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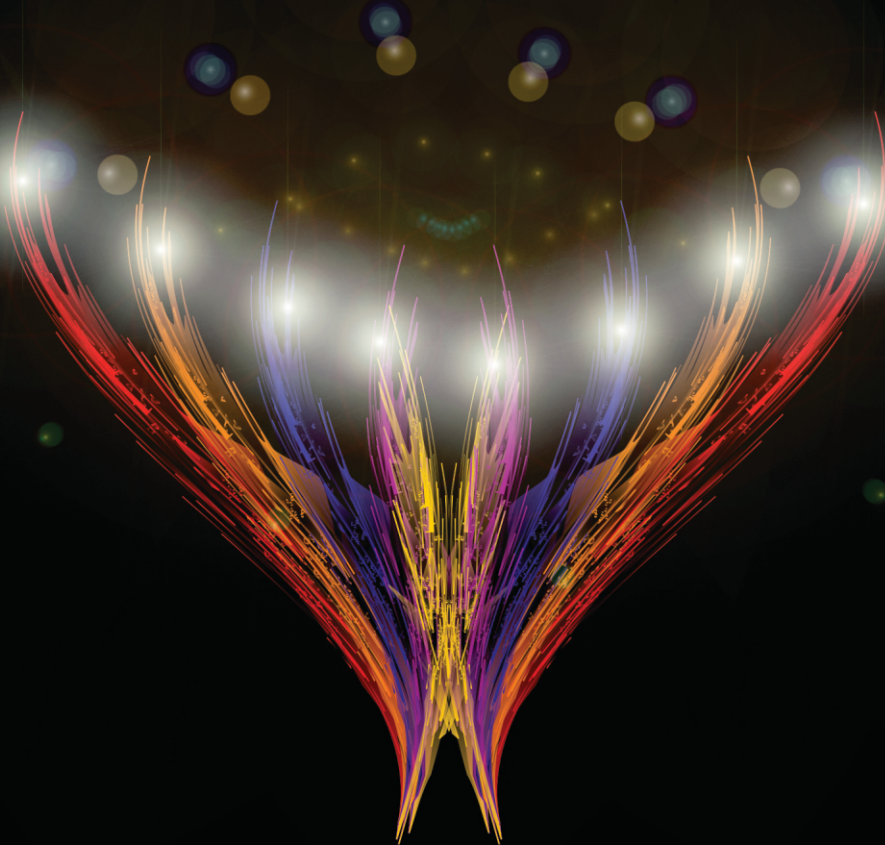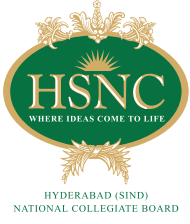
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Editorial

As the scope of social sciences has expanded & as our methods of research & analysis have become more sophisticated & penetrating, concern over the ethics of conducting social sciences has grown. Ethical issues arise from the kinds of problems social sciences investigate & the methods used to obtain valid & reliable data. They may arise from the research problem itself (e.g. genetic engineering, determinants of intelligence, program evaluation), the method of data collection (covert participant observation), the kinds of persons serving as research participants (the poor, children, people with AIDS, politicians), & type of data collected (personal information, recruitment practices in public agencies).

In many cases, social scientists face a conflict between two rights: the right of the scientist to conduct research & to acquire knowledge and the right of individual research participants to self-determination, privacy & dignity. A decision not to conduct a planned research project because it interferes with the participants' welfare imposes limitations on the researchers' rights. A decision to conduct research despite an ethically questionable practice (for e.g. deception) denies the participants rights. This conflict is the essence of the ethical dilemma of social science research.

In planning a research project, researchers have the obligation to carefully weigh the potential benefits or contributions of a project against its costs to individual participants. Such costs may include affronts to dignity, anxiety, embarrassment, loss of trust in social relations, loss of social autonomy & self-determination, & lowered self-esteem. For the scientist, the benefits of a study are potential advances in theoretical or applied knowledge; for the participant, the gains include monetary compensation, satisfaction in making a contribution to science, & better understanding of researched phenomena.

There is a wide consensus among social scientist that research involving human participants should be performed with informed consent of the participants. When research participants are to be exposed to pain, physical or emotional injury, invasion of privacy, or physical or psychological stress, or when they are asked to temporarily surrender their autonomy (for e.g. in drug research), informed consent must be fully guaranteed. Participants should know that their involvement is voluntary at all times & they should receive a thorough explanation beforehand of the benefits, rights, risks & dangers involved with their participant in the research project. Informed consent also involves questions of anonymity, confidentiality and privacy.

Foreword

It gives me great pleasure to see Srujan, an interdisciplinary research journal of K C College, become one of the respected academic journals of the University of Mumbai. An initiative of the Research Committee of the College, Srujan brings together insightful research articles by teachers across colleges in Mumbai. The theme for Srujan, 2015 is 'Ethical Issues in Research'.

While research in social sciences and the natural sciences has grown enormously over the last few decades, there have been growing concerns over ethical issues in research. This issue of Srujan addresses some of these concerns in different fields of inquiry and covers a wide range of articles.

I take this opportunity to congratulate all contributors and hope that the forthcoming issues of Srujan will continue with the commendable work. My best wishes to the K C Research Committee and the Srujan Editorial Team. I wish them great success in their endeavor.

— Ms. Manju Nichani
Principal

Contents

Pure Sciences, Social Sciences & Humanities

A Study of Sources of Positive Emotions at the Workplace

Meghna Basu Thakur and Jyotika Varmani

Department of Psychology, R. D. National College, Bandra (W), Mumbai – 50,

meghnabasuthakur@yahoo.com

Abstract:

Research on the importance of emotions in the workplace, and more so, on the positive emotions in the workplace has been scarce. The present study uses a bottom up approach to identify the sources of positive emotions in the workplace. The present study seeks to explore the sources that lead to the positive emotions of happiness, pride, enthusiasm, joy, attachment, inspiration, interest, relaxation, kindness, and appreciation in the workplace. A qualitative research was undertaken with the semi-structured interview as the tool of exploration. Participants from varied work backgrounds were interviewed to obtain data. Thematic analysis as propagated by Braun (2006) was used for the analysis of data. Results revealed the sources of positive emotions in the workplace as social support, challenges and the nature of the work itself. The present paper provides a base for further research by identifying the underlying sources of positive emotions in the workplace and to analyse the relationship between these sources and the emotions; and for development of intervention to enhance the experience of these positive emotions.

Keywords: positive emotions, thematic analysis, exploratory research

INTRODUCTION

Emotion is a very complex psychological construct, and hence, has been explained in several different ways over the years. Several expert psychological researchers have proposed their theories explaining emotions. The classic James Lange theory in the 1890s proposed that emotions occur as a result of physiological reactions to events. According to this theory, an external stimulus leads to a physiological reaction. Emotional reactions are dependent upon how we interpret those physical reactions. In the late 1920s, the Cannon-Bard theory of emotions came to prominence which stated that we feel emotions and experience physiological reactions such as sweating, trembling and muscle tension simultaneously. More specifically, it suggested that emotions result when the thalamus sends a message to the brain in response to a stimulus, resulting in a physiological reaction. After nearly forty years, the two factor theory of emotion came to the forefront, suggesting that the physiological arousal occurs first, and then the individual must identify the reason behind this arousal in order to experience and label it as an emotion.

It is only in the last few decades that some degree of consensus regarding the definition of emotion has emerged (e.g. Frijda, 1993; Power & Dalgleish, 1997). These definitions converge on the now widely accepted view that emotions are discrete reactions precipitated by specific events (Weiss & Cropanzano, 1996). Experts believe that emotions are indicative of the experiential component of feelings. The present study is designed on the basis of this definition.

The debate regarding emotions has often centred on how the positive and negative aspects of emotions relate. Some researchers believe that emotions range on a continuum from positive to negative. Other researchers have shown argued that emotions can be distinctly segregated into positive or negative. In the 1960s, Brandburn and Caplovitz found evidence of the independence of positive and negative emotions. Fredrickson insisted on separate models for the two types of

emotions as they have different functions. It is now a wide held view that positive and negative emotions are distinct entities.

POSITIVE EMOTIONS

According to Fredrickson (2005), emotions are fleeting reactions to a person's current circumstances. What makes an emotion positive is it's desirability to the person who experiences it. People 'want' to feel these emotions, as they broaden one's awareness and encourage novel, varied, and exploratory thoughts and actions. Over time, this broadened behavioural repertoire builds skills and resources. (Fredrickson, 1988). Positive emotions provoke curiosity in humans about their environment and a motivation to approach and explore even in the absence of stimulus. Cohen (1997) found that people who experience positive emotions on a regular basis have a more robust immune system, than those who do not experience these emotions.

Positive emotions are brief experiences that feel good in the present and increase one's chances of feeling good in the future. Thus, positive emotion may be considered as any feeling where there is a lack of negativity, such that no pain or discomfort is felt. Positive emotions not only balance out negative emotions, but also add immensely to a person's overall well-being. Fredrickson (2005), also points out that positive emotions are responsible for returning to an optimal level of functioning post any trauma. Over the years, various researchers have identified and studied different positive emotions. For instance, Cohn et.al.'s 2009 study on positive emotions and resilience employed the study of the positive emotions of amusement, awe, compassion, contentment, gratitude, hope, interest, joy, love, and pride.

Drawing from past research, the present study selects and seeks to explore the sources of ten positive emotions (happiness, pride, enthusiasm, joy, attachment, inspiration, interest, relaxation, kindness, appreciation) at the workplace in order to contribute to the relevantly lacking knowledge of the same, and to find their implications in creating awareness, making predictions and in designing intervention programmes. For its said purpose, the present study is designed to be inductive in nature and it employs the technique of semi-structured interview, keeping in mind its aim of exploration and generation of ideas.

Let us consider the positive emotions studied in this paper in detail:

Happiness

Happiness is a fleeting emotion, yet it is not uncommon for people to state that their greatest desire in life is 'to be happy, always.' Happiness, unlike its close cousin joy, comes from external events. Fisher (2010), states that happiness is dependent on experiences that will come to the person in the course of time. In the workplace, external events that could produce happiness would be expected to be a job promotion, or praise received from one's boss, etc.

Pride

Pride is generally perceived to be negative. However, there is a strong positive side to the emotion. On the positive side, pride means a sense of satisfaction derived from one's own achievements or from the achievements or dear ones. It is the consequence of self-reflection and assessment of one's achievements. Williams & DeSteno (2009) showed the motivational role of pride. They showed that pride stimulates people to acquire and demonstrate abilities, even in the face of initial difficulties, in order to increase their achievements.

Enthusiasm

Enthusiasm is simply intense and eager enjoyment, interest, or approval. Enthusiasm is also closely related to motivation. Motivation enables a person to get to his work every day and perform his tasks. Enthusiasm fuels the person to look forward to his tasks and do his best in the job. Smith (2000) mentioned that when people have passion they will be enthusiastic about what they do and will do whatever it takes to be successful.

Joy

Joy, unlike happiness is a stable internal trait that comes from within the person feeling it. It is a state of being. Joy is found to be associated with an activity and to the engagement of an activity itself (Warner, 1991). The experience of joy has been described as serving its own goal or purpose, and not being a means to an extrinsic end.

Attachment

Attachment refers to bonds with loved ones. It is not only about relationships, but also good quality, strong relationships. A person spends the majority of his day in the office. Thus, that is where he is likely to form strong bonds in order to provide him with the needed social support. Social support has been found to be a strong factor for overall wellbeing across the years.

Inspiration

Inspiration refers to mental stimulation to do or feel something. As William Schofield points out, impacting and influencing lead to inspiration. Inspiration is what is needed at work when the days seem repetitive and the work appears to be endless.

Interest

Interest simply refers to curiosity and attention towards something. Employees will often find themselves at a loss, staring at the computer screen if they are not interested in their work, only to lead to fatigue and restlessness. For activities that are inherently interesting, people can engage and enjoy themselves easily. Activities that are not interesting can be transformed into interesting ones by making games out of them or by involving others with them.

Relaxation

Relaxation is a universal value. It is a state of rest, recreation and restoration. It impacts every sphere of a person's wellbeing. It impacts a person's emotional, physical and intellectual health. It is not simply an optimal human condition. Rather, it is crucial to life, as its absence ultimately leads to a psychotic state. Relaxation is vital to break the monotony of long working hours to prevent saturation in employees.

Kindness

Kindness is traditionally defined as the quality of being the quality of being friendly, generous, and considerate. The therapeutic qualities of kindness have been frequently discussed in the literature (Long, Nicholas, 1997). It is an emotion that promotes pro social behaviour without any strings attached. Kindness fosters gratitude in its recipients, and leads to long-lasting and strong social bonds. Kindness can come from multiple hierarchies of people in the workplace, including superiors, colleagues and juniors; even if attachment with them is not encouraged.

Appreciation

Appreciation is the recognition and enjoyment of the good qualities of someone or something. Appreciation is a very basic human need. For employees, appreciation is vital because it gives them recognition and ensures that their work is being valued.

NEED FOR STUDY

With increasing levels of stress at the workplace in India (Regus, 2012; PPC Worldwide, 2012; ASSOCHAM, 2012), several studies in the past few years have aimed to search for mediating variables that can reduce the harmful effects of the stress (e.g. Swami, Mathur & Pushp, 2013; Ranta 2009; Jamadar 2012; Paranamandam 2012; Sharma, Sharma & Devi, 2012). Positive emotions have been recognized in worldwide studies to have regulating effects on the impact of stress (e.g. Folkman, 2008; Fredrickson 2008; Danner, Swondon & Friesen, 2001).

Research has largely focused on connections between employee happiness and productivity (e.g. Amabile & Kramer, 2011; Taylor, 2011; Zelenski, Murphy & Jenkins, 2008; Oswald, Proto & Sgroi, 2014). Surprisingly, most literature has ignored the benefits of positive emotions on the employees themselves. Also, positive emotions besides happiness have had lesser mention in the literature.

More exploratory work is thus necessary to understand what contributes to the experience of positive emotions, and how these experiences can be increased. With the growing field of positive developmental psychology, it has become necessary to answer the question, "What environmental factors facilitate specific positive emotions?"

REVIEW OF LITERATURE

The concept of work stress has generated a vast amount of literature through time and continues to be a popular area of research to date. This type of research has focused majorly on the negative emotions in association with stress, and has discovered the sources of these negative emotions (e. g. Cox, Griffiths & Rial-Gonzilez 2000). The mediating effect of these negative emotions has been a focus of the literature on stress (e.g. Penney & Spector, 2005; Pugliesi, 1999; Bickford, 2005).

Positive emotions have thus been neglected in favour of an approach seeking to eliminate negative emotions. The oldest noteworthy study of positive emotions in the workplace was done by Hersey (1932) in an industrial plant which repaired freight railcars and locomotives. This study was the first to consider actual positive effect and assess them in real time. This and the other scarce studies that did undertake the concept of positive emotions, focused quite exclusively on the concept of job satisfaction (e.g. Fryxell & Gordon, 1989; Fairbrother & Warn, 2003; Ramirez, Graham, Richards, Gregory, & Cull, 1996). Briner & Reynolds (1999) speculated that this trend was a result of the difficulty of studying emotions as compared to a phenomenon like satisfaction.

Weiss & Cropanzano (1996) suggested that emotions could be treated as a cause rather than components of the evaluation of job satisfaction. This was followed by their Affective Events Theory in the same year which proposed that the cumulative experience of momentary emotions at work shape attitudes towards the work. This theory has provided a framework for further studies on positive emotions that was lacking prior to the study.

A few earlier studies have studied positive emotions in the workplace. For instance, George (1989) found that positive mood is negatively correlated to absence from work. Similarly, Staw, Sutton & Pelled (1994) found that positive emotion experienced and expressed by workers at one point in time predicted the supervisor evaluations, support and pay which they received 18 to 20 months later. These studies, however, have studied positive moods rather than emotions. Thus, they have been helpful to an understanding of positive affect at work but not specifically to the study of positive emotions. Also, it is noted that these studies consider positive emotions as a global construct and make no efforts to recognize or distinguish between the various types of positive emotions that contribute to a positive mood as a whole.

Looking outside the context of the workplace, in psychology as a whole, there has been a focus on negative emotions rather than their positive counterparts. (e.g. Izard, 1972; James, 1884; Oatley & Johnson-Laird, 1987; Panksepp, 1982; Power & Dalgleish, 1997; Tomkins, 1984). The 'Positive Psychology Movement' pioneered by Martin Seligman, however, changed the scenario in favour of the study of positive areas of the discipline. Authors like Isen (1997) studied positive affective states in relation to cognitive processes and problem solving. Barbara Fredrickson, a prominent researcher in the area of positive emotions proposed her theory of 'Broaden-and-Build' which explains that positive emotions, which tend to arise in contexts appraised as safe, broaden people's modes of thinking, and in turn, build their personal and social resources. Her research, holds potential for understanding the impact of positive emotions in the work setting.

