a fear of 'discovery' as an 'untouchable' within the cosmopolitan milieu. In the first story from the collection, 'Sacrifice', the protagonist Avinash is a well-read, non-religious individual, happily married to a woman from a different caste. His regressive and bad-mouthed father is the only reminder of his Dalit identity. However, both Avinash and Navaria's readers find themselves in a grey zone of material reality as they realize that his father has had a hurtful past in his love for a Brahmin girl, who had also dared to love him back and is then victimized by a casteist society. 'Sacrifice' also deals with the trauma of lived reality in the parallel life of the butcher, 'Kalu', who became an expert butcher, but at the cost of losing his beloved pet goat, Piloo – whose memory continues to torment him. Navaria negotiates with new aesthetics and thematic norms of Dalit literature by focusing on the individual rather than the community.

Dalit writing is currently involved in a relentless struggle to reclaim histories, myths and culture and to record lost experiences which symbolize vitality and courage. Ruth, the widow of Reuben and a fifth generation Malagi, functions as narrator, listener and recollector, who forges a deep rooted historical and cultural connection with her grandson. Caught in the tussle between the powers that be and the downtrodden, *Untouchable Spring* begins with the myth of creation to issues of politics and caste. As Ruth remembers her husband, her 'beautiful, untouchable man', she reiterates the crucial role of the storyteller: "He told stories. Wove poems. Laughed and cried as he narrated." (Rao: 1)

The book projects the lives of over five generations of Dalits in 'Yennalla Dinni' in Andhra Pradesh as Ruth retells the story of her husband Reuben – a Dalit and a Christian convert. Through a complex narrative which juxtaposes Reuben's

voice with that of his forefathers and descendants, *Untouchable Spring* is witness to tales of humiliation and suffering incarcerated in paper. Through Reuben, the reader is introduced to the acts of rebellion by Reuben's grandfather, Yellana, the massacre of his father Sivaiah, his own life story, and that of his son. Immanuel and grandson, Jesse. Yellana, Reuben's grandfather, is a wandering performer who tries to achieve centrality for Dalits through his art. Known as the *Mala bairagi*, Yellana continues to travel, dance and sings of travails of the everyday. As Yellana's feet dance, the reader is able to respond to the rhythm which merges Yellana with the dark lord Siva. According to Jasbir Jain, *Untouchable Spring* is "an account of mankind on the run as every attempt of these Dalit communities to gain self-respect and dignity is thwarted. The image of the pursued running away and followed by a crowd of persecutors, armed with hearts of steel and weapons of death, occurs again and again, signifying a persistent attempt to crush them" (Jain 2015: 101). The story of Yellana's son, Sivaiah and his wife Sasirekha is emblematic of the omnipresent caste prejudices. Driven away by the drought in the village, Sivaiah and Sasirekha explore further south in search of work. However, once they reach the Buckingham canal, the caste Hindu coolies refuse to work alongside the malas and the madigas and the couple are also driven away. Consequently, they find hope in a new religion, Christianity. Martine, a Christian, baptizes the couple but it is a country where not only have Malas and Madigas converted to Christianity, but also, the Reddys and the Chaudharys, who continue caste atrocities even within the fold of the new religion. Ruben narrates:

I heard the song too . . . the son in law of the younger karanam of Yellanna Dinni . . . Immanuel Sastry . . . though he became a Christian, he hasn't lost his tail. The 'Sastry' remains. John Paul Reddy. Joshua Chaudhary . . . Though the religion has changed, the caste hasn't worn off . . . (Rao 174)

In the translators note, translators Alladi Uma and M. Sridhar write:

The novel also questions the so called authenticity of the 'written' histories. Mainstream histories, he (Rao) complains, do not represent the truths regarding the way certain communities have been treated. He says that . . . the Buckingham canal – a historical event that the text tries to represent, kept out off standard histories. He claims to have excavated this from Church records. (Rao 278)

However, the exiles return to a culture of music and dance, which is completely outside the purview of Sanskrit traditions. The narrative refuses a chronological depiction of events, and offers a non-linear structure instead. The

Untouchable Spring sustains an unyielding, unforgiving reality. In the distribution of land and labour, in local traditions, in the far flung forces of missionization, through the Gandhian movement for *harijans*, in the Ambedkarite call for justice, in the relationship with the Brahmanical landlords or *Karanams* and the Reddys – the malapallis and the madigapallis are witness to continuous injustice, deprivation and negligence.

The book begins with a Preface

This Spring was forbidden then.
Now, too, forbidden.

The caste of birth forbidden.
The chosen struggle forbidden.

It may have been yesterday. Maybe today.
Maybe any time.

The Spring was forbidden then.
Now, too, forbidden.

(G. Kalyana Rao 2000)

Dance, songs and plays perpetuate stories of discrimination and untold violation of human dignity. Art imbibes experiences of the everyday and sustains them through the generations.

The cry of *Yellana pitta* -an imaginary bird conjured by the author with the words *yellana* (moonlight) and *pitta* (bird) reverberates through the text. The cry of the bird is an expression of the agony of Dalit malas and madigas. It is also a vindication of their right to survive through the songs of Yellana – the first protagonist who is forced to escape the oppression of his village and becomes a wandering minstrel. His songs become emblematic of the struggles of Dalit self-expression and a living memory of courage and perseverance for posterity.

Rao subverts the hegemonic space and time of the Brahmanical main village or ooru as manifest in the cruel proverb “If there is an ooru, won’t there be a *palle*?” (Rao: 7). Through songs and alternative versions of history, Rao reanchors ideologically every narrative moment, plot turn, dialogue, action with a Dalit idiom. His writing creates new literary spaces and new literary actions as narrative forms of compensation, and demands that they be read.

The first rebel in the text is Narigadu who saves his community from certain

¹¹ Kauṭilya too uses these three categories, but also has a fourth - *tūṣṇīmyuddha* (silent war), which involves the use of secret practices and instigation through secret agents (AS 7.6.41).

destruction during the floods by seeking shelter in the forbidden spaces of the *ooru*. Narigadu sacrifices his life for the same. Narigadu's son Naganna – a performer – is instilled with similar seeds of rebellion. He returns to Yellena Dinni with his protégé Yellana (yet another prodigal son of the soil). Along with his able disciple, Naganna decides to use his art as a medium of awareness and a platform for egalitarianism for the Dalit community. The usual performances began with gestures of respect towards the caste Elders of the *ooru*: “Has the Karnamgaru come? Have the Kapus come?” (Rao 79). Subverting the tradition, Naganna as the sutradhar is determined to give voice to the malas and madigas of YellannaDinni through his art form Bagatam. He therefore addresses the elders from the mala and madigapallis. He begins the performance addressing them as ‘Have the great ‘pedda mala’ and the ‘peddamadiga’ who is as great come?’ (Rao 79). This gesture is perceived as an attack on the hierarchical position of the upper caste elders in the village and consequently, the performance of Bagatam is banned. The humiliation for the artist Naganna is beyond endurance and he breathes his last. However, his legacy lives on through Yellana and the words of Narigadu are immortalized: ‘We aren’t born only to die . . .’ (Rao 35). Yellana leaves the village and travels across Andhra Pradesh. Through his songs, he creates a story of resistance, hope and survival. Yellana’s songs create room for a counter discourse and initiate possibilities of eventual undoing.

According to Kalyana Rao,

That’s true – my ancestors lived really outside the village. But they were inheritors of the magnificent culture. Great artists. Litterateurs too. They did not know how to write. They’d weave songs. Weave poetry. Weave padams . . . mine is that weaving heritage. That’s magnificent. All that magnificent has become untouchable. Has been suppressed . . . In this country, more than art and literature caste has become important. Art and literature have been assessed in perspective of caste . . . that’s the great tragedy . . . Why is that so? *Antarani Vasantam* is an exploration of this. (Cited in Translator’s Note from ‘Gnapakala Vasantam,’ *Chatura*, December 2008: 114-117, 114 : 277)

Performance is integral to human agency and culture. Yellana’s gestures signal our attention towards the unique Dalit history which is stored, preserved and transmitted through memory. The gestures remain embedded in both collective and individual memory and become a part of collective-community knowledge. Such performance gains the status of heightened forms of communication, and forms the basis of collective consciousness till there is another performance. Performance also involves an instantaneous audience, since what the audience brings to its memory completes the performance. Yellana’s songs find continuance through the narrative of his granddaughter-in-law, Ruth. Ruth inherits the memory of an Untouchable

Spring through her husband Reuben. Therefore, “. . . Ruth says that her memory is not past. She says it is an untouchable spring” (Rao 2000: 5).

As Reuben embarks in the search of his roots, he finds stories which stand testimony to a period of extreme suffering and also steadfast perseverance and a relentless fight for justice. His grandfather's songs, his grandmother Subhadra's tenacity, his father Sivaiah's conversion to Christianity and the brutal massacre of Dalit Christians – all are integral to the story of the mala and madiga Dalit communities. Reuben narrates:

I heard the song too ... the son in law of the younger karanam of YellannaDinni ... Immanuel Sastry ... though he became a Christian, he hasn't lost his tail. The 'Sastry' remains. John Paul Reddy. Joshua Chaudhary ... Though the religion has changed, the caste hasn't worn off. (Rao 174)

In spite of conversions, caste discriminations survive. The quest for survival, justice, freedom continues. The performance is incomplete; hence the journey is yet to reach a *topos*, as long as the protagonist remains outside the armed struggle. The performance reaches full circle through the realization: “It's okay for us to die so that the poor of this country can live freely” (Rao 258). Reuben's son, Immanuel's martyrdom to the armed struggle continues through the final letter by Ruth for her grandson Jesse inspiring him in the direction of his 'historical responsibility'. It is noteworthy that as she passes on her inheritance, Ruth signs off as the 'yellana pitta' – the bird with the haunting memories – a survivor.

In the words of Reuben:

I am searching for that which my ancestors have lost.
Grand mother told me that grandfather too searched like that.
Mother said father passed away searching. Then grandmother
too searched. Mother too searched. Now I am searching. (Rao:
194)

The search is for justice, for the right to live with dignity – it must be a war of right and wrong – the battle of Kurukshetra perhaps. One of the few lower caste characters featured in both the *Mahabharata* and *Ramayana* is Shambuka. Lead is poured into his ears as punishment when he is caught listening to the Vedas. The very act of listening may be not only perceived as a symbol of resistance but the brutal punishment is a constant reminder of impending justice. Similarly, one is also haunted by the story of Ekalavya and the gross inequality inherent in casteized institutions. According to the author,

From Subhadra who keeps her foot in the dike and holds
up the spade to Ruby who becomes one with the people like

fish in the waters, everything is a battle. The entire life of those characters is but a prolonged struggle. (Cited in Translator's Note from 'GnapakalaVasantam', *Chatura*, December 2008: 114-117, 116 : 277)

Kalyana Rao rewrites literary historiography through *Untouchable Spring*. The eighteen chapters of the book are a constant reminder of the eighteen parvas of The Mahabharata. Indeed, it is an unending epic journey for the Subhadras, Sasirekhas, and Samuels. In the 'Final Word', the author writes:

One can write life in any number of pages. 'Untouchable Spring' is not a life that will be completed in these few pages. In fact, it has not been completed. (Rao: 265)

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LEVELS, PATTERN AND DISTRIBUTION OF INCOME OF SCHEDULED CASTE HOUSEHOLDS IN RURAL PUNJAB

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Abstract

The objective of the present paper is to analyse the income levels, pattern and distribution of the Scheduled Caste households in rural Punjab. The present study is based on a sample of 543 Scheduled Caste households of Punjab. The study has concluded that the salaries account the major proportion of income of the sampled Scheduled Caste households. As much as 95.15 per cent and about 81 per cent of total income of the government and private employee households respectively comes from this source. An average Scheduled Caste household earns per capita income of Rs.14,335.65 annually that clearly indicates the poor economic condition of the sampled Scheduled Caste households. The study suggests that there is an urgent need to properly enforce the Minimum Wages Act for the agricultural and non-agricultural labour households. Moreover, the proper implementation of MGNREGS would also help to generate employment opportunities for the Scheduled Caste households in the rural areas of Punjab.

Introduction

The Indian caste system based on the notion of purity and pollution believed that the Scheduled Castes were impure and polluted. They were excluded from the mainstream society and barred from entering temples, drawing water from upper-caste wells, and all social interaction with upper-caste Hindus (Kumar, 2013, pp. 18-23). The Scheduled Caste population in Punjab has also been growing at a rate much higher than the rest of the population. In 1971, this proportion was 24.7 per cent. It went up to 26.9 per cent in 1981 and further to 28.3 per cent in 1991. In 2001, it grew at slower rate and was 28.85 per cent (Census of India, 2001, pp. 1-5). However, in the following decade, it has reached to 31.9 per cent in 2011

(Ministry of Home Affairs, 2013, pp. 21-32).

Of all the states of the Indian union, Punjab has the highest proportion of the Scheduled Castes. The Scheduled Castes of Punjab are made-up of 37 different communities. During this decade, two more castes namely, Mochi and Mahatam / Rai Sikh castes have been notified as Scheduled Castes in Punjab. The Scheduled Caste population of Punjab is 88,60,179 which constituted about 31.9 per cent of the total population of the state. In absolute terms, Punjab holds 15th rank in terms of population and accounts for 4.4 per cent of the total Scheduled Caste population of the country. The growth rate of the Scheduled Caste population has been recorded at 26.1 per cent during the decade of 2001-2011. The Scheduled Castes in the state are predominantly rural, as 75.66 per cent of them live in villages (Ministry of Home Affairs, 2013).

Out of total 12581 villages in the state, 37 villages have 100 per cent population and 3788 villages (31 per cent) have 40 per cent Scheduled Caste population (Government of Punjab, 2013, p. 213). Slightly more than 75 per cent of the Scheduled Caste population lives in the rural areas as compared to 66 per cent non-Scheduled Castes in Punjab. The Scheduled Castes of Punjab are the most deprived in terms of landholdings. They have been traditionally missing in the category of landowners.

Due to the lack of access to fixed sources of income and high incidence of wage labour associated with high rate of under-employment and low wages, the Scheduled Caste households are often faced with low incomes and high incidence of poverty (Planning Commission of India, 2008). The work participation rate of the Scheduled Caste population in Punjab was 37 per cent which was lower than 40.4 per cent aggregated at the national level for all the Scheduled Castes. Out of the total Scheduled Caste labour workers, a majority of them (65.45 per cent) are engaged in agriculture and allied activities, whereas only 9.91 per cent are engaged in manufacturing activities in the industrial sector (Census of India, 2001).

The traditional status of the Scheduled Caste households as agricultural labour has remained unchanged, but they have made significant strides in government jobs. The progress of the Scheduled Castes in government jobs has appeared as a achievement as compared to their non-progress in agriculture. The absence of mobility in agriculture and the lure of government jobs push the Scheduled Castes towards better standard of living (Ramaswamy, 1984).

Under the constitutional provisions, political process the Scheduled Castes are slowly becoming aware of their rightful place in the Indian society and are asserting for the reordering of society for their betterment and advancement since independence. Gradually a wave of rising expectations in the life of the Scheduled

Castes has arisen. Various steps and programmes have been launched from time to time to bring about socio-economic upliftment of the Scheduled Castes generally. However, a large majority of the Scheduled Caste households remained unaffected from the benefits of these government steps and programmes.

Although, much has been done by way of the constitutional provisions, administrative efforts and proper response from a larger section of the upper castes, yet whatever is done to raise the levels of living of the Scheduled Castes is not enough to match the rising expectations of the Scheduled Castes. The present study is devoted to analyse the levels, pattern and distribution of income of the Scheduled Caste households in rural Punjab. More specifically, the aim of the present study is:

- 1) to examine the levels and pattern of income;
- 2) to compare and contrast the relative shares of different sources of income out of the total income; and
- 3) to examine the inequality in the distribution of income through Gini-coefficient in the rural areas of Punjab.

Methodology

The present study, based on a three stage stratified random sampling technique, relates to the year 2012-13. For the analysis of income pattern of the Scheduled Caste households, viz. agricultural labour, non-agricultural labour, government employees, private employees, artisans and others, the whole Punjab state has been divided on the basis of the highest, medium and lowest concentration zones of the Scheduled Caste population. Keeping in view the differences in the concentration of Scheduled Caste population in rural Punjab, we chose Jalandhar district from the highest, Fatehgarh Sahib district from the medium and Gurdaspur district from the lowest Scheduled Caste population concentration zones (Ministry of Home Affairs, 2013).

One village was selected from each development block of the sampled districts. There were eleven development blocks in Jalandhar district, five development blocks in Fatehgarh Sahib district and eleven development blocks in Gurdaspur district. Thus, in all, total twenty-seven villages were selected for survey from the three districts. The selected districts also represent the three geographical regions of Punjab: Doaba, Malwa and Majha respectively. Out of twenty-seven villages, 543 Scheduled Caste households were selected for the study. From each selected village 10 per cent of Scheduled Caste households were selected for survey on random basis. Out of these 543 households, 303 from Jalandhar district, 103 from Fatehgarh Sahib district and 137 from Gurdaspur district were selected. The occupation-wise distribution of 543 selected Scheduled Caste households revealed

that 86 households belonged to the agricultural labour, 147 to non-agricultural labour, , 61 to government employee, 59 to private employee, 109 to artisan and 81 to other unclassified categories. To analyse the data, apart from using the mean values and percentages, Gini-coefficients was used.

RESULTS AND DISCUSSION

Levels and Pattern of Income

The mean values and percentage of income earned from various sources by the different categories of Scheduled Caste households are given in Table 1. The table shows that an average sampled Scheduled Caste household earned Rs. 69,566.16 per annum in the rural areas of Punjab.

However, there are considerable variations in the levels of income earned by the different categories of Scheduled Caste households. For example, it is Rs. 2,60725, Rs.60,910.55, Rs.47,294.07, Rs.44,442.86, Rs.41,405.78 and Rs.36,038.12 for the government employee, private employee, non-agricultural labour, artisan, agricultural labour and other category households respectively. The implication is that the level of income increased with the increase in the social status of the scheduled caste households in the rural areas of Punjab with government employees being the higher in social status.

By observing the various sources of income of Scheduled Caste households, we found that out of the total income (Rs.69,566.16, per annum) earned by an average Scheduled Caste household, Rs.33,485.49 came from salaries, Rs.12,118.68 from hiring out labour in non-agricultural sector, Rs.6,364.31 from self-employment, Rs.4,168.33 from hiring out labour in agricultural sector, Rs.3,991.52 from others and Rs. 3,029.71 from sale of milk and milk products. On the other hand, the income from the remaining sources such as, National Rural Employment Guarantee Scheme, government schemes, farming, remittances and pensions had a negligible share.

**Table 1: Levels and Pattern of Income of Scheduled Caste Households:
(Mean Values, in Rs. and percentages per annum)**

Categories→ Sources of Income↓	Agril. Labour	Non-agril Labour	Services Govt.	Services Private	Artisan	Other	All Sampled Households
Hiring out labour in agricultural sector	26103.50 (63.04)	-	303.28 (0.12)	-	-	-	4168.33 (5.99)
Hiring out labour in non-agricultural sector	4900 (11.83)	28328.96 (59.90)	3789.02 (1.45)	4121.36 (6.77)	8916.97 (20.06)	6770.80 (18.79)	12118.66 (17.42)
Sale of milk and milk products*	1942.67 (4.69)	3727.35 (7.88)	2642.62 (1.01)	1974.58 (3.24)	3503.12 (7.88)	3340.74 (9.27)	3029.70 (4.36)
Self-employment	223.26 (0.54)	1248.98 (2.64)	1506.56 (0.58)	508.47 (0.83)	25143.60 (56.58)	4820.62 (13.38)	6364.31 (9.15)
MGNREGS	1772.73 (4.28)	2025.76 (4.28)	1043.64 (0.40)	1170.88 (1.92)	1885.67 (4.24)	1880.73 (5.22)	1732.71 (2.50)
Govt. schemes	2825.12 (6.83)	2452.55 (5.19)	778.36 (0.30)	2641.53 (4.34)	2254.50 (5.07)	2444.57 (6.78)	2303.07 (3.31)
Farming	-	-	-	-	-	6830.86 (18.95)	1018.97 (1.46)
Salaries	116.28 (0.28)	651.36 (1.38)	248082 (95.15)	49093.56 (80.60)	183.49 (0.42)	337.65 (0.94)	33485.49 (48.13)
Pensions	710.47 (1.72)	530.61 (1.12)	491.80 (0.19)	203.39 (0.33)	550.46 (1.24)	1337.04 (3.71)	643.46 (0.92)
Remittances	703.49 (1.70)	778.23 (1.65)	1095.08 (0.42)	313.56 (0.52)	808.26 (1.82)	459.26 (1.27)	709.94 (1.02)
Others**	2108.26 (5.09)	7550.27 (15.96)	992.62 (0.38)	883.22 (1.45)	1196.79 (2.69)	7815.85 (21.69)	3991.52 (5.74)
Total	41405.78 (100)	47294.07 (100)	260725 (100)	60910.55 (100)	44442.86 (100)	36038.12 (100)	69566.16 (100)

Source: Field Survey, 2012-13

Note:

*Net income is taken

**It includes income from domestic labour, rickshaw pulling, vegetable vendors etc.

Note: Figures in parentheses are column-wise percentages.

The table further shows that the major proportion of income of the sampled Scheduled Caste households comes from salaries (48.13 per cent). As much as 95.15 per cent and about 81 per cent of total income of the government and private employee households respectively comes from this source. Whereas, for all the other categories, a negligible portion of the total income comes from this source. The second important source of income of an average Scheduled Caste household is hiring out labour in non-agricultural sector. About 18 per cent of the total income is earned from hiring out labour in non-agricultural sector. This proportion is as high as 59.90 per cent for the non-agricultural labour households. The third important source of income is from self-employment (9.15 per cent). The artisan households earn about 57 per cent of the total income from this source. Another important source of income of an average Scheduled Caste household is hiring out labour in agricultural sector. The agricultural labour households earn about 64 per cent of the total income from this source. Income from other sources contributes 5.74 per cent for an average Scheduled Caste household. The proportion of income from other sources is the highest (21.69 per cent) among the other category households.

An average Scheduled Caste household earns 4.36 per cent of its total income from sale of milk and milk products. The other category households earn 9.27 per cent of total income from this source. The next important source for an average Scheduled Caste household is income from government schemes. The relative share of this source is 3.31 per cent for an average Scheduled Caste household. Income from farming contributes 1.46 per cent to total income for an average Scheduled Caste household. The field survey has revealed the fact that a large majority of the Scheduled Caste households do not own agricultural land and as a result, except the other category Scheduled Caste households, all other Scheduled Caste households reported no income from farming. Only 8 households out of 543 sampled Scheduled Caste households own some land.

The above analysis clearly indicates that the level of income of the Scheduled Caste households working as government and private employees is better off than the other categories of the Scheduled Caste households in the rural areas of Punjab.

Per Capita Income

In the foregoing discussion, we have analysed the income pattern of the sampled Scheduled Caste households in absolute and relative terms. The average family size of the sampled Scheduled Caste households is 4.85. However, there are variations in the family-size across the different categories of Scheduled Caste households. The average family size is 4.91, 4.92, 5.05, 4.49, 4.85 and 4.78 for the agricultural labour, non-agricultural labour, government employee, private employee, artisan and other category households respectively. It becomes relevant to

analyse the per capita income of the different categories of Scheduled Caste households. The information about the per capita income earned by the different categories of the sampled Scheduled Caste households in rural Punjab has been presented in Table 2.

Table 2: Per Capita Income of Scheduled Caste Households:

(In Rs., Per Annum)

Categories→ Sources of Income↓	Agril. Labour	Non-agril Labour	Services Govt.	Services Private	Artisan	Other	All Sampled Households
Hiring out labour in agricultural sector	5319.67	-	60.06	-	-	-	858.98
Hiring out labour in non-agricultural sector	998.58	5751.87	750.42	917.58	1837.33	1417.14	2497.32
Sale of milk and milk products*	395.90	756.80	523.38	439.62	721.82	699.23	624.34
Self-employment	45.50	253.59	298.38	113.21	5180.81	1008.97	1311.51
MGNREGS	361.27	411.31	206.69	260.69	388.54	393.64	357.06
Govt. schemes	575.73	497.96	154.16	588.11	464.54	511.65	474.60
Farming	-	-	-	-	-	1429.72	209.98
Salaries	23.70	132.25	49133.12	10930.26	37.81	70.67	6900.42
Pensions	144.79	107.74	97.40	45.28	113.42	279.85	132.60
Remittances	143.36	158.01	216.88	69.81	166.54	96.12	146.30
Others**	429.64	1533	196.59	196.64	246.60	1635.88	822.54
Total	8438.14	9602.53	51637.08	13561.20	9157.41	7542.87	14335.65

Source: Computed from Table 1

The table shows that an average Scheduled Caste household earns per capita income of Rs.14,335.65 annually that clearly indicates the economic condition of the sampled Scheduled Caste households. However, there are differences in the per capita income levels of the different categories of the sampled Scheduled Caste households. For example, the government employee households earn Rs.51,637.08 per capita annually followed by the private employee (Rs.13,561.20), non-agricultural labour (Rs.9,602.53), artisan (Rs.9,157.41), agricultural labour (Rs.8,438.14) and other category (Rs.7,542.87) households. The analysis reveals that there are differences in the range of average per capita income and average household income of the various categories of the Scheduled Caste households. The per capita income earned by the government employee households is 6.85 times the per capita income earned by the other category households. On the other hand, the average household income earned by the government employee households is 7.24 times the per capita income earned by the other category households.

Distribution of Income

The extent of inequality in the distribution of income among the various categories of the sampled Scheduled Caste households has been observed on the basis of two levels of income distribution i.e., per household income and per capita income for each docile group after arranging the same in the ascending order. Gini coefficients have also been calculated to justify the pattern of distribution. Gini coefficient conveys better distribution if it is nearer to zero and worse distribution if the same is nearer to unity.

The distribution of household income among the different categories of the sampled Scheduled Caste households has been presented in Table 3. The table clearly depicts that the bottom 10 per cent of Scheduled Caste households share only 1.97 per cent of the total income earned by all the sampled Scheduled Caste households. While, the top 10 per cent households appropriate 27.25 per cent of the total income of all the sampled Scheduled Caste households.

**Table 3: District-wise Distribution of Household Income of Scheduled Caste Households:
Cumulative Percentage of Household Income of Scheduled Caste Households**

Categories→ Cumulative % of Households↓	Agril. Labour	Non-agril Labour	Services Govt.	Services Private	Artisan	Other	All Sampled Households
10	2.59	2.00	2.08	2.00	2.10	2.43	1.97
20	5.95	5.00	5.40	5.45	6.27	6.06	5.30
30	11.10	10.00	9.79	9.93	11.69	10.66	9.83
40	16.37	17.00	15.32	15.77	17.92	16.84	15.43
50	23.41	25.00	23.84	23.46	25.71	25.04	22.45
60	32.29	34.00	33.09	31.20	34.10	33.56	30.94
70	42.40	46.00	43.68	42.42	45.18	43.50	41.70
80	58.34	61.00	55.63	57.15	58.29	56.00	55.39
90	75.16	77.00	72.69	74.67	74.68	74.61	72.75
100	100	100	100	100	100	100	100
Gini coefficient	0.3648	0.3464	0.3770	0.3759	0.3481	0.3957	0.3885

Source: Field Survey, 2012-13.

A clear contrast is obvious from the fact that the bottom 50 per cent households account merely 22.45 per cent of the total income of the Scheduled Caste households, whereas top 20 per cent households account for nearly 45 per cent of the total income earned by all the Scheduled Caste households. This is 2.01 times higher than the income shared by the bottom 50 per cent of the sampled Scheduled

Caste households. Almost a similar picture emerges from the different categories of Scheduled Caste households. The bottom 10 per cent of the non-agricultural labour and private employee households claim 2.00 per cent each of the total income. The corresponding figures for the agricultural labour, other category, artisan and government employee households stand at 2.59, 2.43, 2.10 and 2.08 respectively. On the other hand, the top 10 per cent households appropriate 27.31, 25.39, 25.33, 25.32, 24.84 and 23.02 for the government employee, other category, private employee, artisan, agricultural labour and non-agricultural labour households respectively. These facts have an implication that the Scheduled Caste households are not a homogenous group.

The table also shows that the income concentration among the government employee and other category households is greater than that of the remaining categories. Gini coefficient also supports this evidence. These are 0.3957, 0.3770, 0.3759, 0.3648, 0.3481 and 0.3464 for the other category, government employee, private employee, agricultural labour, artisan and non-agricultural labour households respectively. Gini coefficient for all the sampled Scheduled Caste households is of the order of 0.3885, indicating a highly skewed distribution of income.

Distribution of Per Capita Income

The distribution of per capita income of the sampled Scheduled Caste households has been given in Table 4. The table depicts that there are large scale inequalities in the distribution of per capita income in comparison to the inequalities in the household income distribution. The bottom 10 per cent households account for only 1.81 per cent of the total per capita income of all the sampled Scheduled Caste households, while the top 10 per cent households claim as high as 29.66 per cent of the total per capita income of all the sampled Scheduled Caste households. The table further reveals that the bottom 60 per cent households claim about 29 per cent of the total per capita income of sampled Scheduled Caste households. Gini coefficient comes to 0.4110 in the case of per capita income for all the sampled households.

