SOCIOLOGY PRESENT- DAY: SOCIAL TRANSFORMATIONS IN INDIA

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CONTENT

1. NRI Bill 2019- A Boon for Honeymoon Brides in India

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1.1 Introduction:

Marriage is a social institution and right to marry is integral part of right to life under Article 21 of Indian Constitution. The Human rights charter also enumerates the right to marriage within the meaning of the right to start a family.

Earlier in India marriages were between same and known communities, localities or intra states but with change of times Families choose to have inter caste, inter religion marriages within India. But due to globalization families from India migrated abroad and got branded as tycoons/ NRIs.

Though migrated abroad most of them preferred/ prefer marriages in India especially Indian origin grooms desire to marry Indian brides.

This Chapter is an attempt to exhibit the outcome of such marriages which have paved the way for introduction of NRI Bill in the Rajya Sabha. Further few guidelines and cautions are enumerated for the prospective brides to marry NRI grooms.

This Chapter focuses on hardships the faced by the abandoned brides as to their Stridhan, stigmatization in society, orders from foreign courts and there implementations, passive approach of foreign embassies and police in India and upbringing of kids. This Chapter is to pen down the marital problems of middle-class women/girls married hurriedly to NRIs and labeled as 'honeymoon bride'.

1.2 Hardships Faced by Honeymoon Brides:

Most of the parents in India having daughters are in dire hurry to get the daughters married and marrying their daughter to a NRI boy is a status symbol in India. Most of the time the parents, relatives and the bride are lured by the lifestyle and NRI status of the boy and his family and without investigating in details get their daughter married to such a NRI boy. Most of the time only superficial investigation is done through few far relatives or agents and this leads into ruining the life of the daughter. In most of the cases after the hurried wedlock for a month the NRI groom departs for his job and has no communication with the bride and her family or if the bride is taken abroad on dependent visa then she is abused and deserted at any stage of pregnancy. These helpless brides under parental pressure and fear of stigmatization don't dare to make police complaint or take legal advice. If at all they dare and approach police, their hopes are shattered by the passive approach of investigating officers as many a times the brides are humiliated for hurriedly getting married and are stigmatized. With great difficulties if FIR is lodged the groom's family turns off the summons or don't appear before the court and all police actions are useless.

In most of the cases bride and her family are unaware about the exact residential addresses and that makes her case weak. Foreign embassies are reluctant to provide details of the fraudulent groom. Many a times the bride is taken abroad on tourist visa, and this makes the groom easily desert the bride and leave her helpless. Worst fact is the denial of bride's parents to accept her back on being abandoned by her husband and to add to this is the State's ignorance to provide any legal aid or financial support.

1.3 NRI BILL 2019 in India:

Late Smt. Sushma Swaraj, the then External Affairs Minister had introduced a remarkable Bill on Registration of Marriage of NRI of India in Rajya Sabha in 2019.

NRI Bill 2019- A Boon for Honeymoon Brides in India

This Bill was paved due to copious complaints were made by honeymoon brides of Indian nationals deserted and abused by the NRI grooms.

The combined Initiative of the Ministry of External Affairs, Women and Child Development, Home Affairs and Law and Justice has paved the path for this Bill. The Bill will have deterrent impact on NRI grooms and will give immense relief to the victims labeled as honeymoon brides or holiday brides.

The main aim of the Bill is to create more accountability and protect Indian women from abuses by their NRI spouses and it emphasizes on

a. Registration of Marriages by Non-Resident Indians:

For better enforcement of rights of the deserted spouse/victims under various family laws the Bill provides for compulsory registration of marriage within 30 days of marriage in India or abroad.

b. Amendment of the Passports Act 1967:

The amendment suggested empowers the Passport Authority to impound or revoke the passport of NRI, if it is brought to his notice that the NRI has not registered his marriage within 30 days from the date of marriage and

c. Amendment to the Code of Criminal Procedure 1973:

The Amendment suggested empowers the Courts for issuance of summons, warrants through the specially designated website of the Ministry of External Affairs. Also, provisions for attachment of properties belonging to the NRI, if he does not appear before the Court and is declared as Proclaimed Offender by the Court, are provided.

The Standing committee for external affairs has approved the compulsory registration of NRI marriages.

But the Committee has recommended the review of provision of Registration within 30 days and has expressed concerns over the misuse of the provision by the passport authorities as to impounding and revoking of passport. The Committee has also pointed that the time span of 30ays mentioned in the Bill is disproportionate and this stringent action is likely to be misused. The Committee has strongly recommended issuing show cause notice, imposition of exemplary fine, issue of a Look Out Notice prior to impounding of Passport of an NRI on failure to register her/his marriage within the stipulated time limit.

Guidelines for the Aspiring NRI Brides:

a. Acquire knowledge about Food, culture, Lifestyle, time zone differences and climate of the country to be staying after marriage.
b. Assert on Registration of marriage and registration certificate and always keep the original documents custody with oneself.
c. Assert on an affidavit from the prospective groom as to his marital status.
d. Assert on Business/employment details of the prospective groom, his turnover/salary, job details, address, qualification, certificates, employers credentials and his immigration status and eligibility to take the spouse to that country.
e. Verify his Financial Status specifically properties said to be owned by him and his family background, residential address.
f. Verify the prospective grooms' tax returns for preceding 3years, bank account and property papers. visa, passport, voter or alien registration card, social security number,
g. Assert on health insurance cover before going to reside overseas.
h. Assert on regular, comfortable and easy communications between bride and groom and family members respectively.
i. Assert on having original passport custody and have one copy at home town with parents of bride.
j. Assert on social marriage ceremony rather than clandestine marriages.

k. To verify all the details stated above contact the Indian embassy in the Foreign country, employer of the person, Local Indian associations and networks of Indian citizens and friends and relatives in that country.

l. Never take any decision in hurry under any pressure especially on phone or emails.

m. Never trust agents, touts, middlemen or bureaus and fall prey to them for green cards etc.

n. Never lodge false case under dowry laws, Domestic violence etc.

o. Maintain financial independence and have a separate bank account in the foreign country as well have professional/vocational qualifications and skills for being self-reliant and do learn the language of the land of residence of the groom.

p. Maintain a phone list, emails of police, and help lines of foreign country of residence as well the emails, mobile numbers of Indian embassy authorities to be helpful during emergencies.

q. Step out with full knowledge of laws as to residence permit, cruelty, abuses etc.

r. Develop good communication skills so as to have good social friend circle abroad.

s. Always be in touch with your friends and family member from India.

t. Know the rights, as a spouse, whether general or specific.

1.5 Recommendations:

a) Registration of marriage of NRI grooms should be mandatory but the time span for registration should be at least 2 months instead of 30 days because there would be some procedural delays or visa problems/ issues.

b) Before impounding the passport of the groom proper investigation must be done because not in every case the groom and his family are fraudulent rather there are many unregistered vice versa cases were bride and her family to extract handsome alimony from financially handsome NRI groom tie the fraudulent knot.

c) Special services/ offices should be established by the Government for counseling these brides and their parents.

d) In every district/ taluka investigating officers specifically for keeping the records and tracks of NRI marriages and their details need to be appointed.

1.6 Conclusion:

Law has always played a vital role in transforming the society. Marriage is present as social institution in all cultures and very often the social norms determine the role of each spouse in wedlock. Marriage involves not only legal and religious institutions but also involves economic concerns between the spouses.

In recent decade whole institution of marriage has stretched including the NRI marriages and honeymoon brides and so is the need for enacting a legislation felt. NRI bill though still is in the making but once it comes as a law it will be a boon for many innocent honeymoon brides.

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2. Freedom of Internet and Social Media

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Abstract:

India is a democratic country. We need to give importance to the concept of internet freedom and social media. There should be a clear balance between freedom of speech and expression guaranteed by our constitution as a fundamental right and freedom of expressing views on Facebook and Twitter, WhatsApp Instagram and other social media plat.

Forms freedom of speech and expression includes any act of seeking, receiving and imparting information or ideas, regardless of the medium used. Based on John Milton arguments, freedom of speech is understood as a multi- faceted right including not only the right to express or disseminate information and ideas but also including the right to seek, receive and impart information and ideas.

The object of this paper is an attempt to understand internet freedom and how the people should utilise this type of freedom in a positive way. The availability affordability and accessibility of the internet is unique. This observation is being made with regard to the exercise of the right of freedom of speech and expression in the context of social media and the hurdles placed on that by the arbitrary use of the so called cyber laws of the nation, particularly Section 66A of the Information Technology Act, 2000

Keywords:

Internet, Freedom, Social Media, Democracy.

2.1 Introduction:

India is the second largest populated country. In India a large section of the society is still not familiar with the internet and social media and its multi-purpose uses.

The internet has become a integral part of life. In every individual Government and semi government at local or regional or national or international level.

In society there are the different perceptions about the uses of internet and social media and their implications on society in a democracy.

Government authorities and the common man both do not have enough awareness and skill to democratic and actual line between the internet freedom and view of people on social media sites like Facebook and Twitter.in a democracy there should be a clear demarcation between internet freedom and social media.

India is the largest democratic country in the world. Indian constitution provide freedom of speech and expression to all the people of India under article 19 (1).

India adopted to different method to control and misuse of the freedom of internet that is direct method and indirect method.

The direct method the legislation makes a law for the users and legislation for the intermediaries and internet service providers that is ISPs.

And is a concept of consultation of the intermediaries or internet companies where they are asked to act guided by the government on the blacking or removing of some content from the domain that is the second method or indirect method.

2.2 India made law when the country was transitioning to and electronic age:

Information and technology act 2000 has been passed in this field. And information technology amendment Act 2008 and information technology intermediary's guidelines rules of 2011 also passed. Now a days the topmost agenda in the policymakers mind that is e-commerce.

Right to freedom of speech and expression is a fundamental right of citizens but law posed a serious threat on freedom of speech and expression.

Example of Professor from Jadavpur University in West Bengal was arrested on the charge of circulating offensive cartoon of Chief minister Mamata Banerjee on wave in April 2012.