It is apparent from this review of literature that the role of positive emotions in the workplace has been a largely neglected topic in research. Understanding the sources of positive emotions are crucial in order to make a framework for the knowledge of these emotions. It is important to understand that positive emotions are distinct entities, and not the mere absence of negative

emotions (Fredrickson, 2000). Studies have found that positive and negative emotions have independent predictors(e.g. Clark & Watson, 1988; Fisher 2002; Holden-Peters, Griffiths & Brenner, 2004; Kanner, Coyne, Schaefer & Lazarus, 1981; Stallings, Dunham, Gatz, Baker & Bengtson, 1997).

Weiss & Cropanzan (1996), have shown that emotions experienced at work are determined, at least in part, by emotional experiences. These researchers have also suggested that workplace events which are determined by the features of the work environment, result in emotions in the work setting. Of course, this does not suggest causality between the experiences and emotions. Emotions are one of the most complicated constructs in Psychology, and hence causality is extremely difficult to be determined.

As stated earlier, hardly any research has focused on the positive emotions beyond the emotion of happiness. The rare research that has attempted to make distinctions suggests that every positive emotion has a unique source of experience correlated to it (Brief & Weiss, 2002; Briner, 1999). Diener, Smith & Fujita (1995) distinguished between two types of positive emotions: joy and love. Later, Fredrickson (1998) argued that there are at least four distinctive positive emotions: joy, interest, contentment and love. Growing literature has now added a variety of positive emotions to the list. Fredrickson in her book Positivity (2013) grounded in her study of 2005 with co-researcher Losada, pointed out the top 10 positive emotions as love, joy, gratitude, serenity, interest, hope, pride, amusement, inspiration and awe. More recently, Desmet (2012) provides a typology of 25 positive emotions that provides a rich and varied source of emotions for exploration.

METHOD AND PROCEDURE

Objectives of Study

The research question derived from review of past literature was, "What are the sources of positive emotions in the workplace?" Thus, this study seeks to explore the sources of positive emotions in the workplace.

Sample

Availability sampling was used. Ten participants from varying work settings including private bank employees (6), professors (2), a cost accountant (1), and an insurance agent (1) participated in the study. The sample size is expected to be appropriate in accordance with the phenomenon of data saturation while using the interview technique (Guest, 2006). Data saturation is the point where repetition is found in the answers given by the respondents, and no new data is found to emerge. As Guest (2006) stated, basic elements for metathemes can be present from the first six interviews itself. The sample's ages ranged from 21 to 60 years.

Tools

A semi-structured interview comprising ten questions was designed for the explicit purpose of the study. Each question of the interview was prepared to elicit the sources one of the ten positive emotions that the study is aimed at. The questions were designed keeping in sight the definitions of the positive emotions mentioned above. The emotions to be studied were drawn from the past research cited above, and the ten emotions perceived to be most appropriate to the work setting were selected, namely happiness, pride, enthusiasm, joy, attachment, inspiration, interest, relaxation, kindness, and appreciation.

Data Analysis

As per Braun and Clarke's guide to thematic analysis (2006), the data collected from the interviews was first subject to the initial phase of thematic analysis of making notes from the data collected, and generating ideas for the coding phase. Every answer was read and re-read till clear themes emerged, and consensus among the researchers was found. Codes were then generated pertinent to the research question. That is, what is the source from where the said positive emotion was derived was identified. Repeated patterns were carefully searched for in the next stage. The source that was found to be common across answers was

carefully identified. Also, the sources common to several positive emotions were carefully categorized In the next stage, themes that did not have enough data to support them were discarded. Themes that had enough supporting data and emerged clearly were retained. In the fifth stage, the themes were defined and given names that would clearly convey their meaning. The sixth and final stage involved generating results with accompanying examples from the data to illustrate the themes.

RESULTS

The thematic analysis process that was applied to the transcripts elicited key concepts that were evident in the data. Three themes clearly emerged from the data analysis: social support, challenges and nature of the job. These themes were useful in answering the research question as to the sources of positive emotions in the workplace. Another theme that came to the forefront was that relaxation and work are perceived as two separate entities by most participants. Thus, there was no source of relaxation in the workplace since relaxation itself was not experienced by the participants on their job. The results are presented below along with examples that bring out the theme prominently.

Social Support

As Cohen (1998) pointed out, social support is an umbrella term for all kinds of experiences in a person's social network. Therefore, this theme name is chosen for the repeated pattern found in the present results. Interaction with other people in term of attaining their appreciation, approval and support was predominant across five of the ten emotions studied namely, happiness, pride, kindness, attachment and appreciation. Examples include the following:

When asked about their sources of happiness, the participants gave answers such as:
"My colleagues.." (Participant 1)
"…meeting various customers" (Participant 2)
"When customers appreciate our service…" (Participant 6)

When asked about their sources of pride, the participants gave answers such as:
"…praise and even rewards for my efforts from my superiors." (Participant 8)
"When I could figure out something accurately which I hadn't done before without my senior's help." (Participant 9)
"When my work has been appreciated by my team." (Participant 10)

When asked about their sources of kindness, the participants gave answers such as:
"….Many times customers return extra money paid by me in cash." (Participant 4)
"…My other colleague made it a point to show me how much the rest of my colleagues love me and respect me. That motivated me to stay on the job." (Participant 8)
"…My colleague…didn't take my name and took the full blame on herself." (Participant 9)

When asked about their sources of attachment, the participants gave answers such as:
"…friendly relations with my boss…" (Participant 2)
"…helpful people…." (Participant 4)
"…open and transparent relation with colleagues…" (Participant 6)

When asked about their sources of appreciation, the participants gave answers such as:
"Whatsapp messages from my boss." (Participant 5)
"When my boss says 'thank you' or 'that was perfect' or 'that was excellent', etc." (Participant 8)
"When someone directly praises me…." (Participant 9)

Challenges

The word 'challenge' was frequently found across most interviews. Facing challenges and taking on roles that are challenging came across clearly as the main sources of enthusiasm and interest. The following examples illustrate this finding:

When asked about their sources of enthusiasm, the participants gave answers such as:

"…big roles…" (Participant 1)
"….big responsibilities…" (Participant 5)
"….something challenging…." (Participant 9)

When asked about their sources of interest, participant gave answers such as:
"Challenges." (Participant 2)
"….It is varied and challenging." (Participant 8)
"My work is challenging….." (Participant 9)

Nature of the Job

The characteristics of the job itself came across as the theme underlying the positive emotion of joy.

When asked about their sources of joy, the participants gave answers such as:
"Doing the job assigned to me and discussion with my colleagues and superiors." (Participant 3)
"All banking." (Participant 5)
"Teaching." (Participant 7)

Separation of Work and Relaxation

Relaxation appears to have no source in the workplace as most participants stated that relaxation takes place after work for them.

When asked about their sources of relaxation, the participants gave answers such as:
"After working hours…" (Participant 1)
"At lunch time and at 5'o'clock (leaving time)" (Participant 3)
"Never." (Participant 4)

No prominent theme emerged for the emotion inspiration as the participants' answers were very varied. Sources for this positive emotion appears to vary from seniors and motivated colleagues to transparency to inner motivation and satisfaction of customers

DISCUSSION

The present study has attempted to search for the sources of various positive emotions in the workplace. The themes have found to be corresponding to clusters of these emotions, rather than one theme emerging prominently for one emotion.

Challenges as Sources of Enthusiasm and Interest

Challenges in the workplace have emerged as the source of enthusiasm and interest. Challenges are not a regular feature of work. Berlyne in his landmark work suggested that new, complex and surprising things activate a reward system that generates positive affect. Thus, they come in as infrequent opportunities. The nature of any work is typically routine and repetitive. It is then not surprising that challenges are looked forward to by employees, and increase their level of interest in their work. For example, the following narration by one of the participants brings forward a clear instance of challenge that made the participant proud:

"One day there was less staff in the branch, and that was Diwali festival time. Many customers were entering into the branch, and that time I gave maximum service. And I really felt proud of my work that day."

Challenges present a change from routine, and also a chance for the employee to prove his/her worth in the organization. Challenges are often the stepping stones for employees, for once they successfully meet these challenges, they are likely to be noticed by their superiors, and as a result achieve advancement in their work. Challenges present themselves at work from time to time, like in the instance described above. However, even employers can provide employees with work that is perhaps a little beyond what their role demands.

This finding also provides potential to further research about contrasting jobs that have challenges within them; to those that are more mundane, to find out any differences in the interest and enthusiasm of employees engaged in these two different types of work.

Social Support as a source of Happiness, Pride, Kindness, Attachment and Appreciation

Social support refers to the social-psychological and interpersonal processes that maintain and promote health and wellbeing. Social support provides for practical aid, companionship,

cognitive guidance, reassurance of worth and emotional nurturance. Social support has repeatedly been shown to be the source for happiness and even longevity (Ross, 2002). Since employees spend a majority of their day working, this support at work is irreplaceable. Working people are expected to have most of their active relationships in their workplace. The importance of these experiences of support seem to have a deep impact on the employees as seen in the following narration by one of the participants:

"When I had just joined my workplace, I did not know the work properly, and would make a lot of mistakes, then my senior would explain everything in a patient manner. I will always remember this."

The inspiration derived from appreciation by others is also blatantly seen in this statement by one of the participants:

"When someone appreciates my work and service, I like to put my effort in my work."

Another finding that stands out as regards social support is that this support is sought from all levels of people in the workplace i.e. from customers, colleagues and the management. All of these have been mentioned in various answers from the participants. It appears then that even in the workplace, social support is an invaluable source of positive emotions and support from every person in the work setting is important.

Since a number of positive emotions appear to be so dependent on the social interaction in the workplace, this is an area of great potential to further studies. Social support has no doubt been given good weightage in research in the past few years. Organizational support and attachment theory have also been frequently discussed. A new direction can be given to the research by studying these dimensions from the viewpoint of the employee and his/her well-being rather than the productivity of the organization.

The Nature of Work as a source of Joy

The nature of work itself, though mundane, is surprisingly a source of joy to most employees.

Since the work itself is always present, it is a boon to the employees. It would seem apparent here that the better the involvement of the employee in his/her work, the better the level of enjoyment he/she would experience.

Work and Relaxation as Separate Entities

An interesting finding of the study is that participants simply do not find any match between work and relaxation. Relaxation is not considered a part of work. One of the participant's blatant response to the question of relaxation at the workplace as "Never" shows how distinct work is kept from leisure.

It is also evident that the workplace does not provide for recreation, beyond lunch breaks which is also not found to be relaxing enough by some employees. Employees are certainly not machines and relaxation compartmentalized into one part of the day and work into another would do harm rather than good to the employee. The often cited increase in rates of burnout across all sections of employees is an outcome of constant work demands (Gold, 2010). Hence, intermittent breaks in the workday or perhaps some sources of leisure like music or yoga could prove beneficial to the overall well-being of the employee.

CONCLUSION

The present paper has brought to the forefront the sources of positive emotions in the workplace: challenges, social support and the nature of the work. The exploratory nature of the study gives impetus further research that could strengthen these findings. There is also potential for testing intervention programmes that could bring out an impact on overall employee well-being.

MANAGERIAL IMPLICATIONS

The present study undertook ten positive emotions for its purpose, and it appears that there are common sources of them, and hence it should not be very difficult for managers to provide a climate for the culmination of several positive emotions by

making a few changes in the nature of work and the environment. As is quite obvious, though employees enjoy the work they have undertaken, providing them with occasional challenges that are not overwhelming are a good way to keep them excited and energetic. Social support needs to be encouraged in the workplace with more direct interaction between employees and the customers they are catering to. Teamwork should be encouraged so that colleagues can draw inspiration from each other and provide for feelings of friendship in the workplace. Employees' interactions with their superiors are also defining for them. Encouragement and appreciation from the top management, from direct interaction with them has had a repeated mention through the interviews. The nature of the job is inherent, and the management on its part can ensure that every employee is thoroughly involved in the workplace. An important implication from this study for the management is that relaxation needs to be more a part of the workplace. Work need not be an exclusive entity. Some periods of relaxation would assure a more positive atmosphere for the employees. Employee well-being is one of the primary agendas presented by most organizations today. Hence, any measures that can aid this agenda would be beneficial to the management. Managers' own emotions are also of value to the organization, and can be very influential. Thus, the cultivation of positive emotions by managers themselves is also useful. As Fredrickson (2005), states, "leaders' positive emotions are especially contagious."

LIMITATIONS

This study being qualitative in nature, accompanied with its small sample size, has the inherent problem of generalizability of results. In a similar vein, thematic analysis is a process involving high subjectivity on part of the researcher. Thus, there can be differences of opinion regarding the consistency and the naming of the patterns found in the data. Lastly, interpretation bias could occur to some extent depending on how the questions were perceived and interpreted by the participants.

References

1. Amabile, T. M. & Kramer, S. J. (2011). The power of small wins. *Harvard Business Review*, 89 (5), 70-80.
2. ASSOCHAM (2012) How healthy is India Inc? Retrieved from http://indiatoday.intoday.in/story/india-inc-corporate-world-medanta-assocham-survey/1/214573.html
3. Bickford M., (2005). Stress in the Workplace: A General Overview of the Causes, the Effects, and the Solutions. Canadian Mental Health Association Newfoundland and Labrador Division, 1-44
4. Braun, Virginia and Clarke, Victoria (2006) Using thematic analysis in psychology. *Qualitative Research in Psychology*, 3 (2). pp. 77-101.
5. Brief, A. P., & Weiss, H. (2002). Organizational behavior: Affect in the workplace.
6. Briner R., Reynolds S. (1999). The costs, benefits, and limitations of organizational level stress interventions. *Journal of Organizational Behavior*. Volume 20, Issue 5, pages 647–664,
7. Briner, M. (1999). Constructivism. Retrieved from http://curriculum.calstatela.edu/faculty/psparks/theorists/501const.htm
8. Clark, L. A., & Watson, D. (1988). Mood and the mundane: Relations between daily life events and self-reported mood. *Journal of Personality and Social Psychology, 54*, 296-308.
9. Cohn et al. Happiness unpacked: Positive emotions increase life satisfaction by building resilience.. *Emotion*, 2009; 9 (3): 361 DOI: 10.1037/a0015952
10. Cohen, S. (1988). Psychosocial models of the role of social support in the etiology of physical disease. *Health Psychology*, 7, 269-297.
11. Cox T., Griffitths A., Rial-González E. (2000) Research on Work-related Stress. European Agency for Safety and Health at Work, Belgium.
12. Danner DD, Snowdon DA, Friesen WV. (2001). Positive emotions in early life and

longevity: findings from the nun study. *Journal of Personal and Social Psychology*, 80(5):804-13.

13. Desmet P. Faces of Product Pleasure: 25 Positive Emotions in Human-Product Interactions. *International Journal of Design* 01/2012; 6(2):1-29. · 0.73 Impact Factor

14. Diener, E., Smith, H., & Fujita, F. (1995). The personality structure of affect. *Journal of Personality and Social Psychology*, 69, 130-141.

15. Fisher C., (2010). Happiness at Work. *International Journal of Management Reviews,* Vol. 12, 384–412. DOI: 10.1111/j.1468-2370.2009.00270.x

16. Fairbrother K., Warn J. (2003) Workplace dimensions, stress and job satisfaction. *Journal of Managerial Psychology*, Volume 18 Issue 1.

17. Folkman S. (2008). The case for positive emotions in the stress process. *Anxiety Stress Coping.* 2008 Jan;21(1):3-14.

18. Fox, S., & Spector, P. E. (Eds., 2005). Counterproductive work behavior: Investigations of actors and targets. Washington, DC: APA.

19. Fredrickson BL. What good are positive emotions? Review of General Psychology. 1998;2:300–319.

20. Fredrickson BL., Cohn MA, Coffey KA, Pek J, Finkel SM. Open hearts build lives: positive emotions, induced through loving-kindness meditation, build consequential personal resources. *Journal of Personal and Social Psychology*, 95(5):1045-62.
doi: 10.1037/a0013262.

21. Fredrickson, B. L. (2000, March 7). Cultivating positive emotions to optimize health and well-being. *Prevention and Treatment*, **3**, Article 0001a. Retrieved January 16, 2002, from http://journals.apa.org/prevention/volume3/pre003001a.html

22. Frijda, N. H. (1993a). Moods, emotion episodes, and emotions. In M. Lewis & J. M. Haviland (Eds.), Handbook of emotions (pp. 381-403). New York: Guilford.

23. Fryxell G., Gordon M. (1989) Workplace Justice and Job Satisfaction As Predictors of Satisfaction with Union and Management. *Academy of Management Journal*, *vol. 32 no. 4 851-866* doi: 10.2307/256571

24. George J. M. (1989). Mood and absence. *Journal of Applied Psychology*, Vol. 74, 317-324.

25. Gold, Y. (1985). Burnout: Causes and solutions. *Clearing House*.58, (5), 210-212.

26. Isen, A.M., 1997. Positive affect and decision making. In: (1), 59–72.

27. Goldstein,W.M., Hogarth, R.M. (Eds.), Research on Judgement and Decision Making. Cambridge University Press, Cambridge,UK.