**Table 4: District-wise Distribution of Per Capita Income of Scheduled Caste Households:
Cumulative Percentage of Per Capita Income of Scheduled Caste Households**

Categories→ Cumulative % of House- holds↓	Agril. Labour	Non-agril Labour	Services Govt.	Services Private	Artisan	Other	All Sampled Households
10	1.96	1.84	1.62	2.26	2.27	2.04	1.81
20	5.50	4.92	5.00	5.38	6.18	5.60	4.99
30	9.88	9.36	8.96	9.62	10.95	10.18	9.25
40	15.25	14.90	14.33	15.19	16.84	15.64	14.54
50	21.85	21.87	20.99	22.41	24.06	21.92	21.11
60	29.75	30.37	29.16	30.81	32.97	20.71	29.38
70	40.53	41.63	39.42	41.77	43.46	40.67	39.92
80	54.94	54.85	51.37	54.68	56.02	55.23	53.18
90	71.76	74.22	69.66	71.89	73.36	72.98	70.34
100	100	100	100	100	100	100	100
Gini coefficient	0.3971	0.3901	0.4190	0.3920	0.3678	0.3921	0.4110

Source: Field Survey, 2012-13.

The category-wise analysis reveals that the bottom 10 per cent households claim nearly 1.62 per cent to 2.27 per cent of the per capita income among the various categories of Scheduled Caste household. Whereas, the top 10 per cent households claim about 25 per cent to 30 per cent of their per capita income. The worst distribution is depicted by the government employee households. The value of Gini coefficient is 0.4190 for the government employee households. A relatively better distribution can be seen for the artisan households and the value of Gini coefficient is 0.3678 for the artisan households.

When we compare the per household and per capita income distribution, we find that the distribution is slightly fair in per household income in all sampled Scheduled Caste households under study. The Gini coefficients of per capita income are higher than those of per household income across the categories. This indicates that the concentration of per capita income is higher than per household income.

Conclusion and Policy Recommendations

The study concludes that the Scheduled Caste households are not a homogenous group. The levels of per household and per capita income are higher for the government and private employee households as compared to the other categories of the Scheduled Caste households. When we compare the per household and per

capita income distribution, we find that the distribution is slightly fair in per household income in all sampled Scheduled Caste households under study. The Gini coefficients of per capita income are higher than those of per household income across the categories. This indicates that the concentration of per capita income is higher than the per household income.

The study has brought out important implications for policy-makers that will help to raise the levels of the income of the Scheduled Caste households in rural areas of Punjab. Emphasis should be given to provide the quality education which may ultimately lead to improve the levels of income of the Scheduled Caste households in rural Punjab.

In order to provide the Scheduled Caste households of rural Punjab a meaningful place in the society, there is an urgent need to properly enforce the Minimum Wages Act for the agricultural and non-agricultural labour households which will ultimately help in preventing their exploitation at work place. Moreover, there must be provision of physical and financial security against any type of exploitation. Land reforms in their favour and increased wages are need of the hour for reducing social disparity. Efforts must be made by the state Government to improve the conditions of Scheduled Caste households by creating more employment opportunities. In this situation, the establishment of agro-based industries in the rural areas and proper implementation of MGNREGS would help to generate employment opportunities for the Scheduled Caste households in rural Punjab. Further, the Scheduled Caste households should be given proper training which will lead towards upgradation of their skills and capabilities. By following the above measures, there will be more chances to bring the Scheduled Caste households at par with the other affluent sections in the rural areas of Punjab.

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Self Help Groups and Poverty: A Consumption Based Analysis

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Abstract

The objective of the present paper is to examine the impact of SHG-BLP on poverty alleviation in Panchkula district of Haryana. Information based on primary survey of 17 SHGs and 225 households brings out that SHG programme did not make a significant dent on poverty statistics of beneficiary households as a whole. However, households which use loan for survival activities stand benefitted as they are prevented from further slipping into poverty. They are also able to cope up with adverse income shocks and are able to avert immediate and imminent danger to their lives by way of treatment of serious ailments.

Keywords- Self Help Group, microfinance and poverty alleviation

1. Credit to the poor and Self-Help Groups

Muhammed Yunus, the Nobel laureate from Bangladesh had an illuminating insight. The poor too could be successful entrepreneurs. They had only to be equipped with finance, skills and market linkages. Muhammad Yunus' brilliant initiative took off. The idea was picked up and replicated worldwide. In India, the microfinance movement began with the introduction of self help group-bank linkage programme (SHG-BLP) in 1992. National Bank for Agricultural and Rural Development (NABARD) launched a pilot project that aimed at promoting and financing 500 self help groups (SHGs) across the country. This project took off and the SHGs across the nation grew by leaps and bound over the 1990's. There was no looking back after the Government of India launched the Swarnajayanti Gram Swarozgar Yojna (SGSY) scheme on 1st April, 1999 as a successor to the Integrated Rural Development Programme (IRDP). It was envisaged as a programme of financial inclusion through provision of subsidized credit to poor rural women. It was mandated to alleviate poverty and empower them socially. The number of these SHGs has exponentially increased to 79.60 lakhs at the end of March 2012 (Joshi, 2013).

Have these endeavours borne fruit and helped alleviate poverty? There is

mixed evidence across regions of India. The judgement is still out for the northern regions of the country. Not many studies have been carried out in northern India, especially in the state of Haryana to assess the impact of the SHG-BLP. This paper is an attempt to fill this gap.

Financial intervention has always been there in the rural set-up. The usurious moneylenders met the credit needs of the village folks. But these bled the poor to starvation and destitution. The Indian government passed the Co-operative Act in 1903. It was the genesis of co-operative movement in India. Yet till 1951, moneylenders met 93 percent of the credit needs in the countryside. The government took a few landmark steps. The Agricultural Refinance Corporation (ARC) came into existence in 1963. 14 major private banks were nationalized in 1969. However, the banking institutions were inept in meeting the credit needs of the poor masses enmeshed in dire poverty. Regional Rural Banks (RRBs) were established in 1975. IRDP was launched to impart skills and finance investments in income generating activities through the formal banking system. Yet, the poor continued to be embroiled in abysmal poverty. The banking system eschewed extending a helping hand to the rural poor.

Microfinance is the provision of financial services to the low-income group people, who lack the ability to borrow from banks and other traditional financial providers due to the absence of collateral. Microfinance aims at provision of financial services, including credit, saving, insurance and fund transfers to the poor to help them get rid of poverty and thus improve their standard of living by setting up a self-sustaining source of livelihood. Government intervention through microfinance helps overcome the inherent problems namely, scarcity of collateral to finance loans, ill-defined property rights, segmented markets and covariant risk, absence of crop and other insurance markets, non-existence of recorded credit history of borrowers, imperfect information, adverse selection and high transaction cost. These problems make the financial institutions to bypass the poor.

Various models of microfinance have emerged in India in the last two decades, with the support of NABARD, the SHG-BLP has gained much ground and become popular. It is implemented by commercial banks, regional rural banks and cooperative banks. Under the SHG-BLP, a small group of 10-20 members is formed. A savings account is opened in the name of the group. Each member of the group is required to contribute a small sum at regular intervals for a fixed period, say six months or a year. Those members who fail to contribute in stipulated time are removed from the group. On the basis of the group collection, the linked financial institution provides a loan to the SHG. This is the first loan that the group

receives and is called the 'revolving fund'. The credit disbursed is generally four times the total savings of the group. In absence of physical collateral, peer-group responsibility and joint liability become the basis of credit. Members of the group are jointly responsible for each other's debt. The revolving fund is a small loan given to a group to teach members the nuances of financial discipline.

Once the group repays this amount it becomes eligible for a larger loan. This is the 'group loan' which is sanctioned on the principle of sequential lending and is provided to groups for investment in income-generating activities. Along the way as SHGs use the revolving fund and group loan, they continue to pool their thrift regularly and use these pooled resources to make small interest bearing loans to members to meet various needs. These borrowing are termed 'interloans'. Generally a SHG charges its own members an interest rate higher than that charged by banks to prevent unnecessary borrowing. The rates charged are lower than those charged by moneylenders to prevent exploitation of members but high enough to prevent unnecessary borrowing. The interest charged by the group on interloans generates a profit which is divided amongst all members of the group at the end of a pre-decided time period.

At present, the government has taken more affirmative measures to alleviate poverty. Subsidized food items are distributed through public distribution system. 100 day guaranteed employment security is provided under Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA). Mid-day meals are also provided for school children and other nutritional programmes have also been introduced. However, none of these programmes directly address the financial need of poor households. The mechanisms and pathways of the SHG-BLP differ from other similar poverty alleviation and capacity building programmes in the sense that it aims to help poor by building capacity and facilitating their investment in viable entrepreneurial activities.

The main objective of this paper is to study the impact of SHG microfinance programme on poverty alleviation amongst the beneficiary households in the study area. It was hypothesized that the financial inclusion of the poor beneficiary households by the SHG programme enables them to rise above the minimum poverty threshold.

The paper is divided into five sections. The following section elaborates on the data and methodology used in measurement of poverty amongst the beneficiary households and its alleviation thereof. The third section briefly discusses existing literature on impact of microfinance on poverty. The fourth section measures the impact of SHG-BLP programme on poverty alleviation in the study area. The last section includes the conclusions and suggests policy options in the wake of our

findings.

2. Data and methodology

2.1 Data: The paper has made use of both primary and secondary data. Primary data was collected from 150 SHG beneficiary households from Panchkula district of Haryana on the basis of multistage random sampling. SHG that were at least three years old were included in the sample. A case-control approach was used to measure the impact of SHG-BLP on poverty alleviation, thus, for every two case group households, we selected an additional non-SHG household from similar socio-economic background, preferably from immediate neighbourhood of beneficiary households. Thus besides collecting information from 150 SHG households, we also collected information from 75 non-SHG households.

2.2 Methodology: The poverty line given by the Planning Commission, GOI based on absolute minimum monthly per capita expenditure is used. It limits the scope of poverty only to its material dimension. It looks into the minimal basket of basic human needs that a society expects each citizen to have keeping in mind the economic and social progress of the society. A numerical poverty line used to represent the minimal basket is defined. A separate rural and urban poverty line is generated for all Indian federal units. The poverty line defined for a particular base year is updated for subsequent years by using the price index of the middle income population who generally rise above and fall below the poverty line. This poverty line is used to measure the level and change in the incidence of poverty on the basis of NSSO's consumption expenditure rounds for all states and union territories in the country. The poverty ratios so estimated are relevant at the state level only. The mixed recall approach is used to measure the consumption expenditure. Those households with per capita consumption expenditure less than 75 percent of that given by the poverty line have been classified as chronic poor. The ones with per capita consumption expenditure less than the poverty line but more than 75 percent of the poverty line are classified as marginally poor or the fence-sitters. Those above the poverty line are classified as non-poor.

Poverty ratios are estimated separately in the case and control groups. The significance of difference between the poverty proportions in the two groups of households is tested using the Z-test of difference between proportions.

3. Existing empirical evidence

Having reviewed literature on the impact of microfinance on poverty alleviation, the existing literature is divided into three categories. The first category consists of studies that show positive impact of microfinance on poverty alleviation. These studies reported that as hypothesised microfinance was able to

reduce poverty by assisting the poor to set up an enterprise and thus generate income enough to transcend the poverty line (Khandker, 1998; Puhazhendi & Satyasai, 2000; Puhazhendi & Badatya, 2002; Johansen & Nilsson, 2007; Khan & Rahman, 2007; NCAER 2008).

A battery of studies found mixed and conditional impact of microfinance on poverty alleviation. The studies have been clubbed on the basis of their findings and are presented subsequently. When credit is used for facilitating and smoothening consumption it reduces the vulnerability and strengthens crisis coping mechanism. An immediate fall in poverty is experienced but beneficiaries often have to squeeze consumption in the long run to repay. Even if loan is invested in income generating activities but is not able to generate profit, repayment is made through a fall in future consumption. Thus the poor are stressed at time of repayment (Zaman, 1999; Hulme, 2007). Productive use of credit is a pre-requisite to escape poverty (Imai & Arun & Annim, 2010). Also amongst those beneficiaries who invest credit in income generating activities, the marginal poor who are more likely to invest in high-return and risky activities bear a much higher chance of exiting poverty as compared to the chronic poor. The role of occupational selection and initial economic status of beneficiary households in escaping poverty is striking (Mosley and Hulme, 1998; Shaw, 2004). A large single instalment of loan and also high cumulative loan are found to positively impact poverty alleviation. Larger instalments facilitate economies of scale and a large cumulative loan size helps the beneficiaries meet long pending survival needs with the initial dose of credit, permitting them to use subsequent credit instalments for investment in income generating activities (Zaman, 1999; Ghosh, 2005; Banerjee et al, 2009). The product design is also critical in the beneficiaries' ability to exit poverty. The microfinance programmes were found to more successfully alleviate poverty if they were tailored to suit the social, economic and cultural conditions of beneficiaries (Bauchet et al, 2011). Favourable linkages, access to developed infrastructure and connectivity to urban markets facilitate the process of poverty alleviation in rural settings in cases where credit is productively used (Shaw, 2004). The pro-active role of SHPIs in monitoring the use of credit and in facilitating capacity building and skill development amongst SHG beneficiaries is also found to play pivotal role in exiting poverty by not only preventing misuse of credit but also ensuring that the beneficiaries are well skilled to put it to productive use. Inability of SHPIs in promoting skills impedes the process of exiting poverty (Shaw, 2004; Shamsad, 2008; Imai and Arun and Annim, 2010).

The third category consists of studies that report that either microfinance intervention has failed to facilitate poverty exit amongst beneficiaries or has made them worse-off. Small loan size, absence of group investments and small scale at which microenterprises operate impede poverty alleviation. Most poor are trapped

in subsistence activities which do not help them to exit poverty (Karnani, 2007; Garkipati, 2008). Only if microfinance programmes develop a more encompassing approach and interface with other developmental schemes, will they be able to alleviate poverty. By itself microfinance is not a substitute for long term structural problems of poverty (Kumar, 2011; Thakur and Tiwari, n.d.). The absence of allied services such as micro insurance and training, agriculture based development services, human capital development also prevented programmes from successfully alleviating poverty. Borrowers are sometimes left worse-off as they were forced to repay on account of rigid repayment schedules even in times of bad health, job loss et cetera (Copestake et al, 2001).

Having reviewed the evidence provided by existing literature, the findings of the present paper are elaborated in the following section.

4. Findings

Information in Table 1 reveals that the case and control groups of households are fairly homogeneous on account socio-economic characteristics of households. Majority households in both case and control groups are engaged as casual labour in non-agricultural activities. Also a large proportion of households in both groups belong to backward classes. When the principal economic status of household members, their age and educational qualification is examined, both the case and control groups are found to be homogeneous.

Having examined the case and control groups of household, the status of poverty in these groups is discussed subsequently. Information on incidence of poverty between the case and control groups of households in terms of consumption expenditure poverty line is illustrated in Table 2.

To measure poverty, per capita household consumption expenditure was calculated using NSSO methodology explained in section 2.2. On estimating per capita consumption expenditure of all households, it was compared to the poverty line for rural Haryana for 2011-12 (the period during which the primary survey was carried out). The poverty line calculated using Tendulkar Committee methodology for rural Haryana for 2011-12 was Rs.1015 (GOI, 2013). The poverty line of Rs.1015 was multiplied by 0.75 to define a poverty line separating the marginally poor from the chronic poor. Thus, household with per capita consumption expenditure below Rs.761.25 have been categorised as chronically poor, while those with per capita consumption expenditure above Rs.761.25 but less than Rs.1015 have been classified as marginal poor. By consequence, those with per capita consumption expenditure equal to or more than Rs. 1015 have been categorized as APL or non- poor.

Table 1: Distribution of households and their members on the basis of socio-economic characteristics

Source : Field Survey

Distribution of households on the basis of socio-economic characteristics							
Percentage of house-holds						Percentage of house-holds	
Variable↓		Case group	Control group	Variable↓		Case group	Control group
Household type	Self employed in agriculture	3.33	2.67	Religion	Hinduism	60.00	72.00
	Self employed in non- agri-culture	13.33	10.67		Islam	19.33	14.67
	Regular wage salary earning	28.00	38.67		Sikhism	20.67	13.33
	Casual labour in agriculture	1.33	0.00	Dwelling	Owned	98.00	89.33
	Casual labour in non-agri-culture	54.00	48.00		Rented	2.00	10.67
Social group	General category	23.33	14.67	Kitchen	Separate room	69.33	72.00
	Scheduled tribe	0.67	0.00		No separate room	30.67	28.00
	Scheduled caste	34.67	30.67	Bathroom	Independent	68.00	84.00
	Backward classes	41.33	54.67		Shared	32.00	16.00
Distribution of household members on the basis of socio-economic characteristics							
Principle status	Self employed in farm and non-farm activities	9.21	5.74	Age	0-15	30.35	30.60
					16-59	63.06	62.30
	Casual labour in farm and non-farm activity	17.53	14.48		60 & above	6.59	7.10
	Fixed wage employees	7.34	10.39	Educa-tion	Illiterate	26.62	28.14
	Household activities	24.50	28.42		Upto middle	51.25	48.64
	Pursuing education	32.71	28.69		Upto senior secondary	20.40	21.31
	Others	8.71	12.30		Above senior secondary	1.74	1.91

Table 2: Case-control comparison of poverty: Consumer expenditure approach

Source: Field survey

	Proportion of households (in %) that are		
	Chronic poor	Marginal poor	Total poor
Total	8.44	23.56	32.00
Case group	10.00	22.67	32.67
Control group	5.33	25.33	30.67
Difference	4.67	-2.67	2.00
Z- value	1.19	-0.44	0.30

Table 2 reveals that 32.67 percent of households in case group are poor. This is higher than 30.67 percent poverty found in the control group. Out of the 32.67 percent poor households in the case group, almost one-third (10 percent) of the households are chronically poor i.e. they lie much below the poverty line. To help them transcend the poverty threshold is the greatest challenge. 22.67 percent of the case group beneficiaries are marginally poor.

In the control group there are very few chronic poor. Only 5.33 percent of the 30.67 percent poor are chronically poor, while 25.33 percent are marginally poor. The proportion of chronic poor is higher in the case group. The higher poverty estimate of the case group is because of higher chronic poverty amongst the case group. The difference in poverty is two percent between the two groups.

However, the difference in proportion of poor is not significant statistically in any of the above cases. Prima facie higher incidence of poverty amongst the case group seems to indicate that the SHG-BLP failed to make a significant dent on poverty amongst the target group. A deeper look into the utilization of loan showed that 32.1 percent of total loan was used to meet current and capital expenditure in farm and non-farm income generating activities. One-fifth (20.87 percent) of the total loan was expended on survival needs which constitute medical contingencies and meeting daily consumption needs. Almost half (47.03 percent) of the loan was used to meet other needs such as home repair, marriage expenditure et cetera. Loan utilization pattern shows that the loan led to consumption smoothening and acted as a cushion against adverse income shocks. The poor used it to meet pending consumption needs. However, in the absence of adequate investment in income generating activities the impact on consumption is not sustained. Consumption increased in the short run. For sustained positive impact of income it is essential that use of credit leads to increase in income which is used to increase consumption. Thus, the loan led to consumption smoothening and acted as a cushion against adverse income shocks. The poor used it to meet pending consumption needs. Consumption increased in the short run. For sustained positive impact of income it is essential that use of credit leads to increase in income which is used to increase consumption.

5. Conclusions and policy options

The main objective of the paper was to examine the poverty alleviation impact of SHG-BLP in the Panchkula district of Haryana. The change in poverty was examined by employing head count ratio of poverty measurement. We found that on the whole there is no significant difference in incidence of poverty between the case and control groups of households. The Z-value for difference in poverty in the case and control groups was insignificant both in case of chronic poverty and marginal poverty. This does not imply that the programme had not benefited borrowers

of micro credit. They used 67.9 percent of the loan to cover immediate short falls in consumption and to cope up with adverse health outcomes. The benefit is not reflected in future consumption differentials but the SHGs seem to have contributed immensely by enabling these households by avoiding serious consequences of malnutrition and hence long term multiplier adverse effects caused by income shocks. Almost six percent of the loan was used to meet contingency health expenditure and has probably helped the poor by protecting the future working capacity of the beneficiary households against potential damage that otherwise would have been caused by non-treatment of health problems. Timely treatment of many infectious diseases may not have benefited only those who incurred such expenditure but also avoided larger adverse consequences of aggravating and spreading of these infectious diseases to the rest of the healthy population. The findings of the paper and field observations suggest that in order to fully appreciate the impact of SHG-BLP, it is essential to take into account all potential benefits, both internal and external and monetary and non-monetary in nature.

Based on the findings of the paper and our experience in field, the following policy options may be considered for improving the impact SHG-BLP on poverty alleviation in the study area. First, in our study area only 17.65 percent of SHGs reported monitoring by SHPIs. The functionaries of SHPIs must monitor the use of loan to overcome the problem of moral hazard. Second, 70 percent of SHG households desired more loan. Also 35.24 percent of those who desired loan wanted it for investment in income generating activities. Thus in case of beneficiary households with long pending consumption needs, it is advised that they be given subsequent injections of loan to invest in income generating activities after the initial installments have been used to meet survival needs. Third, no practice of group investments to reap economies was observed in our study area. Thus SHPIs must encourage group investment of credit in income generating activities so that SHG credit is not diverted towards other wasteful consumption. For the same the SHPIs must pro-actively work towards capacity building and skill-impartation of SHG beneficiaries.

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DISUSED SCHOOL MANAGEMENT COMMITTEES: A MICRO LEVEL STUDY

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Abstract

The School Management Committees are the bye product of RTE Act (2009). These Committees are mandatory for every school and some of the specified functions of these committees highlight the role of the community in the managements of the schools. However, neither these committees have been effectively used by the school managements for the reason well known to them nor these committees have fully realized their potentials. The present paper is an attempt to assess the working of SMCs in the Sahibzada Ajit Singh (S.A.S) Nagar district of Punjab state.

KEYWORDS: Community Participation, Working of the SMCs, RTE ACT.

Education is vital for any community or society. No community can grow or develop without education and similarly no education can achieve its objectives if the community is denied the role. All over the world education administrations are striving to evolve mechanism to involve communities in the deliverance of education at the school level.

Community participation refers to peoples' engagement in activities within the educational system. It plays an essential and long standing role in promoting quality of life. Community participation in educational development processes can support and uphold local culture, tradition, knowledge and skill, and create pride in community heritage. Moreover, community participation involve an element of inventing or creating the 'community' in a village by bringing together diverse interest groups together on a common issue (Niranjanaradhya, 2014, p. 1). Thus, Community participation is one of the mechanisms to empower people to take part

in educational development. It was launched as a key concept of development and increased participation is a means to achieve development to resolve the educational problems.

Education Commission (1964), recommended in its report for the decentralisation of educational governance at local level with a view of ensuring better involvement of local community in school education by putting emphasis on local governance of education through different organisations such as: Village Education Committees (VECs), Parent Teachers Association (PTAs) and Mother Teachers Association (MTAs) by involving Panchayati Raj Institutions (PRIs) functionaries and community leaders. Among these organisations PTA was a body constituted which has been recently replaced by School Management Committees (SMCs) for schools to review their functioning and to ensure participation of people and works for the welfare of the students. In this context the Right to Free and Compulsory Education Act (RTE Act) 2009 was passed by the Parliament in August 2009. The Right of Children to Free and Compulsory Education, 2009 (RTE Act) is a landmark legislation and many provisions have been made in the Act to ensure quality education for all children in the age group of 6-14 years. Specific provisions have been made for democratization of schools and for parents and local communities to play their due roles in shaping and developing the school education through SMCs which will prepare School Development Plans (SDPs) (Tosaria & Singh, 2011, p. 7). For communities to be able to effectively play that role, they need to be oriented/ trained and supported. To engage with the school system, members of community need to develop technical skills like collection of relevant information, analysing it and finally designing appropriate interventions based on norms set in the RTE Act. In spite of its limitations, some provisions of the RTE Act like provision for better infrastructure, improved Teacher-Pupil Ratio and the enhanced role of School Management Committee (SMC), if utilized properly, have the potential of revitalizing the almost defunct government schools that cater to the common people in the country. These provisions can be realized through concerted civil society interventions and constructive engagement with the governments at the Centre and the State levels (Dreze & Kingdon, 1999, p. 2)

The government schools cater to the education needs of the children, especially those of rural areas. In spite of the fact, most of the villages have at least one government³ school, yet about one third of all Indian children are out of school. In the north Indian states, which account for over 40 per cent of the country's population, the proportion of out-of-school children in the 6-14 age group is as high as 41 per cent, rising to 54 per cent among female children (Dreze & Kingdon, 1999, p. 1).

Often, diverse reasons are attributed to the dismal scenario of school education in India in general and in north Indian states in particular. The tendency is to highlight the parental indifference towards education -a convenient argument since it diverts attention from the responsibility of the state (Dreze & Kingdon, 1999, p. 1). The extremely poor quality of education, child labor, the cost of schooling are the other major reasons highlighted for the disheartening scenario of school education by the different studies. However, one of the key reasons, for such a pathetic state of our schools is that the local communities have not been able to assert themselves and effect desirable changes in the system of school education.

It is ironical that education can be a great leveler and also be a means to perpetuate the existing social divide. Great hierarchy in schooling provisions exist in India. Equality of opportunity in terms of accessing school, have remained at best a political rhetoric. India's middle class which can afford to pay for their children's education opt for sending their children to high fee paying private schools and for rest of the masses poorly equipped barely functioning government schools remain the sole option. The social and economic divide that exists in society is reflected in access to schools as well.

The schools managed by the government are heterogeneous in nature and has large variety within it. On the one hand, we have single teacher, building less multi-grade EGS schools and on the other, a class of comfortably funded Central Schools and Navodaya Vidyalayas which target a limited set of children (of government employees). Under the RTE Act 2009, parents have been entrusted with certain powers through the SMCs duly elected by them; proper exercise of the same can initiate a process of improving schools. For that to get actualized, the community at large and the SMC members in particular have to be supported through training and handholding. They have to be made aware of the provisions of SMCs.

SMCs have a very vital role in actualizing the goals of RTE. It has tremendous potential to transform the existing system of education, characterized by cynicism and a defeatist outlook of the system functionaries and stakeholders, including teachers and parents. Through its positive action and a constructive dialogue with other stakeholders the SMCs can work towards reinstating a well-functioning school system. Due to the heterogeneous nature of the community and the power relations that exist, the Act has tried to ensure representation of different segments of the community in the SMCs, especially earmarking fifty percent seats for women. The positive impact of women's participation at the grass root level i.e. Panchayats and Self Help Groups has encouraged the law makers to assign leadership role to the women in the SMCs also.

School Management Committees in Punjab

To implement the provision mentioned under section 21 of the Children to Free and Compulsory Act, 2009 (RTE Act, 2009), the Government of Punjab adopted the *Right of Education to Free and Compulsory Education Rules* on 12th Oct, 2011. The section 13 of the Act provides that within six months from the implementation of these rules all the schools in Punjab except the unaided schools will create SMCs and these will be reconstituted after every two years. The SMCs will replace Village Education Development Committees and Urban Education Development Committees. The rules of the Punjab RTE Act (2011) do not fix any number of its members, however to maintain the uniformity in the composition of these committees the rules provides for the composition as discussed below.¹

A SMC will be having total strength of twelve members, out of which nine members (75%) will be from amongst parents or guardians of children, comprising of five women members and the remaining twenty five percent of the strength of the SMC will give representation to local bodies, school teachers, local educationists and the head teacher/senior most teacher of the school who will act as the Ex-Officio Member/ Secretary/Convener of the SMC without right to vote.

The SMC will elect a chairperson and vice chairperson from amongst the elected parent members. The SMC will meet at least once a month and the minutes and decisions of the meetings will be properly recorded and made available to the public.

Functions of SMCs

According to the extant Right of Education to Free and Compulsory Education Rules the SMCs in Punjab will perform the following functions such as:

- To give overall direction to the operation of the school, to ensure that the school have a development plan, to discuss the budget in a full SMC meeting, to approve the budget (and send for final approval by DEO), to monitor implementation of the budget (and checks stock supplies), to write off worn out, surplus or obsolete equipment with prior knowledge of the DEO, to link the school to the community, to ensure that funds received by and expenditures of the school are publicly displayed every month, to carry out fund raising for the school, to report regularly to parents and the community on the status of school programme, to demonstrate exemplary leadership and to support the Head teacher by making follow-ups to the DEO for administrative and personnel needs.

¹Director General School Education cum state project Director Sarva Shiksha Abhiyan Authority, Punjab, memo no SSA/RTE/ 2014/5104 dated 6. 5.2014

OBJECTIVE OF THE STUDY

1. To assess the working of School Management Committees in the select schools of district S.A.S. Nagar.

METHODOLOGY

For the present study both primary and secondary data have been used. The district S.A.S Nagar is the universe of the study and the study covers 18 government schools imparting secondary education out of the total 99 government schools in the district. A sample of 102 members, from these 18 schools management committees, comprising of listed categories of members has been drawn using convenience sampling technique. The profile of the members of the respondents has been discussed in the Table 1 below.