After the introduction of smartphones due to the technological revolution, internet has become a phenomenon. The website was blocked, website was used to display taxes and objectionable pictures related to Indian flag and emblem, In year 2011.

That was the Aseem Trivedi website cartoon against corruption .com, He was arrested on charges of sedition and later on he was released nevertheless this incident rest several questions about the prospects of internet freedom in India.

2.3 What is Social Media?

Social media includes web- based and mobile technologies used to turn communication into interactive dialogue.

Social media comprises primarily internet and mobile phone based tools for sharing and discussing information. It blends technology, telecommunications, and social interaction and provides a platform to communicate through words, pictures, films, and music.

The Organization for Economic Cooperation and Development (OECD) specifies three criteria for content to be classified as

a. it should be available on a publicly accessible website or on a social networking site that is available to a select group,
b. it entails a minimum amount of creative effort, and
c. it is created outside of professional routines and practices.

Any web or mobile based platform that enables an individual or agency to communicate interactively and enables exchange of user generated content as Social media can be defined.

Social media as group of internet based applications that build on the ideological and technological foundations of Web and that allow the creation and exchange of user- generated content, refers to Internet platforms that allow for interactive participation by users.

Generated content is the name for all of the ways in which people may use social media.

Another variant of social media is mobile social media i.e. when social media is used in combination with mobile devices it is called mobile social media. Due to the fact that mobile social media runs on mobile devices,

2.4 Role of Social Media:

2.4.1 In Democratic Society's Role of Social Media:

Social media plays a very significant role in democratic society. In India Anna Hazare's movement in 2011 against the corruption saw is much success as it did because the media especially social media played a vital role in mobilizing people. In democratic countries social media apps horizontal and vertical ways. Horizontal method are movements among citizens.

2.5 Vertical Ways Are Between Citizen and State:

Internet and social media play an important role in public is sphere in present scenario. This is called cyber transformation. It means time change oral culture has been replaced by print and then been replaced by electronic communication in quick succession. But it is very true fact that awareness of internet and social media is increasing day by day in our country. Especially youth of the society have become more aware about their rights duties and are more informed about the functioning of elected Government and issues of governance. It's the time of internet and social media. It's time of the voice to express views of the citizen who feel powerless and helpless through the internet and social media about the functioning of the Government. Government machinery takes steps to improve governance due to this change. Technology has transformed not only society but lives of individuals. But it is also true that technology does not change basic human nature.

That means bed civil society and its impact is there. Internet and social media play a significant role in democracy. We can see the effects as a transparency on the working of Government development and practice in clarity has also started in the policy making process. But a lot of the peoples who are not netizens are not mobilized by the social media. In India there is very minimal computer literacy but I cannot deny that internet and social media have entered disclosures and significantly impacting.

2.6 Effect of Internet and Social Media on Indian Society:

There are huge impact on Indian society of internet and social media. Banks convert in e banks schools converse in E school education in e education hospitals in e hospitals have considerable improved with the introduction of internet in the functioning of the government. There are some challenges between the technological over development and social underdevelopment. In Indian democracy the following are the challenges.

A. Region:

25% of Indian population that is 266 million live in cities and approximately 20% are active internet users that is 52 million. That means rest of the population that is 75% live in rural areas and 4.18 million are active user.

Fact is that out of non-users 78 percent are not even aware of the existence of internet. (Data collected through the internet and mobile association of India)

B. Language:

There is 125 million which is 12.16% of the total population who are able to speaking in English in India. English is the official language of the cyber space. That means in India the language is also a barrier in the spread of internet facilities.

C. Education:

According to the census 2011 India's literacy rate is 74.04 % gap between urban areas that is 84.9 8% and rural areas that is 68.9 percent.

D. Gender:

The literacy gap between the male and female population is also very big. The national average is 70 4.4 % but literacy rate among the male population is 82.1 4% as compared to the female population where it is at 65.4 6%.

E. Disability:

In Indian society there also exist disabilities such as economic cultural and psychological disabilities which curtail the benefits of the internet where availability accessibility and affordability are concerned.

The word and all democratic countries face and important challenge. Due to the introduction of basic internet facilities. In Twitter and Facebook people are expressing their views freely.

But things really become difficult when it is not just freely of speech and expression that is at stake but lives as well. The issues of Liberty of national interest come in direct conflict and pose a new kind of challenge for the state to intervene and yet try and create a balance.

2.7 Scope and Law in India for Internet Freedom:

India is the largest democratic country in the world. Indian constitution provide freedom of speech and expression to all the people of India under article 19 (1). India adopted to different method to control and misuse of the freedom of internet that is direct method and indirect method. The direct method the legislation makes a law for the users and legislation for the intermediaries and internet service providers that is ISPs.

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2.8 Freedom of Speech and Expression and Social Media/ Internet:

Individuals can exercise their right of freedom of expression and exchange information and ideas via internet and social media. The Internet and Social Media has become a vital communications tool.

In the past year or so, a growing movement of people around the world has been witnessed who are advocating for change, justice, equality, accountability of the powerful and respect for human rights. In such movements, the Internet and Social Media has often played a key role by enabling people to connect and exchange information instantly and by creating a sense of solidarity.

The UN Human Rights Committee has also tried to give practical application to freedom of opinion and expression in the radically altered media landscape, the centre stage of which is occupied by the internet and mobile communication.

 Describing new media as a global network to exchange ideas and opinions that does not necessarily rely on the traditional mass media, the Committee stated that the States should take all necessary steps to foster the independence of these new media and also ensure access to them.

Moreover, Article 19 of the UDHR and Article 19(2) of the ICCPR also provides for freedom of speech and expression even in case of internet and social media.

Thus, it is seen that freedom of speech and expression is recognized as a fundamental right in whatever medium it is exercised under the Constitution of India and other international documents. And in the light of the growing use of internet and social media as a medium of exercising this right, access to this medium has also been recognized as a fundamental human right.

2.8.1 Restrictions on Freedom of Speech and Expression:

The freedom of speech and expression does not confer on the citizens the right to speak or publish without responsibility.

It is not an unbraided license giving immunity for every possible use of language and prevents punishment for those who abuse this freedom. Article 19(3) of the ICCPR imposes restrictions on the following grounds:

a. For respect of the rights of reputations of others
b. For protection of national security, or public order, or public health or morals.

As per Article 19(2) of the Constitution of India, the legislature may enact laws to impose restrictions on the right to speech and expression on the following grounds:

a. Sovereignty and integrity of India
b. Security of the State
c. Friendly relations with foreign States
d. Public order
e. Decency or morality
f. Contempt of court
g. Defamation
h. Incitement to an offence

2.9 Conclusion:

As technology is advancing, it is bringing us more gifts. Social media platforms are one of the boons of technology. Social media is the only connecting thread to the outside world during the coronavirus era. Facebook, Instagram, YouTube, Twitter, or TikTok for that matter, run the web world. If we think about it, these platforms or applications are one of the most powerful artefact of the 21st century.

Having the ability to go online and see first-hand that you're not alone and not in your bubble of struggle is huge. It's been inspirational to see the world connecting, sharing positive stories, tips and ways to get through this.

That's when social media comes into its own, when it truly connects, motivates and enhances our lives. It should be a force for good. On one hand where social media platforms are doing wonders in many aspects, especially during the coronavirus pandemic, on the other hand it is leading to nowhere but hatred and chaos.

It is a well-known fact that the social media is evolving at 'mouse click' speed. The dynamism of the social media calls for all the governance guidelines to be regularly reviewed and updated.

It is required that the agencies make sure that they define the frequency of updates and the process for those updates. Such updating will certainly ensure that the governance model does not become outdated. It is also required that the employees be given training and education on responding to queries.

It has been a general observance that once an agency marks its presence on social media, they are enthusiastic in exchanging tweets and comments.

However over a period of time these pages on social media transform into a static page. So, it is required that not only accounts are set up but also they are actively managed and administered. Another problem with such account relates to transitioning of such accounts to a new person where the old employee leaves the agency.

No doubt, it is good to receive traffic updates, crime alerts and policy information but governmental agencies should not forget that the purpose of being available on social media is not merely information dissemination.

The purpose to be on social media is to interact and to implement those suggestions which come out of community interaction.

Such interaction will certainly ensure transparency among government institutions and will sub serve the masses.

In the near future social media has much to contribute to the key goals of better, simpler, joined-up and networked government.

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3. Youth Empowerment for Holistic Development in India

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3.1 Introduction:

Youth empowerment is a process that provides various mechanisms and platforms in which youth can truly participate, express their concerns and share their vision, and also involve people; strengthen control through joint decision-making; and create for youth Opportunities to learn, practice and improve skills. Empowerment shows that allowing young people to participate in pro-social, meaningful and community-promoting activities defined and controlled by young people helps young people acquire the important skills, responsibilities and confidence necessary to become productive and healthy adults.

Empowering youth is a holistic approach, based on the inclusive participation of youth in effective and democratic governance; strengthening youth economic empowerment; strengthening youth participation in community resilience; and including youth in the future development agenda through consultation and discussion.

The Youth Empowerment Program aims to establish an environment and an effective platform where young people can truly participate and pursue their visions, dreams, hopes and concerns for development and overall well-being.

When young people can identify the issues they are most concerned about and develop strategies, activities, networks, organizations, or sports to achieve their goals, real empowerment can be achieved.

As young people gain greater skills, confidence, and knowledge, they will also develop the ability to work more independently and stick to their agendas.

3.2 Youth and the Process of Development:

Development is the process of showing human progress and improvement. Social development is a holistic approach, which shows that every element of society must have an equal opportunity to prove its value and ability.

Human development is a natural manifestation of the inherent potential of the human body related to the challenges and support of the physical and social environment.

The best development of youth enables young people and those after adulthood to lead a healthy, satisfying and productive life, because they have gained the ability to earn a living and engage in civic activities. Both genetics and environment affect natural development.