28. Guest, G., Bunce, A. & Johnson, L. (2006) How Many Interviews are Enough? An experiment with data saturation and variability. *Field Methods*, 18,59-82

29. Izard CE. Patterns of emotion in anxiety and depression. New York: Academic Press; 1972.

30. Jamadar C. (2012). Occupational Stress and Work Motivation among Telecom Employees. Retrieved from http://www.researchgate.net/publication/230643066_OCCUPATIONAL_STRESS_AND_WORK_MOTIVATION_AMONG_TELECOM_EMPLOYEES

31. James W. What is an emotion? *Mind*. 1884; 9:188–205.

32. Jan Jo Holden-Peters (2005) Positive Emotions at Work: A Study on Home Care Workers for Older People (Unpublished doctoral dissertation), Nottingham University

33. Long, Nichlas J. (1997). The Therapeutic Power of Kindness. *Reclaiming Children and Youth: Journal of Emotional and Behavioral Problems*, v5 n4 p242-46.

34. Lopez J. Shane (2009). The Encyclopedia of Positive Psychology. John Wiley & Sons Ltd.

35. Myers, David G. *Psychology in Modules* (6th ed.) New York: Worth Publishers, 2001.

36. Kanner, A. D., Coyne, J. C., Schaefer, C., & Lazarus, R. S. (1981). Comparison of two modes of stress measurement: Daily hassles and uplifts versus major life events. *Journal of behavioral medicine*, 4(1), 1-39.

37. Oatley, K. & Johnson-Laird, P.N. (1987). Towards a cognitive theory of emotions. *Cognition and Emotion*, I, 29-50.

38. Oswald J., Proto E., Sgroi D. (2014). Happiness and Productivity. *JOLE,* 3rd Version

39. Panksepp, J. (1982). Toward a general psychobiological theory of emotions, *Behavioral & Brain Sciences*, Vol 5, 407-467

40. Paramanandam P. (2012) An Empirical Study on Occupational Stress among the Employees of Telecom Industry. *Sumedha Journal of Management,* Volume: 1, Issue: 4.

41. Power, M. & Dalegleish, T. (1997). Cognition and Emotion: From Order to Disorder. England: The Psychology Press.

42. PPC Worldwide (2012) India's New GDP: Grossly Depressed People. Retrieved from http://epaper.timesofindia.com/Repository/ml.asp?Ref=RVRNLzIwMTIvMTAvMjAjQXIwMDEwMQ%3D%3D

43. Pugliesi K. (1999). The Consequences of Emotional Labor: Effects on Work Stress, Job Satisfaction, and Well-Being. *Motivation and Emotion* , Volume 23, Issue 2, pp 125-154

44. Ramirez A. et.al. Burnout and psychiatric disorder among cancer clinicians. *British Journal of Cancer,* 71(6): 1263–1269

45. Ranta RS (2009).Management of Stress and Coping Behaviour of Police Personnel through Indian Psychological Techniques. *Journal of the Indian Academy of Applied Psychology*, January 2009, Vol. 35, No.1, 47-53.

46. Regus (2012) Half of Indian employees stressed by work & personal finances. Retrieved from http://press.regus.com/india/half-of-indian-employees-stressed-by-work--personal-finances/
Review of Psychology, Vol 53,279-307.

47. Ross CE and Van Willigen M. "Education and the Subjective Quality of Life." *J Health Soc Behav*, 38(3): 275-297, 1997.

48. Schofield W. (n.d.) *Discussion: Psychology, Inspiration and Faith.*

49. Sharma S., Sharma J. & Devi A. (2012). Role Stress among Banking Employees; A Logit Approach , *IUP journal of Organisation Behaviour,* Vol. XI No. 3.

50. Smith, P. (2000) Pursuing passion, *New Zealand Management*, 47, 94–7.

51. Stallings, M., Dunham, C., Gatz, M., Baker, L., & Bengtson, V.L. (1997). Relationships among life events and psychological well-being: More evidence for a two factor theory of well-being. *Journal of Applied Gerontology*.

52. Staw BM, Sutton RI, Pelled LH. Employee positive emotion and favorable outcomes at the work-place. *Organization Science*. 1994;5:51–71.

53. Swami M.K., Mathur D.M. & Pushp B.K. (2013). Emotional intelligence, perceived stress and burnout among resident doctors: An assessment of the relationship. *The National Medical Journal of India*, Vol. 26, No. 4

54. Taylor, J. and J. Westover. 2011. 'Job Satisfaction in the Public Service: The Effects of Public Service Motivation, Workplace Attributes and Work Relations', *Public Management Review*, Vol 13, 4, 731-751.

55. Tomkins, S. S. (1984). Affect theory. In K. R. Scherer & P. Ekman (Eds.), *Approaches to emotion* (pp. 163-195). Hillsdale, NJ: Erlbaum

56. Williams, L. A., & DeSteno, D. (2009). Pride. Adaptive Social Emotion or Seventh Sin? *Psychological Science*, 20, 284-288.

57. Zelenski J., Murphy S., Jenkins D. (2008) The Happy-Productive Worker Thesis Revisited. *Journal of Happiness Studies (*2008) 9:521–537 DOI 10.1007/s10902-008-9087-4

APPENDIX

Interview Protocol

A semi structured interview to tap each of the emotion selected for the study was designed with the following questions (The positive emotion measured by the question is mentioned in parenthesis):

1. What experiences at work make you happy? (happiness)
2. Describe instances of when you have felt proud of your work. (pride)
3. What do you look forward to doing in your job? (enthusiasm)
4. What do you most enjoy doing at work? (joy)

5. Who do you most like in your workplace? What kind of a relationship do you share with this person? (attachment)
6. What inspires you to put in your best effort in your work? (inspiration)
7. What do you find most interesting about your work? (interest)
8. When do you find yourself most relaxed at work? (relaxation)
9. Describe an incident when someone at the workplace was kind to you. (kindness)
10. When do you feel appreciated for your work? (appreciation)

The Relevance of Ethics in Media research

Sudha Ravishankar

Department of Mass Media, K.C. College, Churchgate, Mumbai – 20.

Abstract:

The Media world, like any other profession, needs to uphold the standards and quality of work which the profession demands. In the globalized world where competition is strife and Quality is the key to success, there is a need to revise and perhaps, upgrade ethical standards to keep up with the need of the times. The issues of Plagiarism, Trademarks, patents and cyber-crimes plague the media world. Hence, ethics is a subject of paramount interest to many in the field. Within media, ethics in media research is a little explored field. It thus becomes important to comprehend & understand ethics in the field of Media Research. There are times where the findings, observations or conclusions can be incorrect, inconclusive or may be inaccurate due to different reasons. It is important to understand that crucial decisions are made based on these findings – if incorrect, then the mistakes could be costly. Ethics in research helps have an objective approach, eliminate some of the biases & other shortcomings that may arise as a result of inaccuracies and improves the quality of research. This paper is a study to understand how Ethics plays a vital role in Media Research in today's world.

Keywords: Ethics, Media research, Quality

In today's world, Media is one of the significant contributors to any Creative economy. Media constitutes various communication channels including print, broadcast, outdoor & digital. Whether it is news, entertainment, infotainment, advertising or any form of message dissemination across the globe, each medium operates in its own distinct manner and so does the research pertaining to that medium. However, the overarching theme which is constant in all media research is the principle of Ethics.

Let us first define Ethics.
According to 'The American Heritage- New Dictionary of Cultural Literacy, Third Edition',
'Ethics' is defined as "The branch of philosophy that deals with morality. Ethics is concerned with distinguishing between good and evil in the world, between right and wrong human actions, and between virtuous and non-virtuous characteristics of people."

'Media' as defined by businessdictionary.com as "Communication channels through which news, entertainment, education, data, or promotional messages are disseminated. Media includes every broadcasting and narrowcasting medium such as newspapers, magazines, TV, radio, billboards, direct mail, telephone, fax, and internet. Media is the plural of medium and can take a plural or singular verb, depending on the sense intended."

'Media Research' is defined as business directory .com as "Survey conducted to investigate what segment of consumers read which periodicals and/or listen to or watch which radio or television programs." If the definition of 'Media Research' can be revised slightly, it can be defined as any analytical study conducted to investigate how different audiences react to news, information, infotainment, entertainment or advertising in different media including New Media.

Let us now consider the different aspects of research:
1. The different types of research including Audience research, Market Research & Production research.

2. The different research techniques used in Media, i.e. Primary, Secondary, Qualitative & Quantitative research

Audience Research involves understanding the audience - which group of people consume what media or media products and why?

An example would be as to why certain audiences prefer watching certain kinds of TV shows or listen to certain radio channels.

Market research involves a study of the market, the products, the competitors and how to win the audience & make it profitable at the same time.

An instance for this would be the different newspapers available to the reader and which of these publications will emerge as the leader.

Production Research includes the research conducted for production of the media product- background information, location etc.

An interesting instance here would be the research that goes behind TV shows. Production research looks at what works for certain markets and for a specific type of audience. Thereby, it answers questions pertaining to storyline, set design, character development, etc.

Now coming to the different research techniques in Media research:

1. Primary research – this is where the researcher finds information on a given subject for the first time.

   This would involve the interview technique wherein the researcher would visit exhibitions, shows, locations, etc. to connect with the target audience. The researcher would then administer questionnaires and thereby, analyse & interpret responses to Surveys, Focus Group Discussions, Interviews & discussions with people.
   The researcher may also opt for the observation technique wherein the researcher

   may include his/her views, photographs or videos or other information.
2. Secondary research – this is where the researcher obtains information from various sources. This includes books, articles, journals & magazines. With the rapid growth of digital media, relevant information can be obtained from the internet including e-books, Websites, blogs, presentations, podcasts etc. There are many research papers and tools which researchers can use to cull information as well.
3. Qualitative Research – this kind of study helps find out why people like what they do and what motivates people to make certain choices. As it is individual & personal, measurement is difficult.
4. Quantitative Research – this is essentially involving numbers or statistical information. It is numerical in nature and can be depicted using graphs & pie charts and other pictorial qmethods. The findings are measurable unlike Qualitative research.

It is imperative to use the right research technique to collect and document the right information. The information collected in a research should fulfil two criteria:
1. The information should be Reliable.
2. The information should be Valid.

Reliability of research means that the findings should be a reliable source of information and anybody using it does not need to worry the authenticity of the information.

Validity of research is the relevance of information to the research question.

What is Ethics all about?
The underlying principle of ethics is that it should benefit a majority of people.

a) Ethics operates at *different levels*:
   1. At the Micro or Individual level
   2. At the Macro or group level.

b) There are *different perspectives* based on which ground rules can be set. Ethics can be:

1. Absolutist: Ethical Absolutism is the ethical belief that there are absolute standards against which moral questions can be judged, and that certain actions are right or wrong, regardless of the context of the act. Thus, actions are inherently moral or immoral, regardless of the beliefs and goals of the individual, society or culture that engages in the actions. Immanuel Kant was a prominent promoter of the same.

2. Situational: In situation ethics, right and wrong depend upon the situation. There are no universal moral rules or rights - each case is unique and deserves a unique solution. Situation ethics rejects 'prefabricated decisions and prescriptive rules'. It teaches that ethical decisions should follow flexible guidelines rather than absolute rules, and be taken on a case by case basis.

c) There are other times where the *conflict of interests* can create a dilemma. Sometimes what is ethical may not be legal and at times what is illegal may be ethical. A classic example is whether to allow the documentary "India's daughter" to be aired or whether banning the same was justified.

d) *Ethics vary from one country to another and from one society to another*.
It is highly dependent on the morals & value system of a society as well as the Socio-cultural fabric of any country. In this case an apt example would be that of HBO which does not screen certain films in the Middle Eastern countries as the ethical and moral codes of the land do not permit them to.

e) *Codes of ethics are specific to disciplines*. Thus, codes of ethics are guided by the scope of the discipline. For instance, The Medical code of Ethics and Media code of Ethics will be different as the disciplines are unique & distinct in their own way.

f) Last but not the least, *each organization has its own code of ethics*. Thus, certain organizations may emphasize on gender discrimination while other organizations may focus on corruption as the basis for their code of ethics.

Having discussed the broad framework of Ethics, we would now need to understand why we need Ethics in research. According to David B. Resnik, J.D., Ph.D. has in his study, 'What is Ethics in Research & Why is it Important?' has elaborately explained the relevance of ethics in research.

Reznik defines ethics as "A method, procedure, or perspective for deciding how to act and for analysing complex problems and issues." According to Reznik, ethics can be looked at from different perspectives such as philosophy, theology, law, psychology, or sociology.

He reinforces the fact that Ethics in various disciplines are important to win Public trust and at the same time achieve their goals – be it an organization or a research activity. "Different disciplines, institutions, and professions have norms for behaviour that suit their particular aims and goals. These norms also help members of the discipline to coordinate their actions or activities and to establish the public's trust of the discipline. Ethical norms also serve the aims or goals of research and apply to people who conduct scientific research or other scholarly or creative activities."

He specifically states that principally, ethics is ubiquitous. However, there are disagreements due to the differences in the way people perceive what is ethical. "One plausible explanation of these disagreements is that all people recognize some common ethical norms but different individuals interpret, apply, and balance these norms in different ways in light of their own values and life experiences."

He believes that there should be a specialised discipline called Research Ethics that study the various norms pertaining to different fields. He gives an example of how Environmental Science, an interdisciplinary study can have research areas in all disciplines, including an Environmental

ethicist who gives the ethical perspective on Environmental research.

Dr. Resnik continues to explain as to why we need to adhere to ethics:

1. To promote the aims of research this includes knowledge, truth & avoidance of error.
2. In studies that involve collaborative and co-operative research, to promote the values essential to collaborative work.
3. To make researchers responsible and accountable to the public for their work.
4. Ethical norms help build Public support for research. People support a research project if they trust the Quality and Integrity of research.
5. Last but not the least, norms of research promote a variety of moral & social values including those of Social Responsibility, the law, Human rights, Health & safety. If for instance any scientific research finding were to violate any rule, then it could be harmful to many people.

Dr. Resnik the lists a summary of the basic ethical tenets or principles that many international governing bodies address:

1. Honesty, 2.Objectivity, 3. Integrity, 4. Carefulness 5. Openness 6. Respect of Intellectual property 7. Confidentiality 8. Responsible Publication 9. Responsible mentoring 10. Respect for colleagues 11. Social responsibility 12. Legality 13.Competence 14. Protection of Human Rights & Human Subjects 15. Animal care

Dr. Resnik then talks about the need for Ethical Decision making in Research and concludes that one can deal with ethical dilemmas in research with effective training. "Training in research ethics should be able to help researchers grapple with ethical dilemmas by introducing researchers to important concepts, tools, principles, and methods that can be useful in resolving these dilemmas."

Ethics in Media research:

1. Audience research: In India, organizations including IRS, BARC and RAM conduct studies on TV and Radio using meters, surveys, Focus Group discussions and interviews which are sources of Primary research. Care should be taken that the audience is informed about the scope of research, that the information will be used only for the purpose of research, the confidentiality will be maintained at any cost and the study and thereafter the findings will be objective & reliable.
2. Market research: In this case the study using surveys, Interviews, Information from Websites and other sources should be collected, analysed & interpreted correctly. The findings should be correct & not misleading.
3. Production research: Here again data collected should be organized correctly for accurate results. Those conducting research should not plagiarise information or make mistakes by not adhering to Intellectual property rights. This goes against the basic tenet of research.

There are bodies that help in maintaining standards in terms of content and Quality of Ethics in the different Media.

1. The Prasar Bharati Act is the government initiative to promote quality content & research on the Public Broadcasting Services. They have a code of ethics which need to be adhered to by AIR & Doordarshan.
2. Advertising: ASCI & AAAI – these bodies have formed Codes of Ethics to enable the profession of Advertising to function smoothly. If there is an advertisement which is not in good taste, action can be initiated and taken against the same.
3. Public Relations- PRSI- Public Relations Society of India
4. Films – Censor Board for Film Certification – this body entitles that the films released and screened are films suitable to be viewed by different audiences. It also ensures that any material which is not suited for the audience may be removed or altered so that it does not hurt the sentiments of any section of society.
5. TV –TV in India is governed also by BCCC & IBF

6. Radio – Prasar Bharati
7. Print- Press Council of India
8. Internet & New media- TRAI, Cyber laws and the current issue of Net Neutrality will have to set the Ethical code correct.
9. Codes of ethical conduct in individual organizations help instil ethical practice & behaviour amongst employees to uphold & sustain/improve the quality of work& standards of the profession.

Conclusion:

Ethical issues have always been a cause for concern in different disciplines across the globe. In the current phase of Globalization ethical issues are becoming more prominent as issues pertaining to Intellectual property rights & other ethical issues on the Internet & cyber space are causes of concern.

Today, globally & in India many ethical concerns are being addressed proactively by people from different disciplines. In the Media world, in India, these concerns are being addressed proactively. To cite an example, recently a Joint Industry body- BARC was formulated to ensure that there is a uniform code of ethics in Audience research and measurement & other related areas of media research.