Table 1: Profile of the Members taken in the Sample

Variables	Groups	Gender		Total
		Male	Female	
Type of School	GHS	18 (39.1%)	28 (60.9%)	46 (100.0%)
	GSSS	32 (57.1%)	24 (42.9%)	56 (100.0%)
Age	Below 40 years	24 (45.3%)	29 (54.7%)	53 (100.0%)
	Above 40 years	26 (53.1%)	23 (46.9%)	49 (100.0%)
Classification of School	Urban	21 (46.7%)	24 (53.3%)	45 (100.0%)
	Rural	29 (50.9%)	28 (49.1%)	57 (100.0%)
Designation	Chairperson	12 (66.7%)	6 (33.3%)	18 (100.0%)
	Vice Chairperson	14 (77.8%)	4 (22.2%)	18 (100.0%)
	Member	24 (36.4%)	42 (63.6%)	66 (100.0%)
Total		50 (49.0%)	52 (51.0%)	102 (100.0%)

Source: Computed from Primary Data

The Table 1 shows the profile of the members according to the different variables like age, gender, classification of school, type of school and designation. The profile of the selected respondents has been analysed which reflected that sample included 51 per cent females and 49 per cent male members, thus indicating the fact that SMCs had more of female members than males. Out of the drawn sample 53 per cent members belonged to the age group of below 40 years whereas 49 per cent of the members belonged to the age group of above 40 years. On the basis of school classification, it was found that 45 per cent of the members were from the urban schools as against 55 per cent of the members who were from the rural schools. The sample included 46 per cent of the members who belonged to the government high schools as against 56 per cent who belonged to government senior secondary schools. Since the sample of 102 respondents was drawn from 18 select schools so

the sample included the 18 chairpersons and 18 vice chairpersons and 66 per cent members. The analysis of the profile of the respondents presented us with fair idea about the composition of the sample.

In the ensuing discussion, the working of SMCs of these 18 schools has been assessed through the interview schedule, interaction and observation. The selected respondents have been put across certain statements to draw the responses to assess the working of the School Management Committees.

Table 2: School Management Committee (SMC) is working actively in the school.

Variables	Groups	Agree	Undecided	Disagree	Total	Chi-square	p-value
Type of School	GHS	9	3	34	46	.474	.789ns
		19.6%	6.5%	73.9%	100.0%		
	GSSS	13	5	38	56		
		23.2%	8.9%	67.9%	100.0%		
Age	Below 40 years	13	4	36	53	.571	.752ns
		24.5%	7.5%	67.9%	100.0%		
	Above 40	9	4	36	49		
		18.4%	8.2%	73.5%	100.0%		
Gender	Male	14	4	32	50	2.487	.288ns
		28.0%	8.0%	64.0%	100.0%		
	Female	8	4	40	52		
		15.4%	7.7%	76.9%	100.0%		
Classification of School	Urban	5	2	38	45	7.459	.024*
		11.1%	4.4%	84.4%	100.0%		
	Rural	17	6	34	57		
		29.8%	10.5%	59.6%	100.0%		
Designation	Chair-person	4	1	13	18	2.159	.706ns
		22.2%	5.6%	72.2%	100.0%		
	Vice Chair-person	6	1	11	18		
		33.3%	5.6%	61.1%	100.0%		
	Member	12	6	48	66		
		18.2%	9.1%	72.7%	100.0%		
Total		22	8	72	102		
21.6%		7.8%	70.6%	100.0%			

Source: Computed from Primary Data p-value ≤ 0.05 is significant denote *, p-value ≤ 0.01 is significant denote **, p-value $> .05$ is not-significant denote as ns

On analysing the data projected in the Table 2, it was found that statistically **significant association** was found between the classification of school variable and the statement whereas **non-significant association** was found between the other variables and the statement. Further, it was found that more of the respondents from urban schools than rural schools were convinced that School Management Committee (SMC) were not working actively in the schools.

Overall analysis of the responses established that most of the SMCs were not working actively in the schools. However, 21.6 percent of respondents expressed that SMCs were actively working whereas significant proportion of respondents 70.6 per cent were of the opinion that these committees were not working actively. The high proportion of the dissenting responses indicated that all the members were not actively involved in the working rather few of the members were actively involved.

Irrespective of the any variable, high proportion of the respondents opined that School Management Committees (SMCs) were not working actively in the school.

Table 3: The meetings of SMC are held as per the schedules.

Variables	Groups	Agree	Undecided	Disagree	Total	Chi-square	p-value
Type of School	GHS	5	2	39	46	1.462	.481ns
		10.9%	4.3%	84.8%	100.0%		
	GSSS	10	1	45	56		
		17.9%	1.8%	80.4%	100.0%		
Age	Below 40 years	12	3	38	53	9.019	.011*
		22.6%	5.7%	71.7%	100.0%		
	Above 40 years	3	0	46	49		
		6.1%	.0%	93.9%	100.0%		
Gender	Male	5	0	45	50	5.058	.080ns
		10.0%	.0%	90.0%	100.0%		
	Female	10	3	39	52		
		19.2%	5.8%	75.0%	100.0%		
Classification of School	Urban	6	1	38	45	.287	.866ns
		13.3%	2.2%	84.4%	100.0%		
	Rural	9	2	46	57		
		15.8%	3.5%	80.7%	100.0%		
Designation	Chairperson	1	1	16	18	4.737	.315ns
		5.6%	5.6%	88.9%	100.0%		
	Vice Chairperson	1	0	17	18		
		5.6%	.0%	94.4%	100.0%		
	Member	13	2	51	66		
		19.7%	3.0%	77.3%	100.0%		
Total 14.7%		15	3	84	102		
		2.9%	82.4%	100.0%			

Source: Computed from Primary Data p-value \leq 0.05 is significant denote *, p-value \leq 0.01 is significant denote **, p-value $>$.05 is not-significant denote as ns

The data projected in the Table 3, established that statistically **significant association** was found between the age variable and the statement whereas **non-significant association** was found between the other variables and the statement. Further, it was found that more of the respondents' senior in age expressed that the meetings were not held as per the schedules than their counterparts.

Overall analysis of the responses established that majority of the respondents disagreed with the statement. However, 14.7 percent of respondents **agreed** with the statement whereas significant proportion 82.4 per cent of the respondents **disagreed** with the statement indicating that meetings were not held as per schedule. The high proportion of the dissenting responses indicated that provision that meetings were supposed to be held once in a month.

Irrespective of any variable, significant proportion of the respondents opined that the meetings were not held as per the schedules

Table 4: The notice of the meeting is circulated in advance.

Variables	Groups	Agree	Undecided	Disagree	Total	Chi-square	p-value
Type of School	GHS	16	4	26	46	.466	.792ns
		34.8%	8.7%	56.5%	100.0%		
	GSSS	23	5	28	56		
		41.1%	8.9%	50.0%	100.0%		
Age	Below 40 years	23	4	26	53	1.287	.526ns
		43.4%	7.5%	49.1%	100.0%		
	Above 40 years	16	5	28	49		
		32.7%	10.2%	57.1%	100.0%		
Gender	Male	18	6	26	50	3.455	.178ns
		36.0%	12.0%	52.0%	100.0%		
	Female	22	3	27	52		
		42.3%	5.8%	51.9%	100.0%		
Classification of School	Urban	19	3	23	45	4.416	.110ns
		42.2%	6.7%	51.1%	100.0%		
	Rural	20	6	31	57		
		44.4%	13.3%	68.9%	126.7%		
Designation	Chairperson	6	2	10	18	.751	.945ns
		33.3%	11.1%	55.6%	100.0%		
	Vice Chairperson	6	2	10	18		
		33.3%	11.1%	55.6%	100.0%		
	Member	27	5	34	66		
		40.9%	7.6%	51.5%	100.0%		

Variables	Groups	Agree	Undecided	Disagree	Total	Chi-square	p-value
Total 38.2%		39	9	54	102		
		8.8%	52.9%	100.0%			

Source: Computed from Primary Data p-value \leq 0.05 is significant denote *, p-value \leq 0.01 is significant denote **, p-value $>$.05 is not-significant denote as ns

On examining the data projected in the Table 4, it was seen that statistically non-significant association was found between all the variables and the statement.

Overall analysis of the responses established that majority of the respondents were in disagreement with the statement. However, some striking proportion 38.2 percent of respondents **agreed** with the statement whereas high proportion of respondents 52.9 per cent of the respondents **disagreed** with the statement. The high proportion of the dissenting responses indicated that majority of the respondents were of the view that notice of the meetings was not circulated in advance.

Irrespective of any variable, majority of the respondents disagreed that the notice of the meetings was not circulated in advance.

Table 5: You take part in the discussions in the meetings of SMC.

Variables	Groups	Agree	Undecided	Disagree	Total	Chi-square	p-value
Type of School	GHS	12	7	27	46	2.383	.304ns
		26.1%	15.2%	58.7%	100.0%		
	GSSS	12	4	40	56		
		21.4%	7.1%	71.4%	100.0%		
Age	Below 40 years	16	5	32	53	2.739	.254ns
		30.2%	9.4%	60.4%	100.0%		
	Above 40 years	8	6	35	49		
		16.3%	12.2%	71.4%	100.0%		
Gender	Male	14	7	29	50	2.656	.265ns
		28.0%	14.0%	58.0%	100.0%		
	Female	10	4	38	52		
		19.2%	7.7%	73.1%	100.0%		
Classification of School	Urban	10	4	31	45	.452	.798ns
		22.2%	8.9%	68.9%	100.0%		
	Rural	14	7	36	57		
		24.6%	12.3%	63.2%	100.0%		
Designation	Chairperson	1	2	15	18	4.528	.339ns
		5.6%	11.1%	83.3%	100.0%		
	Vice Chair-person	6	2	10	18		
		33.3%	11.1%	55.6%	100.0%		
	Member	17	7	42	66		
		25.8%	10.6%	63.6%	100.0%		

Variables	Groups	Agree	Undecided	Disagree	Total	Chi-square	p-value
Total		24	11	67	102		
		23.5%	10.8%	65.7%	100.0%		

Source: Computed from Primary Data p-value \leq 0.05 is significant denote *, p-value \leq 0.01 is significant denote **, p-value $>$.05 is not-significant denote as ns

The data projected in the Table 5, indicated that statistically **non-significant association** was found between all the variables and the statement.

Overall analysis of the responses established that most of the respondents did not take part in the discussions in the meetings. However, 23.5 percent of respondents agreed that they took part in the discussion whereas 65.7 per cent of the respondents **disagreed** with the statement indicating that they did not take part in the discussions in the meetings The high proportion of the dissenting responses suggested that members did not participate in the meetings and possible reason that may be that there was pre-set agenda and the members were informed about the decisions.

Regardless of any variable, majority of the respondents expressed that they did not take part in the discussions in the meetings

Table 6: SMC monitors the non-teaching workload of the teachers.

Variables	Groups	Agree	Undecided	Disagree	Total	Chi-square	p-value
Type of School	GHS	0	7	39	46	.461	.497ns
		.0%	15.2%	84.8%	100.0%		
	GSSS	0	6	50	56		
		.0%	10.7%	89.3%	100.0%		
Age	Below 40 years	0	9	44	53	1.780	.182ns
		.0%	17.0%	83.0%	100.0%		
	Above 40 years	0	4	45	49		
		.0%	8.2%	91.8%	100.0%		
Gender	Male	0	7	43	50	.139	.709ns
		.0%	14.0%	86.0%	100.0%		
	Female	0	6	46	52		
		.0%	11.5%	88.5%	100.0%		
Classification of School	Urban	0	7	38	45	.572	.449ns
		.0%	15.6%	84.4%	100.0%		
	Rural	0	6	51	57		
		.0%	10.5%	89.5%	100.0%		

Designation	Chairperson	0	5	13	18	4.493	.106ns
		.0%	27.8%	72.2%	100.0%		
	Vice Chairperson	0	2	16	18		
		.0%	11.1%	88.9%	100.0%		
	Member	0	6	60	66		
		.0%	9.1%	90.9%	100.0%		
Total		0	13	89	102		
		.0%	12.7%	87.3%	100.0%		

Source: Computed from Primary Data p-value \leq 0.05 is significant denote *, p-value \leq 0.01 is significant denote **, p-value $>$.05 is not-significant denote as ns

The data projected in the Table 6, indicated that statistically **non-significant association** was found between all the variables and the statement.

Overall analysis of the responses established that most of the SMCs did not monitor the non-teaching workload of the teachers. The significant proportion of the respondents 87.3 per cent **disagreed** with the statement possibly for the reason that non-teaching workload of the teachers was not assessed by the SMCs. Interestingly, there was no agreed response.

Regardless of the any variable, significant proportion of the respondents conveyed that the SMCs did not monitor the non-teaching workload of the teachers.

Table 7: SMC is monitoring the utilization of the development grants.

Variables	Groups	Agree	Undecided	Disagree	Total	Chi-square	p-value
Type of School	GHS	13	1	32	46	.179	.914ns
		28.3%	2.2%	69.6%	100.0%		
	GSSS	16	2	38	56		
		28.6%	3.6%	67.9%	100.0%		
Age	Below 40 years	13	1	39	53	1.403	.496ns
		24.5%	1.9%	73.6%	100.0%		
	Above 40 years	16	2	31	49		
		32.7%	4.1%	63.3%	100.0%		
Gender	Male	13	1	36	50	.662	.718ns
		26.0%	2.0%	72.0%	100.0%		
	Female	16	2	34	52		
		30.8%	3.8%	65.4%	100.0%		
Classification of School	Urban	12	2	31	45	.708	.702ns
		26.7%	4.4%	68.9%	100.0%		
	Rural	17	1	39	57		
		29.8%	1.8%	68.4%	100.0%		

Designation	Chairperson	2	1	15	18	4.446	.349ns
		11.1%	5.6%	83.3%	100.0%		
	Vice Chairperson	5	1	12	18		
		27.8%	5.6%	66.7%	100.0%		
	Member	22	1	43	66		
		33.3%	1.5%	65.2%	100.0%		
Total		29	3	70	102		
		28.4%	2.9%	68.6%	100.0%		

Source: Computed from Primary Data p-value \leq 0.05 is significant denote *, p-value \leq 0.01 is significant denote **, p-value $>$.05 not-significant denote as ns

On analysing the data projected in the Table 7, it was seen that statistically **non-significant** association was found between all the variables and the statement.

Overall analysis of the responses established 28.4 percent of respondents **agreed** with the statement whereas 68.6 per cent of the respondents **disagreed** with the statement indicating that the SMCs were not monitoring the utilization of the development grants. The possible reason for the same could be that all the members were not involved in such matters.

Regardless of any variable, majority of the respondents expressed that the SMCs were not monitoring the utilization of the development grants.

Table 8: SMC monitors the issue of enrollment of the students in every session.

Variables	Groups	Agree	Undecided	Disagree	Total	Chi-square	p-value
Type of School	GHS	8	3	35	46	3.234	.198ns
		17.4%	6.5%	76.1%	100.0%		
	GSSS	4	7	45	56		
		7.1%	12.5%	80.4%	100.0%		
Age	Below 40 years	9	4	40	53	3.248	.197ns
		17.0%	7.5%	75.5%	100.0%		
	Above 40 years	3	6	40	49		
		6.1%	12.2%	81.6%	100.0%		
Gender	Male	6	3	41	50	1.611	.447ns
		12.0%	6.0%	82.0%	100.0%		
	Female	6	7	39	52		
		11.5%	13.5%	75.0%	100.0%		
Classification of School	Urban	5	6	34	45	1.137	.566ns
		11.1%	13.3%	75.6%	100.0%		
	Rural	7	4	46	57		
		12.3%	7.0%	80.7%	100.0%		

Designation	Chairperson	1	1	16	18	1.511	.825ns
		5.6%	5.6%	88.9%	100.0%		
	Vice Chairperson	2	2	14	18		
		11.1%	11.1%	77.8%	100.0%		
	Member	9	7	50	66		
		13.6%	10.6%	75.8%	100.0%		
Total		12	10	80	102		
		11.8%	9.8%	78.4%	100.0%		

Source: Computed from Primary Data p-value ≤ 0.05 is significant denote *, p-value ≤ 0.01 is significant denote **, p-value > 0.05 is not-significant denote as ns

The responses presented in the Table 8 indicated that statistically **non-significant association** was found between the variables and the statement.

Overall analysis of the responses indicated that SMCs were not monitoring the issue of enrollment of the students in every session. However, 11.8 per cent were in **agreement** with the statement whereas high proportion of respondents 78.4 per cent **disagreed** with the statement indicating that SMCs were not monitoring the issue of enrollment of the students, possibly for the reason that they were not aware of this role of SMCs.

Irrespective of the any variable, high proportion of respondents expressed that SMCs were not monitoring the issue of enrollment of the students every session

Table 9: SMC monitors the academic progress of the students.

Variables	Groups	Agree	Undecided	Disagree	Total	Chi-square	p-value
Type of School	GHS	9	0	37	46	.953	.329ns
		19.6%	.0%	80.4%	100.0%		
	GSSS	7	0	49	56		
		12.5%	.0%	87.5%	100.0%		
Age	Below 40 years	10	0	43	53	.844	.358ns
		18.9%	.0%	81.1%	100.0%		
	Above 40 years	6	0	43	49		
		12.2%	.0%	87.8%	100.0%		
Gender	Male	6	0	44	50	1.008	.315ns
		12.0%	.0%	88.0%	100.0%		
	Female	10	0	42	52		
		19.2%	.0%	80.8%	100.0%		
Classification of School	Urban	8	0	37	45	.266	.606ns
		17.8%	.0%	82.2%	100.0%		
	Rural	8	0	49	57		
		14.0%	.0%	86.0%	100.0%		

Designation	Chairperson	7	0	11	18	9.511	.009**
		38.9%	.0%	61.1%	100.0%		
	Vice Chairperson	3	0	15	18		
		16.7%	.0%	83.3%	100.0%		
	Member	6	0	60	66		
		9.1%	.0%	90.9%	100.0%		
Total		16	0	86	102		
		15.7%	.0%	84.3%	100.0%		

Source: Computed from Primary Data p-value \leq 0.05 is significant denote *, p-value \leq 0.01 is significant denote **, p-value $>$.05 is not-significant denote as ns

On analysing the data projected in the Table 9, it was found that statistically **highly significant association** was found between the designation variable and the statement whereas **non-significant association** was found between the other variables and the statement. Further, it was found that more of the members than the vice chairpersons and the chairpersons strongly agreed that the SMCs did not monitor the academic progress of students

Overall analysis of the responses established that many of the respondents disagreed with the statement. However, 15.7 percent of respondents **agreed** with the statement whereas significant proportion 84.3 per cent of the respondents **disagreed** with the statement indicating that the SMCs did not monitor the academic progress of students and the reason for the same can be that respondents were not aware that SMCs were to monitor the progress of the student.

Irrespective of variables, significant proportion of the respondents were in disagreement that the SMCs monitored the academic progress of students.

Table 10: SMC ensures regularity & punctuality in attendance taking by the school teachers.

Variables	Groups	Agree	Undecided	Disagree	Total	Chi-square	p-value
Type of School	GHS	13	1	32	46	1.979	.372ns
		28.3%	2.2%	69.6%	100.0%		
	GSSS	19	4	33	56		
		33.9%	7.1%	58.9%	100.0%		
Age	Below 40 years	17	4	32	53	1.786	.409ns
		32.1%	7.5%	60.4%	100.0%		
	Above 40 years	15	1	33	49		
		30.6%	2.0%	67.3%	100.0%		
Gender	Male	15	3	32	50	.301	.860ns
		30.0%	6.0%	64.0%	100.0%		
	Female	17	2	33	52		
		32.7%	3.8%	63.5%	100.0%		
Classification of School	Urban	12	2	31	45	.940	.625ns
		26.7%	4.4%	68.9%	100.0%		
	Rural	20	3	34	57		
		35.1%	5.3%	59.6%	100.0%		
Designation	Chairperson	4	0	14	18	4.784	.310ns
		22.20%	0.00%	77.80%	100.00%		
	Vice Chairperson	4	2	12	18		
		22.20%	11.10%	66.70%	100.00%		
	Member	24	3	39	66		
		36.40%	4.50%	59.10%	100.00%		
Total		32	5	65	102		
		31.4%	4.9%	63.7%	100.0%		

Source: Computed from Primary Data p-value \leq 0.05 is significant denote *, p-value \leq 0.01 is significant denote **, p-value $>$.05 is not-significant denote as ns

On analysing the data projected in the Table 10, it was found that statistically **non- significant association** was found between all the variables and the statement.

Overall analysis of the responses established that majority of the respondents expressed that SMCs did not ensure regularity & punctuality in attendance taking by the teachers of the schools. However, 31.4 percent of respondents **agreed** with the statement whereas 63.7 per cent of the respondents **disagreed** with the statement.

Irrespective of variables, majority of the respondents opined that the SMCs did not ensure regularity & punctuality in attendance taking by the teachers of the schools.

Table 11: As a member of SMC you were given training to perform better.

Variables	Groups	Agree	Undecided	Disagree	Total	Chi-square	p-value
Type of School	GHS	5	0	41	46	.001	.980ns
		10.9%	.0%	89.1%	100.0%		
	GSSS	6	0	50	56		
		10.7%	.0%	89.3%	100.0%		
Age	Below 40 years	5	0	48	53	.209	.647ns
		9.4%	.0%	90.6%	100.0%		
	Above 40 years	6	0	43	49		
		12.2%	.0%	87.8%	100.0%		
Gender	Male	5	0	45	50	.063	.802ns
		10.0%	.0%	90.0%	100.0%		
	Female	6	0	46	52		
		11.5%	.0%	88.5%	100.0%		
Classification of School	Urban	10	0	35	45	10.950	.001**
		22.2%	.0%	77.8%	100.0%		
	Rural	1	0	56	57		
		1.8%	.0%	98.2%	100.0%		
Designation	Chairperson	4	0	14	18	3.156	.206ns
		22.2%	.0%	77.8%	100.0%		
	Vice Chairperson	1	0	17	18		
		5.6%	.0%	94.4%	100.0%		
	Member	6	0	60	66		
		9.1%	.0%	90.9%	100.0%		
Total		11	0	91	102		
		10.8%	.0%	89.2%	100.0%		

Source: Computed from Primary Data p-value \leq 0.05 is significant denote *, p-value \leq 0.01 is significant denote **, p-value $>$.05 is not-significant denote as ns

The data projected in the Table 11, it was found that statistically **highly significant association** was found between the classification of school variable and the statement whereas **non-significant association** was found between the other variables and the statement. Further, it was found that more of the members from rural schools than urban school affirmed that as a member of SMC, they were not given training to perform better.

Overall analysis of the responses suggested that significant proportion of respondents opined that as a member they were not given training to perform better. However, very insignificant proportion 10.8 percent of respondents **agreed** with the statement whereas significant proportion 89.2 per cent of the respondents **disagreed** with the statement possibly for the reason that no such facility to train the members was available.

Regardless of the any variable, highly significant proportion of the respondents opined that as a member of SMCs, they were not given training to perform better.

Observations

The interaction of School Management Committees at the school level, as enshrined in the RTE (2009), had a twin purpose to serve, on one hand it allowed community to participate in the school management at the local level thereby strengthening the cause of democratic values and on the other hand these committees were to ensure transparency and accountability in the school administration. However, the idea of mandatory constitution of these School Management Committees has so far not shown the expected results. The change is always resisted and change ensuring accountability of actions is doubly resisted. The case is no different with the fate of these SMCs as they are still non-functional entity in the select school of a select district. It has been keenly observed by the researcher that these committees were created as per the requirement of the Act but were not operating or performing as per the expectations and as per the requirements of the Act.

It was interesting observation of the researcher that these committees were in place in every school but these committees were not functioning as per the rules/norms. In fact, these committees did not meet as per laid down norms rather the approval or consent of the members of SMCs was obtained telephonically and then through circulation the formal consent was obtained. This practice has marginalized the effectiveness of the committees and thus, has turned these into defacto committees.

The SMCs in these select schools played restricted role which was limited to meet the required formalities. In many matters the actions were taken much before the virtual ratification of the same. Another issue which emerged on the scene that some of PRIs members has different opinion about the role of SMCs. They thought that these schools were to manage and administered by these committees. This ego conflict of the local leaders with school management has resulted in unnecessary delay in the implementation of many of development programmes.

These committees did not perform many of the listed functions as these committees did not monitor and supervised the head teachers and the teachers. Further, these committees did not monitor the attendance of the students. Similarly these committees were not assisting the teachers to improve teaching and learning. Neither these committees promoted enrollment of the students for the next session nor they devised strategies to communicate the “Rights” of the child to the neighbourhood population.

The role of the SMCs has not been very effective as these committees were hardly involved in preparing school development plans. These committees did not monitor over burdening of the teachers with non-academic duties other than those specified in Section 27 of the Act that provided for the prohibition of deployment of teachers for non-educational purposes, except for decennial population census, disaster relief, elections to local authority, State Legislature and Parliament. Moreover, these committees were not assessing the entitlement of children under section 4.

The SMCs did not constitute sub committees and sub groups with coopted members for effective implementation and monitoring of the school development plan. However the monitoring of utilization of the grants received from the government/local authority were utilized by getting the post consents of the members of the SMCs. The annual accounts were signed by the members by ensuring the necessary quorum.

Observations based on the interaction with the Chairpersons

The chairpersons of the school selected for micro study shared that the SMCs were not involved in the functioning and in the management of the schools. The schools authorities did not care to involve the non-officials members in developmental functions and other listed functions of these SMCs.

The chairpersons openly shared that these SMCs were in tug of war with non-official members (community) on the one side and the official members on the other side the irony was that each side was not aware that “how to pull and “ how much to pull” the power rope. Thus, it was confusion all around. The non-official members (if active) were accusing the school authorities for their restricted participation whereas the official members were shifting the blame on the non-officials member that they were creating hurdles rather than serving the cause. Further, the chairpersons were not appreciative of the non- participatory approach of the parents/ community. They were of the opinion that generally on one or the other pretext the parents were not ready to come forward as members of SMCs. The reason put forth by the parents that they had “no time” for such activities has damaged the spirit behind their creation. No doubt some parents lacked will and capacity to contribute. In a country where the large population is struggling to meet both ends meets, it was not easy to motivate them for sharing some other social responsibilities like this one.

Further, it was shared by the majority of the Chairpersons that the members were not keen to attend the meetings or participate in the meetings. Some of the members were not more than signing machines. These members were not regular in attending the meetings. However, they always obliged authorities by signing the

proceedings. The Chairpersons also expressed that most of these members had little interest in the working of SMCs as they had to forgo their daily wages to attend the meetings.

The women members were hardly active and keen to attend the meetings of SMCs as they had domestic responsibilities to perform at home. Since these committees have not yet assumed their responsibilities thus, the members were not playing their roles as per the expectations.

Some of the members had vested interest to nurture thus, they remained active till their objectives were achieved.

Observation based on the interaction with the Members

The members confessed, some of them openly that they were not aware of their role as such and it's only with the help of some of the NGOs they were made aware of their role. Further, many of the members were not keen on attending the meetings or participating in the meetings but definitely they were interested to be part of SMCs. There were members who expressed that their presence was not welcomed by the school teachers/authorities. The office bearers of the committee's i.e. chairperson and the Convenor in most of the SMCs supported each other for their plans and actions not allowing the others members especially the women to come forward with suggestions which did not match with their perceptions. The village Sarpanch, if was a Chairperson of the SMCs was engaged with other political activities. In one of the select schools, both Chairperson and the Convenor were at logger heads as a result the very purpose of having SMCs got defeated.

The members also complained that they were not informed about the meetings of SMCs and if informed, it was just on the nick of time. It was also shared that practices of SMCs largely deviated from the provisions.

The meetings were generally held on paper and the verbal consent was obtained of the members who were on the right side of the authorities and who mattered in the composition of the SMCs. The records of the meetings were not accessible to the members. The SMCs consisted of these members who were willing to side with the authorities rather the members were handpicked and the election of the members, if there was any was mere formality. The members with open mind and radical views were sidelined. The members were also shared that there were no foolproof measures adopted to share the information related to use of funds and record books were not available to the members.

However, the members opined that these SMCs can play very significant role in the improvement of quality of education if community was prepared and allowed to play its role.

Based on interaction with the Head Teachers/Convenors

The head teachers or the convenors of the SMCs had their own part of the story to share. They opined that these committees were proving more of obstruction than facilitating the functioning of the schools. The convenors viewed that though the idea to constitute such committees was a step in right direction thereby foster sense of participation in the community and allow the democratic values to flourish but the community had its own limitations. The parents had no time to spare for such activities and majority of them were not willing to participate. Those who were willing to participate had motives behind; there were very few genuine contributors to the cause. The local leaders had their own agenda. It was shared that the active members of the SMCs had more of the interest in the construction work/project than improvement of school functioning or in the improvement of education quality. The reason for showing more interest in the civil projects was more than obvious.

The convenors of some of the SMCs had reservation about the capacity and capabilities of some of these members in contributing in the field of education. They further opined that some of the members were under the impression as they were to control and run the school management.

They lacked the approach and attitude towards their expected role and thus created hurdles in the functioning and development activities. Besides, local leaders played their role keeping in mind their political ambitions. Thus, each side of this triangularly composed body called SMC had its own story to tell.

It is accepted fact that “change is the law of nature” it is equally recognized by one and all that changes are not accepted easily. It takes time to bring changes in the mindset of the stockholders which appear to be an easy job but takes sometimes longer than expected to realize the objectives.

Findings

1. High proportion of the respondents **opined** that School Management Committees (SMCs) **were not** working actively in the school.
2. Significant proportion of the respondents **acknowledged** that the meetings were not held as per the schedules.
3. Majority proportion of the respondents **ratified** that the notice of the meeting was not circulated in advance.
4. Majority of the respondents stated that they **did not take** part in the discussions in the meetings.
5. Significant proportion of the respondents **opined** that the SMCs did not

monitor the non-teaching workload of the teachers.

6. Majority proportion of the respondents **expressed** that the SMCs were not monitoring the utilization of the development grants.
7. High proportion of respondents **expressed** that SMCs were not monitoring the issue of enrollment of the students in every session.
8. Significant proportion of the respondents conceded that the SMCs did not monitor the academic progress of children.
9. Majority proportion of the respondents **opined** that the SMCs **did not** ensure regularity & punctuality in attendance taking by the teachers of the schools.
10. Significant proportion of the respondents **expressed** that as a member of SMCs, they were not given training to perform better.