People can actively shape their own development through the choices they make and the interpretation of their experiences.

The youth development approach is rooted in a commitment to enable all young people to flourish.

The emergence of youth development is to offset the focus of the problem prevention and treatment plan, which is to classify youth based on their shortcomings and try to remedy them.

Youth development is a process that prepares young people for the challenges of adolescence and adulthood through a coordinated, gradual series of activities and experiences, which helps them in social, moral, emotional, physical and cognitive Become competent.

Active youth development strives to help young people develop the internal resources and skills they need to cope with pressures that can lead to unhealthy and anti-social behaviors.

It is aimed at promotion and prevention, not treatment or remedy. Preventing bad behavior is one of the results of the positive development of young people, but there are other aspects, including cultivating self-reliant, self-confident adults who can become responsible members of society.

Youth symbolizes and represents idealism and hope. Every generation of young people is planning their own path and realizing their life dreams and ambitions.

At the same time, it is the eternal responsibility of the elders to help young people grow up and become familiar with eternal human values.

In addition, they need to be familiar with the different aspects of human pursuits that lead to the generation, creation, dissemination, and evolution of knowledge in order to better understand the forces of nature, the world around us, and the way civilization evolves and advances. They must be prepared to formulate the new life goals they wish to pursue and the contributions they intend to make to society.

Young people will be taught to paint the broad canvas of life with ideas and activities that can help them imagine the future they have created for themselves and their compatriots.

They need to work hard to know what is true and what is untrue. It can also lead them to realize that seeking truth is the ultimate goal, which can only be achieved after understanding the short-lived nature of everything that is constantly changing every moment. Familiar with the history and heritage of India can give them a sense of continuity and encourage them to assume the responsibility of inheritance.

Most importantly, cultural moorings and classics can inspire and instill their sense of ownership of sublime, kindness and beauty, which they need to absorb and internalize.

3.3 The Process and Goals of Youth Development

Development is a process, not a goal. People are constantly evolving throughout their lives. Therefore, promoting youth development is a lasting and primary goal, not an ultimate goal.

John Dewy (1938) captures this quality by pointing out that the purpose of development is to enable a person to continue to develop. Looking at development in this way complicates the determination of goals, rather than formulating concise and measurable behaviors. Development goals determine the need for growth.

Emphasize that positive orientation is closely related to the principle of universality. If all young people need support for their development, then participating in a project is no longer a shame. At one extreme, some people would say that youth development programs can never target specific groups, and they can never involve problem behaviors.

All young people are developing, and the opportunities they get in their homes, schools, and communities may promote or hinder their development. This fact does not mean that all young people need the same things. A young person may need the opportunity to practice leadership skills, while another person's most pressing need may be a safe overnight place

Active youth development is a macro-concept based on strengths that directs the programs and services available in the community to all young people, rather than only those with clear problems or high-risk situations. Services and activities are voluntary. They provide formal and informal opportunities and experiences to support the successful transition of youth to adulthood.

This is very different from the current system of prioritizing and funding problem prevention and crisis intervention services (Robertson, 1997). Active youth development refers to a continuous growth process in which all young people strive to meet their basic needs for safety, caring relationships, and connection with the larger community, while striving to develop academic, professional, personal, and social skills.

3.4 Youth in India:

India defines youth as an age group between 13-35 years (YA & S 2007). As we all know, since everyone in this age group is unlikely to be a homogeneous group, but a collection of subgroups with different social roles and requirements, this age group can be divided into two broad subgroups namely. 13-19 years old and 20-35 years old (National Youth Policy 2003). The growth pattern of the youth group is very different from that of the general population. The total youth population increased from 168 million in 1971 to 423 million in 2011. The form of this growth was an annual increase of approximately 5.3, 6 and 6.6 million in the 1970s, 1980s and 1990s, respectively. Between 2001 and 2011, there was an increase of 7.4 million. The proportion of young people in the total population has risen from 30.6% in 1971 to 34.8% in 2011. It is estimated that by 2020, the proportion of young Indians in the total population will reach 34.33%. The highest in 2010 was 35.11%. In contrast, China reached the highest level of 38.28% in 1990, and it is estimated that the proportion of youth power will drop to 27.62% by 2020. The situation in Japan has gone through about 2000.

According to observations, India currently has a comparative advantage over other countries in terms of youth population distribution. Compared with other Asian countries, India has obvious advantages in its young population. India is considered to have stayed younger longer than China and Indonesia. These two major countries determine the demographic characteristics of Asia. In 2010, these three countries together accounted for 68% of Asia's population, and Asia itself accounted for approximately 60% of the world's population.

Table 3.1: Youth population (15-24 years) and its prospects in India, 2005-2025.

Year	Total population (Thousand)	Youth population (Thousand)	Youth percentage in population
2005	1,103,371	211,254	19.1
2010	1,183,293	224,657	19.0
2015	1,260,366	231,221	18.3
2020	1,322,032	232,353	17.4
2025	1,395,496	232,579	16.7

(Source: United Nations. UN World Population Prospects)

3.4.1 Youth Development in India

Youth development is a process, through a series of coordinated and gradual activities and experiences, helping young people to become capable people in social, moral, emotional, physical and cognitive aspects, thus preparing for the challenges of adolescence and adulthood. Active youth development strives to help young people develop the internal resources and skills they need to cope with Pressures that can lead to unhealthy and anti-social behaviors.

It is aimed at promotion And Prevention, not treatment or remedy. Preventing bad behavior is a result of the positive development of youth, but there are other results, including the cultivation of self-reliant and confident adults who can become responsible members of society. The following areas are key areas for youth development in India:

A. Education: Providing appropriate education to enable young people to become good citizens of the country should also appropriately influence government actions and public behaviors. It is recognized that the education system needs to instill in the youth a sense of lasting patriotism and values oriented towards national unity and integrity.

It also requires the elimination of all forms of violence, adherence to good ethics and moral values, and protection of India's complex cultural and national heritage. The learning process should minimize the pressure and tension that the system may exert on students, especially in the early years.

The focus of the education system, especially in the early stages, should be on learning, not just qualifying in examinations and memory-based tests. It should also emphasize outdoor learning as an integral part of the educational process, as well as sports, sports, games, and adventure activities.

Academic institutions should be equipped with adequate sports and entertainment facilities. Education above the secondary level should have a high degree of professionalism, so that young people can acquire the necessary skills, thereby increasing their employment channels; need to strengthen technical institutions and increase their number, while paying attention to the rise of our country as a major force in information technology.

B. Youth Employment: At present, the issue of employment is an issue that young Indians are very concerned about, and due to the general unemployment and underemployment of young people, some social problems have been triggered. This further recognizes that the incidence of unemployment in rural areas and urban slums is more pronounced, so appropriate strategies and corresponding efforts need to be adopted to solve this problem.

Advances in technology and communications have exacerbated the occurrence of unemployment. To solve this problem, it is necessary to create opportunities for self-employment. A plan to provide "seed funding" to help young people start viable enterprises needs to be developed. It is necessary to establish a network of youth skill training centers to build the capacity of youth income-generating activities.

To ensure that the government and other stakeholders conduct pre-job and on-the-job training for young people. For proper vocational guidance and career counseling, schools and colleges should pay adequate attention to this aspect as part of their co-curricular activities.

C. Health: After carefully assessing the health needs of young people, a comprehensive approach to mental, physical and mental health needs to be adopted. As far as the health of young people is concerned, the key areas are:

a. **General health:** There is an urgent need to pay more attention to nutrition research for young people, especially young women and adolescents, and to advocate all measures to reduce the difference between their average daily energy and protein intake and the recommended daily intake (RDA). The growth rate of Indian adolescents is measured by body mass index (BMI), ie. India's weight to height ratio is lower than most industrialized countries.

b. **Mental health:** Lack of proper education often leads to mental depression. In an increasingly complex and competitive environment, young people are increasingly likely to suffer from depression. Especially in adolescents who show a higher incidence of suicidal characteristics than before. Adolescence is a period of change, and therefore a period of stress, characterized by the uncertainty of identity and status in the context of peers, society as a whole, and their own responsibilities as adults.

c. **Mental health:** The health of the mind should be combined with the health of the mind. For this reason, yoga and meditation should be widely promoted among young people. Yoga especially should be taught in schools.

D. Population Education: Population growth is a serious national problem, and it negates many of our achievements in the field of development. Youth can play an important role in this field, and community projects can be used to raise awareness in this area.

E. Youth Participation: Youth is an important force. The social, economic, cultural and political development of a country requires the active participation of youth. The transformation of state functions and the rise and development of non-governmental organizations have provided greater space for youth social participation.

The participation of young people in contemporary social life and decision-making is mainly concentrated on participating in political life, economic construction, managing the community services of state agencies, and public interest affairs.

The participation of young people strongly believes that young people have the right and obligation to participate in environmental-related issues, because they will be the ones facing consequences in the future. Some people think that today's youth are not regarded as a responsible part of society, but this concept is wrong, and it is often because they do not have the space or opportunity to act. Meeting the actual needs of each youth community is critical to the effectiveness of the plan-these needs may vary from region to region, preventing large-scale replication of national plans. It is very important to support and establish creative and decentralized youth service programs led by the community.

Young people have many needs-economy, education, society and health. Projects sometimes tend to satisfy one need and exclude other related needs, leading to ineffective results. In a country like India, where the complexities of poverty, unemployment, environmental degradation and lack of opportunities are combined with scarcity of resources, projects must understand the comprehensive nature of the needs of young people.

F. Environment: Young people are particularly vulnerable to the adverse effects of environmental degradation. Unplanned industrialization will lead to pollution and degradation of rivers, forests and land, adversely affecting young people who are vital to a healthy environment.

Considering the importance of community participation in protecting the environment, young people are playing an increasingly important role in mobilizing the general public to participate in this national effort, inspiring people to respect nature and live a lifestyle with less resource consumption and more Resource conservationists. Therefore, more attention should be paid to environmental education in school curricula, and training programs should be arranged to let teachers understand environmental issues so that they can guide young people appropriately.