Bibliography:

1. http://www.businessdictionary.com/definition/media.html#ixzz3XktkyBKP
2. http://www.businessdictionary.com/definition/media-research.html#ixzz3XgC2Pt8u
3. The American Heritage- New Dictionary of Cultural Literacy, Third
4. www.**slideshare**.net:
   i) Holmes Sarah, Research Techniques- An introduction, Research Techniques for Creative Media Industries
   ii) Research for Media Production- Robertclackmedia
5. www.philosophybasics.com/branch_moral_absolutism.html
6. www.bbc.co.uk/**ethics**/introduction/**situation_**1.shtml
7. Resnik, David, Bioethicist www.niehs.nih.gov/research/resources/bioethics/bioethicist/
8. Wimmer, Roger D., Joseph R., Dominik- Mass Media Research: An Introduction ed. 2010.

Explicating the Author-function in reading and writing practices in electronic literature

Kavita Peter

Department of English, K.C. College, Churchgate, Mumbai – 20,
kavitapeter@hotmail.com

Abstract:

> This paper explores the ethical challenges posed by burgeoning expansion of digital texts and the transformations in our understanding of the author function in the twenty first century.

Keywords: *Author function, book culture, digital media, writing and reading practices*

The academe in the twenty first century is increasingly faced with what Louis Menand refers in his book The Marketplace of Ideas (2010), a generation of students who are accustomed to dealing with capsules of multiple information. Such anxieties initiate a discussion on how the changing materiality of the book as a codex and the pared down aspect of electronic texts has far reaching implications on the category of the author in culture and pedagogy.

The contemporary pressure of interactivity draws us back to the debates initiated by Roland Barthes (1977) and Michel Foucault (1984) on the role of the author. The Author /Reader paradox is clearly a battle over a cultural terrain that was clearly demarcated in the past. Authors were deemed the source of creativity and readers as the interpreters. Roland Barthes's essay "Death of the Author" (1968) challenged the idea that a text can be attributed to any single author. Rather it is the language which speaks and exposes meaning. A text for Barthes is a tissue of quotations drawn from the innumerable centres of culture and the author is merely a custodian of its production over a definitive explanation and meaning. Michel Foucault's engagement with the disappearance of the author, placed the author as mere function of a written work but not always a part of the interpretive process. The author's name as a locus of status within a cultural and social schema could not hold. As Foucault suggests the name of an author is a variable that accompanies only certain texts to the exclusion of the others [...]. In this sense the function of an author is to characterize the existence, circulation and operation of certain discourses within society (123-124).

Barthes's call to break these restrictive confines becomes problematic, in case of electronic media when the above roles are increasingly diffused /obscured. Therefore, this paradox is an important aspect of understanding writing and reading practices taking place in the digital space. In his work The Death and Return of the Author (1992), Sean Burke commented on the structuralist and deconstructionist positions of Barthes, Foucault and Derrida as flawed. Instead, he suggested that the concept of the author remains a vital aspect of any work. He goes on to explicate the return of/to the author in critical theory. This according to him happens in two ways. The return of the author is evident in the practice of anti-authorial criticism and the return to the author that post-structural theories have to make at the level of its readings. In conclusion, the proclamation of the death of the author is followed by the return of the author. Burke's formulation sets up the category of the author within current debates about intention and representation. (18)Who or what speaks in the discourse of the Dead Author? How can there be readers without being writers? (19)I borrow some

of Burke's questions to see how these dichotomies have made themselves evident in digital literature and ethical challenges arising out of them. This paper first looks at theorization in digital literature, secondly locating the author function within digital systems, and finally the complexities that present ethical challenges within electronic literature.

Theorization on digital literature has been a vibrant field with contributions by Espen J. Aarseth developing taxonomy, Bertrand Gervais for examining changes evident in reading patterns, Noah Wardrip –Fruin and N.Katherine Hayles in charting the scope of electronic literature and its relation to new media technologies. Aarseth's Cyber text: Perspectives on Ergodic Literature, makes an interesting exploration about the relationship between the author and reader/user in electronic literature. One of the primary roadblocks that he identifies in the Preface is the difficulties of analysing cyber text with the theoretical concepts or terms used in conventional literary theory. Aarseth's position on the new reader–author interface looks at it both as liberating and authoritarian. Citing George P. Landow, the increasing prospect of the author and reader becoming more and more the same person is foregone conclusion. While he clearly envisions readers/users more in control of the materials of the hypertext, even altering the meaning of the text, the position he accords is not on the same level as the author/creator. An empowered user of the hypertext sounds a death knell for the creator and in the process becoming a co-author. The more of this control the reader gains, the more the author loses. This in a way is what Foucault suggested that writing is linked to a kind of sacrifice on part of the author.

The "genius" model of a lone author is severely challenged especially in virtual communities that enable creativity. These new trends have made conceptualizing, design and distribution of a literary piece possible on a individual level .New Media technology makes both solitary and collaborative works possible. Yet each of these stages also make use of software and programming devices which have been developed and run by technical teams on specialized platforms. While Scott Rettberg concurs with the dismissal of the conception of the author as a creative genius, he argues that the emergence of the author is essential to the rise of copyright. It provides the publishers with an entity to contract, to purchase the rights from, to own the proceeds of and to sell again. "The author is a function: a signature on a contract as much as a human being."(15) In this scenario a digital author essentially challenges a popular notion of authorial presence. According Rettberg, this is further reinforced, as the environment that supports such a creative venture itself consists of using platforms that are themselves authored.

In the absence of the author, navigational patterns become a crucial element that determines how we read and interpret digital literature and eventually animates the performance and signification. The reader's engagement with the hypertext allows access to non-linear narratives. Selections of hyperlinks, in turn presents the reader with lexias or groupings of text. These modes of texts raise vital questions about the role of the reader, the reading practice, structure and significance of literature. Jim Andrews and Pauline Masurel's Blue Hyacinth, is a good illustration of a stir fry text i.e. an interactive creation which allows readers to create their own text. The hypertext as a non-linear network, creates a sense of openness combined with a sense of dis-orientation. Navigation becomes a tool to create and experience electronic literature. Reading practices are reformulated, as with each navigational experience challenging reading conventions entrenched with codes derived from print media. As Jay David Bolter writes "there is no single story of which every reading is a version because each reading determines the story as it goes .We could say there is no story at all; there are only readings" (124). The pedagogical challenge posed by reading of electronic writings complicates the issue as each reader accesses a different version of the text for every reading the notion of a concrete, fixed text also disappears as a result. This is also evident in the interactive electronic literature which creates distinct roles for the reader who is expected to author part of the text /code which will complete

the trajectory of the narrative. The programming code that facilitates the reader with the choice of selection therefore becomes the unseen but important authorial presence that cannot be ignored.

New Media interventions have sought to close the distance between readers and authors through digital platforms that are creative and accessible. Collaborative texts bring in their own set of complexities to the idea of author. Copyright laws permit anyone deemed as the author of a work (intellectual or artistic) or the owner of the copyright the right to authorize production and distribution of that work. A person inheriting the copyright may not be the author but may enjoy the same rights. If such a regulatory and legal mechanism is in place for authorizing production and distribution of texts then how does it hold in case of fan fiction, remixes of soundtracks, free downloads, digital re-prints etc. These questions about navigational paths are crucial here in understanding the changing notion of authorship as well examining the author/reader paradox.

The possibilities offered through such avenues make a strong case for archiving oral literature and cultures of indigenous communities. As the circle of users increases across the world due to digital connectivity, Jessica Pressman also alerts us to the challenges posed by navigating nonlinear narratives such as hypertexts or stir frys such as Blue Hyacinth. Electronic literature subverts expectations and reading practices emerging out of print culture. As hypertexts evolve from networks, rather linear models they tend to introduce a sense of rupture as well as openness. Therefore, issues of continuity and the text in context become integral in exploring complexities of electronic texts.

Consequently Susan S. Lanser suggests that, "authorship still dominates the study and the consumption of literature. The author-function still thrives as literature's "mode of existence, circulation, and functioning" despite efforts to dismantle and displace it." For instance autobiographical writing is clearly concerned not just with the subject behind the text but also in it.

With the infinite play of language due the changing nature of electronic textuality, the role of the author needs to be re-considered. An exhaustive study of convergence of areas of autobiography studies and new media open up demands of theorization about identity construction in an online environment. While the writerly aspect in a text may be introduced in electronic literature, yet the notion of absolute randomness of interpretation without the author's/creator's intentionality may be a remote possibility. As publishing houses, blogs, political movements and media networks constantly vie for the cultural currency vested in the author, a text free of its creator as suggested by Barthes seems to be a complicated terrain. So as a response to Burke's questions, the author that has returned is by no means a diminished one or a sovereign being in control of all meaning. Rather it is one that recognizes the power of self-expression through collaborative interface with the reader and new media technologies.

This paper has therefore presented the broad scope and expansion of electronic literature that draws on earlier models inherited from print tradition but requires deployment of new reading and interpretative strategies in light of the changed nature of the author function.

References:
1. Aarseth, Espen J. (1997) *Cybertext: Perspectives on Ergodic Literature.* Baltimore:.Johns Hopkins University Press.
2. Barthes, Roland. (1978) "The Death of the Author." *Image-Music-Text*. Trans. Stephen Heath (ed). New York: Farrar, Straus and Giroux.
3. Bolter, Jay David. (1991) *Writing Space: The Computer, Hypertext and the History of Writing*. New Jersey: Lawrence Erbaum Associates.
4. Burke, Sean. (1992)*The Death and Return of the Author: Criticism and Subjectivity in Barthes, Foucault and Derrida*. Edinburgh: Edinburgh UP.

Explicating the Author-function in reading and writing practices in electronic literature

5. Foucault, Michel. (1984) "What Is an Author?" *The Foucault Reader*.Paul Rabinow. (ed), New York: Pantheon Books.

6. Masurel, Pauline and Jim Andrews. *Blue Hyacinth.*
www.vispo.com/StirFryTexts/**bluehyacinth**3.html

7. Menand, Louis. (2010)*The Marketplace of Ideas .Reform and Resistance in the American University.* New York*:* W. W. Norton &Co.

8. Lanser, Susan. (2001) (Im)plying the Author.In:*Narrative* 9 :153-160

9. Pressman, Jessica. (2008) Navigating Electronic Literature. *Electronic Literature:New Horizons for the Literary.* N.Katherine Hayles(ed) Notre Dame: University of Notre Dame Press.

10. Rettberg, Scott. (2011) "Finding a third space for electronic literature.Creative community, authorship, publishing and institutional environments." *Journal of Writing in Creative Practice*.Vol 4.Number 1:9-23.

A Study on Rural Development: Mission 2020 Perspective

Kulvinder Kaur Batth

Department of Commerce, K. C. College, Churchgate, Mumbai-20.

kulprofessional@gmail.com

Abstract:

The research paper presents insights about the different facets of the development process that have been initiated in the rural areas in the post globalised era, discussing their impact and the positive and negative outcome of the same on the rural populace. It maps the changes in the last two decades in the countryside as a result of the state initiated development projects. It presents two case studies to show how a participative model of development can reap rich dividends and be a source of empowerment for the rural poor.

Keywords: Green revolution, Marketing and Processing.

Introduction:

Large scale divide between the rural and urban areas of the world which are manifested in the income levels and the quality of human amenities are not only a loss of opportunity, but also a matter of concern as regards the sustenance of prosperity and peace. Today, in the underdeveloped, the developing and some parts of the developing nations of the world, more than 3 billion live in villages, often in a condition of underutilization of talent and resources and extreme deprivation

This paper discusses rural development in terms of three important facets focusing on agriculture, fishing and milk production. The three facets are:

- Second Green Revolution
- Milk Vision for India
- Fishing Industry

Second Green Revolution:

India has to embark on the second green revolution which will enable it to further increase its productivity in this sector. The success of the next agricultural revolution will be more proportional to the amount of benefit it delivers. The comparison in between the first green revolution and the second green revolution has led to remarkable difference, from 5 acre farms to 500 acre farms.

The second green revolution time period is from 2010 to 2020.

By 2020, India will be required to produce over 340 million tons in view of the population growth and the increased purchasing power will mean a further demand and therefore overall increase in the per capita availability of food. The increase in production will have to surmount many impeding factors. The future years will also have their own issues. Population being one of them, and the other afforestation and environment preservation. The present 190 million hectares of land may not be fully available. It might shrink to 140 million or even 120 million hectares by 2020.

Mission 2020 will also bring its own issues. These concerns will pose some hindrances such as the shortage of water due to competing demands and also the shortage of workforce due to lack of interest in the younger generations in farming. The lack of interest in the younger generations is also due to the unprofitable and uncertain scenario in the farming sector which demotivates them from carrying on the legacy. The legacy means the traditional occupation of the rural farmers i.e. agriculture. India has to work hard to increase average production from 2 tons to 4 tons per hectare. Mission 2020 will focus on the most

important focal point in the agro business. The farmers will have to graduate from being only farmers to becoming agro technicians and agro businessmen.

Plans and Policies: <u>Agrarian Sector: Under the 12th Plan</u>

PROGRAMMES

- FLAGSHIP SCHEME:
  - Rastriya Krishi Vikas Yojana
- FIVE MISSIONS
  - National Food Security Mission
  - National Horticulture Mission
  - National Mission on Oilseeds &Oil palm
  - National Mission on Agriculture Extension and Technology
  - National Mission on Sustainable Agriculture
- FOUR CENTRAL SECTOR SCHEMES
  - Integrated scheme on agriculture marketing
  - Integrating scheme on agriculture cooperation
  - Integrated scheme for farmers' income security
  - Integrated scheme on Agri. Census & Statistics

Source: Overview of Agriculture from the 12th Plan
http://www.slideshare.net/PlanComIndia/strategies-for-agriculture-in-the-12th-plan-2012-2017

To achieve the mission objectives and to work towards a focused approach, there is a need to work towards some important areas. And the first important need is to strengthen the agricultural sector with the purpose of research. The farmers should be provided with better credit facilities on flexible terms and conditions. The technology transfer will lead to a more systematic approach which will provide integration. Integration means the merging of the processing functions such as the farmers will be involved in the production, distribution as well as marketing of goods. Production and distribution will be backward and forward integration, whereas horizontal and vertical integration will include entering the similar lines of business. The purpose of integration is to make farmers more self-reliant therefore, horizontal and vertical integration with the combination of backward and forward integration

which will not only make them independent but will also increase their productive income.

Milk Vision for India:

Some statistics are far more surprising, for example, India is the largest milk producer in the world. The milk industry contributes five percentage of the share in the GDP and more importantly it provides employment to thirteen percentage of the population. Out of the total population forty five million employees are engaged in the milk industry and this statistics makes it the largest sector across the world in terms of employment. India also has the largest number of cattle in the world.

Therefore, in terms of resources, i.e. human capital and animal capital, India stands ahead of any other nation in the world. The opportunities to grow, expand and contribute in this sector are immense, if nurtured systematically and technically. We need good investment in the area of research and technology.

The milk industry like agriculture industry also has its own concerns and challenges. In spite of having largest number of cattle as compared to other countries, in terms of milk productivity, we are still far behind. The primary reason being, our milk production per cattle is less than one tenth as compared to the milk productivity sustained by United States. Above all the industry also needs to work on the integration involving processing and marketing activities to stand at par global benchmarks.

Fishing Industry:
The statistics in the fishing industry are also alarming. India is the largest fish harvesting country in the world. The sector has immense potential for rural development, domestic food security, employment generation, women empowerment as well as great export potential.

As per the Government of India records, the Indian fisheries sector has been witnessing a steady growth, and the annual fish production has risen to
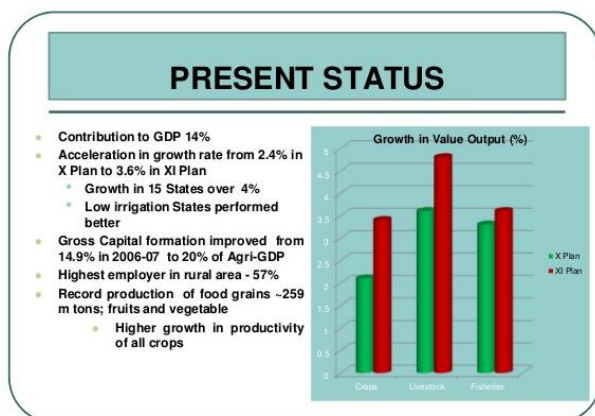
over 7 million tons. The industry contributes five percentage to the GDP of the nation. The sector has the potential to provide employment opportunities to 10 million citizens at a subsistence level of national income.

The challenging issues that need to be overcome are the problems of seed, feed and capacity building of the fishing community, promotion of latest technological practices, administrative skills and disaster management and above all research.

There is a dire need to focus on this sector, by initiating the most important intervention through creating a separate organizational level in the central government and the corresponding initiatives in the state departments, especially concentrating on the coastal states. Some of the methods by which marine fishing can be improved are by the use of large trawlers, high sea processing, packaging and marketing. The technological initiatives should strengthen fishing sector so as to explore alternative for the fishing community.