Suggestions

1. It is suggested that the parents should involve themselves in the education of their children by actively participating in the SMCs and in the parents-teachers meetings and to achieve this, parents needs to be oriented on regular basis by inviting them to school events.
2. The SMCs should become active and functional in the real sense. The members should understand their role and monitor the school education.
3. The concept of decentralization of power at the grass root level put onus on the local leaders not only to participate in the activities related with education rather they should lead from the front to develop the infrastructure of the existing schools and also monitor the educational activities.
4. If SMCs are to work according to what government has envisioned about these, then definitely the most crucial thing that is missing is awareness. If people aren't even aware about what their responsibilities are, then how can they be expected to work the way they are supposed to? School Management Committees should be so talked about that it becomes a well-known component.

Also, the committees should be given more authority. It shouldn't only be expected of them to highlight problems but rather, these should be given more power to solve these. For instance, if a school is lacking enough teachers then it should be given power to hire teachers according to the need. If somebody is not sending his/her child to school then it shouldn't only be expected to report to higher offices, but rather SMCs should be empowered to do something about it. If a teacher is being absent for long, exceeding his allowed period of leave, the School Management Committees should have the power to deal with the matter.

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THE PROBLEMS OF RELIGIOUS MINORITIES IN INDIA: A STUDY OF CHRISTIANS IN PUNJAB

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Abstract

In Punjab, the Dalit Christians is in microscopic minority, they have been socio-economically oppressed, culturally subjugated and political marginalized for centuries. It is fact that backwardness of dalits have certainty altered their political aspiration and often denied them opportunities of entering into an active political life. Neither the centre nor the state government paid any special attention toward marginalized and neglected community i.e. Dalit Christians. Both Congress and Akali Dal are playing politics with this community. There is a need to educate and create awareness among the Christians for social justice. The Christian leaders should shoulder the responsibility and make sincere efforts to organize Christian community on one platform. On the other side, government should pay special attention for marginal community. It is also a moral duty of community that they should organize themselves and start a social movement for their rights. This paper is confined to analytical study of socio-economic and political problems of Dalit Christians in Punjab.

Minority: A Conceptualization

India is among the most diverse societies in the world. It has people from all the major religions in the world—Hindus, Muslims, Christians, Sikhs, Buddhists, Jains and Parsees. Even though Hindus constitute about 82 per cent of the population, there are more than 149 million Muslims in the country, making it the second-largest population of Muslims in the world. Religious diversity is coupled with enormous linguistic and cultural diversity. There is religious and cultural diversity of enormous dimensions in the country. When India gained independence in 1947, the political leadership and the framers of the constitution took note of this diversity, and they deliberated on a framework that would provide for a unified but culturally diverse nation state. India has no official or established state religion. Most other states in its neighbourhood affirm a religious identity: Pakistan and Bangladesh are Islamic states; Sri Lanka gives a special status to Buddhism; and Nepal is a Hindu state. India, however, has no established religion and this is the first sign of its commitment to treat all communities as equal. This is supplemented by the

constitutional provisions that protect religious liberty. Indian Constitution gives all religious communities the right to profess, propagate and practice their religion. It is pertinent to note that the right to propagate one's religion was included in deference to the concerns of the minority communities, particularly Muslims and Christians, who maintained that preaching and propagating their faith was an essential part of their religion. While most societies grant individuals the right to religious belief, in India communities enjoy the right to continue with their distinct religious practices. Perhaps the most significant part of this is that in all matters of family, individuals are governed by their community personal laws.

Efforts by non-dominant groups to preserve their cultural, religious or ethnic differences emerged with the creation of nation States in the eighteenth and nineteenth centuries. The recognition and protection of minority rights under international law began with the League of Nations through the adoption of several "minority treaties". When the United Nations was set up in 1945 to replace the League of Nations, it, too, gradually developed a number of norms, procedures and mechanisms concerned with minorities. In particular, the 1966 International Covenant on Civil and Political Rights and the 1992 Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (hereinafter: United Nations Minorities Declaration) recognize and protect the rights of persons belonging to minorities. In practice, however, these rights are far from being realized. The promotion and protection of the rights of minorities require particular attention to be paid to issues such as the 'recognition of minorities' existence; efforts to guarantee their rights to non-discrimination and equality; the promotion of multicultural and intercultural education, nationally and locally; the promotion of their participation in all aspects of public life; the inclusion of their concerns in development and poverty-reduction processes; disparities in social indicators such as employment, health and housing; the situation of women and the special concerns of children belonging to minorities. Minorities around the world are also often the victims of armed conflicts and internal strife. Persons belonging to national or ethnic, religious and linguistic minorities are also often victims of multiple discrimination and they may lack access to, among other things, adequate housing, land and property, and even a nationality.

The term minority group and its opposite, majority group, have been widely used both among social scientists and the general public in recent decades. Frequently, minority group members are discriminated against, and in some cases they are severely and systematically exploited for economic gain by the majority group. Usually, a minority group is defined on the basis of a relatively permanent and unchanging status and on the basis of being different—often visibly—from the majority group. For all types of minority groups, it is typically true that (1) the

group is different in some way that is regarded as socially significant from those who hold the dominant influence in society, and (2) on the basis of that difference the group is assigned to a subordinate or disadvantaged status. While the empowerment of a minority, especially of religious, linguistic and cultural minorities, to prepare desirable features of their identity should be a necessary part of any scheme of protection of minorities, the choice should wholly rest with the minority to adjust and change those identity features partly or wholly for reasons of its modernization and voluntary integration with the national and global mainstream.

Persons belonging to religious minorities have a faith which is different from that held by the majority. Most countries of the world have religious minorities. It is now widely accepted in the west that people should have the freedom to choose their own religion, including not having any religion, and including the right to convert from one religion to another. However in many countries this freedom is constricted. A minority religion is a religion held by a minority of the population of a country, state, or region. People who belong to a minority religion are often subject to discrimination and prejudice, especially when the religious differences correlate with ethnic differences.

There is no internationally agreed definition as to which groups constitute minorities. It is often stressed that the existence of a minority is a question of fact and that any definition must include both objective factors (such as the existence of a shared ethnicity, language or religion) and subjective factors (including that individuals must identify themselves as members of a minority). The difficulty in arriving at a widely acceptable definition lies in the variety of situations in which minorities live. Some live together in well-defined areas, separated from the dominant part of the population. Others are scattered throughout the country. Some minorities have a strong sense of collective identity and recorded history; others retain only a fragmented notion of their common heritage. All States have one or more minority groups within their national territories, characterized by their own national, ethnic, linguistic or religious identity, which diff The term 'minority' is a product of democracy as there can be no minority except in democracy. The development of democracy, based on majority rule, has given birth to a new terminology called dominated groups. They are referred to as minorities or, it can be said, that group which makes a population more heterogeneous. The kind of heterogeneity will, of course, depend up to national, culture religious and racial ideologies or in other words on the characteristics of the majority, those with the greatest power and highest status.

The criteria used to define, identify and distinguish minorities may vary

from case to case, but generally they have to do with language, religion, territory, history, social and political organization. Minorities may come into existence either as a result of conquest and subjugation or break-up of a multi-national empire or process of an amalgamation or integration of ethnic groups or immigration or political, social and economic inequalities or combination of these various actors. In India minority environment is a combination of these various factors. Minority groups are not eternal they are dynamic social units that may emerge, metamorphose and dissolve over a period of time accordance to changing historical circumstances. Before tracing the history of minority problem in democracy, it would be necessary to examine the evolution and the meaning of the term “minority”. It is said that the term minority as applied in modern political terminology is restricted to distinct racial or national groups in minority of numerical strength with a sovereign state.

Grammatically speaking, the term, ‘minority’ is compound of the Latin word ‘minor’ and the suffix ‘ity’ meaning inter-alia, the smaller in number of the two aggregates that together constitute a whole. According to Webster dictionary it means, “a group characterized by a sense of separate identity and awareness of status apart from a usually larger group of which forms or is held to form a part. According to the encyclopedia Britannica, ‘Minority is a culturally, ethnically or racially distinct group living within a larger society. The meaning and definitions just referred to contain common criteria, namely, statistical criterion, but sociologist and terrorists go further than confining their definition of minority to merely numerical ratio criteria.

Problem of Defining Minorities in India

Constitution of India talks of equality but here every state is divided on the ground of majority and minority. It can be imagined that this country of single citizenship and one nationally will be fragmented into several parts. The Constitution of India uses the term ‘minority/minorities’ in four of its Articles namely, Articles 29(1), 30, 350A and 350B. But it neither defines the term minority or minorities nor delineates criteria for determining minority. In order to bring a case under Articles 29 and 30 of the Constitution, a community has first to establish its character as linguistic, scriptural, cultural or religious minority. Thus, there is no precise definition-of or criteria for determining minority in the constitution. In absence of any constitutional guidelines, we are left only with judicial interpretation of minority. On the meaning of the word minority the Supreme Court felt that through it was easy to say that minority community means a community which is numerically less than 50 per cent, it left part of the question unanswered namely 50 per cent of the population of a state or of the Union.

The Government of Kerala contested that the minority must numerically be

a minority in the particular region in which the educational institution situated in order to claim the fundamental rights of the minorities. DAV College, Jalandhar v/s State of Punjab provided an occasion for the Supreme Court, if the same was not available to it in the Kerala reference for expressing the opinion on the meaning of 'minority'. The Court took a view of the state of Punjab for determination of the issue whether Arya Samajists were a minority. The Court held that Hindus in Punjab constitute a religious minority. Therefore, Arya Samajists in Punjab also constitute a religious minority having their own distinct script. The Supreme Court seems to have settled the position saying that the term minority must be determined in relation to the particular legislation which is sought to be impugned. Consequently, if it is state law then the minorities will be determined in relation to the population of the state. (Manju Subash 1988:35).

The above view was further confirmed in DAV College Bathinda versus State of Punjab. Referring to the decision in the earlier case, Jagmohan Reddy J. said "We had held that what constitutes a linguistic or religious minority be judged in relation to the state in as much as the impugned Act is a state Act and not in relation to the whole of India". The Supreme Court made no attempt to provide a general test for ascertaining a minority and it had to fall back upon its earlier view to merely hold that if the law is enacted by the state, minorities have to be determined with reference to the entire population of that state. However, if the rejection of the criterion suggested by the State of Kerala preceded a judicial scrutiny and was supported by the court's own reasons, the new criterion advocated in the above cases, met with summary rejection with being examined on merit. (Gangwal 1995:28-29)

Following the above decision, the Kerala High Court which was called upon to determine whether Christians were a minority in the State of Kerala held, "the word minority is not defined in the Constitution; and in the absence of any special definition we must hold that fifty per cent of the population of the state is entitled to the fundamental right guaranteed by the Article." The reference was to Article 30(1). the Court found that at the 1961 census amounted any to 21.22 per cent of the total population of the state of Kerala they were a minority within the term of Article 30(1).

The formulation as given by the Supreme Court of India is rather simple and arithmetical. There are certain difficulties with the explanation. One possibility is that the population in a state may be so heterogeneous that no single community may constitute more than fifty per cent of the state population. Thus all groups may claim the title of minority community. The second problem about this definition is that there right to be certain communities which are in majority in case of states but in minority in the case of the Union. Thus such communities shall be having

double status of being in majority at one and the same time and in minority in different contexts. Myron Weiner observed that in the Indian context, minority and majority states is a matter of self ascription. What is majority from the perspective is a minority from what is majority from one perspective is a minority from another. (Weiner Myron 1989:39). For example, Muslims, Sikhs and Christians are more than fifty per cent in Jammu and Kashmir Punjab and Nagaland respectively but in minority in all India contexts. In the nutshell, the minority in India is a relative term. It is primarily a political and not merely a numerical concept. This fact finds further confirmation in the debates of the Constituent Assembly of India. Dr. B.R. Ambedkar, explained this term in the Assembly in this way : (Wadhwa 1975:7)

The word is used not merely to indicate the minority in the technical sense of to word, it is also used to cover minorities which are not minorities in the technical sense, but which are none the less, minorities in the cultural and linguistic sense.

Since the meaning of the term minority was to be taken in a particular sense so far as the Constitution of India was concerned, that after the word ‘any’ the word ‘minority’ be substituted in place of the words “Section of Citizens”(ibid.) was negated, when the Article 23 of the Draft Constitution was under discussion. It later on took the final shape of Articles 29 and 30 and both articles in the entire Constitution of India, explicitly stand guarantee to the protection of the interests of the minorities in India. Article 29 states “Any Section of the minorities in India. Article 29 states “Any section of the citizens residing in the territory of India or any part thereof of having a distinct language, script or culture of its own, shall have the right to conserve the same” and second Article 30(1) acknowledged the right of ‘minorities’ based on religion or language to establish and administer educational institution of their choice. it is clear from the language of the above two articles that three categories of minorities has been recognized under the constitution, viz. minorities based on culture, language and religion.

Religious Minorities in India

Religious profile of the population of India is an important socio-cultural and demographic feature noticeable from the first Census in 1872 till now. The data of religions or religious groups for which information was collected had some variations in the pre-Independence period. But after Independence, particularly since 1961 there has been some uniformity in the collection and the generation of the religious data. Besides the six major religions, e.g. Hindu, Muslim, Christian, Jain, Buddhist and Sikh, census also collected data on other religious faiths and denominations. Some of the religious faiths and persuasions are variants or varied manifestation of the major religious groups. In the past information on religion as

provided in Census was very limited but in the last Census 2001, a number of cross-tabulations were made available. Cross-tabulation of different religious groups by literacy, classification of workers and non-workers provides new insights. At the census 2001, out of 1028 million population, little over 827 million (80.5%) have returned themselves as followers of Hindu religion, 138 million (13.4%) as Muslims or the followers of Islam, 24 million (2.3%) as Christians, 19 million (1.9%) as Sikh, 8 million (0.80%) as Buddhists and 4 million (0.4%) are Jain. In addition, over 6 million have reported professing other religions and faiths including tribal religions, different from six main religions. Christianity has emerged as the major religion in three North-eastern states, namely, Nagaland, Mizoram, and Meghalaya. Among other states/UTs, Manipur (34.0%), Goa (26.7%), Andaman & Nicobar Islands (21.7%), Kerala (19.0%), and Arunachal Pradesh (18.7%) have considerable percentage of Christian population to the total population of the State/UT

In India the problem of religious minority is no less sensitive than that of the linguistic minority. The religious conceptions in the country are so vast that they cover every aspect of life, from birth to death. There is nothing which is not religion. Not only in India but through the world religion have played two distinct roles in society. On the one side it had the effect of unifying large section of people who would otherwise have remained fragmented into other; it has also caused severe division between man and man group and group, nation and nation.

The expression “minority based on religion” is used in Article 30(1). The principal basis of a minority must be its adherence to one of the many religions, and not a Sect. or a part of it and the other features of the minority are subordinate to the main features, its separateness because of its religion. For instance, Hinduism is a religion and Arya Samaj is only a sect of it. Islam is a religion and Shia or Sunnies are only sect of it. Christianity is a religion and Catholics or the Protestants are only a sect of it.

V.S. Deshpande, J. in *Arya Samaj Educational Trust, Delhi vs. The Director Education, Delhi Administration* observed “No section or class of Hindus was ever referred to as a minority. In Article 30(1), therefore the word minority cannot apply to a class or a section of Hindus.” However, some religious denominations have sought to have themselves judicially recognized as a separate religion, independent from Hinduism, so as to be entitled to be treated as minority for the purpose of the constitutional protection secured under Article 30.

But the courts are not unanimous. They are rather shaky, in their approach while dealing with claims. That bears testimony to the difficulties involved. In *Dipendra Nath vs. State of Bihar* Brahmo-Samaj has been held a minority based on

religion. In *Janki Prasad vs. State* the claim of theosophical society has not been accepted. In *MC Bandho-Padhaya vs State of West Bengal*. Ram Krishnaites have been held as minority based on religion, by the Calcutta High Court but the Supreme Court has rightly reversed the decision of the High Court. The several attempts have been made by the Arya Samaj to have it-self judicially recognized as a separate religion independent from Hinduism.

The Supreme Court took in view the State of Punjab for determination of the issue whether Arya Samajists in Punjab constitute a religious minority. The Supreme Court judgment said that the term minority must be determined in relation to the particular legislation which is sought to be impugned, consequently, if it is a state law, and then the minorities will be determined in relation to the population of the state. In this case the Court categorically rejected the contention that the minority should be determined by reference to the entire population of India. It is, however, not clear from the judgments as to what would be criteria if the question of defining the minority arises in relation to an impugned central law, will it, there be determined by reference to the entire population of India.

Therefore in case of linguistic, religion or cultured groups, that no group constituting 50 per cent of the state population may fall under the protection of Article 29 and 30 without there being a single majority community against which minorities may claim protection. Interestingly, there might be certain communities which may be in majority in the particular state, like the Sikhs in Punjab or Muslim in Jammu and Kashmir or Christians in Nagaland, but they may be in minority in relation to the entire population of India.

Although Hinduism is the religion of the majority of Indian yet there are important religious minorities such as Muslims and Sikhs, who have been able to preserve their group identities. Two features of India's religious minorities warrant special note. The first is their internal divisions and the second is their relationship with Hindus. There are major religious minorities in India like Muslims, Sikhs and Christians etc. Hindus are in majority and constitute 82.6 per cent of the population. The people who profess Hinduism are primarily divided into four groups according to the traditional four-fold classification of Varna system: Brahmin (teachers and priests), Kshatriya (soldier and administrators), Vaishya (merchants and traders) and Shudra (menial workers). They pursue unclean occupations. The Hindus are also further subdivided into different endogamous groups, the Jati or caste which is arranged in a hierarchical order.

The main focus of our study is to identify the problem and challenges encountered by the Christian community and more particularly the Christian in Punjab where they are in a minority. The Christians are divided into a number

of denominations in India. The two broader divisions based upon theological differences are (1) Roman Catholics (2) Protestant. Roman Catholic and follow either the reformed Roman rite or the Syrian Malabar rite nearly 8 million Christians are protestant, with many belonging either to the United Church of North India (a Union of Congregationalists Presbyterians Anglicans, Methodists, Baptists and Disciples of church dating from 1970) or to the United Church of South India a) Union of Anglicans, Methodists, Presbyterians Congregationalists and Dutch Reformed, dating from 1947. Both united churches are in communion with the Marthoma Syrian Church of Malabar (numbering about one million members), an autonomous orthodox group that broke away from Syrian orthodox church in the nineteenth century. The Syrian Church of Malabar (numbering about one million members), an autonomous orthodox group that broke away from Syrian orthodox church in the nineteenth century. The Syrian Orthodox Church itself or the “Thomas Christian” community numbers about one and a half million.(Gerald James 1977:23). In addition to these main groups, there are a number of independent Baptist, Lutheran, Methodist, Anglican and Pentecostal churches in India. The majority of all Christians in India are to be found in the Southern states of Kerala, Tamil Nadu and Andhra Pradesh. Christians also present majority and Meghalaya. They are also found in the state of Goa (31 per cent). The state of Manipur (26 per cent) and in the Union territories of the Andaman and Nicobar Inlands (26 per cent) for the most part, Indian Christian derives from the lower classes and castes, many from tribal and untouchable groups (ibid.). The Christian normally inhabit the urban areas and are engaged in running mission education Institutions, hospitals and small business.

The Dalit Christians issues cannot be seen in an isolated manner from the rest of the dalits of India. These issues are relating to religious change and leading to socio-economic mobility, identify, differentiation stratification, urge for self determination and participation, movements toward viable and sustainable communities, reservation and discrimination as well as issue relating to dalit Women, official church and its personnel. Lancy Lobo rightly observed that the problems of Dalit Christians are not only social and religious but also economic and Political.

Constitutional Problems of Christians

The principle of non-discrimination and the concept of common citizenship is enshrined in all provisions of the Indian constitution. The first and the foremost is the Right to Equality (Article 14) which is an extension of the rights ensured in the preamble to the Constitution. Article 14 of our constitution says “The State shall not deny to any person equality before the law and shall provide equal protection

for every person within the territory of India.” Article, 12 of constitution explains the word, “the state” in Article 14 as “The government and Parliament of India and the government and the legislature of each of the state and all local or other authorities within the territory of India or under the control of the government of India.” This provision embodies a concept which is a hall mark of democracy. However, to the question whether the Indian Christians in India really do enjoy this fundamental right to equality, the answer, unfortunately, is ‘no’. Because, in real sense, Indian Christians do not fully enjoy some of the basic fundamental rights. The major problems faced by the Christians with regard to fundamental rights are as given below.

The discrimination on grounds of religion is very clearly prohibited by Article 15 of our constitution which says in clause (1). “The state shall not discriminate against any citizens on grounds of religion, race, caste, gender, place of birth etc.” This fundamental right against discrimination on ground of religion is one of the most important rights for the flourishing of any religiously pluralistic society as we have in our country. But unfortunately, we are till now unable to implement what Article 15 lays down. This mandate of “non-discrimination against any person on grounds of religion” given in Article 15 of the Constitution has still not been enforced totally, even though the Constitution was promulgated more than 50 years ago. This might, in whatever little extent, which existed before promulgation of constitution was lost when our constitution came into being.

The third paragraph of the Presidential order of 1950 was amended by the Parliament to extend the constitution benefits to the ‘Sikhs’ and the ‘Buddhists’ along with the ‘Hindus’. Regarding the criteria of amendment, the point made by Ram Vilas Paswan in 1990 needs to be noted. Paswan, who was the then Union Minister of Welfare and Labour, while stating the objects and reasons for proposing to include Buddhists of Scheduled Caste origin in the list of Scheduled Castes, said that the change of religion does not alter social and economic conditions. But above all the third paragraph of the 1950 Presidential order is a direct contradiction of Article 15 and 25 of our Constitution since it had used religion as the criterion to describe who will be a schedule caste. This needs to be deleted completely. (Massey 2002:72-73)

In India the opportunities for employment are very scanty and the state is the greatest employer. The principle of non discrimination and equality is also upheld in matter of public employment in the Constitution Art 16 says “No citizen shall, on grounds of religion, race or caste, be ineligible for, or discriminated against in respect of, any employment or office under the State. The Constitution of our country in Article 16, gives equality of opportunity in matters of public employment.

But, again, because of the Presidential order, of 1950 and the refusal of Shankar Dyal Sharma to issue ordinance (The Tribune, March 29: 1996) for reservation for Christians during the regime of Narashima Rao, and the two amendments thereto after, referred to above, Dalit this fundamental right Christians have been deprived of rights. This has been made available to the Dalits in the fold of Hinduism, Sikhism and Buddhism. This also amounts to discrimination on grounds of religion which the 'state' is forbidden to do under Article 15.

The denial of Justice to the dalit Christians is also against the letter and spirit of Articles 14, 15, 16 and 25 of the Constitution of India on equal justice, equal opportunities and freedom of religion. If a Scheduled Caste becomes a Christian he loses all the reservation facilities, and if he produces a certificate of Schedule Caste he gets back all the benefits. Even the children of the same scheduled caste parents, living under the same roof, sharing the same meals are discriminated against on the basis of religion. Sohan Singh gets all the reservation facilities. While his own brother Mohan Masih is denied all the benefits just because "Masih" happens to be a Christian. It is a bad luck, if any Christian symbol is noticed with him/her or at his/her residence. He/she loses all the service benefits. It is also violation of the constitutional rights. Despite of 57 years of independent, the dalit Christians continued to be the victims of all kinds of treatment. The history of independent India is both pathetic and shameful on the treatment meted out to Dalits.

The Mandal Commission's report has unambiguously stated that state assistance should be given to all genuinely backward sections of people irrespective of religion or caste which many thought would end the discrimination against the poor among the minorities. But the 'soft' communists or secularists or religious fanatics in the majority community are now said to have found another excuse to deprive the Christians of these facilities. The argument advanced is that the backwards having un-Indian sounding or Anglo-Saxon" names cannot claim such benefits. (Sarto, Esteves 1996: 190). They can afford to discriminate against Christians in this manner because they are a negligible "vote bank". This is the way our rulers create divisions, frictions and differences in our country (ibid.)

The other serious implication of the Presidential order of 1950 is that it has also affected another fundamental right of the Dalit Christians, which is meant to protect their personal life as well as liberty. In the last 67 years of India's independence, the country's three largest minorities. Muslims, Christians and Sikhs – have been targeted by fanatics of the majority community and other vested interests, on the basis of their religious identity alone, resulting in a serious assault on their basic rights, including the right of life itself Article 21 of the Indian constitution clearly

stipulates". "No person shall be deprived of his right of personal liberty except according to procedure established by law". The example of the Dalit Christians not getting protection of life and personal liberty are the various govt. acts and rules passed by the Parliament to give special protection to the scheduled castes which are not applicable to the Christians of Scheduled Caste origin during atrocities. These acts and rules include protection of civil rights Act 1955, Protection of Civil Rights Rule, 1977 and Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989. All these acts and rules are supposed to give the SC (Dalits) special protection and rights against various kinds of atrocities and oppressions, meted out to them by the people of so-called upper castes of forward classes. But this protection is not made available to Dalit Christians.

Although under Article 21, the State is bound to protect the life and liberty of every human being, but it has failed to protect this right. There are a lot of violations. Such type of violations threatens the very right to life, physical integrity and health of citizens. Here are some of the headlines in the national media. "Persecution – Christians are now being systematically targeted." It referred to the recent move of the then B.J.P. run Delhi government to denotify churches in Delhi as places of worship on the ground that wine was served there" "Saffron Brigade strikes again in Gujarat." "Christian missionary school attacked, copy of New Testament burnt" flashed *Hindustan Times* on July 22nd 1998. (John, T.K. 1998: 178)

Article 25 of Indian constitution gives full right to all citizens the "freedom of conscience and to right freely to profess practice and propagate religion". The Christians have almost always faced problems with this fundamental right specially with the last part of propagating its faith. A number of states such as Orissa, Arunachal Pradesh and Madhya Pradesh have passed acts through their legislature severely curbing this right. In many states like Punjab, the concerned authorities refused to allow any venue and date for religious conversions or religious conventions for preaching the teaching of Jesus Christ. It is entirely a violation of Article 25. Father T.K. John also expressed the feeling that the basic rights of the religious minorities are violated in a number of ways. (Sumanta Banerjee 1999:177)

(a) Although some Indian state government did enact legislations entitled 'Freedom of Religion Bill'; they were full of ambiguities which were utilized by the state machinery to practise discrimination against religious minorities.

(b) Refusal to grant official recognition, to certain religious groups and religious communities.

(c) Legal bias against certain religion groups and religious communities

(d) Restriction on public information about religious groups by describing

only a preferred religion in official text books and ignoring the others. In Gujarat, state BJP government is also trying to impose some limitation on freedom of conscience and free profession.

Although the Article 25 of the Indian constitution gives a wide opportunity to profess, practice and propagate any religion, but from time to time it has been misinterpreted by the various Hon'ble Courts of law which have imposed many limitations. As the Supreme Court held in the case of *St. James vs. Madhya Pradesh* (1977), the right to propagate does not mean the right to convert others forcibly. However, he is entitled to accept or adopt another religion by his own choice and free will. (Nirmalendu Bikash 2000: 3565.).

In recent times, some Hindu organizations have raised a hue and cry over this matter, and are in the favour of adding some amendments in the Article 25. As L.K. Maitra said in the constituent assembly "The very foundation of society in Indian being religion, it will lose all her spiritual values and heritage unless the right to practice and propagate any religion was recognized as a fundamental right." But the states were practical enough to make it a conditional right. So, when propagation affects the religious sentiments of other communities or conversion involve some sort of force or fraud, it goes against the letter and spirit of the constitution (ibid.)

An attempt was made in 1977, during the regime of Janta Government through private bill at Central level for prohibition of conversion which, of course, could not get through. In July 2001, Anant Gangaram Geete, a Shiv Sena M.P., moved a private bill named the prohibition on religious conversion bill, 2001" in the Lok Sabha. The Bill was opposed by the opposition and Sangh Parivar failed to muster enough support for it to get through. Besides the above, the Christian Evangelists and Church workers kept on facing opposition in practicing and propagating their faith. They were also, attacked physically many times and harassed by the fanatic groups in a number of states such as Gujarat, Madhya Pradesh, Orissa, U.P., Maharashtra and Punjab. In December 1999, non Christians organized a rally at Ahwa in Dangs district in Gujarat state on Christmas day projecting the alleged conversion of tribals to Christianity by the missionaries. In Punjab, religious conventions were disturbed at various places by the Sangh Parivar during the Akali-BJP regime. But government did not take a serious note of this problem and even refused to accept the recommendations of National Minority Commission, New Delhi.

Article 26 of our Constitution has given to all the religious minorities the right.

- to establish and maintain institution for religious and charitable purposes,
- to manage their own affairs in matters of religion, in any manner they

wish to administer and maintain such property in accordance with the law.

In Gujarat, state education department issued a circular to the government aided schools to subscribe to a Gujarati magazine 'Sadhana' which is wedded to the ideology of the RSS and Sangh Parivar. This is a direct violation of Article 26 of the Indian Constitution. The violation of Article 26 occurs, when the freedom to establish religious institutions is curbed. The local administration generally refuses permission to build, enlarge or renovate places of worship of minority religious groups. This has become a major problem for the Christian Community. To get permission for building a Church has become a nightmarish experience for the Christian applicants. The recent destruction of churches in certain parts of the country has further aggravated the threat to the right, guaranteed in Constitution, that the Christian Community, along with other religious communities, has every right to establish and maintain institutions for religious and charitable purposes.