G. Sports and Leisure: Recognize the overall goal of the overall development of adolescents' personality, and notice that sports, adventure, entertainment and related activities may often be overlooked. These activities are important areas of human resource development. No education system can be considered successful unless it addresses the impulse and desire of young people to be creative and appreciate the many aspects of nature and social life.

H. Art and Culture: Activities related to art and culture provide entertainment for individuals, increase their sensitivity, and provide a vehicle for instilling ideal ideals and values. The importance of art and culture in the overall approach to youth development.

Youth need to be sensitive to our country's great heritage and provide opportunities to understand and follow multicultural forms. Therefore, young people should better absorb India's rich traditions and culture and be aware of the need to protect and enrich this extraordinary heritage.

3.4.2 Youth Participation in India:

 Youth participation and development focuses on cultivating youth's strengths and abilities, strengthening their current learning and connection with the community, and encouraging youth to actively participate in shaping their future. It is suitable for all young people, using a common process suitable for different groups.

Youth development focuses on the community's investment in youth well-being and personal development, as well as the youth's own future well-being and personal development. The proportion of young people participating in sports activities and volunteer activities is the highest, and the attendance rate of cultural activities is the highest. Youth participation leads to better decisions and results. Participation can promote the well-being and development of young people. It is through asking questions; expressing their opinions and taking their opinions seriously, so that young people can develop skills, cultivate abilities, gain confidence and form ambitions. This is a virtuous circle. The more opportunities a young person has for meaningful participation, the more experienced and capable he or she will be.

India continues to attach great importance to youth affairs, with particular emphasis on recognizing the contributions that young people can and do as responsible citizens. These bring together young people and government agencies, provide a basis for discussion and understanding of youth issues, and actively portray young people's contributions to the community. Youth is an important force. The social, economic, cultural and political development of a country requires the active participation of youth.

The transformation of state functions and the rise and development of non-governmental organizations have provided greater space for youth social participation. Indian youth's participation in contemporary social life and decision-making is mainly concentrated in political life, economic construction, management of community services of state agencies, and public interest affairs. Some important government programs to promote youth participation are as follows:

A. National Service Plan (NSS): NSS was launched on the centenary of Mahatma Gandhi's birth in 1969. As a student youth service program, NSS aims to awaken the social consciousness of youth through a two-year community service with the overall goal of cultivating students' personality development.

It is guided by the motto "Not me, but you". NSS seeks to create meaningful connections between campus and community (university and village), knowledge and action. The plan includes special camps (10 days) and community work (120 hours a year).

B. National Service Volunteer Program (NSVS): The goal of the program is to provide opportunities for graduates who have completed their graduation to give them the opportunity to participate in nation-building activities full-time during a specific period (one or two years). Every volunteer gets a monthly allowance.

NSVS provides intensive induction training, focusing on basic capsules of personality development, public speaking, positive thinking, and event management so that participants can organize small events and awareness programs.

C. Bharat Scouts and Guides: Long before independence, Bharat Scouts and Guides provided young boys and girls with an opportunity to shape their personalities and instill in them the spirit of patriotism, social service and community harmony. It also promotes their all-round development efforts and enables them to become responsible citizens of the country. It is one of the largest voluntary organizations in India 53 with nearly 3.2 million members.

D. Nehru Yuva Kendra Sanghatana (NYKS): The 25th anniversary of India's independence in 1972 provided the impetus for the launch of Nehru Yuva Kendra Sanghatana. The program provides rural non-student youth with the opportunity to participate in the process of community and social development, as well as the opportunities that urban and student youth have already obtained through NSS and NSVS. NYKS is an autonomous agency of the Ministry of Youth Affairs and Sports. NYKS has offices in 500 regions of the country.

E. Rashtriya Sadbhavana Yojana: The plan went into effect on April 1, 2005 and replaced the earlier National Reconstruction Plan.

According to the plan, 10 to 20 volunteers selected from rural sports clubs, youth development centers and Mahila Mandals will be deployed in each of the country's 500 regions for one to two years, with a monthly remuneration of 1,000 rupees.

F. National Integration Plan: This provides more communication and understanding for young people belonging to different states and federal territories of the country. Provide assistance to youth programs and inculcate the spirit of ethnic integration and community harmony among the younger generation. According to the plan to promote national integration, assistance is provided to non-governmental organizations to enable them to participate in the process of nation and community building.

3.4.3 Youth and Economic Interdependence in India:

Youth is a decisive period in everyone's life, because this is a period of tremendous changes in the body, mind, economy, and society. It is at this stage of life that the long-term aspects of personal development occur and may determine the success or failure of later life.

It was during this period that young people generally achieved economic independence and assumed family, civil, and political responsibilities. For most young people, the transition to adulthood is consistent with the transition into the world of work.

Unemployment and underemployment in young people's early life often damage their work and life prospects in adulthood. If children and young people are working instead of in school, their chances of getting decent work will be reduced when they grow up. In turn, this will affect their future life and work strategies, including decisions on issues such as establishing a family, children's education, and consumption or employment patterns. This pattern of transformation also affects other key transformations in life.

Girls and boys who have received high-quality education since childhood may have better opportunities to enter the labor market easily and effectively, obtain high-quality employment and secure income in adulthood, and obtain adequate social protection in old age. They need it most. In today's world, these changes are not necessarily one-way or one-off. More and more people enter and exit education and training, enter and exit the labor market, enter and exit fertility roles at different stages of their lives. This requires policies to promote these changes, while laying the foundation for today's intergenerational solidarity and the prosperity of future generations. Therefore, gaining a foothold in the labor market is not only essential for job "success", but also has a multiplier effect in the personal lives of individuals, families, and nations. Investing in youth employment is investing in the future of our society. The ensuing benefits can be measured from the perspective of economic, social and personal benefits.

3.5 Suggestions:

A comprehensive and multidimensional approach to youth development and participation in broader policy interventions should be given a broad and specific form, as youth find employment policies and opportunities embedded in the broader promotion of growth. Job creation is the main strategy for poverty eradication and is promoted through macroeconomic policies, sectoral policies and individual programs. As young people find that there are fewer ways to prove themselves and their ability to work for social development and welfare, some measures should be taken in this regard to gain their confidence:

- Create career opportunities;
- More pressure on vocational courses
- Improve the labor absorptive capacity of the economic system.
- Improve skill base and enter higher value-added industries.
- Improve the operation of the labor market.
- Strengthen the industrial sector.

- Improve education and training.
- Improve social security.
- Solve crime problems.
- Solve employment issues (more attention to youth).

3.6 Conclusion:

Young people are an asset that no country can squander. They possess the energy, skills and ambition that are essential to the development and prosperity of our society. Therefore, it is vital to create economic and social conditions to help youth empower and develop efforts and enable them to realize their productive potential and contribute as change agents. Youth is a decisive period in everyone's life, because this is a period of tremendous changes in the body, mind, economy, and society. It is at this stage of life that the long-term aspects of personal development occur and may determine the success or failure of later life. It was during this period that young people generally achieved economic independence and assumed family, civil and political responsibilities. Participate in promoting the well-being and development of young people, strengthen their commitment and understanding of human rights and democracy, and provide them with a kind of protection; it also allows them to participate in the decision-making process. Youth participation is an important strategy to ensure the best development of youth and achieve broader social development goals. When young people can identify the issues they care about most and develop strategies, activities, networks, organizations, or campaigns to achieve their goals, true empowerment is achieved.

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4. Digital Law and Ethics

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Abstract:

Youth empowerment is a process that provides various mechanisms and platforms in which this paper outlines the study of digital rule and ethics and how to manage oneself ethically, professionally and in a clinically sound manner through online and digital mediums. In this article the commitment of existing secure online and obeying online rules are discussed.

Keywords: Digital rule, Digital rights and responsibilities, Digital services, Journal law of internet, Duties as digital citizens, Principles of digital citizenship, etc.

Digital rule and ethics

Digital law is acknowledged as the responsibility of living unassailable online and regarding online rules. It is fundamentally known as the law of the internet. Digital Law generally refers to traditional legal areas that have been restored with the internet and social media.

Some of these include Social Policies, Digital Defamation, (Online Reputation Management)[1] , and even (Digital Asset Trusts)[2]. With an ever-innovating Internet space, it makes it our business to stay on the edge and keep you protected.

The legal rights and constraints managing technology use and the digital law takes care of the theft, cyberbullying and plagiarism and also makes all websites handled by certain laws that have been established.

4.2 Digital rights and Responsibilities:

It is our responsibility to have a wider knowledge of reliable and secure behavior within a digital environment. This education should include the duties and responsibilities of digital citizenship. This provides a set of rules that we should follow when accessing an electronic network or the Internet.

Digital rights and responsibilities:

- Right to way in and use digital scope
- Right to construct and share digital media
- Right to solitariness in digital societies
- Right to the way in and use computers and other electronic devices
- Right to express your ideas and opinions freely
- Right to notify anyone or anything that seems improper
- Use proper language and demeanor when interacting with others
- Respect the thoughts and ideas of others
- Obey all academic property laws
- Do not use or share others' work without consent or authorization
- Obey the rules conduct by every Internet website

One should take part in online community life safely, ethically and respectfully. Being digitally responsible requires us to be a part of digital citizenship, which contains the standards of responsible and suitable behavior online.

Journal law of internet:

This purpose is especially necessary for the legal community, following the development of the digital economy. The comprehensive practice of digital economy regulation has been developed all over the world, which provides good material for conducting proximate research on this issue.

The ambition of the journal law of the internet is the theoretical knowledge of the subjects that arise in Law and Economics in the digital environment, as well as to create a forum for finding the most suitable performance of their legal principle.