Present Status: Contribution to Gross Domestic Product (GDP)

Source: Overview of the Rural Development Sector from the 12th Plan

http://www.slideshare.net/PlanComIndia/rural-development-in-the-12th-five-year-plan-and-beyond

Conclusion:

The case study of Warana Sugar factory in Kolhapur district in Maharashtra and Chitrakoot district in Tamilnadu are the wonderful examples of how a cooperative model initiated by the farmers for the farmers leads to creation of agro engineers and agro businessmen and more importantly their empowerment. In the Chitrakoot district, the farmers have played the role of entrepreneurs by the use of vertical integration through envisaging the production of seeds, processing as well as marketing to their own counterparts and also using them in their own farms. The two case studies present an example that how a simple cooperative model can lead to tremendous increase in the productivity. A cooperative model works for the farmers and by the farmers. The model focuses on different facets of development providing higher production, infrastructural development, sustainability and easier access to the markets.

References:

1. Desai.Vasant. (1988), Rural Development: Experiments in Rural Development, Vol.IV, Himalaya Publishing House, Mumbai.
2. Desai.Vasant. (1988), Rural Development: Organization and Management, Vol.III, Himalaya Publishing House, Mumbai.
3. Desai.Vasant. (1988), Rural Development: Rural Development through the Plans, Vol.V, Himalaya Publishing House, Mumbai.
4. Desai.Vasant. (1991), Fundamentals of Rural Development: A Systems Approach, Himalaya Publishing House, Mumbai.
5. Mahajan.V.S. (1996), Agriculture, Rural development and Panchayati Raj, Deep & Deep Publications, New Delhi.
6. Sharma.D.P, Desai.V.V. (1980), Rural Economy of India, Vikas Publishing House Pvt Ltd, New Delhi.
7. Singh.Gopal. (2000), Rural Credit Planning, RBSA Publishers, Jaipur.
8. Vidyarthi.L.P, Rai Binay Kumar. (1985), The Tribal Culture of India, Concept Publishing Company, New Delhi.

Webliography:

1. Overview of Agriculture from the 12th Plan

http://www.slideshare.net/PlanComIndia/strategies-for-agriculture-in-the-12th-plan-2012-2017

2. Overview of the Rural Development Sector from the 12th Plan
    http://www.slideshare.net/PlanComIndia/rural-development-in-the-12th-five-year-plan-and-beyond

3. Some more reports from Ministry of Agriculture
    http://agricoop.nic.in/Annual%20report2011-12/ARE.pdf

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Impact of Information Communication and Technology in Contemporary Legal Education and Profession as well as Judicial System

Impact of Information Communication and Technology in Contemporary Legal Education and Profession as well as Judicial System

Anand Mahadeo Kasle

G.J Advani Law College, Bandra (West), Mumbai-50

kasleam@gmail.com

Abstract:

Legal education and legal profession is a worthwhile property of society. The progress of the society depends upon its civilized manner and its lawful nature. However, the legal education and legal profession both contributing towards the growth of lawful society. The changing facets of higher education system in India also not isolated from information communication technology and its impact. At the same time we cannot escape from the idea that formulated through national litigation policy formulate by government of India which evolved the ICT in both i.e. in legal education and legal profession as well as judicial work. These changes are relatively superficial. An attempt has been made in the present study to identify the role of ICT over legal education and legal profession, to know ICT in judicial work. To identify impact of ICT on teaching and learning process. At the same time to find out solution for the challenges occurred due to ICT and its implication in current scenario as well as in future. This research paper suggest that ICT is the way of life not only for other factor but also for legal education, legal profession and judicial work.

INTRODUCTION:

Information communication technology is a term referring to the technology which are being used for collecting, storing, editing and sending the information in various forms. ICT use in India has demonstrated surprising growth and development in the last ten years. India is recognized as a global leader in ICT sector by virtue of its low operational cost, availability and larger talented human resources.

As defined by the Information technology Association of America (ITAA) is "The study, design, development, implementation, support or management of computer-based information systems, particularly software applications and computer hardware".

UNESCO defines Information Technology as "The scientific, technological and engineering disciplines and the managerial techniques used in information handling and processing; their application; computers and their interactions with human beings and machines and associated social, economic and cultural matters."

ROLE OF ICT ON LEGAL EDUCATION

Electronic legal education involves the use of information, communication and instructional technologies to enhance students' learning of the law and to provide law teachers with environments and tools for teaching the law. With the fast growth of the Internet many Law schools and Law faculties are moving their education and training into web environment. We must start somewhere to use technology, and where best to start but with the forms of documents and the educational approaches that we know well. ICT enables teachers to assemble, store and (re) use materials for learning the law. ICT provides students with an environment in which they can manage legal information and legal knowledge for their personal professional use. We may integrate interactive tools and substantive material, for example self-tests on different fields of law, a video simulation of an oral exam, and handouts from professors and judges etc. There can be a CD-ROM reproducing a

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virtual legal library with the aim to explain how a lawyer can retrieve legal materials (statutes, case law, legal literature) consulting specialized books and periodicals. The web can be used for many innovative purposes; it is also a valuable source of information, the importance of the web lies in its use both as a display and an interactive medium.

This approach involves three major types of research categories:

- Basic research in the modelling of legal knowledge and legal reasoning
- Applied research for realizing the electronic materials
- Integrated research where the emphasis is on managing existing electronic materials and delivering courses
- Classification of electronic materials for learning the law:
- Communication tools - that help to structure, organize and support communication in accomplishing a certain legal task
- Information tools that contain legal data that are needed in order to carry out a certain legal task
- Instructional tools - electronic materials for the effective and efficient acquisition of legal knowledge and legal skills
- Communication tools that help to structure, organize and support communication in accomplishing a certain legal task
- Information tools that contain legal data that are needed in order to carry out a certain legal task
- Instructional tools - electronic materials for the effective and efficient acquisition of legal knowledge and legal skills
- Approach to handle ICT in Legal Education:
- A problem-seeking, not a solution-driven, approach to ICT
- An explicit model for managing change
- Explicit goals, both organizational and educational
- Development methodologies centred on quality of content and processes, not technical compatibilities
- Involvement of students

- Alternative 'visualizations' of a managed learning environment's functions.

USE OF ICT IN LEGAL PROFESSION AND JUDICIAL SYSTEM

The Presiding Officers of Courts will be given laptops preinstalled with suitable software enabling them to type out quick and short judgments. Where necessary, personal executives will provide additional assistance. Video Conferencing technology should be used extensively for cases involving traffic offences or bail-able offences. For the purpose of witness testimony including cross examination. A moderated, on-line web dialogue between lawyers, sitting and retired Judges should be launched on inputs for reduction of arrears, very similar to the "digital dialogues initiative" in the UK.

Use of ADR for civil cases and plea bargaining for criminal cases to be enhanced and monitored through a nation-wide computerized tracking system. The integration of ICT in the current system will avoid considerable waste of the judicial time that occurs at present because of the system of calling out all the listed cases which are not yet ripe for final disposal to address purely procedural issues, such as, Whether notices are served, Whether objection removed, Whether affidavits, replies or rejoinder affidavits are filed, Whether notices in applications for bringing legal representatives or record are served, Whether parties have taken various steps necessary to be taken at various stages of the case.

ICT INTERVENTIONS FOR TACKLING THE CRIMINAL JUSTICE SYSTEM

There is an urgent need to modernize police stations by having technologically equipped interrogation rooms, telephone recording systems with programmed interface and Mobile Forensic Vans. Statements of witnesses (Under Section 161 of the Criminal Procedure Code) should be videotaped by the police. Confessions made to a police officer, which are intended to be admissible as evidence under special statutes must also be videotaped. Technical evidence like recovery of material as well as samples can be done through electronic systems so that hostile witnesses can be

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avoided. Charge sheets, FIR, statements and other essential documents can also be filed not only in the hard copy form but also electronically i.e. on CDs/ DVDs.

FIR should be electronically generated and stored and may be made available to the complainant and the accused, through use of a password or secure key. This is being practiced in Delhi. Extensive use of Video conferencing can be made in the following ways:

a. Production of accused before the Courts: This saves time and manpower spent in transporting the accused to the Court and in providing security to the accused. This procedure also reduces undue interference by the media.

b. Production of the police officers / IOs: Studies have shown the police officers are usually unavailable between 9.30 am to 3.00 pm and are unable to attend to their regular police duties and are unable to answer summons and participate in Court proceedings.

c. Video conferencing must be made available from the police station itself to enable police officers to attend remand hearings etc.

E-COURTS

E-Courts means paperless Courts. This system is being followed by courts at various levels in the United States, as well as well as in our Supreme Court, though with limited success. To effectively achieve this objective, the following steps are required to be carried out:

1. Papers, pleadings etc. are filed on-line.
2. When a plaint or petition is filed, it is processed by the Office/Court.
3. The scrutiny takes place on-line by the Registry.
4. Any defects are pointed out on-line.
5. The petitioner can rectify the defects on-line.
6. The date of first hearing is communicated on-line.
7. The papers are placed before the Court and the Judges have computers screens/laptops.
8. Computer monitors are available to lawyers.
9. When an order is dictated by the Court, the order will be typed on a screen. The order will be read by the Court Officer/Stenographer/ Court Master who would then release the order of the Court under digital signatures.

10. A certified hard copy of the order can also be obtained.
11. The move to a paperless documentation system should be carried out within 3 years for the entire country.
12. Payment of Court Fee can be explored with Court Fee debit cards, whose details are entered in secure on-line transactions like Pay Pal.
13. If the Court dismisses the matter or issues notice, the orders will be issued under a secure digital signature.
14. In case notice is issued in a matter, notice will be issued by email.
15. Service of notice will also be possible in addition through fax, courier and registered post. Since the Evidence Act (after the amendment brought about by the Information Technology Act, 2000) now envisages the use of electronic media to transmit documents, service of notice through email may be considered to be valid service.
16. The post office must be looked as a central player in the matter of E-Courts. Therefore email service may be attempted through the post office.
17. The post office could be served with the notice via e-mail. The hard copy can be printed out at the post office and then served upon the opposite parties. The cost of printing can be borne by the plaintiffs / petitioners.
18. Upon service of notice by the postman the post office can relay an electronic information of delivery receipt/service of notice. The Indian Postal Service presently operates a service named 'e-post', where letters are electronically transmitted and delivered to recipients. A similar service can also be set up for service of court documents.
19. When the defendant/respondent enters upon appearance, he can do so on-line.
20. The Registry will scrutinize the reply and make it a part of the Court's record.
21. Similarly, the rejoinder/additional documents by the plaintiff or the petitioner can be brought on record on-line.

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22. The date of hearing will be electronically communicated.

23. In the event the court admits a matter, it will also indicate a hearing schedule.

24. The hearing schedule will demand written briefs on-line by a particular date.

25. On the dates specified, there shall be oral arguments within the time specified. However the time can be extended at the discretion of the Court.

26. With respect to court fees, it is important that they are electronically generated so as to avoid fake stamps. The amount can be deposited to the treasury of the Government. As with electronic transmission of notices, the electronic money order facility of the Indian Postal Service may also be used for payment of court fee.

27. The following Courts should be converted into E-Courts:-

A) Trial Courts

B) Appellate Courts including High Courts

C) Supreme Court

The Technology Information, Forecasting and Assessment Council of the Department of Science and Technology, Government of India, is in the process of undertaking a project in relation to e-courts, which aims a higher level of interfacing between science & technology and the judiciary. The said project is set to function in a collaborative mode with the judiciary, investigating agencies, forensic laboratories and science & technology organizations.

References:

1. Ashley, Kevin D. "What I Told the Law and Computers Association of Japan About Information Technology in Law School Education." University of Pittsburgh Law Review

2. Bentley, Duncan, and John Wade. "Special Methods and Tools for Educating the Transnational Lawyer." Journal of Legal Education

3. National litigation policy in India

An overview on Right to Education Act

Dipali Vikas Patil

G.J Advani College, Bandra (West), Mumbai-50

patildipali49@gmail.com

Abstract:

Dadabhai Naurji & Jyotiba Phule were pioneers who demanded free education in India Education occupies an important role in our country. Almost 125 years ago the Hunter's Commission in 1882-83 recommended universal education in India [Law Z Bureau Feb 2012]. The Indian constitution originally placed subject of education in the Directive Principles of State Policy. Article 45 of the Indian constitution states that the state shall endeavor to provide within a period of ten year, from the commencement of this constitution, for free and compulsory education for all the children until they complete the age of fourteen years. But even after sixty years of constitution, elementary education remained a distant dream. In the year 2002 by 86th Amendment of Constitution education is covered in the area of fundamental rights. But after eight years of Amendment Government of India implemented it from 1 April 2010 and also accepted a new law making education compulsory to the children between age group of 6-14 years with the name "The right of Children to Free and Compulsory Education Act, 2009", popularly known as RTE Act.

Key words: *education, constitution*

Introduction:

India, the upcoming super power of the world where 1.03 billion people with 64.8 percent literacy believes that education is the key to progress. Education empowers the individual as well society. Specifically primary education has recently earned the attention as never before. In a nation where young children are abandoned and left out of the education system, the Government has finally awakened to the fact of how precious an asset they are. The Right To Education is a step to realize the dreams of many children across the nation. These demonstrate our national commitment to education of children for future of India. The law left no stone un-turned to ensure that rough diamonds are polished by enacting Right of Children to Free & Compulsory Education Act 2009 popularly known as RTE Act The Act is a remarkable step forward in the field of education in India. [Government of India, Education in Eleventh Five Year Plan, 2007-12]. Education is a must for the development of a country. Pestalozzi, a Swiss education reformist often reiterated the belief that society could be changed by education. He said education is a constant process of development of innate powers of man which are natural, harmonious and progressive.**[http://faculty.knox.edu/jvanderg/20 2_K/Pestalozzi.htm]**

It entitles every child to the right to full time elementary education of satisfactory & equitable quality in a formal school which satisfies certain essential norms and substances. Basically this right had been anchored on the belief that availability of equal educational opportunities to children belong to different social and economic background will reinforce the idea of equality enshrined in our constitution & ensure that no child will be discriminated on the ground of socio economic background. Education is a fundamental human right and essential for the exercise of all other human rights. **[Justice P S Narayana's The Right of Children to Free and Compulsory Education Act, 2009]** Yet millions of children and adults remain deprived of educational opportunities.

Normative instruments of the United Nations and UNESCO lay down International legal obligations for the right to education. These instruments promote and develop the right of every person to enjoy access to education of good quality, without discrimination or exclusion. These instruments bear witness to the great importance that Member States and the International Community attach to normative action for realizing the right to education. It is for governments to fulfill their obligations both legal and political in regard to providing education for all of good quality and to implement and monitor more effectively education strategies. Education is a powerful tool by which economically and socially marginalized adults and children can lift themselves out of poverty and participate fully as citizens. **[http://www.unesco.org/new/en/education/theme s/leading-the-international-agenda/right-to-educationz]**

Historical Background of Right to Education;
1598 - Concept of Compulsory Education – Plato's "The Republic"
1870 – Compulsory Education Act Passed in Britain
1882 –Establishment of Indian Education Commission
1893 – Maharaja of Baroda introduced Compulsory Education for Boys in Amreli Taluka.
1906 – Maharaja Boroda extended Compulsory Education to   Rest of the State of Gujarat
1906 – Gopala Krishna Gokhale made a plea to Imperial Legislative Council for Introduction of Free and compulsory Education
1717 - Prussia Introduced Free and Generally Compulsory Primary Education Consisting of Eight – Year Course of Basic Education
1910 – Gopalkrishna Gokhale moved Private Members Bill on 18-03- 1910 but it was rejected
1917 - First Law on Compulsory Education Passed (Patel Act)
1918 – Every Province in British India accepted Compulsory Education Act in the Statute Book.
1930 - Hartog Committee Recommends Better Quality.
1937 – Mahatma Gandhi Called for Universal Education.

1946 – Constitutient Assembly Begins its Task about UEE (Universal Elementary Education)
1947 – Kher Committee was set up to Explore ways and means of achieving UEE
1947 – Rejection of free and Compulsory Education as a Fundamental Right & sends Clause to list of "non-Justifiable Fundamental Right" (Later Termed as Directive Principles of State Policy) by Advisory Committee of the Constituent Assembly
1950 – Article 45 of Directive Principles of State Policy accepted.
"The State shall endeavour to provide, within a period of ten years from the commencement of this Constitution, for free and compulsory education for all children until they complete the age of fourteen years"
1992 - Mohini Jain vs. State of Karnataka, SC, 1992 the Supreme Court declared right to education as concomitant to Fundamental Rights
1993 – Supreme Court Held Free Education (J P Unnikrishnan vs. State of Andhra Pradesh)
2002 – Insertion of New Article 21 A (RIGHT TO EDUCATION) Until the Child completes the age of 14 years and changes in Article 45.
2009 -. Right of Children to Free & Compulsory Education Act 2009.