Article 29 offers protection of cultural rights of minorities and Article 30 (1) gives them the right to establish and administer education institutions of their choice. Clause 31(2) states that the state "shall not, in granting aid to educational institutions, discriminate against any education institution on the ground that 'it is under the management of a minority, whether based on religion or language.'" But with regard to the rights provided in Articles 29 and 30 also, the Christians continue to face problems throughout the country. The first major problem which the Christian educational institutions are facing is the intervention of State Education Department and Universities at different levels. Questions are being raised whether a special place can be offered to the members of the Christian community as students or trainees. Government not only discriminate against minority schools, colleges, nursing colleges, and hospitals in granting aid, but also impose many rules and restriction to prevent minority institutions from appointing their own candidates. When a vacancy comes up schools and other institutions they are forced to accept the State's choice and on many occasions the Christian educational institutions have had to go to court to get justice.

Some of fanatics groups are not in favour of separate and distinct culture for minorities. They want that all minorities in India must group up their separate culture as India is one country and one culture Prof. Madhok suggested that: "That the minorities must adopt Indian (Hindu) names. In short they must adopt the Indian culture – the national culture – in their religion. Their religion should bend its loyalty, towards the Indian Nationalism". The suggestion made by Madhok is totally against the rights guaranteed under Article 29 of the Constitution which says.

"Any section of citizens, residing in the territory of India, or any part thereof,

having distinct language or culture of its own, shall have the right to conserve the same all persons are equally entitled to freedom of conscience and the right to profess, practice and propagate their religion.” In fact the Muslims, the Christians and the Sikhs each have their own separate and distinct cultures. The above guarantee given by the Constitution negates the right to conserve the culture of the minorities. Such utterances have been in vogue for many decades. It is a shame that the leaders of the largest democracy, with large number of religions allow the propagation of such mindless thoughts (which are clearly against the constitutional rights) against such minuscule position of the population as the Christians. (Mathew & Bakshi 1995 : 3-4).

Christians in Punjab

In Punjab, they are constituted about two percent of the total population of the state. In the Mahja region (borderland of state) percentage of dalit Christian's population is highest amongst all districts of Punjab. A large numbers of people of this community are converted from the downtrodden class and adopted the Christian religion. They joined the Church seeking liberation and Solace in the 'New Community'. But the Churches failed to fulfill their expectations. There is cultural distance between the upper caste Christian's clergy and Dalit Christians (Ghanshyam Shah, 2001, p29). In fact, the upper caste Christians have separate identity from other Dalit Christians families. A tussle between the upper and lower caste Christians is evidence in many churches particular in Kerala State. (M.N.Srinivas (ed) 1996.p272). But in Punjab, rural Christians (99 percent) in Punjab are landless marginal, backward, and poor along with low status and illiteracy are considered by Christian leaders to be the major problems. “They are socially depressed, economically backward and need and politically powerless community in Punjab.” (Emanuel Nahar, 2007, pp153-154)

Socio-Economic Profile and Marginalization

Education: - Education is the catalyst that helps to form creativity, attitude, capacity, value and confers status. It is also an important variable which constitutes to the socio-economic status of a person or a group. Education is also a means which enabled them to break the physical distance in inter-personal relations imposed by castes differences. It is also a key for social mobility and providing a new opportunity life. So for the general literacy rate of Punjab is concerned that 69.95 percent (for males is 75.63 percent, for females it is 63.65 percent) Literacy among the dalit Christians in Punjab on the whole is still low.

Majority of the population of this community is residing in rural area of the Punjab's. This study shows that 49.58 percent illiterate and 17.96 under metric 22.5 percent metric, and 10.41 percent graduates. The borderland state of the Punjab has

only less than 10 percent Christians are educated rest of the illiterate The literacy rate among Dalit Christians special border area is far below comparatively than schedule caste of Punjab.

Occupation: The survey of this study shows that 72.41 percent of the working population of Christians is engaged in agriculture sector in overall as Punjab. About 14.17 percent Christians are employed in various professions. In Punjab only 3.75 percent Christian possess agricultural land and more than 95 percent Christians are landless. The majority of the Dalit Christian working as helper, Plaece, Paledri, roads and building labour, causal labour night soil labour, Bratha Labour and unskilled agricultural labours. They depend on the landowner for their daily bread. The system of Athri is in fact bounded labour system in which the person is bonded o his Sepi (Landowner) for the lifeline. The poor, illiterate and dalit people of this community specially in Mahja or border area of the Punjab belonging to this category.

The state of Punjab, has given a lot of benefits to SC's/ST's but these benefits are not meant for economically weaker section i.e. dalit Christians of Punjab and overall position of this community in Punjab as Community is marginal, poor and backward comparatively than other sections.

Income: There is al lot of differences between the annual Income of dalit Christians and other sections of the society. They are landless and have no any resource of income. Most of the dalit Christians are unskilled labours and agriculture labours. It is a fact that than 90 percent working in agriculture sector in rural area of Punjab and so majority of the dalit Christians belonged to lower income group.

Dalit Christians in Punjab were largely converted for the down trodden people of the society by missionary and adopted a Christian religion. Actually their socio-economic marginality and social degradation in society compelled them to follow the Christian religion. Very few Christians of the educated, employed and urban respondents claimed there is change of the socio-economic status of the Christians but majority of the respondents refused to accept there is no any type of change after adoption of Christianity in the Punjab. They have the same socio-economic conditions like other dalits of the society. Today, various denominations have failed to solve their socio-economic problems. Even they have been unable to bring big changes in their status. As the following table shows the majority are still languishing in a low social status:

Both urban and Rural Dalit/Christians of Punjab (%)

High status	19.45
Moderate status	30.14
Low status	50.41

Christians do not enjoy state patronage which is given to other scheduled caste and backward classes. After conversion to Christianity, they have lost the right to reservation in government jobs. They stand at the lowest rural rung of the society among the dalit classes specially in the border area of the Punjab. In this area, they remained socially separate and were forced to live in separate residential localities called Thathi. Due to poor conditions in rural area of Punjab they are also treated merely as 'object' instead of as 'subject'. After 1947, Christian Community in Punjab has not gained either political or socially and their development has remained stunted. They are also ignored by the political parties, and administrative set up. They are suffering from what is called 'Structural Violence'. They stand nowhere in the Jat Sikh dominated society; they have been neglected throughout on the basis of religion and suffer from what is called "Symbolic Violence". Although their conversion to Christianity was a protest against the 'Obnoxious Caste' system but a change of religion as not cleared their scar.

Along with dalits, dalit Christians also exploited by the richman/landlord in various parts of the Punjab State. They are engaged by landlord at lower wages or to make them work without wages against their will. They could not organized themselves to raise a voice against the low wages. Actually the economic (Thraldom) of the dalits including dalit Christians is aggravated by social disabilities and back of political influence.

In the agrarian society of the Punjab state, the status, conditions, prestige and power of any community caste or groups is determined by the possession of land and the land holders maintained their economic power and social superiority over the dalits by keeping them at a low economic level at rural revel. So for the Christians are concerned they are landless and have worse conditions still connected with their previous castes and treated 'untouchable'. Even today, they are humiliated by higher castes because of their lower socio-economic status. They do not have their own separate identity, traditions and cultural values. Actually the dominant majority either Sikhs or Hindus generally powerful, are attempting to impose its own culture values on weaker sections in the Punjabi Society. So that is why they are also suffering from the stigmatized identity in the State of Punjab. (Emanuel Nahar, 2007, pp-240-241).

Politics of Marginality and Christians

In the State of Punjab, dalit Christians have similar conditions like dalits of society. They are 'harmless creature' they have been targeted & harassed by landlords, police, fanatic and powerful person of the society and state has failed to punish and provide to security to dalit Christians. The following Acts and Rules are enacted only for SC/ST in Indian society.

- Protection Civil Right Act, 1955
- Protection Civil Rule, 1977
- SC/ST prevention of Atrocities Act 1989

These are supposed to give the SC/ST dalits special protection against various kinds of atrocities but not applicable to the dalit Christians of SC origin. The fanatic and communal groups are playing dirty politics with this community to keep distance and to make discrimination on the basis of religion by debarring from these acts.

The third paragraph of the Presidential Order of 1950 also played politics with marginal community i.e. Dalit Christian on the basis of religion. This order was amended by the parliament to extend the constitution benefits to the dalit Sikhs (1956) and the Buddhist (1990) along with the Hindus, but refused to give benefits to Dalit Christians. This order was anti-dalit and it tended to divide the Dalit on the basis of religion. Actually fanatic members of Parliament played this politics with Dalit Christians and opposed this benefit. In Punjab, either Congress or Akali Party both are playing politics with this community.

Since 1952, there was the provision of legislative council in which every section of society had the provision for representation to which the community's interest. This facility was also enjoyed by the Christian community from 1952 to 1967. When the Akali party comes to power they moved a resolution to abolish legislature council with the help of Congress MLA's. After this not a single Christian was nominated or elected in the state of Punjab.

Recently, the Congress Government of Punjab (2007) has increased the reservation quota for Balmiki and Mazhabi Sikhs through Amendment, but refused to give this benefit to Dalit Christians which was promised by the Congress party during election time. Punjab Assembly also recommended reservation for Rai Sikhs to the centre government and Parliament resolved to include Rai Sikhs in schedule caste list in Punjab, but refused to dalit Christians. It totally discriminates with their community on the basis of religion.

The Dalit Christians in Punjab are politically marginalized and powerless community in India. In the current Lok Sabha of 543 members there are only 8 Christians and 36 Muslims and 11 Sikhs in the Lok Sabha. All the Christians are from south. Not a single Christian from Northern India. Even, in the current Legislature Assembly of Punjab there are about 30 Schedule Caste, One Muslim. Since 1952, not a single Christian elected as a member of Legislature Assembly of Punjab so far. Actually economic backwardness and lower social background of the community and dominated Sikh society has given them little or no scope in the Political arena especially in the state of Punjab.

Conclusion

India's commitment to cultural diversity has been challenged very fundamentally by episodes of communal violence, where members of one community are systematically targeted by another. Even though incidents of communal violence have decreased over the years, they remain a permanent reminder of the vulnerability of the minority communities. Communal violence not only vitiates existing bonds but also generates a feeling of mistrust among communities. The majority community sees the accommodation of diversity as 'appeasement' of the minority and the minority remains vulnerable and diffident, unable to contribute significantly to the public and political life of the polity. The point that must be emphasized here is that policies that promote cultural diversity are not in themselves sufficient to check communal violence. Ignorance certainly provides a fertile ground for breeding sentiments of hatred and animosity. But the presence of diversity in the public arena is not a sufficient deterrent against systematic victimization of religious minorities. Peaceful coexistence of different communities therefore requires both a vigorous defense of the basic rights of individuals as citizens and an institutional and normative framework that acknowledges and values diverse ways of life.

With the rapid growth in the number of multi-party states and the diffusion of democratic norms and standards, the ability of minorities to be included and represented in parliament and government has taken on increasing importance. The protection of minority rights is best achieved and articulated through a combination of majority sensitivity and minority inclusion. Minority voices are heard, and minority rights more respected when representatives of minority groups enjoy full access to participate in the political sphere, public life and the relevant areas of decision making. It is crucial that Christian minority representatives are included not just as tokens but as full players in the decision making process. It may be more worthwhile to view interactions and behaviour in segmented societies through the lens of minority/ majority status (based on religion), rather than only religion itself.

In terms of policy, the results imply that governments should devise policies to foster trust within communities, particularly focusing on assimilating minorities. One possible avenue could be to assuage the fear of minorities by ensuring their rights are protected by the legal system and that these rights are not corroded by the might and power of the majority. Additionally, substantive government investment in the socio-economic development of the minority, including infrastructural improvements in minority-concentration areas, might empower minorities, which may translate into greater minority assimilation and a more cohesive Indian society in the longer run. Formal recognition of diversity by the state is indispensable; it can minimize the disadvantages faced by a community in the public arena and create new opportunities for it. But state policies of cultural homogenization are just one site of disadvantage and discrimination in society. Often minority communities suffer because they are stigmatized and represented negatively in the cultural history of the nation. Hence, policies seeking to promote cultural diversity need to be accompanied by a positive acknowledgement of the contribution of minority communities. Multiculturalism can best flourish when there is an accompanying spirit of inter-culturalism. Greater exposure and interaction between communities needs to be fostered in order to overcome negative stereotypes.

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FISCAL DECENTRALISATION IN INDIA: THE GENESIS

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Abstract

This paper traces the genesis of fiscal decentralisation in India. The state of Indian financial condition was shaky before the revolt of 1857 and it became worse due to heavy expenditure incurred towards its suppression and restoration of order. The continuous deficits and the upheaval of the Indian people against the financial policies forced the imperial authorities to bring some changes in the existing financial system. The British government passed the Government of India Act in 1858 which transferred the government and revenue of India to the British Crown. James Wilson, the first Finance Member introduced the Budget system and the Income Tax in British India. The successors of James Wilson, through their sincere efforts, tried to reshape Indian fiscal system by way of favouring the cause of fiscal decentralisation. Viceroy Mayo's contribution, however, for the practical implementation of the devolutionary process became a landmark in Indian history. This led to the dawn of fiscal federalism in the history of Indian finances.

The term 'Decentralisation' refers to delegation of the authority and responsibility in decision making process. Decentralisation is a multifaceted term as it embraces different aspects. It may chiefly be of three types: political, administrative and fiscal. It can be the combination of any two of them or all of them, according to the desired needs for policy making, planning, financing or implementation. The most important form of decentralisation is fiscal. "Fiscal decentralisation involves re-assigning expenditure functions and revenue sources to lower tiers of government". (Fukasaku & Jr. Mello, 1997, p. 1). In simple language fiscal decentralisation means the devolution of financial powers to subordinate levels of government who may also take decisions regarding expenditure while providing public services. Finance being the strongest of all elements of government, it naturally absorbs and remoulds all others. (Bhattacharyya, 1971, p. xviii). The role of government and its agencies controlling and managing finance is, on the one hand, a crucial factor in the progress of the country and on the other hand can result

in the degeneration of its economy. The manner, in which the financial powers were exercised by the imperial government in relation to the British Indian provinces, determined and affected the course of economic or fiscal history of the Indian provinces under the colonial rule. It is very interesting to understand and trace the events which led to the genesis of the devolutionary process of financial powers by the British government to the provinces. From the very early faint beginnings of the devolution of financial powers to the year when India achieved its independence, this process was slow, pressed by the circumstances and deep thinking of the British authorities.

The present paper seeks to trace the genesis of devolutionary process of fiscal powers to the Indian provinces and to understand the circumstances under which the process started along with the role of men who contributed the most in this regard. After the fall of the Mughal Empire, the system of centralisation of fiscal powers was still working well in India; the system was appreciated by the British officials which continued to prevail with no major changes throughout the tenure of East India Company. The year 1857 witnessed a great revolt against colonial government, and when it was passing its course of time to become the year 1858 it changed the whole outlook of the imperial government ruling India. Whenever any event happens in history it carries a cause and effect sequence. Same is true for the said revolt. The rule of East India Company ended because of the formidable revolt emanating from the chief economic causes including heavy taxation upon the people of Indian provinces, and discriminatory fiscal policies which lacked the real power of expenditure at the disposal of provinces of British India.

Though the said revolt failed to achieve its purpose, its effects and consequences became landmarks in the Indian history. After the revolt, the Government of India Act, 1858 was passed which transferred the control of the government and revenues of India from the hands of East India Company to the British Crown. With the transfer, the tendency to centralisation began to stiffen. (Shah K. , 1929, p. 85). This is clear from the fact that the Government of India's control over revenue and expenditure derived from the said Act, treated the revenues of India as one and applied them to the purposes of the Government of India as a whole. It rendered the provincial governments with no inherent legal right to the revenues which they raised. The transfer of India to the Crown did not bring about any innovation. Criticizing the centralized scheme of financial control, Richard Strachey remarks, "The distribution of the public income degenerated into something like a scramble, in which the most violent had the advantage, with very little attention to reason. As local economy brought no local advantage, the stimulus to avoid waste was reduced to a minimum, and as no local growth of the income led to local means of improvement, the interest in developing the public revenues was also brought down

to the lowest level". (Srinivas, 1936, p. 1328).

British financial policies captured its early response from the Indian people since the time of the revolt. The financial consequences of revolt had precipitated the financial crises. The suppression of the said revolt and the restoration of order had involved an addition of more than £ 42,000,000 to the public debt (Strachey, 1911, pp. 119-20) which was responsible for the bad condition of Indian finances in the years that followed the revolt as it had incurred an immense increase of expenditure. The most immediate task that confronted or challenged the British Government in the early phase of the post revolt period was to reduce all unnecessary expenses and to have a strict economy in the administration, civil as well as military. This resulted in the creation of a Military Finance Commission in June 1859, and a Military Finance Department in July 1860. The Department had the responsibility to examine all the items of military expenditure and control of permanent as well as contingent military expenses relating to pay of the staff, marine or material throughout presidencies of Bengal, Madras and Bombay. For proper control of Government expenditure, a Board of Audit was constituted in November 1860. This Board consisted of (i) Accountant General with an additional designation of Auditor General of India as the head of the civil expenditure and (ii) Chief of Military Finance Department, who was to act, as the Auditor General for all military expenditure. (1982, pp. 7-8).

Forced by the circumstances, an important step taken by the Government of India in bringing about the financial reforms was the presentation of annual Budget. Sir James Wilson, the first Finance Member was appointed in November 1859 and the first Budget of India of the imperial income and expenditure was presented by him partially in 1860-61 and wholly in 1861-62 for sanction. The income tax was also introduced in the country under the Income Tax Act XXXII of 1860. On 30 October 1863 all the revenue work relating to the customs, salt, opium, stamps and excise was transformed from the Home Department to the Financial Department. In 1867 the work relating to the Post Office was also transferred from the Home to Financial Department and was formed part of the separate revenue branch. (1982, pp. 8-9).

The reduction of all unnecessary expenses to have a strict economy resulting in the creation of a Military Finance Commission and Military Finance Department, the constitution of a Board of Audit, the appointment of first Finance Member and his presentation of annual Budget of the Government of British India, were all silent steps towards the genesis of fiscal devolution; for the very first time in the economic history of colonial rule, the inconveniences of handling centralized finances were

realized and this laid the very foundation of fiscal federalism in India.

James Wilson, the First Finance Member could not live a long life and died on 11 August 1860. As such he fell short of contributing substantial towards the initiation of the process of fiscal decentralisation. No doubt, Wilson, within a short period had reshaped the Indian financial system in a sense that he brought for the first time the concept of systematic presentation of annual Budget showing revenue and expenditure in the history of British India. This enabled the Indian people to assess the financial condition of the country being ruled by colonial masters.

After his death, Henry Bartle Frere officiated as Finance Member for over six months. Though, he found the plans of Wilson too ambitious, he himself could not contribute much towards the process of fiscal decentralisation owing to the lack of his personal Indian experience. Samuel Laing succeeded Wilson as the next Finance Member who had the experience of Board of Trade and practical experience of railway management. Laing was also the Member of Parliament in the years 1852-57 and in 1859. Due to his efforts and experience he was successful in showing very less deficit in the first year of the budget of the colonial government (1861-62). Laing who framed the budget for the following year i.e. 1862-63 (Bhattacharyya, 1971, p. 4) was not in favour of centralization of fiscal issues. He recommended giving to the local authorities the power to manage their own finances. This is quite evident from his Budget Speech of 1862-63 in which he says "If this great empire is ever to have roads, the schools, the local police, and other instruments of civilization which a flourishing country ought to possess, it is simply impossible than an imperial government can find either the money or the management... It is of the first importance to break through the habit of keeping everything in dependence on Calcutta, and to teach people not to look to Government for things which they can do far better for themselves...it is most desirable to break through the system of barren uniformity and pedantic centralization, which has tended in times past to reduce all India to dependence of the bureaus of Calcutta, and to give to local governments the power and the responsibility of managing their own affairs". (Laing, 1862-63).

Laing left India towards the end of 1862. The year 1862-63 showed the surplus of £ 1.8 million. The retrenchment in the expenses of Indian army by the Military Finance Commission and opium revenue also contributed to the surplus. As the second Finance Member, Samuel Laing's contribution towards advocating the devolution of fiscal powers to the provinces and then to the local level was the first unbolt step towards the process of fiscal decentralisation. He through his speeches was very clear in his mind that colonial government should teach people to manage their own affairs at local level. According to him, to give to the local

government the power and the responsibility of managing their local affairs was a pre-requisite condition of fiscal devolution. Charles Edward Trevelyan, the man of brilliance and high intellect was the next Finance Member after Laing. Trevelyan was a great admirer of decentralisation of fiscal powers and wanted to raise the stature of the Indian provinces. Though, he could not do anything ample in this regard but he openly criticized the policy of over centralisation of fiscal powers by colonial masters at Calcutta. He was not sympathetic towards commerce and the commercial community because of British government's discriminatory tariff policy and duties on cotton goods. (Bhattacharyya, 1971, p. 4). While James Wilson the first Finance Member started a new era in the Indian financial system by presenting the first annual budget of colonial government, his successors, Laing and Trevelyan brought some achievements and contributed in accelerating the process by way of advocating the devolution of fiscal powers to the British Indian provinces.

In 1865, W. N. Massey succeeded Charles Edward Trevelyan, whose tenure from 1865 to 1868 witnessed a series of deficits. Massey's successor, Richard Temple remained Finance Member for a long period (1868-1874). (Bhattacharyya, 1971, p. 4). The year 1869 marked the entry of Earl of Mayo as the Viceroy of India. During his tenure of Viceroyalty from 1869-70, the beginnings which had been made in the emergence of a financial system and in the process of fiscal decentralisation received a boost.

Richard Temple, the Finance Member and Mayo, the Viceroy could not establish rapport with each other. The strained relationship between the two has come to light in the Mayo's biography written by William Wilson Hunter. (Hunter, 1891). Richard Temple did not support Mayo's scheme of financial decentralisation and the latter found fault with Temple's handling of the Income Tax which evoked much opposition and criticism. (Letter from Mayo to Argyll, 1870). This is very lucid from letters written by Lord Mayo to the Secretary of State, Argyll. Mayo wrote to Argyll in July 1870, "I do not believe he (Richard Temple) ever can hold in the eyes of the world the position that a Minister responsible for Finances of such an Empire ought to hold because he does not possess that knowledge of Finance or that power of originating measures which is indispensable to enable him to advice the Council". (Letter from Mayo to Argyll, 1870).

The positive outcome of mutual clash between Richard and Mayo was that it paved the path for fiscal devolution. Because of the mutual clash, Mayo was driven close to his other financial advisers. Among them, Richard Strachey and John Strachey were the real brothers. Richard Strachey discussed the financial matters with Mayo and chalked out the basic plan of fiscal decentralisation. Richard made provision of giving loans to the provincial governments for the purpose of

financing irrigation works. John Strachey became the Finance Member in 1876 and held the exalted post till 1880. Like his brother Richard, John was also a great advocate of fiscal decentralisation which can be established from his speeches and writings. During his term he always supported the development of devolution of fiscal powers to the British Indian provinces.

During the period 1869-70, recurring deficits attracted the attention of Viceroy Mayo. Annoyed at the inefficient working of the staff of Finance Department, Mayo himself undertook the task of improving the financial conditions of India. (Letter from Mayo to Argyll, 1870). This was the real genesis of the process of fiscal decentralisation in India.

After 1860, imperial government realized its own inability to manage finances involving provinces of British India. During this time frequent conflicts arose between imperial and the provincial governments in which provinces were unhappy and were opposed to the decisions of the former. The provincial governments of British India were highly dissatisfied with the interference and a strong hold of the imperial government on the financial matters regarding revenue and expenditure; this resulted in the non-participation of the provincial governments in the desired programmes and imperial government lacked their support and sympathy. The condition of provinces was duly acknowledged by Mayo. Before the advent of Mayo, as discussed above, there were continuous discussions among the officials related to financial matters to give certain financial powers to the provinces. But the policies emerging out of various discussions and deliberations were put into practice during Mayo's Viceroyalty. (Bhattacharyya, 1971, p. 7).

Mayo's financial measures can be divided into two parts. The first includes the measures which were carried out by him to check deficit and the second part consists of measures by which, after having grappled with the immediate crises, he endeavoured to reform certain serious defects in the fiscal system, and bring about a permanent equilibrium between the revenue and the expenditure of India. (Hunter, 1891, p. 7). Mayo believed that decentralisation of finance would improve relations between the imperial and provincial governments, lead to local improvements financed by local taxation, enable the British Indian government to get rid of some heads of expenditure which local governments could handle better. (Hunter, 1891, p. 136).

In his resolution No. 3334 of 14 December 1870, Mayo represented and defined the principles of scheme of financial decentralisation. The main features of the scheme were: First, several departments of administration were transferred to the provincial governments including jails, police, registration, education, medical services, printing, roads, civil buildings and miscellaneous public improvements.

The expenditures for these branches were to be met by the provincial governments from (a) departmental receipts under these heads, (b) fixed lump assignment granted permanently from annual imperial revenue for these provincial services, (c) and, if any deficiency occurred, local taxation. (Resolution by Government of India, 1871). In the imperial budget the subjects that fell under the provincial heads were at the disposal of the provincial governments and these were fixed and unalterable. Several conditions were imposed on the provinces. First, the provincial governments were supposed to publish their annual estimates and accounts in the provincial gazette and submit the same to the provincial legislative bodies (wherever they existed). Their financial statement was similar to the imperial budget presented in the Legislative Council. Second, the provincial governments were expected to submit account and estimates of each year to the Government of India. Third, prior sanction of the imperial government had to be obtained by the provincial governments in all questions involving change in the salary scale of any grade of officers, creation of appointments with a salary exceeding Rupees 250, change in imperial service rules regarding leave allowances, and investment of money in public treasury. Fourth, the Governor General-in-Council reserved the right to intervene in the administration of the transferred branches and disbursement of transferred funds, in order to correct deviation from the general policy of Government of India. (Bhattacharyya, 1971, p. 9). The Notifications Accounts No. 4129 (2) under the head Financial Department, in the Gazette of India, on December 31, 1870, records:

Under the present system, these Governments (Presidencies and Provinces) have little liberty and but few motives for economy in their expenditure: it lies with Government of India to control the growth of charges, to meet which it has to raise the revenue. The Local Governments are deeply interested in the welfare of the people confided to their care; and, not knowing the requirements of other parts of the country or of the empire as a whole, they are liable, in their anxiety for administrative progress, to allow too little weight to fiscal considerations. On the other hand, the Supreme Government, as responsible for general financial safety rejects many demands in themselves deserving of all encouragement, and is not always able to distribute satisfactorily the resources actually available. (1870, p. 854).

It was at this time that the imperial government came to realize its failure in handling the financial deficits occurring due to expenditure involved in previous wars and the revolt of 1857. The Supreme government and Local governments had different points of view regarding the measures involving expenditure. The division of responsibility was still being ill-defined and due to this, there occurred conflicts of opinion which were injurious to public service. In order to avoid these conflicts, the colonial government realized that it was expedient as far as possible, the obligation to find the funds necessary for administrative improvements. It should

rest upon the authority whose immediate duty was to device such measures. The Government also acknowledged the fact that it was not in a position to understand fully the local requirements, nor had it the knowledge necessary for the successful development of local resources. Each province had special wants of its own, and many had means for supplying them which could not be appropriated for imperial purposes. "A tax adapted to the circumstances of one part of the country could be distasteful or inapplicable elsewhere; and rates might be proper for provincial or local purposes which could not be taken for the imperial revenue". (1870, p. 854).

In 1870-71 the Government of India transferred to the provincial governments under certain conditions that were set forth, the departments of administration of Jails, Registration, Police, Education, Medical services (except "Medical Establishments"), Printing, Roads, Miscellaneous Public Improvements, Civil Buildings and granted the sum of £ 4,688,711 from the imperial revenue. The actual permanent imperial assignments for "Provincial Services" were: Punjab £ 516, 221; Oudh £ 2,06,948; Central Provinces £ 2,61,263; Burmah £ 275,332; Bengal £ 1,168,592; North-Western Provinces £ 640, 792; Madras £ 739,488; Bombay £ 880,075. (1870, p. 855). It was decided to keep these assignments under a single new head, "Provincial Services", and these were not to be classified in the financial statement and in the Imperial Estimates and Accounts. The additional power of financial control which was now assumed by the British provinces was accompanied by a corresponding increase of the administrative responsibility. (1870, p. 856). The scheme of decentralised finance was in operation from the financial year 1871-72. (Bhattacharyya, 1971, p. 9).

Soon after the implementation of the scheme of fiscal decentralisation of Mayo there arose voices against this new measure. The new fiscal reform was attacked from two opposite sides. Some people opposed it on behalf of Central Government and others on behalf of the provincial governments. In this regard, P. J. Thomas states, "The centrists averred that the measure was too radical; the provincialists complained that it was too conservative. The evils which the centrists predicted were that (1) it would lead to the disintegration of powers of the central government and to separation of interest between central and local authorities (2) the local governments would become extravagant and (3) improper and infamous taxation would follow in the provinces to the great detriment of British dominion in India. Those who advocated provincial claims pointed out on the other hand that (1) the assignments were inelastic and were unequally distributed; (2) the provincial governments had no interest in improving the revenues and (3) the restrictions imposed upon the provinces were too hard and inconvenient. Therefore, they advocated a more thorough-going system". (Thomas, 1939, p. 173).

Making a critique of the policy of the Central Government, in the said matter, K. T. Shah remarks, “the government of India expressly reserved, in 1870, their powers of supervision and control, even in the departments thus provincialised”. (Shah K. , 1929, pp. 87-88). Though the decentralisation made it easy for the Central Government to cut down the expenditure, it certainly made it difficult for the local governments to raise additional revenue by local taxes. British provinces were not assigned branches of administration in which they were primarily interested, including, general administration and administration of land revenue and excise. (Bhattacharyya, 1971, pp. 70-71).