Each monthly issue gives you wisdom on timely topics which are the latest developments in cyberspace law with a detailed analysis of the latest cases and regulatory changes and their effect such as:

1. Efforts to safeguard information systems against cyber-attacks are acquiring increasing attention as the threat of invasions grows and the nature of that threat is better understood. Among these actions are sophisticated technologies for monitoring computer networks and users, identifying and tracing intruders, and conserving and analyzing evidence.
2. Online trading in securities is an online platform that gives you the key to the stock exchange. For this, you need to register with an online trading doorway and it facilitates you to trade in various financial instruments such as equities, mutual funds and entities.
3. Online trading can be treacherous if there is a lack of knowledge in the stock market as you may end up buying the wrong stocks and make a loss, while offline trading brokers help you to buy the right stock.

4. Electronic money is the form of currency that is electronically kept in devices, such as banking computer systems. Unlike the decentralized cryptocurrency, electronic money is backed by a fiat currency indicating they are controlled by a central authority.
5. Copyright should subsist in India to authentic academic, musical and creative works. (Section 63B) [3] of the same Act provides that anyone who deliberately makes use of a computer or an infringing copy of a computer programmed shall be punished.

4.3 Principles of Digital Citizenship:

There are three principals were developed by Mike Ribble to guide digital users on how to responsibly utilize technology to become a digital citizens:

1. *Respect*
2. *Educate*
3. *Protect*

And these each three principles contain three of the nine elements of digital citizenship. They are as follows;

Digital access:

Digital access is the capacity to fully experience a digital community.

This includes access to devices and technologies, such as the Internet and computers that allow for full participation.

Digital commerce:

Digital commerce enables customers to buy goods and services through an interactive and self-service knowledge and also the process of buying things online without human intervention.

Digital communication:

Digital communication is the material transfer of data over a communication channel.

It is the transfer of discrete missives. Digital communication plays a crucial role in today's electronic world

Digital literacy:

Digital literacy is the capacity to guide our digital world using assignment, writing, technical skills, and critical thinking.

Digital etiquette:

It is the electronic standards of behavior or practice. The proper rules of behavior while using technology devices and interacting with others.

Digital law:

Digitalization is converting the relationship between businesses, individuals and governments**.**

Digital rights and responsibilities:

Use the right language and behavior when interacting with others. Obey all academic property laws. Do not use or share others' creations without permission.

Digital health and wellness:

Students should be taught to protect themselves and others from possible harm and ask for help if they need it. Everyone should be aware of the dangers as well.

Digital security:

Security is very much important in this online world. When using devices at school or home, students should be aware of probable malware raids.

Instructors should explain how to prevent them from happening and how to protect their devices as much as possible.

4.4 Duties as Digital Citizens:

With social media, it can be easy to share things behind a net that you might not handle being satisfied saying in real life.

Remain on top of your solitude settings to ensure that you're comfortable with what others can see on your social media accounts.

Another part of being a responsible digital citizen is being aware of where your information comes from.

Protecting your passwords and frequently updating them makes it harder for hackers to find your information. Should be aware and obey all intellectual property laws of the digital world.

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    Section 63B in the Copyright Act, 1957

Footnotes:

[1] **ORM -** *(Online Reputation Management)* is all about monitoring and managing your brand's reputation across the web.

[2] **DAP -** *(Digital Asset Protection Trust)* is a special type of trust that can be used to secure certain digital rights and/or property that is owned by the trust's creator

[3] **Section 63(b)** - (*Copyright Act, 1567*) Knowing use of infringing copy of computer program to be an offense.

5. Influence of Foreign Judgments: on the Judicial Process of Supreme Court of India

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5.1 Introduction:

In words of the Alexander Hamilton, one of America's first constitutionallawyers," *The judiciary was the least dangerous branch of government, with no influence overeither the sword or the purse.*" And the Supreme Court of India when established in the year 1950, same thought and question arose in the minds of the people and jurists. However, over the years it has become that strongest body in the Indian governmental organ.

After the enactment of the present Constitution of India, in these 72 years of judicial process, Indian judiciary has borrowed various principles from the foreign courts. In constitutional cases the Indian judicial system, has at appropriate places referred foreign precedents to settle the concepts and principles.

Foreign precedents may be necessary in certain categories of appellate litigation, conflict of Laws and in litigation pertaining to cross-border business dealings as well as family-related disputes, wherein parties are in different jurisdictions and it may be necessary to cite and discuss foreign statutory laws and decisions.

The courts some time look into international instruments to settle specific issues out of necessity. The constitutional systems in several countries, especially those belonging to the Common-law tradition have been routinely borrowing doctrine and precedents from each other.

In the years of decolonization, the countries in Asia and Africa, incorporated mutually similar provisions in their constitutions by drawing from ideas embedded in international instruments such as the United Nations Charter and the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) etc.,

The transplantation of constitutional doctrines was predominant in the case of most newly liberated countries in Asia and Africa, with several countries adopting written constitutions that provide for basic civil-political rights enforceable through judicial means.

In recent years, the decisions of Constitutional Courts in common law jurisdictions such as United States of America, United Kingdom, Australia, Canada, New Zealand and India have become the primary means behind the growing importance of comparative constitutional law,wherein foreign precedents have become commonplace in public law litigation.

In common law jurisdictions where the doctrine of 'stare decisis' is followed, such comparative analysis is considered especially useful in relatively newer constitutional systems which are yet to develop a substantial body of case-law.

The Constitutional Courts set up in Canada and South Africa has frequently cited foreign precedents to interpret the bill of rights in their respective legal systems. The domestic courts may cite the decision of a foreign court on the interpretation of obligations applicable to both jurisdictions under an international instrument.

The legislature is free to borrow from foreign statutes and precedents in shaping domestic laws, but the questions is, does the judiciary have authority to incorporate legal prescriptions which have originated abroad.

In this regard, Justice Scalia has argued that while it is acceptable to discuss and rely on foreign law in a legislative process such as the framing of a Constitution, the same should not be done by the judiciary. In this regard it is a pertinent question to explore, analyze and formulate the position of the Supreme Court of India in referring Foreign Judgment with particular reference to the judgments of the Supreme Court of United States of America in the judicial process.

In the concept of due process of law, "Regina Vs Paty", 1704, for Queen's Bench, *Justice Powys* view is source and remains authentic meaning or definition and the same were subsequently used in the judgments of USA, "Dred Scott Vs Sandford" (1857)[1].

5.2 Interpretations:

The general rule applied before interpretation of a statute is that prima facie the statutes must be given an ordinary meaning. But if the meaning of the provisions in the statutes is unclear, ambiguous, or cannot be understood in its plain reading then the tools or aids of interpretation are resorted. There are various tools or aids that are used to interpret the statues. These aids of interpretation are broadly classified into external aid and internal aid.

Internal aids are the aids that are found within the Act or Statute. For instance, the title of an Act, headings or the titles prefixed to the provisions in the Acts, punctuations, marginal notes, illustrations, the definition section or any other tool that is within the Act itself constitutes an internal aid. When the internal aid is inadequate to define a meaning or could not put forth an appropriate and convincing connotation the external aids are sought. The external aids are the ones that are found outside the Act, i.e foreign judgments, international treaties, parliamentary history, historical facts, etc. The Supreme Court opined that, where internal aids are not forthcoming, we can always have recourse to external aids to discover the object of the legislation[2].

5.3 Foreign Judgments - An external aid:

In the era of globalization and with the growing inter-connectedness of the laws and treaties, nations are familiarizing themselves within the international platform by mutually agreeing principles to follow.

The text and interpretations of various international instruments like the UDHR, Geneva Conventions, European Conventions, etc. are being referred and borrowedby countries around the world. In the process the judiciary of one country borrows foreign judicial decisions of other nations or international adjudicatory bodies to understand and interpret the laws, doctrines, principles etc.

Further for the foreign decision to be relevantmust bare a close resemblance between the facts of the case in the foreign judicial decisions with that of the case or dispute before the domestic judge and the concept or idea of justice should be similar or equivalent in the foreign jurisdiction to that of the domestic Court.

5.4 Trans-Judicial Communication:

Trans Judicial communication[3] can be understood as the communication between the judicial organs of different nations and organizations across the globe.

The author "Anne Slaughter" described the three different approaches that a Court can consider to use foreign precedents that is (i) Vertical means, when the courts refer to the decisions given by the international institutions that adjudicate like the ICC, ICJ, etc. (ii) Horizontal means, wherein the domestic courts use the judicial decisions given by other nations to interpret its own laws, such as borrowing of constitutional cases between the nations. (iii) Mixed horizontal and vertical means, wherein the domestic courts may cite foreign decisions from other nations with respect to the interpretation of obligations applicable to both the jurisdiction under international instruments or law.

To understand this in an easier way we can say that the judges directly refer to the applicable international obligations and are also free to refer to the decisions of the courts of the foreign nations to understand how those nations interpreting andimplementing the obligations are created by such international instruments.

These are the three means of trans-judicial communication, by examining these three means one can notice and understand how the reference to foreign law is contemplated both in international and national law. More seeds are being sown for more trans-judicial communication because of the growing trend of internationalization of legal education. One more reason that is attributing to this communication is the increase in the easy accessibilityof foreign legal material for the judges to refer to.

The Supreme Court of India's three landmark judgments of the year 2018, namely (1). **Justice K. S. Puttaswamy[4] v. Union of India,** (2) **Indian Young Lawyers' Association v. State of Kerala[5]**, (3) **Navtej Singh Johar v. Union of India[6],** all the cases confront and settle critical issues around the Indian Constitution relating to fundamental rights. In all three judgments, the most cited foreign judgments was from United States of America. The court favours to look for the judgments of USA because of having shared legal system of common law and legal traditions and principles are similar in the legal systems.

5.5 Uniformity In Human Rights Law:

Generally, law intents to promote peace and harmony in the society by regulating and controlling the human behavior. It prohibits any action detrimental to the society. The law is the tool to achieve and implement justice in the society. And throughout the world intentionof the legal system and law is the wellbeing of the individual and the society. The core ideology of any legal system is one and the same. In the contemporary world and after the formation of UNO, law has become universal and common to the extent that a global law is being promoted.