The present Act also has its history in the drafting of the Indian constitution at the time of Independence. India inherited an educational system which was not only quantitatively small but was also characterized by striking gender and regional disparities. Only one child out of three had been enrolled in primary school. Thus challenge was to provide elementary education to all its children within a stipulated period of time. Accordingly, universal education for all children in the 6-14 age group became a constitutional provision by Article 45 of the Constitution. Special care of the economic and educational interests of the under privileged sections of the population also became a constitutional obligation. But these constitutional provisions still remain unfulfilled. Government's commitment to ensure elementary education for all children aged 6-14 years was later seen in its ambitious programme named 'Sarva Shiksha Abhiyan'. **[Justice P S Narayana's The**

Right of Children to Free and Compulsary Education Act, 2009]

Free and compulsory elementary education was made a fundamental right under Article 21A of the Constitution in December 2002 by the 86th Amendment. In bringing this into action, the 'Right of Children to Free and Compulsory Education Bill' was drafted in 2005. This was revised and became an Act in August 2009, but was enforced on 1st April 2010. The amendment of 2002 specified the need for a legislation to describe the mode of implementation of the same which necessitated the drafting of a separate Education Bill. Every child between the ages of 6 to 14 years has the right to free and compulsory education which is stated in 86th Constitution Amendment Act and added in Article 21A. The right to education Act seeks to give effect to this amendment. The government schools shall provide free education to all the children. Private schools shall admit at least 25% of the children in their schools without any fee. The National Commission for Elementary Education shall be constituted to monitor all aspects of elementary education including quality. **[Government of India, RTE Act 2009]** The Right to Education Act will benefit about one crore out-of- school children and a large number of drop-out children. As per an estimate, out of 22 crore children in the 6-14 years age group in the country, 4.6 percent children have no enrolment in any school.

It makes it clear that there was a demand to enact some law regarding free and compulsory education in India and several attempts were also made in this direction and only insertion of Article 21A was not enough. In furtherance of this in October 2003 a first draft of the legislation for Free and Compulsory Education for Children Bill, 2003, was prepared and posted on the website inviting comments and suggestions from the public at large. Subsequently, in 2004 taking into account the suggestions received on this draft, a revised draft of the Bill entitled Free and Compulsory Education Bill, was prepared. Further, in June 2005, the CABE (Central Advisory Board of Education) committee drafted the "Right to Education" Bill and submitted to the Ministry of Human Resources and Development (MHRD). MHRD sent it to NAC (National Advisory Council) which was submitted to Prime Minister for his observation. It received much opposition due to its mandatory provision to provide 25% reservation for disadvantaged children in private schools. Later on 14th July 2006, the finance committee and planning commission rejected the bill citing the lack of funds and a model bill was sent to states for making the necessary arrangements. A participatory process of inviting comments from members of the public yielded several different drafts of the bill in the subsequent years until finally, in 2008, the Union Cabinet stamped its seal of approval on it and it was placed before the Rajya Sabha which passed it in July 2009. The bill then proceeded to the Lok Sabha, where it was passed in August 2009 as a right to education. **[http://www.unesco.org/new/en/education/theme s/leading-the-international-agenda/right-to-educationz]**

As per India Today Bureau, The Supreme Court has upheld the constitutional validity of the Right to Education Act 2009, which mandates 25 per cent free seats to the poor in government and private unaided schools uniformly across the country. By a majority view, a three-judge bench of Chief Justice S.H. Kapadia and Justice K.S. Radhakrishnan and Justice Swatanter Kumar said the Act will apply uniformly to government and unaided private schools except unaided private minority schools. However, in his dissenting opinion, Justice Radhakrishnan took the view that the Act would not apply to both unaided private schools as also minority institutions which do not receive any aid or grant from the government.

Justice Radhakrishnan's view was overruled by Justices Kapadia and Swatanter Kumar who took the stand that the Act would be applicable even to unaided private schools. The Apex court clarified that its judgment will come into force from the date of commencement and, hence, it will not apply to admissions granted before the enactment of the legislation. In other words, the Supreme Court said the judgment will only have a

prospective effect and not retrospective effect. Upholding the provisions of the law, the court said the impugned act should be construed as "child specific". The three-judge bench had reserved its verdict on August 3, last year on a batch of petitions by private unaided institutions which had contended that the Act violates the rights of private educational institutions under Article 19(1)(g) which provided autonomy to private managements to run their institutions without governmental interference. During the marathon arguments in the case which went for many months, the Centre had defended the law, saying it was aimed at uplifting the socially and economically weaker sections of the society.

The Centre had emphasized the need to delink merit and talent from social and economic differences among different sections of society and said that the Act calls for "moving towards composite classrooms with children from diverse backgrounds, rather than homogeneous and exclusivist schools". The main petitioner Society for Unaided Private Schools, Rajasthan, and a host of associations representing various private schools, had questioned the validity of the Act on the ground that it impinged on their rights to run the educational institutions. The law was brought by introducing Article 21(A) in the Constitution which says the state shall provide free and compulsory education to all children between six and 14 years in such a manner as the state may, by law, determine. The petitions had contended that the RTE Act was "unconstitutional" and "violative" of fundamental rights.

According to the petitioners, Section 3 of the Act imposed an absolute mandate on all schools, including private unaided and minority institutions, to admit without any choice each and every child whosoever comes to take admission in the schools in the neighborhood.
[http://indiatoday.intoday.in/story/right-to-education-supreme-court/1/184057.html]

RTE as a Constitutional Mandate:
As mentioned in earlier paras the right to education was discussed extensively during the drafting of the Constitution. The Constituent Sub-Committee on Fundamental Rights included the right to primary education as a fundamental right that is a constitutional mandate. However the Advisory Committee of the Constituent Assembly rejected this proposal and placed it in the category of non-justifiable fundamental rights (later known as Directive Principles of State Policy). Education in the Indian Constitution is a concurrent issue and both Centre and State can legislate on the issue. Article 41 says that the "State shall, within the limits of its economic capacity and development, make effective provision for securing the right to work, to education and to public assistance in cases of unemployment, old age, sickens and disablement, and in other cases of undeserved want".

Article 45 says that "the State shall endeavor to provide, within a period of ten years from the commencement of this constitution, for free and compulsory education for all children until they complete the age of fourteen years".

Article 46 commands that "the State shall promote with special care the educational and economic interests of the weaker sections of the people, and, in particular, of the Scheduled Castes and the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation.

These three Articles are basically for promulgation and achievement the desired objective of right to education. It is in the light of these Articles that the content and parameters of the right to education have to be determined. India is also a signatory to three international instruments which guarantee the right to elementary education which are Universal Declaration of Human Rights, 1948 (UHDR), the International Covenant on Economic, Social and Cultural Rights, 1966 (ICESCR)and the Convention on the Rights of the Child, 1989.[http://www.unesco.org/new/en/education/themes/leading-the-international-agenda/right-to-educationz] 86th Constitutional Amendment – Insertion of New Article 21 A (RIGHT TO EDUCATION) as a Fundamental Right.

"The State shall provide free and compulsory education to all children of the age of six to fourteen years in such manner as the State may, by law, determine."

Changes Article 45 (in the Directive Principles) to "The State shall endeavour to provide early childhood care and education for all children until they complete the age of fourteen years."Adds the following (eleventh) Fundamental Duty in Article 51A: (It shall be the duty of every citizen of India…) "(k) who is a parent or guardian to provide opportunities for education to his child or as the case may be, ward between the age of six and fourteen years."

Apex Courts Views (Judicial perspectives)

The Supreme Court for the first time declared the Right To Education as concomitant to Fundamental Rights in Mohini Jain v. Union of India [1992, 3 SCC 666] Further it is mentioned that every citizen has a right to education under the Constitution and also mentioned that 'Right to Life' is the compendious expression for all those rights which the courts must enforce because they are basic to the dignified enjoyment of life. It extends to the full range of conduct which the individual is free to pursue. The right to education flows directly from right to life. The right to life under Article 21 and the dignity of an individual cannot be assured unless it is accompanied by the right to education. The State Government is under an obligation to make endeavour to provide educational facility at all levels to its citizens.

In 1993 the Supreme Court Reviewed the decisions of Mohini Jain vs. State of Karnataka and narrowed the ambit of the fundamental right to education as propounded in the case of J P Unnikrishnan vs. State of Andhra Pradesh[1993 SCC (1) 645].The Court observed that the right to education is implicit and flows from the right to life guaranteed under Art 21 Every child has a right to free education until he completes the age of 14 years; thereafter his right is circumscribed by the economic capacity of the State

Besides this right to education which is implicit in the right to life and personal liberty guaranteed by

Article 21 must be construed in the light of the Directive Principles in Part IV of the Constitution". Right to education must be understood in the context of Articles 45 and 41, meant: (a) every child/citizen of this country has a right to free education until he completes the age of fourteen years and (b) after a child/citizen completes 14 years, his right to education is circumscribed by the limits of the economic capacity of the state and its development.

It was also held that right to establish educational institutions can neither be a trade or business, nor it can be a profession. However, this part of the judgment was overruled in T.M.A. Pai Foundation v. State of Kerala [AIR 2003 SC355] where the Court said that, the scheme formulated by the Court in the case of Unni Krishnan2 was held to be an unreasonable restriction within the meaning of Article 19(6)3 of the Constitution as it resulted in revenue short-falls making it difficult for the educational institutions. Consequently, all orders and directions issued by the State in furtherance of the directions in Unni Krishnan's case were held to be unconstitutional. Court observed in the said judgment that the right to establish and administer an institution includes (i)Right to admit students (ii)Right to set up a reasonable fee structure (iii)Right to constitute a governing body (iv)Right to appoint staff (v)Right to take disciplinary action **[Justice P S Narayana's The Right of Children to Free and Compulsory Education Act, 2009]**

In another case of Re: Kerala Education Bill, 1958[AIR 1958 SC 956] honourable court opined that 'the right under article 30(1) is not absolute. The state has power to regulate the administration of the institutions established by the minority communities". It implies that the minority institutions cannot be left to their whims and fancies while establishing and administering the educational institutions.

In Avinash Mehrotra v. Union of India and Ors.[2009, SCC 398] , Hon'ble Court held that Article 21 A imposes a duty on the State, while article 51A (k) places burden on parents to provide free and compulsory education to the children of

the age 6 to 14 years. There exists a positive obligation on the State and a negative obligation on the non-state actors, like private educational institutions, not to unreasonably interfere with the realization of the children's right and the State cannot offload their obligation on the private unaided educational institutions.

In Society for Un-aided Private Schools of Rajasthan v. Union of India and Anr.[AIR 2012 SC 3445], Supreme Court held that the Right of Children to Free and Compulsory Education Act,2009 was constitutionally valid and should apply to the following: (i) a school established, owned and controlled by appropriate Government or a local authority; (ii) an aided school included aided minority schools receiving aid and grants to meet whole or part of its expenses from appropriate Government or a local authority; (iii) a school belonging to a specified category; and (iv) an unaided non-minority school not receiving any kind of aid or grants to meet its expenses from appropriate Government or a local authority. However, the said Act and in particular Section 12(1) (c) and 18 (3) of the Act, infringed fundamental freedom guarantee to unaided minority schools under Article 30 (1) of the Constitution of India and consequently, the relevant provisions of the said 2009 Act should not apply to such unaided minority schools.

In Society of St. Mary's School v. Pune Zilla Parishad [AIR 2014 SC (NOC) 291 Bombay] the Court held that the provisions of the Act are not applicable to unaided minority schools, mere receiving any aid or grant would not make school as aided school within the meaning of Sec 2 (n) (ii) unless such aid or grant is received either from appropriate Government or local authority to meet whole or part of its expenses. **[http://www.unesco.org/new/en/education/themes/leading-the-international-agenda/right-to-educationz]**

Right To Education Act (Salient Features Of The Act)
The Right of Children to Free and Compulsory Education (RTE) Act, 2009, which represents the

consequential legislation envisaged under Article 21-A, means that every child has a right to full time elementary education of satisfactory and equitable quality in a formal school which satisfies certain essential norms and standards.

Article 21-A and the RTE Act came into effect on 1 April 2010. The title of the RTE Act incorporates the words 'free and compulsory'. 'Free education' means that no child, other than a child who has been admitted by his or her parents to a school which is not supported by the appropriate Government, shall be liable to pay any kind of fee or charges or expenses which may prevent him or her from pursuing and completing elementary education. 'Compulsory education' casts an obligation on the appropriate Government and local authorities to provide and ensure admission, attendance and completion of elementary education by all children in the 6-14 age groups. With this, India has moved forward to a rights based framework that casts a legal obligation on the Central and State Governments to implement this fundamental child right as enshrined in the Article 21A of the Constitution, in accordance with the provisions of the RTE Act.

The RTE Act provides for the:
Right of children to free and compulsory education till completion of elementary education in a neighbourhood school.

It clarifies that 'compulsory education' means obligation of the appropriate government to provide free elementary education and ensure compulsory admission, attendance and completion of elementary education to every child in the six to fourteen age group. 'Free' means that no child shall be liable to pay any kind of fee or charges or expenses which may prevent him or her from pursuing and completing elementary education.

It makes provisions for a non-admitted child to be admitted to an age appropriate class.

It specifies the duties and responsibilities of appropriate Governments, local authority and parents in providing free and compulsory

education, and sharing of financial and other responsibilities between the Central and State Governments.

It lays down the norms and standards relating inter alia to Pupil Teacher Ratios (PTRs), buildings and infrastructure, school-working days, teacher-working hours.

It provides for rational deployment of teachers by ensuring that the specified pupil teacher ratio is maintained for each school, rather than just as an average for the State or District or Block, thus ensuring that there is no urban-rural imbalance in teacher postings. It also provides for prohibition of deployment of teachers for non-educational work, other than decennial census, elections to local authority, state legislatures and parliament, and disaster relief.

It provides for appointment of appropriately trained teachers, i.e. teachers with the requisite entry and academic qualifications.

It prohibits (a) physical punishment and mental harassment; (b) screening procedures for admission of children; (c) capitation fee; (d) private tuition by teachers and (e) running of schools without recognition.

It provides for development of curriculum in consonance with the values enshrined in the Constitution, and which would ensure the all-round development of the child, building on the child's knowledge, potentiality and talent and making the child free of fear, trauma and anxiety through a system of child friendly and child centred learning. [http://mhrd.gov.in/rte]

RTE Act at a glance:
Chapter – I – Preliminary
Section 1 – Short Title, extent and commencement
This Act may be called the Right of Children to free and compulsory Education Act, 2009 It shall extend to the whole of India except the State of Jammu and Kashmir It shall come into force on such date as the Central Government may by notification in the Official Gazette, appoint.

Section 2 – Provides definitions of certain terms like Appropriate Government,Capitation Fee, Child, Elementary Education, Guardian,, Local authority,: National Commission for Protection of Child Rights(NCPCR), Parent, School, Screening procedure, The State Commission for Protection of Child Rights(SPCPR).

Chapter II – Right to Free and Compulsory Education
Sec. 3 - Right of Child to Free and Compulsory Education
Every child of the age of six to fourteen years shall have a right to free and compulsory education in a neighbourhood school till completion of Elementary Education. For the purpose no child shall be liable to pay any kind of fee or charges or expenses.

Sec. 4 - Special Provision for Children not admitted to any school.
An OSC shall be admitted in a class appropriate to his or her age Special training to enable such children to be at par with others Child so admitted entitled to completion of EE even after age 14

Sec. 5 - If there is no provision for completion of elementary education for completing his or her EE, or if he/she is required to move from one school to another, either within a State or outside, for any reason whatsoever, such child shall have a right to seek transfer to any other school.
For seeking admission in such other school, the Head-teacher or in-charge of the school where such child was last admitted, shall immediately issue the transfer certificate. Provided that delay in producing transfer certificate shall not be a ground for either delaying or denying admission in such other school.

Head-teacher or in-charge of the School delaying issuance of transfer certificate shall be liable for disciplinary action under the service rules applicable to him, or her.

Chapter III- Duties of Appropriate Government, Local Authority & Parents

Sec. 6 -Duty of appropriate Govt. and local authority to establish schools.

The appropriate Government and the local authority shall establish a school, where it is not so established, within a period of three years from the commencement of this Act.

Sec. 7 -Sharing of financial and other responsibilities

The Central Government and the State Government shall have concurrent responsibility for providing funds for carrying out the provisions of this Act.

Central government shall prepare the estimations and provides a grant-in –aid to state government

Central Government shall develop national frame work of curriculum, develop & enforce standards for teachers' trainings, provide technical support to state Government for promoting innovations, researches, planning and capacity building.

Sec. 8- Duties of appropriate Government

(a) Provide free and compulsory elementary education to every child

(i) Provide free elementary education to every child of the age of six to fourteen years

(ii) Compulsory admission, attendance and completion of EE by every 6-14 age child.

(b) Ensure availability of a neighbourhood school

(c) Ensure that the child belonging to weaker section and disadvantaged group are not discriminated

(d) Provide infrastructure including school building, teaching staff and learning equipment

(e) Provide special training facility for OSC

(f) Ensure and monitor admission, attendance and completion of elementary education by every child

(g) Ensure good quality EE

(h) Ensure timely prescribing of curriculum and courses of study for EE

(i) Provide training facility for teachers.

Chapter III- Duties of Appropriate Government, Local Authority & Parents

Sec.9 - Duties of local authority.