The provinces put forth the demands for further concessions which could make a strong case for the reconsideration of this arrangement. The arrangement announced was annual lacking the element of stability, which otherwise was essential for the improvement of provincial finance. Moreover, the assignment made to the provinces was on the basis of the actual expenditure in each province under a given head. But the underlying assumption that “the actual expenditure represented the real needs was unfounded, the provincial governments had justly complained against the imperial exigencies stifling their local scheme of improvement”. (Shah K. , 1929, pp. 87-88). Among provinces, there was a wide range of inequalities as far as burdens and grants were concerned and doubtless to say that Mayo’s scheme further perpetuated these inequalities. An equitable basis of assignment in real sense of word was quite difficult to discover but this was not the justification of continuing with an inequitable system. Provincial governments, moreover, had a little direct interest of their own to be diligent in revenue collections. Stamps, excise, or customs showed a considerable leakage, which was impossible to stop while the authorities on the spot lacked the incentive to be vigilant. (Shah K. , 1929, pp. 87-88).

P. J. Thomas, observes, “the principal objects of decentralization measure of 1870 were (1) relief to the central finances (2) economy (3) greater harmony between the central government and provinces and (4) association of the people’s representatives in the financial administration of the country. The first three principal objects were achieved sooner after the new measure, but the fourth one took many decades to be fulfilled in actual”. (Thomas, 1939, p. 182).

In the due course of time, however, the new arrangement of decentralisation soon began to bear fruits and sooner or later, it attracted the positive responses from all corners. (Thomas, 1939, pp. 182-83). Despite of having shortcomings, the Mayo scheme was, successful in securing its main purpose of bringing about a greater harmony between the central and the provincial governments and of making the latter more economical in expenditure than before. (Shah K. T., 1927, p. 87).

Mayo deserves full credit of bringing the provincial governments at the center stage of Indian financial system. He must be appreciated for laying down the foundations of fiscal federalism of modern world in the Indian history. Acknowledging his efforts for the cause of fiscal decentralisation, Mayo's Finance Member remarked, "he found serious deficit and left substantial surplus. He found estimates habitually untrustworthy; he left them thoroughly worthy of confidence. He found accounts in arrears and statistics incomplete; he left them punctual and full". (Roberts, 1952, p. 417).

William Wilson Hunter comments, the "well jointed system of Provincial and Imperial Finance continues to be the basis of Indian Finance to this day. It has received further developments since Mayo's time, but its principles remain unchanged". (Hunter, 1891, p. 152).

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Gilgit-Baltistan: An Emerging Turf of Sino-Pak All Weather Strategic Partnership

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Abstract

Gilgit Baltistan, originally part of the erstwhile princely state of Jammu & Kashmir and later became a part of Pakistan occupied Kashmir (PoK), is legally and constitutionally an integral part of India. Along with the so called Azad Jammu and Kashmir, these sections of the Kashmiri territory have been under illegitimate control of Pakistan, since it forcefully occupied this region during Kashmir War of 1947-48. This strategically located, resource-rich region is amongst the most deprived and impoverished regions, politically, economically as well as socially in entire South Asia. Nonetheless, this region has remained largely absent from the regional strategic discourse for the outer world, but the media reporting since last couple of years has been menially highlighting regarding China's extensive involvement in Gilgit Baltistan in terms of huge investments in infrastructure. In this paper, attempt has been made to critically highlight the issues of Chinese increasing presence, particularly Peoples Liberation Army (PLA), in the Gilgit-Baltistan region and its implications on the regional security and stability in general and India in particular.

Key Words: India, Pakistan, China, Gilgit-Baltistan, Karakoram Highway, People's Liberation Army, Gwadar, Arabian Sea, Xinjiang, Uighurs, China-Pakistan Economic Corridor (CPEC).

Sino-Pak all weather strategic partnership has been the one of the significant features of the South Asian geopolitics since 1960's. Their political leadership had been defining their relationship by equating it with the height of the mountains, depth of the seas, strength of the steel and so on. Although, there has been no common binding ideology like communism or Islam, which could have brought China and Pakistan together. But it was the common factor 'Rising India' which had been guiding their strategic relationship since about last six and half decades. As John Garver had very rightly observed that the Chinese knew that Pakistan was its "last and best bet" to prevent Indian dominance of Southern Asia from the Persian

Gulf to the Malacca Straits.¹ Chinese Govt. under its well planned and coordinated initiatives is continuously grooming Pakistan militarily and economically to counter Indian influence in the region. Apart from supplying the military equipment to Pakistan, China has been also increasingly involved in various strategic projects in that country. More recently, China's growing involvement in Gilgit-Baltistan region of Pakistan Occupied Kashmir had been the one of the major concern for the Indian establishment, having the potential to pose a serious security threat to India.

Gilgit Baltistan- Geostrategic Significance

Gilgit Baltistan, earlier known as Balwaristan or Boloristan,² was originally part of the erstwhile princely state of Jammu & Kashmir and later became a part of Pakistan occupied Kashmir, is legally and constitutionally an integral part of India. Along with the so called Azad Jammu and Kashmir, these sections of the Kashmiri territory have been under illegitimate control of Pakistan, since it forcefully occupied this region during Kashmir War of 1947-48. Gilgit Baltistan covers approximately 72,496 sqkms (excluding Trans Karakoram Tract ceded by Pakistan to China since 1963)³ of area which is about 80 per cent of the total area of Pakistan Occupied Kashmir and it was also known as the strategic 'Northern Frontier' under the British rule owing to its geographical location vis-à-vis Russia and China during colonial era.⁴

The Government of Pakistan had been referring this region as Federally Administered Northern Areas (FANA) until 2009, after which it did few cosmetic changes and it came under the Gilgit Baltistan Empowerment and Self Governance Order issued in August 2009.⁵ This Order led the creation of Legislative Assembly comprising 24 directly elected members and a 15 member, Pakistani Prime Minister headed, Gilgit Baltistan Council. This council enjoys virtual power in important domains of governance. Also, there is a provision of supreme appellate court of Gilgit Baltistan in addition to the high court and these structures work under the overall control of the Federal Ministry of Kashmir Affairs and Gilgit Baltistan

¹ Garver, John W., China and South Asia, *Annals of the American Academy of Political and Social Science*, vol. 519, no. 1 (1992), p. 81.

² Singh, Priyanka, Gilgit-Baltistan: Between Hope and Despair, *IDSIA Monograph Series No.* March 14, 2013, available at: <http://www.idsa.in>

³ Bhattacharjee, Dhruvajyoti, Gilgit Baltistan, China and Pakistan, Issue Brief, *Indian Council of World Affairs*, 3 June, 2015, available at: www.icwa.in

⁴ Singh, *op.cit.*

⁵ Full text of the Gilgit Baltistan Empowerment and Self Governance Order available at official website of the Government of Gilgit Baltistan at <http://www.gilgitbaltistan.gov.pk/images/stories/downloads/Governance-Order.pdf>.

(KAGB).⁶ Interestingly, the Constitution of Pakistan does not list Gilgit-Baltistan as a Pakistani territory since Independence, rather it is excluded from the Constitution and is described as a territory “administered by Pakistan.”⁷

Geo strategically located between the Hindu Kush and Karakoram Range of mountains in the north and western Himalayas in the south, Gilgit Baltistan forms a strategic junction with Pakistan’s Khyber Pakhtunkhwa province in its west, Uighurs dominated Xinjiang Province of China to its east and northeast, Afghanistan’s Wakhan Corridor in its northwest, so called Azad Kashmir under control of Pakistan to the southwest, and a 480 km long dividing Line of Control (LOC) in the southeast. Administratively it is divided in two divisions of Gilgit and Baltistan respectively. Gilgit, further has been divided into five districts, namely, Gilgit, Ghizer, Diamer, Astore, and HunzaNager; while Skardu and Ghanchi districts falls in Baltistan division. During the British era, the Gilgit Agency was a vital arena in the Great Game politics between Britain and Russia. In the present context, the frozen heights of Karakoram in this region has assumed significance due to the ever increasing activities of China and is still an important strategic link between Pakistan and China and the Islamic Central Asia.

This strategically located, resource-rich region is amongst the most deprived and impoverished regions, politically, economically as well as socially in entire South Asia. Due to the rising influx of outsiders, in many cases facilitated by the Pakistani authorities, the indigenous population is facing the threat to their unique culture and distinctive languages. In the recent years, this region is witnessing frequent protests, at times violent, by the underprivileged population. Moreover, this region being Shia dominated while on the contrary Pakistan is dominated by Sunni’s dominated, this discontent has acquired a distinctive sectarian undertone, putting it into more dangerous situation.

Although, this region comprises over 80 per cent of the area of the former princely state under Pakistani occupation, but still this region has faced general ignorance in the world at large, and in India in particular.⁸ This may be due to Pakistan’s thoughtful and largely effective attempt to keep Gilgit Baltistan insulated

⁶Singh, *op.cit.*

⁷IUCN, *Environmental Law in Pakistan: Governing Natural Resources and the Processes and Institutions that Affect Them: Northern Areas* (Karachi, Pakistan: IUCN Pakistan, 2004), p. 17, as cited in Caylee Hong, “Liminality and Resistance in Gilgit-Baltistan”, Legal Working Paper Series on Legal Empowerment for Sustainable Development, Centre for International Sustainable Development Law, Quebec, 2012, p. 6.

⁸Bansal, Alok, *Gilgit-Baltistan: An Appraisal*, Manekshaw Papers, No. 37-2013, CLAWS, available at: http://www.claws.in/images/publication_pdf/1365575414MP%2037%20inside.pdf

from outside; India's preoccupations; and Pakistan's propagandist success in keeping the international community fixated with the Indian part of Jammu and Kashmir. This has remained the overlooked or disregarded part of the overall Kashmir issue till recently.⁹

Nonetheless, this region has remained largely absent from the regional strategic discourse for the outer world, but the media reporting since last couple of years has been menially highlighting regarding China's extensive involvement in Gilgit Baltistan in terms of huge investments in infrastructure. Although Pakistan made the extensive use of this region during and before Kargil war to help infiltrators to cross towards the Indian side of the LOC, but it was the Chinese presence reporting which brought this part of the POK into limelight. And the most talked about project has been the construction of the Karakoram Highway via Gilgit Baltistan connecting China with Pakistan.

China's growing Geo Strategic Interests in Gilgit Baltistan

There is an ample evidence of the Chinese presence in Gilgit Baltistan region in consensus with the state of Pakistan. This presence does not only seems to be just economic in nature but it appears to be the part of a well-planned and coordinated multipronged grand strategy of China. Some of the major geostrategic interests of China which can be highlighted are as follows:

a) *Territorial Expansion:* China is in the illegitimate possession of the some areas of the Kashmir. While, it has deceitfully acquired Aksai Chin region from India, Pakistan willingly gifted the Trans-Karakoram Tract (Shaksgam Valley) covering more than 5,000sqkms area to China in 1963, resulting into the China becoming the major stakeholder in Kashmir issue.¹⁰ Moreover, China's expansionist policy is getting unveiled by its growing moves in this strategically located disputed territory of Gilgit Baltistan and also one of the major Indian think tank IDSA had rightly predicted in its study related to it that China may take away the control of whole this region by 2020.¹¹

b) *Strategic foothold:* In August 2010, New York Times reported about the presence of an estimated 7,000 to 11,000 soldiers of the Chinese People's Liberation Army in strategic Gilgit-Baltistan region, which is closed

⁹ Singh, op. cit.

¹⁰ Ibid.

¹¹ Banerjee, Ajay, 'China preparing to take over Gilgit-Baltistan, warns think tank', *Tribune News Service*, June 9, 2011.

to the world.¹² According to that US newspaper, “China wants a grip on the strategic area to assure unfettered road and rail access to the Gulf through Pakistan,” and for this purpose is building high-speed rail and road link.¹³ In its testimony before the Tom Lantos Human Rights Commission of the US Congress, Washington based think tank, *Institute for Gilgit Baltistan Studies*, claimed that Chinese personnel have assumed the de-facto control of the Gilgit-Baltistan region.¹⁴ Chinese intentions can be judged from their recent aggressive stand and claims over the disputed islands of South China Sea with the neighbouring countries of South East Asia. Like South China Sea, which is strategic sea corridor, Gilgit-Baltistan is similarly strategic land corridor which can provide them strategic advantage vis-à-vis India. Moreover, its presence in any form can provide strategic advantage to China in the regional geopolitics.

c) *Resource Access Strategy:* China has emerged as the world’s second largest economy since last few years and also aspires to become a world power in near future. So, it is a natural understanding that it will require more and more resources to run its growth engine. For China, access to resource rich Gilgit Baltistan, which is under the occupation of their natural ally Pakistan, is without much difficulty. Also this region is known as the water tank of Pakistan,¹⁵ as it has good sources of fresh water, which China can divert to meet its future water needs. More importantly, the Gilgit Baltistan region is rich in both metallic and non-metallic minerals, energy minerals, precious stones and different rocks of industrial use. The alluvial deposits in the area possess vast deposits of gold, copper and other precious metals.¹⁶ China’s hunger for resources is one of the prime reasons for its involvement in extensive development projects especially in the hydro power and mining sectors in this region.

d) *Preventing the spread of Islamic Fundamentalism to Uighur*

¹² China denies troops presence in Gilgit-Baltistan area, *The Economic Times*, Sep 2, 2010, available at: http://articles.economictimes.indiatimes.com/2010-08-30/news/27603366_1_gilgit-baltistan-high-speed-rail-and-road-ormara

¹³ Ibid.

¹⁴ China assumed de facto control of Gilgit Baltistan: US, *The Economic Times*, Nov 10, 2011, available at: http://articles.economictimes.indiatimes.com/2011-11-10/news/30382248_1_gilgit-baltistan-face-sedition-charges-india-and-pakistan

¹⁵ Bhattacharjee, op.cit.

¹⁶ Malhotra, Aditi, The Red Shadow in Pakistan Occupied Kashmir, *Scholar Warrior*, Autumn 2011, p.77

dominated Xinjiang province: China is facing the problem of Islamic fundamentalism in its far western province Xinjiang Uyghur Autonomous Region. Uighur separatists of that province have formed a terrorist organisation named East Turkestan Islamic Movement, which is getting help from the terrorist organisations operating from the soil of Pakistan and Afghanistan. As China's western province of Xinjiang shares the border with Gilgit Baltistan of POK, Chinese fear the spread of Islamic radical forces from Af-Pak region towards China through this region. China seems to be very particular to suppress this separatist movement and perhaps they can use this security threat as a reason to validate their increasing presence in Gilgit Baltistan. Given its location, Gilgit Baltistan can provide a buffer zone for China to prevent the spread of radical elements from Af-Pak region towards their country. Moreover, China has been time and again warning and urging Pakistan to expel Uighur militants in the tribal areas. For instance, this issue was reportedly taken up in the meeting between Chinese foreign minister, Yang Jiechi, and Pakistan's President, Asif Ali Zardari in Islamabad in May 2012.¹⁷ According to one of the daily newspaper, the Chinese had also expressed their desire to set up military bases inside Gilgit Baltistan to deter infiltration of Islamic radicals from Pakistan into China.¹⁸ So, if Pakistan fails to contain the support to Uighur separatists from its soil and if the Uighur violent attacks continue in Xinjiang, China may try to establish its permanent military presence in Gilgit Baltistan. For whatsoever reason Chinese continue to keep their presence in Gilgit Baltistan, from Indian perspective, this is the part of their strategy to counter and encircle India. Also this region forms a culmination point of China's maritime and continental strategies of encircling India. As the former Indian army chief, General V K Singh pointed out that there were at least 4,000 Chinese, including troops, along with certain construction working teams in Gilgit Baltistan. He further asserted that "there are certain engineer's troops. Now (like) our own engineers are combat engineers. So, in some way they are part of the PLA."¹⁹ Lt General K T Parnaik, the former GOC-in-C, Northern Command, in April 2011 also cautioned of the growing presence of Chinese in Gilgit Baltistan posing a serious military threat to

¹⁷China urges Pakistan to expel Uighur Islamic militants, BBC, May 31, 2012 available at: <http://www.bbc.co.uk/news/world-asia-18276864>.

¹⁸Mir, Amir, China seeks military bases in Pakistan, *Asia Times*, October 26, 2011 available at: http://www.atimes.com/atimes/South_Asia/MJ26Df03.html.

¹⁹4,000 Chinese, including troops, in PoK: Army chief, *The Indian Express*, October 5, 2011 available at: <http://www.indianexpress.com/news/4-000-chinese-including-troops-in-pokarmy-chief/856186/>.

India. He further opined that the Chinese in India's backyard were "too close for comfort" and asked: "What would be the complicity of Chinese if hostilities were to break out between India and Pakistan?"²⁰ Although China and Pakistan had been refuting these allegations and had been rejecting these reports as baseless and "most absurd"²¹. As B. Raman had stated that China's presence in Gilgit Baltistan is to give Pakistan a security edge as the region is claimed by India. Also, China wants to give the Pakistan army a sense of empowerment and most importantly deter India from venturing to attack Pakistan through the POK region in future.²²

e) Gateway to Western Indian Ocean: China has developed a port at Gwadar in Balochistan province of Pakistan. This port is geo strategically located at the mouth of the Persian Gulf near the Strait of Hormuz. Recently reported, a Chinese state-owned enterprise namely Chinese Overseas Ports Holding Company Ltd (COPHCL), has officially taken over the control of the Pakistan's geostrategically located Gwadar port.²³ A 40-year lease for over 2,000 acres of land in Gwadar was officially signed by the Chinese firm, marking a strategic move towards the implementation phase of the major USD 46 billion mega project of China-Pakistan Economic Corridor (CPEC) which involves the building of transportation and other infrastructure in Pakistan, giving connectivity to the country's Arabian Sea coast with the Himalayan border with China. It was in April 2015 during the state visit of Chinese President Xi Jinping's to Pakistan, CPEC was declared of which Gwadar is a major component.²⁴

Further, China's connectivity to Gwadar via the proposed rail road network running through Gilgit Baltistan would give it access to the oil reserves of Persian Gulf providing it an alternate land route for its uninterrupted energy supplies and to counter their '*Malacca Dilemma*.' As per the U.S. Department

²⁰China rejects reports of presence of Chinese troops in PoK, *The Economic Times*, April 7, 2011 available at: http://articles.economictimes.indiatimes.com/2011-04-07/news/29392517_1_gilgit-baltistan-chinese-troops-presence-of-chinese-personnel.

²¹Record of Press Briefing held on April 7, 2011, Ministry of Foreign Affairs, Pakistan available at <http://www.mofa.gov.pk/mfa/pages/article.aspx?id=328&type=2>.

²²Raman, B., China's Strategic Eggs in South Asia, Paper presented at a seminar on Strategic Contours of India-China Relations at Vizag, July 14-15, 2011 available at: <http://www.srilankaguardian.org/2011/07/chinas-strategic-eggs-in-south-asia.html>.

²³Chinese State Firm Takes Control of Strategically Vital Gwadar Port, *The Diplomat*, Nov 13, 2015, available at: <http://thediplomat.com/2015/11/chinese-state-firm-takes-control-of-strategically-vital-gwadar-port/>

²⁴Ibid.

of Defense's report, 82 percent of all Chinese crude oil imports and 30 percent of natural gas imports pass through Malacca Strait.²⁵ Gwadar, along with the Myanmarport of Kyaukpyu, provides China an alternative that can moderate Beijing's current reliance on open sea lanes in the South China Sea. Gwadar's close proximity to the Strait of Hormuz fascinates China as 20 percent of the international crude oil and liquefied fuels pass through this chokepoint. So, from Gwadar through land route via Gilgit Baltistan China has the option of transporting its resources particularly energy to meet its growth needs.

The Economic Times in February, 2013 reported that according to an eminent US-based think tank, Pakistan is considering a proposal to lease the disputed Gilgit-Baltistan region to Beijing for 50 years to fortify its strategic ties with China amid strains in relations with US.²⁶ This report was originally published in an Urdu daily, *Rozanama Bang e-Sahar*.²⁷ If this news turns to be reality, this strategically located Gilgit Baltistan region will become more significant for China in near future providing the required legitimacy to China's increasing illegitimate presence in that disputed territory.

Chinese Involvement in the Infrastructure Development in the Region

As highlighted above, China is actively involved in the various infrastructure development projects in Gilgit Baltistan region since the last few years and it is an open secret now. According to some reports, the various projects that China has undertaken in Gilgit-Baltistan include construction of roads and bridges; building of a high-speed rail system; and nearly two-dozen tunnels.²⁸ It is also said to be involved in mineral exploratory activities by acquiring hundreds of mining leases from Islamabad. Satellite images reveal sporadic construction activities throughout the region. Some of the major projects are given as follows:

The Karakoram Highway: The Karakoram highway, also referred to as the Pakistan-China "Friendship Highway through Paradise" has been built by Pakistan with Chinese help and its construction started in 1960's.²⁹ While it became

²⁵Ibid.

²⁶Pakistan considering proposal to lease Gilgit-Baltistan to China: US think tank, *The Economic Times*, 11 Feb, 2012, available at: http://articles.economictimes.indiatimes.com/2012-02-11/news/31050029_1_gilgit-baltistan-chinese-militaries-china-pakistan-strategic-partnership

²⁷Urdu Daily: Chinese Military Taking Over Gilgit Baltistan, Pakistan Considering Proposal to Lease the Disputed Region to China for 50 Years, The Middle East Media Research Institute (MEMRI) Inquiry & Analysis Series Report No. 799, February 12, 2012 available at: <http://www.memri.org/report/en/print6076.htm>.

²⁸Available at: <http://pamirtimes.net/2011/02/17/china-building-road-to-disaster-in-gilgit-baltistan>

operational in 1978 but was opened for public only in 1986 and over the period, its strategic significance has increase manifold. Originating from Hassan Abdal, about 45 kms from Islamabad on the Islamabad-Peshawar highway, and goes through Abbottabad-Manshera, across the River Indus in Thakot towards Gilgit–Chilas, Hunza and Sot through the Khunjerab pass (which is 4,800 metres high) and then enters Kashgar in the Xinjiang province of China through the Pamir plateau. The total length of the highway (referred to as the N 5 in Pakistan and the N 15 in China) is 1300 kms with 806 kms in Pakistan and 494 kms in China. It runs along the river Indus for almost 310 kms and also crosses the Gilgit, Hunza and Khunjerab rivers. Reaching an elevation of approximately 4,733 metres near the Khunjerab Pass, it is the highest metalled road in the world. The all-weather road connectivity between the two sides aptly symbolises the all-weather friendship between Pakistan and China.

This Highway is managed jointly by the National Highway Authority (NHA) of Pakistan and the Chinese State-owned Assets Supervision and Administration Commission (SASAC).³⁰ A MoU between the two countries was signed on June 30, 2006 to further widen the highway from 10 to 30 metres, mainly to facilitate the passage of heavy vehicles during winter months when there is heavy snowfall. In December 2011, Pakistan and China signed another inter-governmental framework agreement to upgrade and realign the Karakoram Highway.³¹ Now, this highway has become the part of so called *China Pakistan Economic Corridor* (CPEC). The China-Pakistan Economic Corridor is located at the meeting point of Silk Road Economic Belt and the 21st Century Maritime Silk Road and therefore termed as a “Belt and Road” initiative.³² The per the CPEC timeline, it envisages to complete its all of the projects by 2030.³³ The proposed economic corridor will help China in drastically shortening the route by about 12,000 kms for China’s energy imports from the Arab

²⁹The Karakoram Highway: The China - Pakistan “Friendship Highway through Paradise” available at: <http://www.pakistanpaedia.com/landmarks/kkh/kkh.htm>.

³⁰Sakhuja, Vijay, The Karakoram Corridor: China’s Transportation Network in Pakistan, *China Brief*, Volume: 10 Issue: 20, October 8, 2010 available at: http://www.jamestown.org/programs/chinabrief/single/?tx_ttnews%5Btt_news%5D=37017&tx_ttnews%5BbackPid%5D=414&no_cache=1.

³¹Laskar, Rezaul H, Pak, China ink currency swap, Karakoram highway deals, *The Indian Express*, December 25, 2011 available at: <http://www.indianexpress.com/news/pak-china-inkcurrency-swapkarakoramhighwaydeals/891781/>

³²Foreign Ministry Spokesperson Hong Lei’s Regular Press Conference on April 20, 2015, Ministry of Foreign Affairs of the People’s Republic of China, available at: http://www.fmprc.gov.cn/mfa_eng/xwfw_665399/s2510_665401/t1256093.shtml

³³Shah, Saeed, “China’s Xi Jinping Launches Investment Deal in Pakistan”, *The Wall Street Journal*, April 20, 2015, available at: <http://www.wsj.com/articles/chinas-xi-jinping-set-to-launch-investment-deal-in-pakistan-14295337>

world. On the other hand it will also help in linking the underdeveloped far-western region of China to the Arabian Sea via POK by a huge and complex network of railways, roads, energy schemes, pipelines and business zones.³⁴ Notably, China has also built as many as 16 airstrips along the road, a development which can threaten peace and stability in the entire South Asian region.

The dry Sost Port: Sost (also referred as Sust), a dry port was jointly built by China and the Pakistan in the Gojal area north of Gilgit near Khunjarab pass. Sost, the last town on the Karakoram Highway before the Chinese border, is a significant transit place as all the traffic crossing the Pakistan-China border passes through this town. Also, due to its close proximity to Afghanistan and Chinese border. It adds to its strategic value. Being located at a height of 10, 000 feet and it can handle 40 Chinese containers a day. The handling capacity is expected to be enhanced to 400 in future. According to Wikipedia, annual trade between China and Pakistan has increased from less than \$2 billion in 2002 to \$6.9 billion, with a goal of \$15 billion by 2014. Sost dry port is the first formal port at the China-Pakistan border, facilitating customs clearance and other formalities for goods moving from the Chinese regions of Kasghar and Sinkyang to the commercial centers of Pakistan. In July, 2006, Musharraf while inaugurating the port said, "This landmark project is poised to impart further depth and strength to Pakistan-China economic and political ties as well as help expand Pakistan's commerce linkages with the regional countries including Central Asian States."³⁶ Notably, during the 2010 floods in Pakistan, Chinese aid for people trapped in the upper Hunza was routed through this port.³⁷ The aid was dispatched from Kashgar in Xinjiang to Sost over land via the Khunjerab pass.

Construction of Hydro-Power Projects, Dams, Bridges and Tunnels: Chinese are actively involved in the building of three mega dams near this area of convergence. The rivers, which run through this region, have the potential to generate over 30,000 MW of electricity. Indus River, which is the largest of these, is the primary source of water for Pakistan. Dams under construction and consideration will, however, inundate vast sections of the densely populated

³⁴ "China and Pakistan Just did Something that will Anger India", *RediffNews*, April 20, 2015

³⁵ Available at: <https://en.wikipedia.org/wiki/Sust>

³⁶ Pak-China commerce set for rapid growth: Musharraf inaugurates Sust dry port, Economic and Commercial Counsellor's Office of the People's Republic of China in the Islamic Republic of Pakistan, July 5, 2006 available at: <http://pk2.mofcom.gov.cn/aarticle/chinanews/200607/20060702607266.html>.

³⁷ China's 3,190 tons of relief aid for Hunza reaches Sust, *The News*, September 4, 2010. available at: <http://www.thenews.com.pk/Todays-News-2-2974-China%E2%80%99s-3190-tons-of-relief-aid-for-Hunza-reaches-Sust>

valleys.³⁸ The construction of the Diamer-Bhasha Dam on the River Indus commenced on October 18, 2011. On completion, this will be the highest Roller Compacted Concrete (RCC) dam in the world and is slated to produce 4,500 MW of electricity, store 8,500,000 acre feet (10.5 km) of water for Pakistan that would be used for irrigation and drinking. The estimated cost of the project is in excess of USD 11 billion with an estimated completion time of 12 years. Also, it is expected to extend the life of Tarbela Dam located downstream by 35 years and may help controlling the downstream flood damage by the River Indus.