It should not be understood that a "global law"[7] is the ultimate goal of the society. The 1948 Universal Declaration of Human Rights (UDHR) is the starting point of modern international human rights law and most nations are adhering to the same. The adherence has created a commonality of the human rights in all legal system.

5.6 Conclusion:

The socio political nature of every country is different from one another. However, the modern era has promoted common principles of law in most of the nations. The growing complexity of human endeavor in many areas of activity has promoted intricate laws, leading the Judiciary to engage and exchange the methods and principles to solve an issue before the court.

Ever increasing complex situation and cases comples the judiciary look for international opinions and the recognition of some rights and legal aspects by nations is enabling the Judiciary to engage and exchange the methods applied to solve an issue before the court. This accumulation of wisdom through the system of borrowing judicial decisions to interpret law is one of the best ways to solve the issue.

The Indian Courts were open towards accepting or using foreign judicial decisions while interpreting statues. It is important to remember that the foreign judgments have an influential value and are not obligatory or binding decisions in India, they can act as important guideposts to interpret in India. The Constitutional Courts in the countries such as India, United Kingdom, Canada, following common law legal system are the most important promoters of the comparative constit*utional law. In these countries, the reliance on foreign precedents is becoming a common place in the public litigation.

This trans-judicial communication among nations is encouraging the Nations to rely upon such precedents and laws and the same is a positive step towards healthy legal system and legal order.

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Footnotes:

[1] In this ruling, the U.S. Supreme Court stated that enslaved people were not citizens of the United States and, therefore, could not expect any protection from the federal government or the courts.

The opinion also stated that Congress had no authority to ban slavery from a Federal territory. The Due Process Clause of the Fifth Amendment prohibits the federal government from freeing slaves brought into federal territories.

[2] B. Prabhakar Rao v. State of Andhra Pradesh

[3] Anne Slaughter an international lawyer, political analyst and a political scientist wrote an article on trans-judicial communication in 1994

[4] In this case, a nine-judge bench established that the right to privacy is a fundamental right flowing from Articles 19 and 21

[5] Chief Justice Dipak Misra's five-judge bench declared unconstitutional the Sabarimala Temple's custom of prohibiting women in their 'menstruating years' from entering its inner sanctum

[6] In a historic judgment for the LGBT community, a five-judge Bench unanimously struck down Section 377 of the Indian Penal Code, 1860, to the extent that it criminalised same-sex relations between consenting adults.

[7] In 1988 Ernst Zitelmann advanced the notion that domestic laws in all the legal systems in the world should be replaced by one uniform 'global law'

6. The Role of Empowering Women and Achieving Gender Equality to the Sustainable Development in India

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Abstract:

Women empowerment is a debatable subject. At earlier time of Stone Age period, women had equal status and power with that of men. But when they started facing some difficulties during post-Vedic and epic ages. History shows that many a time, women were treated as that of slaves.

*It was observed that right from the early 20th twenty (national movement), the status of women had been changing gradually and this credit goes to the British people. It is only after the independence of India, under the leadership of **Dr. Ambedkar**, the constitutional makers and national leaders started strongly demanding and also reiterating the equal social position of women with men.*

Today, it is overwhelming to see that good proportionate of women in India are in the respectable positions in all walks of the fields.

The purpose of this paper is to uncover the role of empowering women and achieving gender equality in the sustainable development.

To achieve this purpose, based on the Data analysed, findings of the study show that the role of women across different dimensions of sustainable development is less reflected in many countries. The use of a women's labour force in the economic development of the country is minimal.

The political sphere of some countries is, by and large, reserved for men alone. The place of women in society is also relegated to contributing minimally to the social development of the country. In addition, women's rights are not properly being protected in order for women to participate in various the issues of their countries but are subjected to abysmal violations. Moreover, women are highly affected by environmental problems, and less emphasis is given to their participation in protecting the environment.

I concluded that unless women are empowered and gender equality is achieved so that women can play their role in economic, social, political, and environmental areas, the country will not achieve sustainable development with the recognition of only men's participation in all these areas.

The fact that women constitute half the entire population of the country makes empowering them to be an active part of all development initiatives in the country a compelling circumstance.

Hence, this paper calls for the strong commitment of the government to empower women and utilize all the potentials of the country to bring about sustainable development.

6.1 Introduction:

- Women empowerment is a significant topic of discussion, mainly in underdeveloped and developing nations. They have lately realized that they aspire cannot be achieved unless we achieve gender equality by empowering their women. The economic empowerment of women refers to their right to control the economic decisions, income, assets and other equivalents; improving their economic as well as social status.

- Women empowerment means promoting women in their social and economic development, allowing them equal opportunities of employment, education, economic development and which empowers women to know that they too can achieve their aspirations as the men of the society and help them do that.

The issue of women's empowerment and gender equality is at the top of agendas across the world, as gender inequality is widespread in all cultures. In developing countries, gender disparity is highly rampant compared to the developed countries.

For example in Ethiopia, gender-based discrimination and inequalities are very much apparent, although the government is working aggressively towards alleviating such problems. As a result, low empowerment of women and high gender gap still impede the development process of the country.

In the same way, women's empowerment refers to "women's ability to make strategic life choices where that ability had been previously denied them". Accordingly, empowerment is central to the processes of maintaining the benefits of women at individual, household, community and broader levels. Another, almost-related and equally important concept in this paper is gender equality. Gender equality is understood to mean that the "rights, responsibilities and opportunities of individuals will not depend on whether they are born male or female".

It is also defined as a situation where "… all human beings are free to develop their personal abilities and make choices without the limitations set by strict gender roles; that the different aspirations and needs of women and men are considered, valued and favoured equally".

Improving female empowerment is an important human rights and development goal that needs better monitoring. Increasing the empowerment of women is a major human rights and development goal, but progress in women's empowerment lags behind development goals in other domains, particularly in sub-Saharan Africa.

In addition to its intrinsic human rights value, empowering women can result in benefits for societies at large. For example, increases in women's empowerment can lower infant and child mortality; and improve health and nutrition. Improvements in women's education are also linked to strong gains in income.

To this end, empowerment of women has an indispensable role, which is why the researcher preferred to use both terms together throughout the discussion. In this study, both terms are used frequently to have.

6.1.1 Need of women's Empowerment in India:

The status of Indian women has declined from ancient period to medieval period. Though in modern era Indian women have held significant political and administrative post; still, on the contrary there is a majority of rural women who are confined to their homes and don't have access to even basic health amenities and education.

The female literacy rate in India lags behind the male literacy rate by a significant ration. Literacy rate for men in India is 81.3% and that of women is 60.6%. Many Indian girls they don't have access to the school and even if they do, they drop out during early years. Only 29% of Indian young women have completed ten or more years of education.

Law education rate among women have completed main workforce, resulting in their social and economic deterioration. Women in urban areas are well employed than their village counterpart; nearly 30% employees in the Indian software industry constitute women. On the contrary nearly 90% of rural women are employed as daily wage labors, mainly in agriculture and allied sectors. According to a study woman in India with same years of experience and qualification are paid 20% less than their male counter parts having same years of experience and qualification or credentials.

6.1.2 Barriers to Women Empowerment in India:

Indian society is a complex with varied customs, rituals, beliefs and traditions. Sometimes these age old beliefs and customs constitute the most significant barriers to the empowerment of women in India are explained below: -

- **Societal Norms**

Many societies in India restrict women from leaving the house, given to their orthodox belief and age old traditions. Women in such societies are not allowed to go to outside either for education or for employment and are forced to live in isolated and dejected life. Women living under such conditions become accustomed to being inferior to men and are unable to change their present social and economic state.

- **Workplace Sexual harassment**

Workplace sexual harassment is the most significant barrier to women empowerment in India. Private sectors like hospitality industry, software industry, educational institutions, and hospital are some of the worse affected. It is manifestation of deep rooted male supremacy in the society. There had been a steep rise of about 170% in the workplace sexual harassment of women in India in the past couple of decades.

- **Gender discrimination**

Majority of women in India still face gender discrimination at work place as well as in the society. Many societies don't allow the women to go out for employment or education.

They are not allowed to take independent decisions either for work or for family, and are treated inferior to men. Such discrimination of the women leads their socio economic decline and hugely contradicts '' Women Empowerment''.

- **Pay disparity**

Women in India are paid less than their male counterparts. The situation is worse in unorganized sectors where women are employed as daily wage labors.

Women working for the same number of hours and doing the same work are paid less than the men, which implies unequal powers between men and women.

Even the women who are employed in organized sectors are paid less than their male counterparts having equivalent qualification and hugely contradicts '' Women Empowerment''.

- **Illiteracy**

Female illiteracy and their high dropout rate is one the empowerment of women in India. In Urban Indian girls are at per with boys in terms of education but they significantly lag behind in rural areas.

The literacy rate of women is 64.6%, while the men are 80.9%. Lot of Indian girls join school, dropout in the initial years without having passed even 10th grade.

- **Child marriage**

Though, in India has successfully reduced child marriages in the past few decades, through a number of laws, initiatives taken by the government.

Still a report in early 2018 by the UNICEF (United Nations Children Emergency Found) states that nearly 1.5 Million girls in India get married before they turn 18. Early marriage reduces the growth prospects of girls who soon are moving onto adulthood.

- **Government's role in Women Empowerment in India**

The government of India has implemented many programs for the empowerment of women. Many of these programs are for providing employment, education, health accessible to the masses.

These programs have been especially incorporated keeping in mind the needs and conditions of Indian women, to ensure their participation. Some of these programs are –

MNREGA (Mahatma Gandhi National Rural Employment Guarantee Scheme), Sarva Siksha, Abhiyaan, Janani suraksh (reduce maternal mortality) etc. the ministry of women and child development, government of India has implemented various new schemes specifically aimed at the empowerment of Indian women. Some of those significant schemes are: -

- Women Helpline schemes
- Support to training and employment programme for women (STEP).
- Beti Bachao Bet Padhao scheme.
- Ujjawal Scheme
- Reservation for women in panchayati Raj Institution
- Mahila Shakti Kendras.