Along with above duties, the local authority shall

Maintain records of children up to the age of 14 yrs

Monitor functioning of the School

Prepare Academic Calendar

Preparation of School Development Plan

Sec. 10 - Duty of parents and guardians.

It shall be the duty of every parent or guardian to admit his or her child in the neighbourhood school.

Sec. 11 -   Pre-School Education.

Government may provide pre-primary education to all children in the age group of 3-5 years to prepare for primary education

Chapter IV – Responsibilities of Schools & Teachers

Sec. 12 - Schools responsibility for mere and compulsory education.

A school (2(n) (i)) should provide free & compulsory EE to all the 6-14 age children admitted. Aided schools to provide free education to at least 25% children based upon the proportion of annual recurring grant & aid All unaided &specific category schools to provide free education to at least 25% children belonging to disadvantaged groups from the neighbourhood in class-I . Govt. have to reimburse expenditure.

Sec.13 - No capitation fee and screening procedure for admission.

Sec.14- Proof of age for admission.

Sec.15- No denial of admission for lack of age proof.

Sec.16- Prohibition of holding back and expulsion.

Sec.17- Prohibition of physical punishment and mental harassment to child.

Sec.18- No School to be established without obtaining certificate of recognition provided that no such recognition shall be granted to a school unless it fulfils norms and standards specified under section 19. On the contravention of the conditions of recognition, the prescribed authority shall, by an order in writing, withdraw recognition & the children to be admitted in the neighbourhood

school. No School should run after withdrawal of recognition

Sec. 19 - Norms and standards for school

No school shall be established, unless it fulfils the norms and standards specified in the Schedule (Teachers, Infrastructure, no. of working days etc.) If already established, within a period of 3 yrs, it should take steps to fulfil norms & Standards with effect from the date of withdrawal of recognition, no school shall continue to function.

Sec. 20 - Power to amend schedule

Central Government may have the power to amend the schedule.

Sec. 21 - School management committee

Formation of SMC with elected representatives and parents (At least 3/4 of members of such Committee shall be parents or guardians)
(2) The School Management Committee shall perform the following functions:-
Monitor the working of the school;
Prepare and recommend school development plan;
Monitor the utilization of the grants received from the appropriate Government or local authority or any other source;
Perform such other functions as may be prescribed.

Sec. 22 -School Development Plan

Every School Management Committee constituted shall prepare a School Development Plan, in such manner as may be prescribed, shall be the basis for the plans and grants to be made by the appropriate Government or local authority.

Sec. 23 - Qualifications for appointment and terms and conditions of service of teachers.

Any person possessing such minimum qualifications, as laid down by an academic authority, authorized by the Central Government by notification, shall be eligible for appointment as a tea. Provided that a teacher who, at the commencement of the Act, does not possess minimum qualifications as laid down under sub-section (1) shall acquire such minimum qualifications within a period of five years. The salary and allowance payable to teachers shall be such as may be prescribed.

Sec. 24 - Duties of teachers and redressal of grievances.

Maintain regularity and punctuality in attending the school, conduct and complete the curriculum, asses the learning ability of each child, conduct regular meetings with parents, giving additional instructions if required etc.

Sec. 25 - Pupil – Teacher Ratios.

Within six months from the date of commencement of this Act the appropriate Government and the local authority shall ensure that the PTR as specified in the Schedule is maintained in each school.
No teacher posted in a school shall be made to serve in any other school or office or deployed for any non-educational purpose, other than those specified in section 27.

Sec. 26 - Filling up vacancies of teachers.

Appropriate Government or a local authority, shall ensure that vacancy of teacher in a school under its control shall not exceed ten percent of the total sanctioned strength.

Sec. 27 - Prohibition of deployment of teachers for non-educational purposes

Prohibits deployment of teachers for non-education Purpose, except:Decennial census, Disaster relief, Elections to Parliament, State Legislatures, Local Bodies

Sec. 28 - Prohibition of private tuitions by teachers

No teacher shall engage himself or herself in private tuition or private teaching activity.

Chapter V – Curriculum and Completion of EE

Sec. 29 - Curricular and evaluation procedure.
Curriculum by prescribed academic authority should:
Conform to constitutional values
Make child free from fear, trauma and anxiety
Be child centered, child friendly; provide for learning through activities

Medium of instruction – child mother tongue to the extent possible
Provide for comprehensive and continuous evaluation

Sec. 30 - Examination and completion certificate.
No Board examinations till completion of EE
Every child completing his EE shall be awarded a certificate, in such form and in such manner, as may be prescribed.

Chapter VI- Protection of Rights of Children
Sec. 31 - Monitoring of child's right to education.
Bill assigns NCPCR/SCPCR additional functions
Examine and review safeguards for rights under this Act, recommend measures for effective implementation.
Inquire into complaints relating to child's right to free and compulsory education
NCPCR/SCPCR has powers assigned under Section 14 and 24 of the Commissions for Protection of Child Rights Act
Where SCPCR not constituted, appropriate govt. may constitute an Authority.

Sec. 32 - Redressal of grievances.
Any person have any grievance relating to the right of a child under this Act may make a written complaint to the local authority having jurisdiction.
Any person aggrieved by the decision of the local authority may prefer an appeal to the State Commission for Protection of Child Rights or the authority prescribed.

Sec. 33 - Constitution of National Advisory Council.
The Central Government shall constitute, by notification a National Advisory Council,

consisting of members, not exceeding fifteen, to be appointed from amongst persons having knowledge and practical experience in the filed of EE and child development To advise the Central Government on implementation of the provisions of the Act in an effective manner.
Sec. 34 - Constitution of State Advisory Council.

Chapter VII – Miscellaneous
Sections 35 to 38 are covered under it.

Conclusion:
Law can be made compulsory but actually no law or no bill can force a child to educate himself. The reason is that the responsibility should not be only on the government but greater co-operation from different sources of agency like parents, NGOs, private instuitions is important. Just herding children to school is not going to ensure the goal of education but parents as well teachers should be trained or sensitized to deal with children. To some extent the Act should be reviewed again and revised with respect to the matters of finance, infrastructure, age of the child and quality based education and even about child labourers education.

UNESCO aims at education for all by 2015. India along with other countries of the world should also put sincere efforts to make this goal a real success. Every generation looks up to the next generation with the hope that they will build up on nation better than the present. Education should not only suffice the criteria of literacy but it must focus on value oriented education also because Education is medium for building Super Nation.

Review of Pre-NREGS Anti-Poverty Schemes in India

Ravikiran R. Garje

Department of Economics, K.C. College, Churchgate, Mumbai – 20

garjeravikiran@gmail.com

Abstract:

This paper summarizes the several Pre-NREGA (National Rural Employment Guarantee Act) Schemes for reducing rural poverty and unemployment in India. The Indian Parliament has passed the National Rural Employment Guarantee Act (NREGA) on 5th September 2005, and was notified in the Gazette of India on 7th September 2005. The Parliament of India passed the NREGA 2005 towards partial fulfilment of a constitutional obligation under Articles 39 (a) and 41 of the Directive Principles of the State Policy, contained in Part IV of the Indian Constitution. Article 39 (a) reads: 'The State shall, in particular, direct its policy towards securing that – the citizens, men and women equally, have the right to an adequate means to livelihood;' and Article 41 directs that: 'The State shall within the limits of its economic capacity and development, make effective provision for securing the right to work . NREGA came into force in 200 most backward districts of the country on 2nd February 2006. Since 1st April 2007, NREGA is covering 130 more districts in India. In addition, from 1st April 2008 NREGA is covering remaining all the districts of India. NREGA has been renamed on 02nd October 2009, as Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS / MGNREGA).

Key Words: *MGNREGS = MGNREGA = NREGS =NREGA (National Rural Employment Guarantee Scheme), Anti-Poverty Programme (APP).*

1. Pre-NREGA Schemes for Reducing Rural Poverty and Unemployment

The most of the anti-poverty programmes were targeted the rural poor, because a major proportion of the poor people are living in the rural areas in India. The Ministry of Rural Development (MoRD) has been implementing a wide spectrum of programmes, which are aimed at poverty alleviation, employment generation, infrastructure development, and social security. Over the years, with the experience gained in the implementation and in response to the felt needs of the marginalised rural poor, the existing programmes have been modified and new programmes have been introduced. There were number of anti-poverty measures government had undertaken from subsidized food to employment generating schemes. These programmes were mainly run by the Central Government. They amount to 6-7 per cent of total India's budgetary expenditure or around 1 per cent of GDP. There are three main types of Anti-Poverty Programmes (APPs): a) Rural Work, b) Self-Employment and c) Food Subsidy programmes.

1.1 Rural Work Programmes

It is accounted for about one-third of the spending on Anti-Poverty Programme (APP). There are two main schemes, the Employment Assurance Scheme (EAS) and the Jawahar Rozgar Yojana (JRY) now renamed the Jawahar Gram Samridhi Yojana (JGSY). The EAS is continuing as an employment-generation scheme, but with better targeting to poorer states and districts.

1.2 Self-Employment Programme

It's make up only about 5 per cent of total APP spending, but have received a lot of publicity, most of it for bad reasons, on account of the poor performance of the Integrated Rural Development Programme (IRDP). The percentage of total rural households getting IRDP assistance in 1993-94 has been estimated as 2.9 per cent of poor and 1.8 per cent of non-poor at the official poverty line of Rs.214.31 per capita per month (Gangopadhyay & Wadhwa, 1999). Integrated Rural Development Programme (IRDP) is the most important programme and was in operation in all the blocks

from 1980-81 to 1998-99. It aimed at providing self-employment to the rural poor through acquisition of productive assets or appropriate skills to help them to create additional income and cross the poverty line. Assistance was provided in the form of subsidy and bank credit. The target group consisted largely of small and marginal farmers, agricultural labourers, and rural artisans living below the poverty line. Within the target group 50 per cent of the assistance was reserved for SC/ST families, 40 per cent for women and 3 per cent for physically handicapped. It was a centrally sponsored scheme. Under this scheme, the funds were allocated to states based on the proportion of rural poor in a state to the total rural poor in the country. Gram Sabha is supposed to be responsible for the selection of the beneficiary families. However, only 26.36 per cent of the beneficiaries were selected by the Gram Sabha and 44.74 per cent by the Block Officials (Concurrent Evaluation Report, 1999). Up to 1998-99, 53.5 million families were covered under this programme with an expenditure of Rs.13,700 crore (see Table 1.2 and Table 1.2A). It can be noted from the table that the percentage of allocation in IRDP to Gross Domestic Product decreases after 1994-95. The programme has been successful in providing incremental income to the poor families, but in majority of cases, these families have not been able to cross the poverty line on a sustained basis mainly because of low investment per family. During Eighth Plan (1992-97), new initiatives were undertaken to target the segment of literate unemployed youth below the poverty line families by giving them subsidies up to Rs.7,500 or 50 per cent of the project cost whichever is less. The IRDP is often criticized on the grounds of excessive leakage. For instance, in Madhya Pradesh 23 per cent of the beneficiaries obtained assistance after bribing bank or government officials. In other words, even though only families below the poverty line are supposed to get assistance, in reality many non-poor families are also included in the program (Gangopadhyay & Wadhwa- 1999).

Demerits of IRDP

There has been a considerable diversion of IRDP activities since the inception of the programme. In 1980-81, 93.56 per cent of the activities were in the primary sector, which declined to 56 per cent in 1995-96 (Government of India, 2000). IRDP has multiple programmes without desired linkages. The average investment per family remained inadequate to generate assets for viable projects to offer required income on a sustained basis. The beneficiaries could not retain the asset for long and even those who could retain the assets, could not generate the income enough to cross the poverty line. Lack of planning led to overcrowding of lending projects. The fear of bank default meant that loans would be given only to the better-off applicants. Instances of non-poor families being selected and poor being left out for the programme are frequent. Leakages, misappropriation of funds, violation of programme guidelines, involvement of intermediaries who capture part of subsidies, selection of non-poor as target group, absence of proper maintenance of account and poor quality of assets have been documented in various studies. In addition, the reports of corruption and payoffs to intermediaries are common. Many households have not utilized the loans for productive purposes (Rural Finance Report, World Bank 1998). Programmes allied to IRDP are Training of Rural Youth for Self – Employment (TRYSEM), Supply of Improved Tool Kit to Rural Artisans (SITRA), and Development of Women and Children in Rural Areas (DWCRA).

a) Training of Rural Youth for self-employment (TRYSEM)

This was an allied scheme of IRDP and aimed at providing basic technical and entrepreneurial skills to the rural poor in the age group of 18 to 35 years to enable them to take up income generating activities. The emphasis was given on professionalized training through established and recognized institutes like ITI's, community polytechnics, Krishi Vigyan Kendras etc. Only 3.88 per cent of the IRDP beneficiaries received training under TRYSEM. The TRYSEM scheme was not very useful as the rural youth so trained were only interested in the stipends. The training

was not based on the demand for the respective skills.

b) Supply of Improved Tool Kit to Rural Artisans (SITRA)

This scheme was launched in July 1992. Under this scheme, a variety of improved hand tools were supplied within a financial ceiling of Rs.2,000 of which artisans had to pay only 10 per cent and the remaining 90 per cent was the subsidy from the Central Government. In the case of power driven tools, the limit was raised to Rs.4,500. This scheme had been well received by the rural artisans. Up to 1996-97, 6.10 lakh tool kits had already been distributed. The income of rural artisans increased substantially with the use of improved tools (based on the evaluation done in Agra and Aligarh). SITRA scheme has been well received by artisans and they have been able to raise their income levels by use of improved tools.

c) Development of Women and Children in Rural Areas (DWCRA)

This scheme was directed at improving the living conditions of women and thereby of children by providing access of poor women to employment, skill up gradation, training, credit and other support services. In the implementation of this scheme, some states like Andhra Pradesh, Kerala, Tripura, and Gujarat have performed very well while in other states the performance has been relatively poor.

d) Swarnjayanti Gram Swarozgar Yojana (SGSY)

From April 1999, the IRDP along with five other small self-employment programmes, were replaced by a single programme - the Swarnjayanti Gram Swarozgar Yojana (SGSY). It was conceived as a holistic programme covering all aspects of self-employment like organization of rural poor into Self Help Groups (SHGs) and their capacity building, training, planning of activity clusters, infrastructure development, financial assistance through bank credit & subsidy and marketing support, etc. The funds are shared between Centre and States in the ratio of 75:25, except in the case of North-Eastern States where it is in the ratio of 90:10. The target group of the SGSY consists of rural poor families living below poverty line. Within the target group, the guidelines for the SGSY provide that the SC/ST shall account for 50 per cent, women for 40 per cent, minorities for 15 per cent and disabled for 3 per cent of the target.

1.3 Food Subsidy Programme

Food Subsidy Programme is about 55 per cent of total APP spending. The food subsidy programme has a larger objective than simple poverty alleviation - it also tries to ensure the objective of food security. It was initially meant for all i.e. regardless of whether someone is poor or not, he or she must have the option of accessing food supplies at reasonable prices. This direct food subsidy programme, operating through Public Distribution System (PDS), however, is more pervasive in cities. The other poverty programmes, on the other hand, are directly targeted at the poor, mostly rural. By far the largest food subsidy programme is the PDS, which was targeted towards the poor at the national level in 1997 and renamed as the Targeted PDS (TPDS). Recent research in Uttar Pradesh (Kriesel and Zaidi 1999) has shown impressive performance in targeting the poor through the TPDS.

1.4 Wage Employment Programmes

There are two major wage employment programmes namely Jawahar Rozgar Yojana (JRY) an Employment Assurance Schemes (EAS).

a) Jawahar Rozgar Yojana (JRY)

JRY was launched on 1st of April, 1989 by merging the National Rural Employment Programme (NREP) and Rural Landless Employment Guarantee Programme (RLEGP). The main objective of the scheme is to generate additional gainful employment for unemployed and underemployed persons in rural areas through the creation of rural economic infrastructure, community, and social assets with the aim of improving the quality of life of the rural poor. This scheme is sponsored by the Central Government. Expenditure between centre and the states is shared by the ratio of 80:20. Since its inception this programme has been able to generate 719.06 crore

man days of employment at an expenditure of Rs. 28893 crore (see Table 1.4 and Table1.4A). It can be observed from the above table that there is a drastic reduction in the percentage of allocation as well as expenditure from 1996-97 as compared to earlier years. It is difficult to understand the reasons for such a drastic decline in the year 1996-97. The Panchayats were responsible for planning and execution of projects under this scheme.