Its location in a highly seismic zone is a source of great concern to the local population, who will face all the adverse consequences of construction, while all the benefits will flow to the people living in Punjab and Sindh. Reportedly, China is also financing and supplying skilled labour to build the controversial Diamer-Bhasha dam. This dam is set to destroy tens of thousands of ancient rock carvings and other invaluable archaeological relics.³⁹ In a major recent development, Beijing has shown its willingness to include \$14 billion Diamer-Bhasha Dam into the China-Pakistan Economic Corridor (CPEC) framework and its financing plan will be finalised in the next Joint Coordination Committee (JCC) meeting.⁴⁰

A Chinese firm named Three Gorges Project Corporation (CTGPC) is involved in Bunji Hydropower Project with a capacity to produce 7100 MW of electricity on Indus River near Gilgit. Skardu town, which has a population of over 100,000 people, is overlooked by the Satpara Dam. This project, which commenced in April 2003, is slated to produce 17.6 MW of power. China Machine Building International Co and Central China Power Group Pvt Ltd are the Chinese firms involved in this Project. This dam is opposed by local journalists and activists due to its faulty design and material use, which could lead to a burst affecting the inhabitants of Skardu Valley.⁴¹

Mining: Gilgit Baltistan is resource rich region in terms of both metallic and non-metallic minerals, stones etc. and Chinese mining companies control the region's much valued mineral deposits of uranium, gold, copper, marble and precious stones. However Chinese are facing resistance from the locals. For

³⁸ Singh, op. cit. p. 58

³⁹ China building road to disaster in Gilgit-Baltistan, *Pamir Times*, Feb 17, 2011, available at: <http://pamirtimes.net/2011/02/17/china-building-road-to-disaster-in-gilgit-baltistan/>

⁴⁰ China to include \$14 bn Diamer-Bhasha Dam in CPEC, *The International News*, Nov 15, 2015, available at: [http://www.thenews.com.pk/Todays-News-13-40703-China-to-include-\\$14-bn-Diamer-Bhasha-Dam-in-CPEC](http://www.thenews.com.pk/Todays-News-13-40703-China-to-include-$14-bn-Diamer-Bhasha-Dam-in-CPEC)

⁴¹ Sering, Senge, "Gilgit-Baltistan: An Overview", *Scholar Warrior*, CLAWS, Spring 2012, p. 65

instance, in one of the incidence of 2008, a local person was killed in clash of Chinese miners with the residents of uranium-rich Gindai valley in Ghizer district. Similarly, a Pakistani company called Mohmand Minerals met the same fate in 2010 in Nasirabad valley of Hunza district where the infamous Babajan Hunzai of Progressive Youth Front spearheads the resistance against Pakistani and Chinese expansionism. As reported by a news daily in June 2011, hundreds of local right defenders are locked up in Pakistani jails and face sedition charges on account of obstructing the mining activities of Chinese and Pakistani firms in their valleys.⁴² Also a Chinese firm, currently blacklisted in Turkey and Malaysia, China Roads and Bridges Corporation is accused of using destructive environmental practices in its expansion of the Karakoram highway project in Gilgit-Baltistan. Daily Baadeshimal, a local newspaper, had alleged the violation of local laws by the Chinese firms and have failed to contribute to regional development.⁴⁴

According to an international analyst, Selig Harrison, ‘Pakistan has de facto handed over Gilgit Baltistan to China’. He stated that many of the PLA soldiers entering this region are expected to work on the railroad projects, dams, expressways and other projects. He further said that “mystery surrounds the construction of 22 tunnels in secret locations where Pakistanis are barred. Tunnels would be necessary for a projected gas pipeline from Iran to China that would cross the Himalayas through Gilgit. But they could also be used as missile storage sites... Until recently, the PLA construction crews lived in temporary encampments and went home after completing their assignments. Now they are building big residential enclaves, clearly designed for a long-term presence.”⁴⁵ The presence of the People’s Liberation Army during the making of the highway had created serious reservations not only in India, but even the people of Gilgit Baltistan had doubts of getting annexed by the Chinese. The Chinese intentions became quite clear to most foreign analysts as in 2010 only, when it was stated that “China deployed an infantry battalion of the People’s Liberation Army (PLA) at the 15,397-foot Khunjerab Pass on the Karakoram highway... for the security of its workers engaged in building a railroad.

⁴² Chinese mining companies make inroads into Gilgit’s mineral-rich region, *The Economic Times*, Jun 29, 2011, available at: http://articles.economictimes.indiatimes.com/2011-06-29/news/29717321_1_uranium-exploration-korean-miners-mineral-deposits

⁴³ Sering, Senge, “China at a Crossroads in Gilgit-Baltistan”, Institute for Gilgit Baltistan Studies, *Sharnoff’s Global Views*, September 15, 2014, available at: <http://www.sharnoffsglobalviews.com/china-crossroads-baltistan-391/>.

⁴⁴ Ibid.

⁴⁵ Harrison, Selig S “China’s Discreet Hold on Pakistan’s Northern Borderlands”, *The New York Times*, August 26, 2010, available at: <http://www.nytimes.com/2010/08/27/opinion/27iht-edharrison.html>

This railroad will eventually connect Xinjiang to the port of Gwadar in Balochistan province of Pakistan,”⁴⁶ which remains the China Pakistan Economic Corridor of today.

Conclusion

The ever growing involvement of China in Gilgit Baltistan, which is legally a part of India's state of Jammu and Kashmir, clearly reveals the Beijing's intentions towards India. Sino-Pak collaboration in Gilgit Baltistan is exemplary of their 'all weather strategic relationship'. As Gilgit Baltistan is an integral part of the India's Jammu and Kashmir in actual sense, the China's attempts to increase its presence in that region can have serious repercussions on India's relations with China and Pakistan in future. Moreover, it is a well-known fact that India has fought various wars with Pakistan on J & K issue and this remains still unresolved. Keeping this scenario in mind, Chinese aggressive involvement in this disputed territory may disturb the regional balance and temporary truce in the region leading to an all-out war.

Nonetheless, the existing non transparency in China's intentions towards India cannot be neglected. As, former Indian Army Chief, Gen. Deepak Kapoor rightly opined in December 2009 that Indian Army should be ready to face war on two fronts (with Pakistan and China). Even though no one actually wants a war, it is as clear as daylight that if there is one, both of these military adversaries will act in concert. In this situation, strategically located Gilgit-Baltistan can serve as their joint operational base as was directly used by the Pakistani army during the Kargil conflict. Nevertheless, years later, as the strategic equations and priorities are changing, Gilgit-Baltistan needs to be seen and perceived with caution both strategically and politically by India.

⁴⁶ “Re: NYT Story about Chinese Troops in Pakistan's Northern Gilgit-Baltistan Region”, *The Global Intelligence Files*, WikiLeaks, November 2013, available at: https://wikileaks.org/gifiles/docs/12/1221974_re-nyt-story-about-chinesetroops-in-pakistan-snorthern.html.



50 YEARS OF 1965 INDO-PAK WAR: A RELOOK

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“If Pakistan has any ideas of annexing any part of our territories by force, she should think afresh. I want to state categorically that force will be met with force and aggression against us will never be allowed to succeed.”

— Lal Bahadur Shastri

Abstract

The Indo-Pak war of 1965 began as a localised conflict. Recovering from the humiliation of the 1962, Chinese attack, India was in the midst of giving its Army a face-lift. Pakistan, who has already better equipped and prepared for war, and still simmering from what it could not achieve in 1947-48, considered this is a right moment to attack India while it was still unprepared. The early confrontations started in the Rann of Kutch on April 9, 1965, when Pakistan attacked an Indian post under codename ‘Operation Desert Hawk’. At the same time, between January and May 1965, there were numerous ceasefire violations in Jammu and Kashmir (J&K), when Pakistani’s attacked and occupied posts on the ridgelines in Kargil on the Indian side of the Ceasefire Line (CFL) (after Shimla agreement this line is called LoC), prompting India to beat them back and occupy the heights north of the ceasefire line to protect India’s lines of communication. Pakistan launched troops inside Kashmir under ‘Operation Gibraltar’ in early August, 1965. Further operations were stalled when Indian army captured the Strategic Hajipir Pass on 28 August, 1965. Pakistan then launched ‘Operation Grand Slam’ in Akhnoor Sector on 1st Sept, but India opened the western front to counter the same. The war lasted 22 days, resulted in thousands of casualties on both sides and ended in a United Nations (UN) mandated Ceasefire. The present paper is designed to analyze true nature of India Pakistan war of 1965.

Key Words- Operation Gibraltar, Operation Grand Slam, Jammu & Kashmir, Indo-Pak War, Ceasefire Line, International Border (IB), Tashkent Declaration, Infantry, Brigade, Armoured Division, Ichogil Canal

Introduction

Since the partition of British India in 1947 and creation of two independent

States, India and Pakistan, the two South Asian countries have been involved in four wars (1947-48, 1965, 1971 & 1999), as well as many border skirmishes and military stand-offs. The dispute for Kashmir has been the main cause of all major conflicts between the two countries with the exception of the Indo-Pakistani War of 1971, where conflict originated due to turmoil in erstwhile East Pakistan.

The war of 1965 between India and Pakistan was a result of skirmishes that took place between, April to September, 1965. This conflict became known as the Second Kashmir war fought over the disputed region of Kashmir. The war began following Pakistan's 'Operation Gibraltar', which was intended to infiltrate forces into Jammu and Kashmir to precipitate an insurgency against India. The twenty two days war caused thousands of casualties on both sides and was witness to the largest tank battle in military history since World War-II. It ended in a United Nations (UN) mandated ceasefire and the subsequent issuance of the Tashkent Declaration.

The genesis of the second Indo-Pak War of 1965 lay in three separate events: the first being the Indo-Pak war of 1947-48 in Jammu & Kashmir which resulted in a UN sponsored Ceasefire and a military unsound and uneasy 'Ceasefire Line' (CFL).

The second event was the Sino-Indian agreement over Tibet which is adjoining the Ladakh region of J & K where India conceded Chinese suzerainty over Tibet. Chinese began construction of Aksai-Chin road immediately after this agreement. Thus, followed the Sino-India war of 1962 where the independent India suffered a major reverse in the hands of Chinese. It was a national disaster and Pakistani's pleased to no end.

The third event was the change of leadership in Pakistan. In 1965, Field Marshal Ayub Khan was the President of Pakistan and Zulfikar Ali Bhutto was his assertive Foreign Minister. From their point of view, they considered India as a disoriented and dispirited nation. Thus, they wanted to exploit the Kashmir question to their best advantage in 1965.

In this broad back-drop, the second Indo-Pak war occurred in 1965 which lasted 22 days from 1 September to 22 September 1965.

The war of 1965 between India and Pakistan was the result of massive USA military assistance to Pakistan, after acquiring the latest weapons from the USA. Pakistan launched a military campaign, code named 'Operation Gibraltar'. It essentially involved a renewed effort to seize Kashmir by force. China openly came out on the side of Pakistan. China has always supported and encouraged India's neighbours in the hostility towards India. Calculating that the strategic environment was in Pakistan's favour, Ayub Khan made up his mind to find a military solution

to the Kashmir issue. Pakistani strategists told him that India would not be in a position to face two fronts at the same time.

Events Leading to War of 1965

(i) In its pursuit of taking advantage and exploit the Kashmir question, on the question of dispute over the boundaries. On April 9, 1965 Pakistan resorted to offensive in the Rann of Kutch areas of Gujarat, under codename 'Op Desert Hawk'. When two battalions of 51 infantry brigade of Pak army mounted a pre-dawn attack on an Indian police post at Sardar. Fighting took place to settle the Kutch-Sind border. However, the Pak gamble misfired and the India- Pakistan agreement of the Kutch-Sind Border was signed on June 30, 1965 with ceasefire becoming operative with effect from July 01, 1965. In this small conflict, Pakistan had aimed that India will shift forces from Punjab for this operation, so that a void is created in order to take offensive in Punjab in September, 1965. This move of Pakistan misfired as India did not shift any forces from Punjab to the Kutch conflict area. India considered the Kutch incident as a minor affair and did not send any additional troops in that area as re-enforcements from the Punjab borders.

(ii) With a view to capture Jammu & Kashmir, Pakistan embarked upon an ambitious plan through the means of infiltration to start with, followed by the capture of Kashmir. The immediate aim of this operation was to keep the Kashmir question alive. The ultimate aim of sending infiltrators into J&K was to take that state by force, thus securing territorial gains without becoming involved in an all-out war with India. A special force called the 'Gibraltar Force' was raised for infiltration into Kashmir. This 'Gibraltar Force' comprised of men from regular army, Pakistan occupied Kashmir Militia, the Frontier Scouts units, the Mujahids and Razakars. The infiltration was organized into eight forces with a total strength of 30,000 troops. The code name of this infiltration force was 'Operation Gibraltar'. The men of this force were armed with the modern arms and were trained in Guerrilla Warfare. The task of this force after infiltration into J&K was (1) To foment political trouble (2) To spread confusion (3) To incite and help Kashmiri's to rebel against the Government of J&K. (4) To destroy bridges. (5) To raid police stations. (6) To destroy important installations. (7) To disrupt convoys and communications. (8) To raid army headquarters and supply depots of Indian forces. (9) To inflict casualties on Indian troops, civilian officials and VIP's in J & K. (10) Also to interdict Srinagar-Leh road, thus cutting off supplies and re-enforcements to Ladakh.

(iii) Operation Gibraltar started on August 1, 1965 and on August 5,

1965 the armed infiltrators actually crossed the 'Cease Fire Line' (CFL) (after Shimla agreement this line is called Line of Control (LoC)), and International Border (IB) between Jammu and Kargil in J&K at carefully selected points in thousands in civilians clothes (in batches of twos and threes) and assembled at pre-selected points to re-group themselves into larger parties. Some of these infiltrators had penetrated deep into J&K much against the assumption of Pakistan that their infiltrators will be welcome in the J&K and the local people will provide local support, instead the locals gave information about these infiltrators to the Indian authorities about their location, strength, weapons and their activities. These infiltrators also wanted to stage a rebellion on 9th August, in Srinagar, capture the radio station, airfield, overthrow the State Government, and install a Pro-Pakistan administration. The Indian security forces launched a counter-operation against these infiltrators. They were stalked, engaged and liquidated piecemeal. Many surrendered, many crossed back the ceasefire line and fled back to Pakistan, while the others got either killed or captured by our security forces along with a large quantity of arms, ammunition and equipment. Thus the 'Operation Gibraltar' of Pakistan did not succeed.

(iv) At the same time the Indian forces retaliated by crossing the ceasefire line on August 15, 1965 in Kargil sector and occupied some dominating Pak positions which were posing the threat to India's line of communication. Similar action was also taken by Indian troops in Tithwal and Uri Sector. Strategic heights of Hajipir Pass (8600 feet high) were captured on August 27, 1965 resulting in the establishment of linkup between Poonch and Uri. This action plugged the most important entry route of Pakistani raiders into J&K from the West.

(v) The next phase of its Strategic plan, to capture the Akhnoor Bridge to cut off J&K from the rest of India and then advance to Akhnoor and Jammu Pakistan launched operation under code name 'Op Grand Slam'. The Chhamb-Jaurian Sector was chosen for attack by Pakistan with a powerful armour-cum-infantry force. (Ganapathy, 2014) "According to the information available to India, the ceasefire line in Pakistan was held by only two battalions and some 600 odd paramilitary forces, with an armour squadron and a Baluch battalion in depth. Across the International Border (IB), one infantry battalion, a regiment of armour less two squadrons and a mechanized battalion were stationed. Pakistan reserves, consisting of two battalions, armour regiment, 14 Para Brigade less battalion, one medium battery and two heavy mortar battery's, were around Bhimber and Marala HW. With this force, India thought, Pakistan posed no major threat in the

immediate future.” Pakistan’s intentions and capabilities had been grossly underestimated by the Indian Army, especially at the higher stratum. Contrary to all Indian assessments, Pakistan had planned to launch a major offensive in Chhamb-Jaurian with more than two regiments of armour and 7 Infantry Division (eight battalions) supported by artillery. Akhnoor was defended by 191 Infantry Brigade Group. On September 1, 1965 Pakistan attacked a post in Chhamb triggering the next phase of the war. With this action resulted into a full-fledged war starting on September 1, 1965 between India and Pakistan which lasted 22 days.

The strength of armed forces of both countries immediately at the outbreak of hostilities is given in table 1.

Table-I
Strength of Armed Forces of India and Pakistan

	Armed Forces	India	Pakistan
1.	Total overall Strength of Armed forces	8, 69,000	1, 88,000 to 2, 08,000 (Including Para Military Forces)
2.	Defence Estimates of War	Rs. 995.2 crores	Rs. 138.2 Crores
3.	Army		
A.	Total Strength of Army	8.25 lakhs	1.6 to 1.8 lakhs
B.	Full Strength of division	16	6 plus one Air Defence Brigade
C.	Infantry Division sanctioned on reduced Strength	4	-
D.	Armoured Division	1	2
E.	Territorial Army	47,000	Nil
F.	Paramilitary Forces		
(i)	Frontier Corps (Tribesmen)	-	25,000
(ii)	West Pakistan Rangers	-	10,000
iii)	East Pakistan Rifles	-	10,000
(iv)	Azad Kashmir Troops	-	25,000
	Total Strength of Para-Military Forces of Pakistan	-	70,000
4.	Air Force		
(i)	Total Strength	28,000	20,000
(ii)	Sanctioned Squadrons	45	Not known

Source: (Singh, 1982)

Code Name: - India had code named the 1965 Operation as ‘Operation Riddle’

Topography

India Pakistan war was fought across the international border along West Pakistan only, there was no ground fighting in the eastern sector (than East Pakistan, now Bangladesh). In this paper only those factors of topography which are common to all or two of the sector are discussed.

The border between India and Pakistan extends to 2100 miles which includes 470 miles of Ceasefire Line (LoC). From the South to North, this border runs along North of Rann of Kutch in Gujarat State and then along Rajasthan up to Sri Ganganagar (arid desert), then the frontier runs along Punjab to J&K towards the west and joins the Ceasefire Line near Chhamb in the Jammu region. The stretch of approximately 120 miles between Punjab and Jammu province from South-West of Kathua to Chhamb occupies an important Strategic position. This portion of the border is considered by India as an International Border (IB) whereas Pakistan considers this portion under dispute since the question of J&K is still to be decided.

Pakistan had the advantage of interior lines for fighting in all the sectors. As far as India was concerned, the only route to Jammu which runs parallel to the International Border (IB) from Pathankot to Jammu via Samba is very vulnerable to Pakistan interference. Pakistan has interior lines to operate upon, her supply lines were shorter, more effective, easy to switch over forces in a short span of time as also were very secure from any interference from India.

Pakistan had built formidable defence with a view to checking Indian advance in case of Pakistan invasion of India. Pakistan on its side had built two canal systems between River Chenab and Sutlej to provide them the defence capability. This first canal system known as Marala-Ravi-Link Canal (MRL) connects Chenab with Ravi River. It starts off from Marala Headworks on the Chenab River (North-West of Sialkot) and runs West of Sialkot and then to South-East towards Pasrur and meet Ravi river North of village Ichogil Uttar. The second canal system known as Bambanwala-Ravi-Bedian Canal (BRB) also referred to as 'Ichogil Canal' connects Ravi and the Sutlej River flowing 12 miles from Lahore, West of Burki Town, Kasur and finally joins Dalappur Canal opposite Ferozpur. The alignment of Ichogil Canal is very important from Strategic Point of view. This Canal is anti-tank device against India. The Ichogil Canal was built with money provided by India under the Indus Water Treaty of 1960. Though built as an irrigation canal, it was never intended to be merely to; the purpose was really military. The Canal was boastfully called 'Ayub Line' by the Pak officer's (Saxena, 1966).

Pakistan had built concrete pillboxes on both banks of the Ichogil Canal, along with the three roads leading to Lahore from Attari, Khalra and Khemkaran and also in large number of villages in Lahore and Sialkot areas to enhance their

defence capabilities. The pill boxes were first built by Germany in World War-1. This Pakistani bastion consisted of only one small room 10 feet long, 5 feet broad and 8 feet deep half above and half underground. Bombs of 1000 pounds would strike against these pillboxes and would burst without injuring it. American artillery was installed in these pill boxes. The machine gun fixed in it discharged 2500 bullet per minute up to a distance of one mile. Indian army had no knowledge of these death traps, and consequently we had taken no precautions against them.

The deployment of troops on both sides for the 1965 war is given in Table II:-

Table- II

	Sector wise	India	Pakistan
1	Chhamb Sector	10 Infantry Division	12 Infantry Division
2	Lahore Sector (including Khemkaran Sector).	XI Corps having 4 Mountain Division 7 Infantry Division 7 Infantry division 15 Infantry Division 2 (1) Armoured Brigade	I Corps having 11 Infantry Division
3	Jammu and Sialkot Sectors (including Samba-Jammu Sector)	I Corps having 1 Armoured Division 6 Mountain Division 14 Infantry Division 26 Infantry Division	IV Corps having 15 Infantry
4	Rajasthan Sector	11 Infantry Division	
5	Strike Force	Nil	1 Armoured Division-in Change-Mange Area 6 Armoured Division- in Kharian Near Sialkot 7 Infantry Division- in Sialkot

Source- (Singh, 1991)

The War-Sector Wise

The 1965 war has been divided into six sectors. These sectors are:

1) Capture of HajiPir Pass

The main objective of Indian troops was to capture Hajipir Pass, situated at an altitude of 8,652 feet. In the plan of Pakistani infiltration into Kashmir, Hajipir Pass was a vital link. All communication between the infiltrations in Uri-Punch area passed through it, and it was in a way the life line for the saboteurs. The Hajipir Pass is five miles south of the Cease Fire Line (CFL), but considerably

longer distance by hill tracks, because here the terrain is mountainous and difficult. The pass was dominated by three neighbouring hill features on the east by Badori (12,360 feet), on the west by Sank (9,498 feet) and Led Wali Gali (10,302 feet) to the, South West. It was considered essential to seize three posts before proceeding to the Hajipir Pass. India decided to cross the CFL on the western sector and capture two Strategic areas in Pakistan occupied Kashmir (POK) the Hajipir Bulge and the Kishan-Ganga Bulge.

The Hajipir Pass operation involved the launching of a large scale pincer movement consisting of an offensive along the general axis Uri-Hajipir Pass, in combination with a thrust from the south via the Punch-Kathua approach. It was appreciated that the linkup between these forces would cut off all route of approach into the crucial area of the bulge. The task of capturing Hajipir pass was assigned to 68 Mountain Brigade. It was commanded by Brig. Zoru Bakshi, and the operation was given the code name 'Operation Bakshi'. The following units were placed under command of the brigade: 1 Para, 19 Punjab, 4 Rajput, 6 Dogra and 6 Jammu & Kashmir Rifles. The 68 Brigade planned to capture Hajipir Pass by a two-pronged attack. The first phase was an attack along the right (western) flank by 1 Para to capture Sank and exploit up to Led Wali Gali up to Point 1003. On the left front (eastern) flank, 19 Punjab was to capture Badori and exploit up to Kuthnar Di Gali. The second phase called for 4 Rajput to roll down to Hajipir Pass. The task of capturing Sank was given to 'A' and 'C' companies of 1 Para under the overall command of Maj Dyal. With Maj Dyal personally leading the assault, 1 Para captured Sank by 4.30 am on August 27. The enemy was caught totally off guard and fled in utter disarray their weapons behind. At 7 am, on August 27, 1965 Hajipir Pass was captured and the battalion firmed in.

The battle for Hajipir Pass was a prestigious operation, and the Indian troops spared no effort to make it a great success. It was well planned and skillfully executed. The courage and determination of the commanders as well as the high morale of the troops ensured its success. The Pakistani's for one could never imagine that their action, would invite a major riposte into POK.

2) Chhamb-Akhnoor-Jaurian Sector

The Chhamb-Jaurian Sector lies west of Chenab River. It is the southernmost bulge into Pakistan held territory in J& K and the junction of the Ceasefire Line (CFL) and International Border (IB) in this sector, Burejal being the junction point. A piece of Pak territory in the east of river Chenab points towards the bridge over Chenab at Akhnoor, which is 21 miles to the north west of Jammu, it has been termed as 'Akhnoor Dagger'. The one and the only crossing over Chenab in this area is at Akhnoor.

The failure of 'Operation Gibraltar' and loss of the Hajipir bulge was very humiliating for the Pakistani's. After failure of this operation, Pakistan launched 'Operation Grand Slam' to cut off the supply line from Punjab to Kashmir. On Sep 1, 1965 Pakistan launched an attack on Chamb-Akhnoor Sector in J & K. This was the official bugle for commencement of the second Indo-Pak war. Where Pakistani's was superiority in Armour, fire power and mobility could be fully exploited. The area was suitable for Armour maneuver with lies Chenab river a formidable obstacle protecting its eastern flank.

(i) Pak Plan: 12 Infantry Division was given the task of destroying Indian troops in area Laleali, Dewa and Chhamb and then of threatening Akhnoor. Pak War Plan was to attack the sector in two phases. In Phase one-capture and destruction of Indian forces west of Manawar Tawi. In Phase two-cross the Manawar Tawi, destroy Indian forces in Jurian area and pose a threat of Akhnoor.

(ii) Indian Plan: India on the other hand defensive plans. 191 Infantry Brigade was the only formation initially in that sector to fight the battle. In fact Indian defences were not fully prepared and the troops were thin on the ground.

(iii) The Battle: Pakistan started their offensive in this sector with intensive shelling on September 1, 1965. On 2nd Sept, Chhamb was abandoned by Indian forces due to Pak heavy troops advance. On 5th Sept, Jaurian fell to Pakistan, and Pakistan posed a threat towards Akhnoor. However, due to stiff Indian resistance, Pakistan failed to capture Akhnoor. In the combined resistance by our ground troops as well as the air strike most of Pakistani's tanks were destroyed. On 6th Sept, the day when Indian troops cross the IB in Lahore sector, Pak 7 Infantry Div had to abandon the idea of advance as far as Akhnoor was concerned. All enemy attempts to probe our defence in the Akhnoor sector were failed, and the enemy was engaged in pulling out of its forces from this area. On 7th Sep, Pak army used 40 tractors to evacuate their Patton tanks which had been knocked out by the Indian troops. It was their 'Operation Rescue'. By 3.30 a.m. on Sept 23, 1965 when the Ceasefire was declared, the line of contact between opposing forces was Kalidhar, Point 3776, Ganesra, Mawa Wali Khad, Batta, Devipur and Chenab River.

3) Lahore Sector

(iv) The war in Lahore sector shall be discussed on sub-sector wise basis as follows with plans and operations on both sides with the main Indian offensive to relieve pressure on Chhamb-Akhnoor-Jurian Sector. Code name of this operation was 'Operation Ablaze'. The aim of the Indian offensive in Lahore sector was to cause attrition on Pakistan destroys his Armour, force Pakistan to abandon her thrust into J& K, and to secure areas up to Ichogil Canal.

- (i) Battles on Attari-Dograi Axis
- (ii) Battles on Khalra - Burki Axis
- (iii) Battle in Fazilka - Sulemanke Sub-Sectors.

(i) Battles on Attari - Dograi Axis

The International Boundary (IB) cuts Attari-Dograi axis near Wagah which is on the Pakistan side of the border. Dograi is 6.5 miles from Wagah. The GT road from Amritsar to Lahore runs through Atari, Wagah and Dograi. There are two major obstacles on this axis; Upper Bari Doab Canal (Lahore branch) near Wagah with Kohali distributary on its east and Ichogil Canal, the formidable anti-tank obstacle.

Indian forces in this sub-sector consisted of 15 infantry Division with 54 infantry Brigade and 96 infantry Brigade with 14 Horse as the divisions Armour Regiment. 15 infantry Division was given the task of (1) capturing the eastern bank of Ichogil canal. (2) Capturing of Bhaini Malakpur Bridge, Dograi Bridge, Upper Ban Canal Bridge at Ichogil Canal and Jallo Bridge (3) Establishing Bridgehead across Dograi Bridge with a view to pose further threat for further Indian offensive. 15 Infantry Division advanced on two axes. The battles started on Sept 6, 1965 and 6th to 22nd Sept intense battles were ensured. By the time of Ceasefire on Sept 23, 1965, Dograi was captured and Indian troops were deployed up to the Ichogil Canal.

(ii) Battles on Khalra - Burki Axis

The second thrust started from Kharla towards Burki. It stands on the main road running from Lahore to Patti, Kharla in Indian side and Burki is part of Pakistan. The international boundary cuts Kharla-Burki axis one mile North West of Kharla which is in India. On the way to Lahore, the first obstacle in Pak territory is Upper Bhuchar Distributary and then Hudiera Drain. Ichogil Canal is the next obstacle.

Indian forces in the area consisted of 7 infantry Division which were comprised of 48, 65 and 29 Infantry Brigade with Central India Horse (CIH) as divisional armoured regiment. 7 Infantry Division was given the task (1) To advance on Khalra-Burki-Lahore Axis and capture the eastern bank of Ichogil Canal. (2) To capture the road bridge on the Ichogil Canal. (3) To Cross over the bridge from the Bridge-Head with a view to posing a threat for further offensive. (4) To prevent Pak aggression from Bedian. The operations started on night 5/6th Sept, with 65 Infantry Brigade crossing the IB. 48 infantry Brigade secured and captured Hudiera Drain by 5 P.M. on 6th Sept, but the Pakistani's had destroyed the bridge over the drain in advance. On 10th Sept, Burki was captured and the eastern side of Ichogil Canal

was contacted on Sept 11, but the bridge over the canal was found destroyed by Pakistanis. By the time of ceasefire, 7 Infantry Divisions had captured and occupied an area of 151 square miles of Pakistan up to the Eastern bank of Ichogil Canal.

iii) Battles in Fazilka-Sulaimanke Sub-Sectors

Fazilka is an Indian town in the Punjab only few miles from the Indo-Pak border. Opposite it on the Sutlej River is Sulaimanke Head works. Indian forces were composed of 67 Infantry Brigade group and were given the responsibility of defending Fazilka-Sulaimanke Sub-Sector with additional troops and a squadron of tanks. The task was to defend the areas of Harike Headwork, Hussainiwala, Fazilka and Ganganagar. The Pakistan's 105 Brigade in Sulaimanke posed a threat to Hussainiwala, Fazilka and Ferozepur Sutlej Bridge. Through India lost some area to Pakistan in Fazilka, Pakistan could not capture Fazilka and also could not capture the Hussainiwala Bridge.

4) Khemkaran-Kasur Sector

Khemkaran is a town in Amritsar district of India and, Kasur in Lahore district of Pakistan. The distance between two towns is 6 miles. President Ayub Khan had calculated that more than half of the Indian army was tied in the eastern sector owing to the Chinese threat. The Khemkaran-Kasur side never in the news and never considered important by Indians lay unprotected. Pakistan decided to open another front here, it was considered as the biggest operation of Pakistan army.