6.2 Conceptualization of Terms:

6.2.1 What is women's empowerment?

According to the **World Bank's definition**: '' Empowerment is the process of enhancing the capacity of individuals or groups to make choices into desired actions and outcomes.

Legal definition of women empowerment: Women empowerment implies the ability in women to take decisions with regard to their life and work and giving equal rights to them in all spheres like personal, social, economic, political, legal etc.

According to the scholars: Women empowerment involves the action of boosting the status of women through literacy, education, training and raising awareness.

Empowerment can be defined as a "multi-dimensional social process that helps people gain control over their own lives.

It is a process that fosters power in people, for use in their own lives, their communities, and in their society, by acting on issues that they define as important".

In the same way, women's empowerment refers to "women's ability to make strategic life choices where that ability had been previously denied them".

Accordingly, empowerment is central to the processes of maintaining the benefits of women at individual, household, community and broader levels.

Hence, women's empowerment is all about allowing and equipping women to make life-determining choices across different issues in their countries.

a. Women's empowerment has (5) five components:

Women's sense of self-worth which includes: -

1. Their right to have and to determine choices.
2. Their right to have access to opportunities and resources.
3. Their right to have power to control their own lives, both within and outside the home.
4. Their right to influence the direction of social; and
5. Their right to equal opportunity.

The index is based on six categories of empowerment:

- Violence against women,
- Employment,
- Education,
- Reproductive healthcare,
- Decision making; and
- Access to contraceptives.

6.2.2 Women's Empowerment Principles in Brief:

1. Establish high-level corporate leadership for gender equality.
2. Treat all women and men fairly at work – respect and support human right and nondiscrimination.
3. Ensure the health, safety and well-being of all women and men workers.
4. Promote education, training and professional development for women.
5. Implement enterprise development, supply chain and marketing practices that empower women.
6. Promote equality through community initiatives and advocacy.
7. Measure and publicly report on progress to achieve gender equality.

Principle 1: Leadership Promotes Gender Equality.

a. Affirm high-level support and direct top-level policies for gender equality and human rights.
b. Establish company-wide goals and targets for gender equality and include progress as a factor in managers' performance reviews.
c. Engage internal and external stakeholders in the development of company policies, programmes and implementation plans that advance equality.
d. Ensure that all policies are gender-sensitive – identifying factors that impact women and men differently – and that corporate culture advances equality and inclusion

Principle 2: Equal Opportunity, Inclusion and Nondiscriminiation.

a. Pay equal remuneration, including benefits, for work of equal value and strive to pay a living wage to all women and men.
b. Ensure that workplace policies and practices are free from gender-based discrimination.
c. Implement gender-sensitive recruitment and retention practices and proactively recruit and appoint women to managerial and executive positions and to the corporate board of directors.
d. Assure sufficient participation of women – 30% or greater – in decision-making and governance at all levels and across all business areas.
e. Offer flexible work options, leave and re-entry opportunities to positions of equal pay and status. f. Support access to child and dependent care by providing services, resources and information to both women and men.

Principle 3: Health, Safety and Freedom from Violence.

a. Taking into account differential impacts on women and men, provide safe working conditions and protection from exposure to hazardous

       materials and disclose potential risks, including to reproductive health.
b. Establish a zero-tolerance policy towards all forms of violence at work, including verbal and/or physical abuse, and prevent sexual harassment.
c. Strive to offer health insurance or other needed services – including for survivors of domestic violence – and ensure equal access for all employees.
d. Respect women and men workers' rights to time off for medical care and counseling for themselves and their dependents.
e. In consultation with employees, identify and address security issues, including the safety of women traveling to and from work and on company-related business.
f. Train security staff and managers to recognize signs of violence against women and understand laws and company policies on human trafficking, labour and sexual exploitation.

Principle 4: Education and Training.

a. Invest in workplace policies and programmes that open avenues for advancement of women at all levels and across all business areas, and encourage women to enter nontraditional job fields.
b. Ensure equal access to all company-supported education and training programmes, including literacy classes, vocational and information technology training.
c. Provide equal opportunities for formal and informal networking and mentoring.
d. Offer opportunities to promote the business case for women's empowerment and the positive impact of inclusion for men as well as women.

Principle 5: Enterprise Development, Supply Chain and Marketing Practices.

a. Expand business relationships with women-owned enterprises, including small businesses, and women entrepreneurs.
b. Support gender-sensitive solutions to credit and lending barriers.
c. Ask business partners and peers to respect the company's commitment to advancing equality and inclusion.
d. Respect the dignity of women in all marketing and other company materials.
e. Ensure that company products, services and facilities are not used for human trafficking and/or labour or sexual exploitation.

Principle 6: Community Leadership and Engagement.

a. Lead by example – showcase company commitment to gender equality and women's empowerment. b. Leverage influence, alone or in partnership, to advocate for gender equality and collaborate with business partners, suppliers and community leaders to promote inclusion.
b. Work with community stakeholders, officials and others to eliminate discrimination and exploitation and open opportunities for women and girls.
c. Promote and recognize women's leadership in, and contributions to, their communities and ensure sufficient representation of women in any community consultation.
d. Use philanthropy and grants programmes to support company commitment to inclusion, equality and human rights.

Principle 7: Transparency, Measuring and Reporting.

a. Make public the company policies and implementation plan for promoting gender equality.
b. Establish benchmarks that quantify inclusion of women at all levels.

c. Measure and report on progress, both internally and externally, using data disaggregated by gender. d. Incorporate gender markers into ongoing reporting obligations.

''FEMALE EMPOWERMENT INDEX (FEMI), FOR EXAMPLE IN NIGERIA''

The Female Empowerment Index, the FEMI has increased significantly during the 23-year survey period. With the exception of the access to contraception category, values in 2013 are the highest they have ever been, with lower levels of violence, and higher levels of health, education, decision making, and gainful employment for women across Nigeria.

The national level FEMI was 0.34 in 1990 and 0.48 in 2013. However, the state and regional variation in the FEMI was substantial for all survey years.

For individual states it ranged from 0.16 to 0.62 in 1990 and from 0.19 to 0.75 in 2013. The FEMI gap between the North and South actually widened during the survey period, going from 0.25 in 1990 to 0.32 in 2013.

While the FEMI is attractive as it provides a single number, it is interesting to consider trends in individual categories and how they contribute to changes in the FEMI.

Improvements in the FEMI between 1990 and 1999 were largely driven by improved access to contraceptives in the South and improved employment in the North. From 1999-2003, there was reduced access to contraceptives in much of the country, but the FEMI did not decrease as there were gains in the other categories, particularly employment.

From 2003-2008, the primary drivers of change in the FEMI were more varied, including a mix of improvements in violence, decision making,

contraception, and employment. Changes between the 2008–2013 surveys came from a relatively equal mix of improvements in all six FEMI categories.

Discussion:

There is much interest in improving the empowerment of women as illustrated by its inclusion of women's empowerment in the United Nations Sustainable Development Goals.

Better monitoring of women's empowerment can be an important step toward improving it; but this has proven to be a very difficult task, both conceptually and methodologically. There are many different possible definitions of empowerment, and it is not entirely clear which definitions to use and how to measure them. In addition, limitations in data availability have led to sub-optimal measurements of empowerment.

Brief History of Women Empowerment in India:

Equal right for men and women are established under Article 14 to 16 in the Indian Constitution, which came into effect on 26th January, 1950.

Discriminated based on gender is strictly prohibited. Indian women received universal suffrage during India's independence in 1947, long before several western countries granted women the right to vote. India was the second country in modern history to have a female leader, Indira Gandhi, in 1966 after another South Asian stat, Sri Lanka, elected Sirimavo Bandaranaike in 1960.

New Delhi has also taken a concerted effort to ratify key international conventions to end discrimination against women. It is a founding member of the international labour organization (ILO) and has ratified 47th conventions and one protocol.

As India is progressive to become world's fastest growing economy in near future, it must also focus on '' women Empowerment'' We must understand that women empowerment is a process which hopes to bring gender equality and a balanced economy.

Indian women had been President, Prime Minister, civil servant, doctors, lawyers etc, but still a good majority of them needs help and support, support to be educated, to do what they want to do, to travel safe, to work safe and to be independent; making their own decisions. The way to the socio-economic development of India goes through the socio-economic development of her women folk.

6.3 Why Should We Empower Women and Achieve Gender Equality:

The importance of empowering women is a critical aspect to achieving gender equality, where both men and women have equal opportunities for education, healthcare, economic participation and personal development. A number of studies have shown that sustainable development is impossible without women's empowerment and gender equality. Consequently, it is asserted that gender equality is both a human rights issue and a precondition for, and indicator of, sustainable development. It is also affirmed that gender disparity is prevalent across the cultures of the world and that without serious steps to tackle it, sustainable development cannot be achieved.

Furthermore, UN Women (2014) rightly outlined that to create a just and sustainable world and to enhance women's roles in sustaining their families and communities, achieving gender equality is paramount. On the other hand, if gender equality is not maintained, it will retard the country's development. In line with this idea, interestingly underlines that "an increasing number of studies indicate that gender inequalities are extracting high economic costs and leading to social inequities and environmental degradation around the world."

Therefore, in this paper, women's empowerment and gender equality are discussed as a means to bring about sustainable development in the country.

6.3.1 Behind the Glamour of Women Empowerment:

Women's empowerment is valuable for the development and advancement of the family, community as well as the nation

Hilary Clinton former United State Secretary of United State of America she said '' Women is the largest untapped reservoir of talent in the world ''

There are needs of changing the perspective about empowered women in any country, behind the Glamour are as follows: -

1. A single mother raising her child is an empowered woman.
2. A women supporting her family is an empowered woman.
3. A daily wager women earning for the livelihood of the family is an empowered woman.
4. A girl doing studies against the will of her parent is an empowered woman.
5. A women doing daily chores of the household is an empowered woman.

Therefore, there is great need of women empowerment in any country at micro and meso level, in order to make the country where women can stand head to head with men.