Demerits of JRY

The programme has not been able to make any significant impact on the income levels of beneficiaries as per the Mid-term Appraisal. It fell far short of creating enough employment to remove unemployment / underemployment. According to a concurrent evaluation carried out by the Ministry of Rural Development during June 1993 to May 1994, on an average roughly 11 days of employment per person could be generated. Projects selected under this programme bore no relationship to the local needs or the agricultural development strategy. Neither the location of the works nor the timings were properly chosen. According to a study in Uttar Pradesh, the timings coincided with the peak agricultural season and the selection of works was not done in the Gram Sabha as required. The works undertaken involved high material cost and often violated the prescribed materials-labour norms. In many areas these norms were considered unrealistic, given the high cost of materials. In violation of the guidelines, in many states the projects were executed by contractors who sometimes hired outside labourers at lower wages. They also used trucks and tractors instead of more labour intensive approaches. Large number of works could not be completed in time because of shortage of funds. The share of women employment generated under the scheme was low (17 per cent) and there were wage differentials between male and female workers. In a number of cases work was given only to the supporters of Pradhan, or workers willing to sign a higher wages than what was actually received or both. Corruption was there in a number of cases in the purchase and transporting of materials.

b) Jawahar Gram Samridhi Yojana (JGSY)

Under JRY more emphasis was given to creating wage employment. An evaluation of JRY programme proposed that development of village infrastructure needed to be given more focus. Accordingly JRY has been restructured as JGSY from April 1, 1999. The new scheme aims at creation of demand driven community village infrastructure to be undertaken in a planned manner; that would enable rural poor to increase opportunities for sustained employment. Employment generation is, however, a secondary, though important, objective of the scheme. These will be implemented by village Panchayats with the approval of Gram Sabha. Zilla Parishad and Panchayat Samities will be responsible for overall guidance, coordination, and monitoring of the projects.

c) Employment Assurance Scheme (EAS)

This scheme was launched on October 2, 1993 initially in operation in 1772 backward blocks, in drought prone, desert, tribal and hilly areas. Gradually it was extended to other blocks and with effect from 1.4.97 the scheme is being implemented in all 5448 blocks in the country. The main objective of the scheme is to provide about 100 days of casual manual employment during the lean agricultural season to all persons between the age of 18 and 60 years on economically productive and labour intensive social and community works. This scheme though open to all rural poor is expected to attract only unskilled people below poverty line because it offers only the minimum wages. The secondary objective of the scheme was the creation of durable community, social and economic assets for sustained employment and development. A maximum of two adults per family are provided wage employment. Under this scheme the works are to be selected by the District Collector and implemented through the links departments in such a manner that the ratio of wage to non-wage component is 60:40. The Village Panchayats are involved in the registration of persons seeking employment and the Panchayats maintain these registers. It has to be recognized that these programmes have played a major role in tackling the issues of transient poverty and providing immediate relief to the rural people

during natural calamities. The need of such public works programmes has been universally accepted and acknowledged by researchers in the field of rural development.

Demerits of EAS

Until 1st of April, 1999 the scheme was of a demand driven nature, better off states grabbed a lion's share of funds while the needy one were left out. To rectify this, it was decided that with effect from 1st April 1999, the scheme will involve specific allocations to each state based on poverty. Employment provided under this scheme was meagre. Each person was provided 18 and 16 days of employment during 1994-95 and 1995-96 respectively. According to a comprehensive evaluation of the scheme by Programme Evaluation Organization (PEO) in 14 states, EAS is being executed through contractors in most states in violation of the guidelines, the norm of 60:40 for wage and material is not being maintained, genuine muster rolls are not being maintained by the Gram Panchayats. The system of registration of job seekers with Gram Panchayats is not in vogue. A vast majority of blocks did not even get the allocation in spite of the fact that allocations are supposed to be made based on minimum notional requirements. It could be due to the inability of the states to contribute their matching share in the fund. It was found that in the sample villages the percentage of registered job seekers getting job was as low as 25 per cent. The average number of days of employment per person per year was less than 53 as per official records. However, according to beneficiaries 69 per cent of them got less than 30 days of employment and another 17 per cent between 30 and 50 days. The overall average for the sample states works out to 31 days. A profile of EAS beneficiaries shows that over 78 per cent belonged to daily wage earning class. According to Mid-term Review of Ninth Five-Year Plan following are some of the lacunae in the design and implementation of EAS. Bogus reporting - The field staff are compelled to show that the targets have been achieved irrespective of the actual ground situation. These programmes create incomes for the rural poor but leave no assets behind. Once such programme is withdrawn,

the poor may again fall below poverty line in the absence of family based assets. The actual expenditure and the physical achievement during 1999-2000 have drastically reduced (see Table 1.5 & Table 1.5A).

d) Sampoorna Grameen Rozgar Yojana (SGRY)

In view of the complementarily of objectives, JGSY and EAS have been brought under the purview of the new scheme Sampoorna Grameen Rozgar Yojana (SGRY) launched in September, 2001 with focus on generation of wage employment, creation of durable rural assets and infrastructure and provision of food security to the rural poor. Under the scheme the payment of wages is partly in cash and partly in kind. Five kilograms of food grains are provided as wages in kind and the balance is paid in cash to ensure that the workers are paid the minimum wages. For this purpose, free food grains are provided to the States by the Centre. The works taken up are labour intensive leading to the creation of durable rural assets and infrastructure. The SGRY is implemented on cost sharing basis between Centre and States in the ratio of 75:25 of the cash component of the programme. The Sampoorna Grameen Rozgar Yojana (SGRY) has been subsumed in the National Rural Employment Guarantee Act (NREGA) with effect from 1st April, 2008.

1.5 National Social Assistance Programme (NSAP)

In addition to self-employment and wage employment programmes, there are other programme which help the poor without involving them in work, which come under the 100 per cent centrally sponsored, introduced on 15th August, 1995. These programmes have three components - namely, (i) National Old Age Pension Scheme (NOAPS) (ii) National Family Benefit Scheme (NFBS) and (iii) National Maternity Benefit Scheme (NMBS). NSAP is at present a successful scheme.

1.6 Special Programmes for Rural Development

The rural development is important for the removal of rural poverty and rural unemployment. The following programme was implemented for the rural development.

a) Integrated Watershed Management Programme (IWMP)

Integrated Wastelands Development Programme (IWDP), Drought Prone Areas Programme (DPAP), and Desert Development Programme (DDP) have been consolidated and renamed Integrated Watershed Management Programme (IWMP). The modified scheme of IWMP is scheduled for implementation as per the common guidelines for Watershed Development Projects, 2008. The cost norm of this centrally sponsored scheme will be Rs.12,000/- per hectare for the plains and Rs.15,000/- per hectare for the hilly and difficult areas. The cost will be shared in the ratio of 90:10 between the Centre and the States.

Conclusion

The generation of productive and gainful employment, with decent working conditions, on a sufficient scale to absorb our growing labour force must form a critical element in the strategy for achieving inclusive growth. The approach to the Eleventh Plan had identified the following specific weaknesses on the employment front, which can give us some of the rationale of rural employment guarantee scheme. The rate of unemployment (Current Daily Status basis) has increased from 6.06 per cent in 1993-94 to 8.28 per cent in 2004-05. Unemployment among agricultural labour households has rose from 9.5 per cent in 1993-94 to 15.3 per cent in 2004-05. Non-agricultural employment expanded at a robust annual rate of 4.7 per cent during the period 1999-2000 to 2004-05. Although real wages of casual labour in agriculture continue to rise during 2000-2005, growth has decelerated strongly, as compared to 1994-2000, almost certainly reflecting poor performance in agriculture sector. Rural population growth decelerated to 1.55 per cent per annum in 1993-94 to 2004-05 (Period II) as compared with 1.79 per cent per annum in 1983 to 1993-94 (Period I) and this led to a deceleration in rural labour force growth (from 1.97 to 1.66 per cent per

annum) also rural workforce (from 2.31 to 1.40 per cent per annum). However, rural unemployment rate (CDS) has gone up from 5.61 per cent in 1993-94 to 8.28 per cent in 2004-05. The inadequate increase in aggregate employment in period II is associated with a sharp drop in the pace of creation of work opportunities in agriculture sector. The dependence of the workforce on agriculture and allied sectors declined from 61.03 per cent in 1993-94 to 52.06 per cent in 2004-05. An expansion in other sectors has not offset the lower absorption in agriculture. The unemployment rate (CDS) among the rural agriculture labour households, which is single largest segment of the poor labour households, is increased from 7.73 per cent in 1983 to 15.26 per cent in 2004-05. There has been a slight deceleration in the growth in wages of rural male casual agricultural labour from 2.75 per cent per annum during 1983-94 to 2.18 per cent per annum during 1994-2005. The fall in the case of females is steeper, from 3.07 per cent per annum to 2.10 per cent per annum. Women comprise 48.3 per cent of the population but have only 26.1 per cent share in the persons employed. This is presently because their share in the labour force is only 26.4 per cent. The principal reasons for low participation by women in the labour force are: I) Wage rates of women are lower than of male for comparable occupations. II) Women are denied access to certain occupations, though they may be capable of doing that work as well as the men. III) Skill development of women is not uniform across all trades, which forces a majority of the women to enter the labour market as unskilled labour. In order to promote gender equity, steps have to be taken to increase women's participation in the labour force. During the 11 year period 1994-2005, the pace of increase in per worker GDP in agriculture was only 2.24 per cent per annum as compared to 4.35 per cent growth in aggregate GDP per worker. The NREGS is possibly the most ambitious income security programme for India's rural poor in the post independent India.

References

1. Working as Associate Professor and HOD of Economics in K C College, D W Road,

Churchgate, Mumbai-400020. This paper is based on my PhD work under the guidance of Prof. A R Nadkarni, Dept of Economics, University of Mumbai.

2. **Baxi, P. M. 2000**. The Constitution of India. Delhi: Universal Law Publishing.

3. On 2nd February 2006, Prime Minister Manmohan Singh formally launched the implementation of the NREGA at Bandlapalle gram panchayat, Narpala Mandal, Ananthpur district of Andhra Pradesh.

4. Gangopadhyay, Shubhashis and Wilima Wadhwa (1999), *E*mployment and Poverty, ILO, Delhi.

5. **Government** of **India**. Planning Commission (**2000**) Mid-Term Appraisal of Ninth Five Year Plan (1997–2002). New Delhi

6. Kriesel, S., and S. Zaidi (1999): \The Targeted Public Distribution System in Uttar Pradesh, India - An Evaluation," Working Paper.

7. Panchayati Raj An important function of the Ministry of Panchayati Raj is to monitor the implementation of Constitution (73rd Amendment) Act, 1992, provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996 and Article 243 ZD in part IX-A of the Constitution relating to District Planning Committees.

8. **Eleventh Five Year Plan (2007-12)**, Inclusive Growth, Volume-I, Planning Commission, Government of India, Oxford University Press, New Delhi. Annexure 4.1, pp. 82.

9. **Eleventh Five Year Plan, (2007-12)**, Inclusive Growth, Volume-I, Planning Commission, Government of India, Oxford University Press, New Delhi, pp.63.

10. **Eleventh Five Year Plan, (2007-12)**, Inclusive Growth, Volume-I Planning Commission, Government of India, Oxford University Press, New Delhi, pp 65. Table 4.1.

11. **Eleventh Five Year Plan, (2007-12)**, Inclusive Growth, Volume-I Planning Commission, Government of India, Oxford University Press, New Delhi, pp 66. Table 4.2.

12. **Eleventh Five Year Plan, (2007-12)**, Inclusive Growth, Volume-I Planning Commission, Government of India, Oxford University Press, New Delhi, pp 71, table 4.10

13. **Eleventh Five Year Plan, (2007-12),** Inclusive Growth, Volume-I Planning Commission, Government of India, Oxford University Press, New Delhi, pp 71, Annexure 4.6.

14. **Eleventh Five Year Plan, (2007-12),** Inclusive Growth, Volume-I Planning Commission, Government of India, Oxford University Press, New Delhi, pp 72, table 4.14.

15. **Eleventh Five Year Plan, (2007-12)**, Inclusive Growth, Volume-I Planning Commission, Government of India, Oxford University Press, New Delhi, pp 77. Annexure 4.2.

Table 1.2

Financial and Physical Performance under Integrated Rural Dev. Programme (IRDP)*(1992-93 to 1999-2000)

Year	Financial Performance (Rs. In Crore)		Physical Performance (in lakh families)	
	Allocation	Expenditure	Target	Achievement
1992-93	662.22	693.08	18.75	20.69
1993-94	1093.43	956.65	25.70	25.39
1994-95	1098.22	1008.32	21.15	22.15
1995-96	1097.21	1077.16	No target	20.89
1996-97	1097.21	1139.49	No target	19.12
1997-98	1135.51	1109.54	NA	17.07
1998-99	1456.28	1160.89	NA	16.64
1999-2000	1231.37	1260.74	NA	3.03*

Source: *1. Ninth Five Year Plan,2. Mid Term Appraisal of 9th Five-Year Plan.*

SGSY was introduced w.e.f. 1999-2000 by merging IRDP and its allied programmes of TRYSEM, DWCRS, SITRA etc. ** mainly the self help groups, each group consisting of 5 or more persons.

Table1.2A

Financial Performance of IRDP

as Percentage to GDP and Central Government Expenditure

Year	% of GDP of Financial Performances		% of Central Government Expenditure of Financial Performance of IRDP	
	Allocation	Expenditure	Allocation	Expenditure
1992-93	0.10	0.10	0.53	0.55
1993-94	0.14	0.12	0.75	0.66
1994-95	0.12	0.11	0.66	0.60
1995-96	0.10	0.10	0.59	0.58
1996-97	0.09	0.09	0.52	0.54
1997-98	0.08	0.08	0.50	0.49
1998-99	0.09	0.07	0.55	0.44
1999-2000	0.07	0.07	0.39	0.40

Table1.3 Indicators of IRDP Performance
All India (July 1995 - June1996)

Categories	(%) Beneficiaries by categories	(%) of Beneficiaries with No Over dues of Loan	(%) of Beneficiaries with Overdue of loan	(%) Families crossing Old Poverty Level	(%) Families crossing New Poverty Level
Primary Sector	55.67	26.45	29.27	48.07	26.23
Agriculture					
Drought Animal	7.00	3.40	4.01	6.59	3.43
Implements	0.54	0.20	0.34	0.48	0.24
Land Improvement	0.77	0.58	0.23	0.69	0.26
Others	3.97	2.23	1.77	3.30	1.48
Irrigation	6.68	2.97	3.4	5.83	4.17
Animal Husbandry					
Dairy unit/ Milch Animal	23.98	11.84	11.80	20.55	11.58
Sheep Unit	2.96	1.10	1.96	2.63	1.33
Goat Unit	5.05	1.96	3.11	4.10	1.84
Others	4.72	2.17	2.65	3.90	1.90
Secondary Sector	10.04	3.94	6.04	7.56	3.47
Handlooms	1.48	0.54	0.85	1.22	0.55
Handicrafts	2.71	1.06	1.74	2.19	1.00
Village Industries	5.63	2.27	3.32	3.98	1.83
Others	0.22	0.07	0.13	0.17	0.09
Tertiary Sector	34.16	14.15	20.07	29.23	16.58
Retail Shops	13.44	5.21	8.02	11.23	6.63
Animal Drawn Carts	8.48	3.39	5.24	7.65	4.37
Tailoring/Knitting	3.12	1.69	1.46	2.70	1.50
Others	9.12	3.86	5.35	7.65	4.08
Total	100.00	44.54	55.38	84.86	46.28

Source: Concurrent Evaluation of Integrated Rural Development Programme (IRDP) - A Report, Government of India, Ministry of Rural Development, October 1999.

Old poverty line refers to Rs.6400 per family per annum, New poverty line referes to Rs.11,000 per family per annum

Table 1.4
Financial & Physical Performance under Jawahar Rozgar Yojana (JRY)*
(1992-93 to 1999-2000)

Year	Rupees in Crore		Employment Generated in lakh Man days	
	Total Allocation Centre+State	Total Expenditure Centre+State	Target	Achievement
1992-93	3169.05	2709.59	7537.95	7821.02
1993-94	4059.42	3878.71	10383.26	10258.40
1994-95	4376.92	4268.33	9865.45	9517.07
1995-96	4848.70	4459.49	8480.05	8947.16
1996-97	2236.79	2156.93	4141.37	4006.14
1997-98	2499.21	2439.38	3867.00	3958.00
1998-99	2597.03	2518.92	3966.57	3752.10
1999-2000	2205.58	1029.59	Not available	1450.05

Source: 1. Ninth Five Year Plan,2. Mid Term Appraisal of 9th Five-Year Plan
JRY has been restructured as JGSY with effect from 1999-2000

Table 1.4A
Financial Performance of Jawahar Rozger Yojana (JRY) as Percentage to GDP
and Central Government Expenditure

Year	% of GDP of Financial Performances		% of Central Government Expenditure of Financial Performance of JRY	
	Allocation	Expenditure	Allocation	Expenditure
1992-93	0.47	0.40	2.52	2.15
1993-94	0.52	0.50	2.78	2.66
1994-95	0.48	0.47	2.62	2.56
1995-96	0.45	0.52	2.62	3.00
1996-97	0.18	0.17	1.06	1.02
1997-98	0.18	0.18	1.11	1.08
1998-99	0.16	0.16	0.98	0.96
1999-2000	0.12	0.06	0.70	0.33

JRY has been restructured as JGSY with effect from 1999-2000

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Kishinchand Chellaram College

124, Dinshaw Wachha Road, Churchgate,
Mumbai - 400 020

Tel: 91-22-22855726. 2202 0132.

Fax: 91-22-2202 -092

Email:kccollege@rediffmail.com

www.kccollege.org.in