Indian forces consisting of 4 Mountain Division with 62 and 7 Mountain Brigade, i.e. two Infantry Brigade only. On Sept 8, 1965 Task given to 4 Mountain Division by 11 Corps were (1) To secure Pak territory up to the East bank of Ichogil Canal (2) To occupy compact defended sector covering axis Kasur-Khemkaran and Ganda Singhwala –Khemkaran to contain Pak offensive consisting of one Armoured division and two infantry brigades on these axes. Indian offensive started on 6th Sept, on three axes with 4 Mountain Division attacking on Khemkaran-Kasur axis. By 12.30 all the primary objectives (except one) were captured and the Indian troops were within 300-400 yards of the Eastern bank of Ichogil Canal. However, Pakistan forces reacted swiftly by 2.30 p.m. and counter attacked Indian troops who were holding the objective close to Kasur. Pakistan's tanks had infiltrated into Indian Territory with major offensive in Khemkaran sector on 7th September, Pakistan put in five major attacks on 8th to 11th September, led by their Armour in this sector seeking a major breakthrough, but could not succeed. In this sector major tanks battles ensued in which 4 Horse of Pakistan (one complete regiment of Armour) surrendered to Indian army. Pakistan lost 97 tanks, which include 72 Patton tanks against the Indian loss of 14 tanks only in the 'Battle of Asal Uttar'.

This battle is known as the ‘Grave Yard of Patton’s’ (Gopal, 1967). This battle gave a resounding prestige to the Indian Army. The battle of Khemkaran was in fact the Pakistan’s Waterloo with their 1 Armoured division not making any progress and losing their tanks in large numbers.

5) Samba-Jammu-Sialkot Sector

The next target of Indian forces on the north was Sialkot Sector of Pakistan. Distance between Jammu and Sialkot is 27 miles. Sialkot is a major communication centre for Rail, Road and Air. Indian Armoured forces had planned a major offensive in this Sector. The aims of Indian taking offensive in Sialkot sector were as same as for the offensive in Lahore sector, which is reliving Pak pressure in Chamb-Jaurian Sector. From Pak point of view capture of Sialkot by Indian troops would have exposed the area between Sialkot and Lahore thus making a move southwards towards Lahore very easy. Sialkot was, therefore of Great Strategic Importance. Similarly, Jammu being the nerve centre was even more vital for India, as well all the movement to Sri Nagar valley and to Chhamb was through Jammu. The capture of Jammu by the Pakistan’s could strangle the Indian forces in J & K and put in danger the defence of J&K by India.

Indian armed forces consisted of 1 Armoured Division, 6 Mountain Division, 26 Infantry Division and 29 Infantry Brigade under command of 1 Corps. The 1 Corps plan was to launch a major offensive in the sector with a view of secure area Bhagowal -Phillorah – Chawinda -Road junction South of Taroh with a view to advancing towards MRL canal and eventually to the line Dhale Wali, Wuhilam and Dasha Mandhab. This operation is discussed in three sub-sectors/axes separately as under:

i) Dera Baba Nanak (DBN) Sub-Sector

DBN is located on the left bank of Ravi River in Indian side. Opposite DBN on the other side of the river in Pakistan is Jassar. The Pakistan has referred to this sector as Jassar Sector. There is a 150 yards Road cum Rail Bridge over the river at DBN. This bridge was handed over to Pakistan under 1959 Agreement. Pakistan had some area, known as Pak Enclave on the Indian side of the river up to 1 mile between Dhusi band and River. This gave the Pakistani’s vantage point, they could bring their forces across the river on Indian side. Similarly there was a small Indian enclave on the Pak side of the river.

Indian troops consisting of 29 Infantry Brigade were given the task of capturing Pak Enclave east of Ravi River and capturing the bridge, if possible. The operation started on 6th Sept, morning and the brigade and Pak Enclave were captured in the same day by Indian army. The Pakistani’s, however, counter-attacked. With Indian

pressure re-building, the Pakistan withdrew with lots of Pakistani's Soldiers were taken as prisoners of war. Pakistan blew up the bridge, thus almost ending the operation in this sub-sector.

(ii) Jammu- Suchetgarh- Sialkot Axis

26 Infantry Division was consisting of 19, 162, 168 and 92 Infantry Brigades and two Armoured regiments at the time of Pak infiltration (August 5, 1965). The tasks given to 26 Infantry Division was: (1) to advance on road Jammu - Suchetgarh -Sialkot. (2) To secure area across International Boundary (IB). (3) To take defensive positions with a view to protecting the western flank to 1 corps offensive and (4) To protect Jammu. The division commenced the advance on 8th Sept, on the same day the Division captured Uche Wains and Niwe Wains. By 10th Sept, the division cleared Kurar, Salia and Niki Tejar. By 17th Sept, the division had cleared Chhange, Tilakpur and has captured Mahadipur by Sept 23, 1965 when the ceasefire came into force. On the Bujragarhi- Sialkot axis, 168 Infantry Brigade started the operation on 8th Sept, and had captured Bujragarhi, Kishan Wali, Tilakpur, Mahadipur, Kalaranwanda, Rasulpur and Chak Baidia by Sept 23, when the Ceasefire came into effect.

(iii) Samba-Sialkot axis

99 Mountain Brigade of 6 Mountain Division occupied Charwa on 8th Sept, and 1 Armed Div with 14 Infantry Division advanced upto Maharajke-Sabzipur crossing on 9th Sept, Kaloi- Rurkikhura, on 10th Sept, 6 Mountain Division cleared a number of villages. Area Nálhual was secured on 10th Sept, the attack on Phillorah was launched on Sept 11, 1965 and by 3.30 p.m. Sept 12, 1965, Phillorah was captured. In this battle, Pak Armour had suffered very heavy casualties. This was the major Indian offensive of 1 Armoured Division supported by 14 Infantry Division. Pakistan lost 67 tanks. In this battle, one Pakistan Brigade Headquarters and Tactical Headquarters of their 26 Armoured Division were over-run by Indian forces where it is believed that the General Officer Commanding of 6 Armoured Division got killed. In this battle, Pak lost more than 110 sq. miles of territory to India. The Battle of Phillorah was one of the bloodiest tank battles in the history of Armoured warfare. Pakistan had lost a total of 181 tanks in the whole operation in Samba-Sialkot axis. India had captured more than 180 sq. miles of Pak territory with 15 mile deep penetration in Pakistan. In the North of Sialkot, the Indian forces were hardly 4000 yards from the city.

6) Rajasthan Sector

In Rajasthan, 11 Infantry Division consisting of two infantry brigades started its offensive and captured Gadra City (Gadra town was our main target),

Dali, Sakarbu and some other areas in Kelnor of Pakistan during the operations. The objective was to create yet another distraction to the Pak army at a distant, vulnerable point. The column headed towards Khokarpur, 15 miles from the border to rail route to Mirpurkhan and Hyderabad (Sind). India had occupied 630 posts in the Rajasthan area, as against Pakistan's 230.

Indo-Pak Tank Battles

The war of 1965 was one of the largest tank battles since World War II. Pakistan was numerically and technically in its Patton tank (American built) at a better advantage than India. There were fitted with infra-red equipment providing the tanks, the eyes to see and operate at night. Patton tank was considered highly suitable for offensive operations and was the pride of the Pakistan. Other tank killing equipment with Pakistan army was tank M36B2 which was considered a formidable tank destroyer. India's M4 Sherman tanks were not quite up to the mark in comparison to the Patton tank. The Pakistan's Sherman tank with 90 mm guns was superior to the India's Sherman tanks with 75 mm guns. India had World War II vintage tanks in Sherman's and Centurions, even though manufactured by Great Britain after World War-II had become outdated by 1965. But the performance of Indian tank crews far outclassed their Pakistani's counterparts. The Indian army handled their outmoded tanks more efficiently than the Pakistanis did their very modern and highly sophisticated ones.

Employment of Air Force and Navy

Indian Air Force (IAF) carried out strikes in Pakistan airfields and on other Strategic targets. The Indian Air Force flew around 4000 sorties and dropped 335 tons of bombs during the air raids in Pakistan. The Pakistan suffered estimated loss of 73 aircrafts. In addition, a large number of tanks, vehicles, railway wagons, locomotives and petroleum deposit were destroyed or rendered inoperative. Indian Air Force's ground support to Indian army especially to the offensive was undertaken by the Indian army. The IAF's low level missions were carried out with greater efficiency as compared with the performance of the Pak Air Force (PAF). The reason again being that the PAF jet aircraft was too sophisticated for conventional frontline warfare. Navy's role was limited to neutralizing the one known Pakistan's submarine and keeping Karachi harbour largely in operational during the 22 days war. The Indian navy's robust presence ensured that the Pakistan navy was contained within its waters and could not play any offensive role in the water.

Losses / Casualties

During the 22 days war of 1965 the losses to Indian and Pakistanis were given

in table- III (as per Indian estimated)

Table-III

	Pak Losses	Indian Losses
Men killed	4502	1333
Tanks lost	475	128
Aircraft destroyed	73	33

Source- (Saxena, 1966)

Ceasefire

Ceasefire had effective from Sept 23, 1965. It was generally conceded that India had effectively defeated Pakistani's army on the battlefield. Large areas of Pakistan was occupied or under controlled of Indian army. With on its last legs stockpiles of ammunition, Pakistan's leaders feared the war leaning in India's favor. Therefore, they quickly accepted the ceasefire. Despite strong opposition from Indian military leaders, India bowed to growing international diplomatic pressure and accepted the ceasefire. On 22nd Sept, the United Nations Security Council unanimously passed a resolution that called for an unconditional ceasefire from both nations. The war ended the following day. Though comparatively more self-sufficient in arms and equipment, India was equally anxious to put an end to the fighting, faced as she was with the threat of the Chinese opening a second front and the prospect of a long drawn out war which she could ill afford in the straitened state of her economy. The ceasefire remained in effect until the start of the Indo-Pakistani War of 1971.

The United States and the Soviet Union used key diplomatic tools to prevent any further escalation in the conflict between the two South Asian nations. The Soviet Union, led by Premier Alexei Kosygin, hosted ceasefire negotiations at Tashkent (now in Uzbekistan), where Indian Prime Minister Lal Bahadur Shastri and Pakistani President Ayub Khan signed the Tashkent Agreement, agreeing to withdraw to Pre-August lines no later than February 25, 1966.

Despite the declaration of a ceasefire, India was perceived as the victor due to its success in halting the Pakistan-backed infiltration in Kashmir. In its October, 1965 issue, The Time magazine quoted a Western official assessing the consequences of the war. Now it's apparent to everybody that India is going to emerge as an Asian power in its own right. In light of the failures of the Sino-Indian-War, the outcome of the 1965 war was viewed as a 'Politico-Strategic' victory in India.

The Chinese Faux Pas

Extending full-throated support to Pakistan, on May 4, 1965 China issued a

statement on the India-Pakistan border conflict. This statement was a scathing attack on India, charging India with following 'Big Nation Chauvinist and Expansionist Policy'. It completely endorsed the Pakistani stand.

On September 16, 1965, Mao Tse Tung (Chairman of the Communist Party of China) gave India an ultimatum to remove certain defence structures on the Chinese side of the Sikkim border. While Indian Prime Minister Lal Bahadur Shastri denying any such intrusion. The Chinese issued their second and final ultimatum on Sep 19, 1965. In which they added that India should return the 800 sheep and 59 yaks which they alleged we had taken away (Saxena, 1967). With the ceasefire being imminent, the Chinese tactically withdrew their ultimatums.

Some critical lessons which emerged (after war) are:

- (i) Intelligence regarding Pakistan's activities and intentions was insufficient, fallacious and confusing at best. While ground soldiers had a suspicion of the Pakistan build-up opposite Akhnoor, commanders at higher levels seemed to know less of it, and apparently failed to attribute credence to such ground intelligence.
- (ii) Information from the Air Force in the form of air photos and their interpretation reached fighting units late. Besides, the air effort allotted for this task was felt to be insufficient.
- (iii) Gen Harbaksh Singh, the Western Army Commander during 1965, has alluded to the fact that processing of information by intelligence staff was far from satisfactory, leading to misleading and higgledy-piggledy versions of Pakistani capabilities and intentions.
- (iv) Information of Pakistani pre-war activities in general, including ignorance of the impending Gibraltar infiltrations, was a major reflection on the capability or lack of it of the Intelligence Bureau (IB). The miserable performance of the IB had been earlier noted during the 1962 episode. As a result, in 1968, the Research and Analysis Wing (RAW) was raised to overcome this critical breach.

Conclusion

The war of 1965 saw the largest accretion of troops in Kashmir, a number that was outdo only during the 2001-2002 military standoffs (Operation Parakram) between India and Pakistan. Most of the war was fought on land by each country's infantry and armored units, with important backing from their air forces. This war also involved a limited participation from the countries Navy forces. The war ended on 22nd September, with India having captured 1,920 sq. km of Pakistani area and

still capable of waging war, whereas Pakistan appeared to be at the end of its logistic sustenance. India did well on many fronts – displaying aggression in the Kashmir Valley by disregarding the ceasefire line to pursue infiltrators and in the capture of Hajipir Pass and other posts, by opening a new front in Punjab, and destroyed the myth propagated by Pakistan that one Pakistani soldier was equal to three Indians.

Hindsight helps draw the correct lessons from history. Pakistan, carried away by India's measured response in Kutch, banking on India's low preparedness and misreading Prime Minister Lal Bahadur Shastri whom they perceived as a diminutive man unlikely to take a strong decision, deemed it fit to walk into a very ambitious project of wresting Kashmir away from India. Militarily speaking, Pakistan lost the two most decisive battles of the war, the battle of Asul-Uttar in the Khem Karan Sector and 15 day tank battle in the Sialkot Sector. Between the two of them, Pakistan lost nearly half of their American gifted tanks. Pakistan failed to win her military objectives all along the line and her political objective is doomed to be frustrated. The Ceasefire Agreement (Tashkent Declaration) was signed on January 10, 1966 as a peace agreement between India and Pakistan which pushed both countries back to pre-conflict August, 1965 positions. Both countries returned the captured areas at the end of the war.

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Book Reviews

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Defence and National Security Studies
Panjab University, Chandigarh

India's Defence and National Security by Shekhar Dutt, Har-Anand, New Delhi 2014, pp. 200. #400. ISBN: 9788124117989

National Security Awareness Security as a theme has many inherent constituents. It acknowledges political, economic, environmental, social, cultural, human and amongst others military aspects impacting its concept. It is related to the ability of the State to protect its sovereignty and well being of its people. Unfortunately, India has a disappointing level of security awareness amongst politician, bureaucrats, academia, media, business houses and the public at large.

Dutt, a past Defence Secretary, author has articulated a wide spectrum of security challenges which require diverse and well considered responses. While it is imperative for the Centre and the States to improve their coordination mechanism to deal with these threats, synergy between various security and intelligence organization has to be improved.

Being former Deputy NSA, he underlines the role of National Security Council System, (NSCS) performing a crucial role in overall crisis management. According to him, the principle of one force, is now accepted and being implemented. It could further prevent problems of conflict in command and control and introduce greater accountability in border management.

Raising issues of complex challenges, the author points out that India today is not only confident in dealing with the rest of the world, but its potential is also getting recognition. India's demographic advantage, a vibrant enterprising culture, robust financial and domestic market, stable managerial and democratic system and competitive labour cost advantage, are all noticed.

A turning point for when the US needed to strengthen its ties with the major countries of Asia was, the author notices, 9/11. He believes that the region will engage US interest in several critical areas over the next generation where the two will be seen as natural partners. Already India's caucus is becoming largest in the US congress while over 65 thousand Americans are living in India, lured by its growing economy and rich culture. That is bound to influence the way the two nations interact with each other in the future.

In a chapter on Higher Defence Organization, the author has raised pertinent issues of civil military concern. The core of debate is a basic dilemma in which any assertion of larger role by the armed forces is watched by any mature democracy.

India's HDO, has a basic British template of functioning through a set of committees. The author being conversant with various such review committees brings out functional inadequacies and measures to improve higher defence management in India. Interestingly, corresponding discussion in higher organizations like of railways, ISROs or other ministries is missing.

The author uses his close, intimate knowledge of naval and maritime issues to comment upon coastal security schemes and maritime issues in India. We have over a lakh and a half mechanized fishing and motorized vessels with no corresponding AIS (Automatic Identification System). He suggests the need to institutionalize national and state multi agency operative centers to ensure that the criticalities don't develop. India's vast maritime interests are inexorably linked to her economy. To recover such inter-operability, country's maritime strategy has to be regional in reach, oceanic in outlook and proactive in scope.

The author draws a strong link between governance and national security. For instance, if security is not maintained effective governance cannot be delivered. At the same time, security cannot be safeguarded if the governance is inefficient and rife by corruption. India's security challenges have become manifold, beyond the traditional concerns of China and Pakistan. The most significant is how to address those. The country needs high end capability which could ensure a confidence of victory on all fronts. Identifying ethnic and sub national forces and surge of pan-Islamic phenomena impacting our security; there are paradoxical limitations on the available technology hampering inter-operability in convergence of civil and military resources. Interestingly, while we encourage small and dispersed airports, we choose bigger aircrafts. It makes several airports severely underutilized impairing jointness.

A sound targeting philosophy is central to the success of any governance dealing with security threats on the external and domestic fronts. While it concerns gaining capability on weapon system in a triad, it also combines integration of strategic forces, managing conduct of warfare, achieving jointness, information superiority and strengthening security, intelligence and information agencies like NTRO.

The author brings his experience of having served as the Governor of Chhatisgarh on the security implications of the naxal threat. He brought out an integrated strategy of security and development in the naxalite affected areas. The state has 44 percent of the SC/ST population to which 45 percent of the annual budget is allocated. Two special development authorities have been constituted including creation of nine new districts, thereby bridging the gap between administration and the people, besides underlining strategy of combating naxal menace in the book.

We are living in a time writes the author, where the security responses are getting redefined the world over characterized by non-state actors. In this evil hybrid situation supplemented by P3C4 factors like – Population, Poverty, Pollution, Corruption, Communism, Casteism and Criminalisation, emerging battlefield milieu offers a complex transition demanding people's participation and state agencies for a security and safer nation.

The author has highlighted the necessity of technological development and need for greater participation of technical wings of the three services. There is a need for setting up a Centre of Excellence for Defense Technologies. We must employ our rich pool of human resource to use defense offsets to reduce our dependence on others. We lack knowledge to design as well as technology of some critical systems to become self-reliant. These offsets should be used to bridge such gaps. China used offsets to attain self-sufficiency while it made Israel emerge as technological leader. Our OFBs, DPSUs and DRDOs have a large role to play in such realization.

To ensure a secure future, the author dwells on the role of leadership. There is a distinct leadership crisis all over the world and actual challenge lies in to guide and shaping our future. Whereas, leadership traits according to the author, remain same, the skill needs to be broadened and methods/means demand more sharpness and specificity including acquisition of development of bifocal issues. The guiding denominator should be effectiveness at all levels of decision and execution. Only with change in mindset we can move from kinetics to an effect based system.

The book is an incisive compilation on matters security providing valuable insight to strategic analyst, experts, policy makers, researchers and academicians involved in understanding of national security and its domain areas.



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The Indian Constitution by Madhav Khosla, Oxford India Short Introduction Series, Oxford University Press, New Delhi, 2012. Pp. 224, #150. ISBN: 9780198075387

The book under review attempts a fresh reading of the Indian constitution through a different outlook. It introduces the constitution in a different way. It is not a detailed, theoretical study of each of the provisions and articles present in the Constitution as the title of the book might give this impression to any reader who is about to read this book. Instead, by resorting to certain themes, the book attempts to elaborate on the debates and conflicts arising out of the language used in the text of the constitution, how the Indian Constitution is transformative in the sense that its text and context keeps changing and how problems arise due to different interpretations of this overarching legal document. Thereby, Madhav Khosla provides with no theories, no solutions to such debates but by presenting the constitution as a coherent whole he only raises questions over certain issues which according to him have gone beyond the parliamentary paradigm. In order to analyze this transformation, he adopts an approach which is distinctly dominant throughout his book. It is through the different court cases and judgements passed by the Supreme court that Khosla provides with his interpretive analysis of the text of the constitution. There are two ways of bringing about amendments – formal (through parliamentary procedures) and informal (through court proceedings and judgements). Hence considering the Indian constitution as an arena of conflict and contestation, Khosla looks at how the courts have given way to constitutional interpretations from time to time.

Throughout his narrative, he dwells on the fact that there exists asymmetries within the Constitution's coherent whole and there have been inconsistencies in the decisions of the Supreme Court which in turn impacts and invokes the interpretations of the constitutional text. He picks up three broad themes to substantiate his arguments – separation of powers, federalism and rights and goals. Khosla's language is technical and yet simple.

With respect to the incorporation of separation of powers in the constitution, Madhav Khosla shows how there's no clear cut demarcation between the three organs and he focuses on those areas where there exists power conflicts between the organs. The exercise of both legislative and executive power is subject to judicial review by courts. The members of Parliament are entitled to certain privileges by

law upon which they should have had sole discretion but most of these privileges are again subject to judicial review. For instance, the privilege to punish for contempt is subject to review by the court. This has often led to massive debates between the constitutionalists and the democrats. Simultaneously, Khosla has also pointed out that the constitution does not simply separate powers between the three standard institutions but in fact moves beyond the parliamentary paradigm by vesting considerable power in autonomous bodies like the election commission which has disturbed the tripartite division.

While expressing his views on federalism, Khosla cites that the model of federalism that we have is largely asymmetrical in nature. It grants differential rights to different units. The state of Jammu and Kashmir for example is the strongest case of asymmetric federalism. In Khosla's view, asymmetrical federalism holds the danger of disrupting the unity of the nation and he provides with examples of states that have been granted special status and privileges and yet these have performed poorly as compared to other states. Thus asymmetrical nature according to Khosla has shown sociological disparities but does not provide with solutions to them. But he forgets that there are diverse groups in society – some privileged and some disadvantaged. States differ in terms of natural and financial resources. The Indian state could therefore not relate to every constituent unit in a similar manner. It had to provide with more assistance and support to some as compared to the rest and thus adopt an asymmetrical relationship. It is altogether a different matter that the results of differential treatment to upgrade backward regions can be largely unpredictable.

Addressing the issue of rights and goals, Khosla claims that every constitution gives rights to its citizens. In the Indian constitution this has been made possible through incorporation of Fundamental rights and Directive principles. He raises an important point that with respect to liberty and equality, the constitution at several places enjoins that there should be no discrimination on the basis of caste, sex, race or religion but at the same time, it is itself differentiating between persons by establishing specific laws or affirmative programs. This again reflects on the transformative nature of the constitution in the sense that changes can be brought about through amendments whenever it is felt necessary. Moreover the Supreme Court, while dealing with rights, looks only at the purpose of the law and measures taken for its implementation. So only a nexus between purpose and measure is sought. For example, decisions of the court upon the operation of AFSPA. The Proportionality test approach is not applied in the Indian context. He points out that when caste is taken as a starting point for the sake of reservations, it becomes a problem. Caste has become so central to reservations that today reservation of

backward castes in private educational institutions as well as in job promotions is also demanded. This, in Khosla's view becomes problematic because it becomes difficult to resolve conflicts revolving around merit and reservations. Here again, Khosla gives only a theoretical overview and tends to ignore social reality because reports of various committees have proved that the higher positions are mostly occupied by the upper castes and thus promotion of backward classes becomes difficult. Reservations then for promotions does not really make much difference or solve social inequalities.

In his concluding argument, Khosla talks about the formal amendments to the Indian constitution by the Parliament. While elaborating the basic structure doctrine, he raises certain questions such as – can a constitutional amendment be unconstitutional? Did the basic structure doctrine shift the balance of power from parliament to judiciary? Analyzing these questions, he comes to the conclusion that it is the greater use of asymmetrical approach which has indeed limitedly shifted the power to judiciary and this is best reflected by hardly struck down any amendments pertaining to basic structure.



Vineet KeshwaDepartment of History
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by Madhav Godbole, Rupa Publications India Pvt. Ltd, 2014, New Delhi. Pages 360, # 500. ISBN 9788129135599.

In this book Godbole critically evaluates the Legacy of Nehru. Moreover he attempts at mapping the Nehruvian affairs concerning politics and democracy more specifically, Lok Sabha elections, 2014. Nehru's legacy which aggressively targeted by main opposition party of India, blamed Nehru's failure in different context which are raised as the election issues, it includes foreign policy, Kashmir issue, Development, and criticism of Nehru's family politics etc. The Godbole's book comprises six chapters; first chapter, 'Nehru's legacy' deals with two power centre Patel and Nehru. In this author, define India could be more Successful, if in place of Nehru, Patel could be prime minister. Second chapter, The God Who Failed, deals with the major failures of Nehru relation to political and national aspects. In the chapter, laying the Foundation of the New Nation, author analyses sixteen main issues which Nehru had faced. The fourth chapter emphasizes on parliamentary democracy, secularism and socialism. Fifth chapter concludes the Long- term visions of Nehru. In final chapter Godbole defines Nehru as the unique blend; and concludes almost all spheres of Nehru's life.

The book opens up with the Gandhi, Nehru and Patel's horizons. Author remarks that "public opinion, and particularly the intelligentsia, has now turned into Nehru-baiters" (Preface). In the elections, the right wing politics influenced the Patel, who acted as the opponent of Nehru. Godbole observed, in Lok Sabha election 2014, Nehru's contribution and legacy, and his inter-personal relationship with Patel had once again, come to the fore, but in a partisan manner. He raises the question of how India would have fared if Patel, instead of Nehru, had become the first Prime Minister (Preface). Godbole, assume Patel could be more successful, he raises twenty one points in favour of his argument. In this he draws parallel between the capability of handling problem of Patel and Nehru. Some important points are correlates to the Nehru's legacy, which were made the topmost agenda of election, 2014; such as secularism, uniform civil code, socialism, planning and its institution, problem of J&K, Chinese dragon, permanent seat in U.N. Security Council, internal disturbance and communist movement. Patel could have been more success in these issues than Nehru, on this Godbole's inference is, "by a reasonable guess, Patel would have presented another approach to problems on hand. But by

being the prime minister, Patel's lifespan would not have been extended. He would have had a very short term as a prime minister and after his death on 15 December 1950, Nehru would have stepped into his shoes and would have ruled for fourteen years and attempted to implement all the policies and strategies" (p. 26).

In Kashmir Imbroglia, Godbole filtered the important perception of present horizon related to the Article 370, which could be ignored if Patel were the prime minister, and to find out the root cause at this juncture of Nehru's relation with Sheikh Abdullah and Hari Singh. Godbole directly pinches the role of 'great game' played by Britain. The author bases Nehru's policy toward China extensively upon the contemporary bureaucrats' writings, majority of which perceived Nehru as a failure. Godbole's retrospection related to permanent seat is, if Nehru had, at that time, accepted the offer, India's prestige in the world would have gone up steeply but now it is 'nearly impossible' (p. 76).

Godbole, defines some complicated phenomena through which India make a nation, such as Government of India Act, 1935, and its effects on nation building and constitutional development. In democratic development and governance, Godbole explains the changing scenario of democracy in last 65 years, he also give stress on election candidate backgrounds to voter attitude toward the election. This paradigm also covers the phenomena of rehabilitation after partition and partition legacies with Pakistan. But this paradigm contents have some too heavy elements which are not accurately inferred by the Author, such as Governor, central finance commission, central pay commission and particularly discussion on cow slaughtering, language policy and tribal welfare. Godbole, here is not comparing these issues with further changes or not relating them with present scenario. These issues in book are like as a compile material.

But much bothering is the concluding statement; "this bird eye view of the stupendous endeavour to build a new India show the immense challenges faced by Nehru, as head of the government. What strikes one, is his maturity, deep understanding and extreme patience. As a democrat, Nehru made earnest effort to carry people and his party along. With his immense popularity and charisma, he could have ridden rough-shod over his colleagues. But, he scrupulously avoided doing it" (p.184). This understanding is far behind the pitch, it is not justified the title of book 'The God Who Failed'.

Nehru's long-term vision; under this spectrum Godbole analyses the planning and administration culture, it is also a field where Patel and Nehru had different perspective. Patel had immense faith in civil machinery, wherefore Nehru called it 'steel frame of India' (p. 269). He provides the detail comparison of planning process with changing scenario and its impact on social perspectives and economic

development of country. Major elements covered with five years plans are subsidies, Panchayati Raj and community development programme. The most important analysis is the Nehru's Foreign Policy in respect of non-alignment and *Panchsheel*. This horizon also finds the differences between the '*Panchsheel*' or '*Panch Nonsense*'¹.

In the last spectrum Godbole unites all the qualities and qualifications of the Nehru and called him 'the unique blend'. In this portion he extensively sponges from other writings. In this he covers the different aspects of Nehru's life with his achievements as world leader. Somewhere author tries to define the approaches of his personality which make him unique blend. Finally, Godbole on Nehru: "in his 125th birth anniversary and fiftieth death anniversary of Jawaharlal Nehru, unfortunately, one does not come across any leaders, at the national level, in the mould of Nehru. Nehru's legacy can be best served by following in his footsteps". Godbole defines, Nehru's legacy in positive manner a with critical warning such as; "not blindly but after assessing carefully and critically wherever his thoughts and teaching are still relevant, particularly in respect to strengthening parliamentary democracy, fostering communal harmony and preserving the secular fabric of the country".

The God Who Failed is full of fresh insights into events and personalities. Apart from being a new source for history from bureaucratic point of view, it also provides for the missing link of Indian political affairs relating to the period right after India got freedom. The author has adeptly done justice to the narrative of writing about Indian affairs in general.

¹Godbole takes this from Acharya Kripalani's speech, during his speech on the non confidence motion in Lok Sabha in August 1963, Acharya Kripalani had derided Panchsheel as 'Panch Nonsense'.



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