Empowering women is essential to the health and social development of families, communities and countries. When women are living safe, fulfilled and productive lives, they can reach their full potential, contributing their skills to the workforce and can raise happier and healthier children.

KEYS:

6.3.2 Economic Growth:

One major justification why we should work so hard towards women's empowerment and gender equality is economics.

Economic development, as one component of sustainable development, is unthinkable without the involvement of women. For example, Ethiopia is one of the fastest economically growing countries in the world. However, like many developing countries, the women's labour force has not been properly utilized. Despite certain improvements following efforts from the government, the economic opportunities for and participation of Ethiopian women are still low.

Moreover, women account for 70% of the world's poor because of unequal economic opportunities. In this regard, valuing women's work is instrumental to rescuing women from a life of poverty so they might contribute to the country's economic growth.

It is well known that one significant factor inhibiting poverty reduction and economic growth across the developing world is the failure to value women's work. Women's economic empowerment, which is a precondition for sustainable development, requires sound gender-mainstreamed policies and strategies that can be better achieved if women are there to do it themselves. Hence, the political empowerment of women has multifaceted, nonpolitical positive results as well.

To conclude, empowering women and providing fair representation across the law-making, law-enforcing, and law-interpreting organs, as well as any government institutions, play a remarkable role in political development, in particular, and sustainable development of a country in general.

6.3.3 Social Development:

Social development is a key pillar of sustainable development. And social transformation as a component of sustainable development is unthinkable without the involvement of women. Even though Africa has witnessed commendable achievements in social development, its progress on gender and women's empowerment indicators is slow; it still has to face considerable challenges within post-2015 development frameworks.

In this respect, the researcher looked into the role of empowering and educating women in reducing population growth, maintaining healthy family/society and avoiding the badly socialized, stereotyped perception of society towards women. As one instrument of women's empowerment (OECD, 2012), educational access should be equally given to women. The education of girls and women plays a tremendous role in social development. However, Ethiopian women are not well educated compared with men.

Their access to education has been hindered by traditional customary attitudes. For this reason, the knowledge of women regarding family planning is very poor, especially in rural areas. As a result, they produce children in an unplanned way, thereby contributing to the alarming population increase. Currently, Ethiopia is the most populous country in Eastern Africa and the second-most populous in Africa, next to Nigeria.

6.3.4 Political Development/Good Governance:

Political development/good governance is an essential instrument for sustainable development. There is a strong assertion that a balanced achievement of all the pillars of sustainable development depends on the deliberate strategic and operational intervention of the government. Accordingly, good governance undoubtedly corroborates the achievement of economic and social development and environmental protection. As a result, there is a need for a well-established, quality

political or governance system. To this end, active involvement of women in decision-making positions will help foster the overall quality of governance in terms of boosting accountability and transparency, reducing corruption, and protecting the interest of marginalized sections of society; without women, achieving sustainable development is impossible.

To complicate matters, even the above-mentioned economic development will not be achieved unless women are placed in key political positions. This is due to the interplay between economy and politics: one influences the other. It is common to observe political actions taken by a government affecting and determining the economy of a country.

Consequently, if politics operate with the full and equal participation of women, the impact on the economy will be fair and beneficial to all.

For instance, if the Ministry of Finance and Economic Cooperation is gender-mainstreamed (operated by women as well, the entire economic environment in the country will be more amenable to women taking an active part and thereby contributing to the economic development of the country.

Moreover, to bring about social development, removing the badly socialized stereotyped perception of society towards women is also equally important. Gender is a socially and culturally constructed identity. Culture and social practices determine the lesser role, jobs, and status ascribed to Ethiopian women, whereas they were not born for that.

The stereotyped perception of society towards women is detrimental to the well-being of women as well as to the development of the entire country. There is a need to remove such culturally and socially deep-rooted attitudes so that women will be seen as equal to men and enjoy their rights, determine their lives, and fully contribute towards the development of their country.

6.3.5 Human Rights Protection:

Though the concept of human rights is subject to different connotations by different authorities, there exists an understanding that human rights are rights enjoyed by all human beings.

We enjoy them because we are human beings. The protection of human rights is vital to leading life with dignity and to promoting development.

Despite the debate at the development human rights nexus, there exists a strong argument that human rights should be respected in the course of development.

As rightly outlined, freedom is at core of the development process, since progress should be assessed based on whether peoples' freedoms are enhanced, and the achievement of development itself is dependent on the free agency of people. This shows that human rights and freedoms should be protected for the development of a given country. As stated above, human rights are the rights of all human beings, and a 'human being' embraces both genders: male and female.

Therefore, for development to be realized, all human beings, irrespective of gender, should enjoy human rights. Thus, human rights are protected by international human rights instruments for the enjoyment of all human beings regardless of, inter alia, their sex.

As UN noted, '', "achieving gender equality and realizing the human rights, dignity and capabilities of diverse groups of women is a central requirement of a just and sustainable world."

 In short, scholars have affirmed that the realization of human rights is vital in the development of a country. Most importantly, implementing the rights of the significant number of marginalized Ethiopian women for full participation in all levels of human activity will play a paramount role in hastening and sustaining the development the country is pursuing.

6.4 Conclusion:

Based on the findings obtained, this paper calls upon the government of any country to take the following measures to bring about women empowerment, gender equality, human rights, and sustainable development in the country as follows: -

- Empowering women and making full use of their labour force for economic growth.
- Educating and maintaining the health of women to enhance productivity and social development.
- Empowering women and providing them with fair representation across different decision-making levels of the government structure to better protect women's interests and to achieve quality governance.
- Protecting the rights of women to make them active participants in the economic, social, political, cultural, and other arenas of the country, thereby bringing about development.

Protecting the environment to bring about sustainable development, as the environment is the key source of the country's economy. Empowering women to play an equal role in the protection and management of the environment, with their special knowledge and expertise, is also essential.

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7. A Study on Tribal Women and Their Socio-Economic Development

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Abstract:

This research illustrates the connection between economic empowerment and the increased engagement of women, particularly tribal women. It looks at how women are dressed, how they earn a living, and how they compare to other socioeconomic groups. While Indian tribal women labour just as hard as their male counterparts, they have less opportunities to earn money outside the home. Due to the family's financial situation, they feel they cannot afford to send their children to school.

In addition, they tend to overlook the most fundamental health requirements because of their generally poor level of education and awareness. If we compare tribal women to both other women and to women in the general population, we see that they are not just at a disadvantage compared to tribal men, but also to women in the general population. The goal of this theoretical study is to identify some of the unique difficulties experienced by indigenous women and to propose some potential solutions. The findings may be used to better their disadvantaged condition by developing projects.

7.1 Introduction:

Even though they make up only a small percentage of India's total population, India's tribal communities are vital to the country's culture and identity. There are 8.2% of Indians who belong to Scheduled Tribes, and tribal women play a significant role in their society's economic and political systems, as shown by data from the 2001 census1.

As a barometer of social fairness, a society's treatment of women is instructive. It is common to talk of a woman's "status" in terms of her finances, career, health, and social standing.

The standard of living of a region can be gauged most accurately by looking at its level of socioeconomic development. Economic growth, social fairness, and quality of life are all bolstered when social and economic services are distributed fairly.

In order to truly empower women in tribal communities, the current approach for tribal development needs to be refined, improved, and elevated. The process of liberation from man-made bondage via prolonged struggle and resistance is an essential part of the socio-economic empowerment of marginalised groups.

This includes not just the process of creating socio-political space for these groups by the state and civil society. It's also symbolic of the achievement of underrepresented groups' aspirations for a society devoid of the political, social, and economic disparities that have long plagued it.[2]

7.2 Classification of Tribes:

There are six basic categories that can be used to categorise tribal tribes, based on factors such as occupation. The classification also takes into account ecological factors, traditional economics, superstitious beliefs and behaviours, as well as the impacts of the recent past.[3] These six types are –

A. Forest-Hunting Type: It comprises the indigenous communities which live in woods and are exclusively dependent on forests for their subsistence. They live in shelters fashioned of the materials found in the woodlands. Their life centres round the forest with primitive technology, limited skills and deep traditional and ritual customs.

B. The Primitive Hill Cultivation Type: To identify these groups, one must look no further than their distinctive methods of shifting agriculture. They also engage in the activities of hunting and gathering food. Slash-and-burn agriculture is a major part of their way of life.

C. Plain Agricultural Type: Agriculture is the mainstay of the tribal economy, with other subsistence activities including hunting, gathering, and fishing serving as supplementary means of support. Throughout the monsoon season, they focus on a single crop. Spiritism and the observance of agricultural and seasonal festivals characterise their way of life.

D. Simple Artisan Type: This group of people relies on their ability to create art for a living, and their products span from bamboo baskets and iron tools to spun textiles and wrought metalware.

E. The Pastoral and Cattle Breeder Type: The Gujjars, Bakarwals, Goddess, and Jodhs are all nomadic pastoral communities located in the north-eastern Himalayas. They herd their sheep, goats, and cattle to higher altitudes in quest of better grazing. These indigenous groups have adapted in a wide variety of ways to their varied natural environments.

F. Urban Industrial Worker Type: Since they were not explored by Europeans during the British reign, India's tribal regions, and the middle India tribal regions in particular, are a treasure trove of untapped mineral and metal deposits.

7.2.1 Problems Faced by Tribal Women:

Almost all tribal people have significant obstacles they must overcome to advance socially. [4]

A. Absence of any fix livelihood:

Different studies show that tribal women have a higher rate of employment than those in the scheduled caste and the general population, but that this does not mean that tribal people have secure or stable livelihoods. Almost all of them are poor since they do not have a reliable source of income. Those of the tribal population who make their homes in rural locations engage in a wide variety of low-stakes pursuits. They work primarily in agricultural fields. Additionally, they work in pastoral activities, handiwork, and occasionally in the industrial sector. Most tribal women, like their male counterparts, are found working in agriculture, but unlike the men, they are not engaged in any form of continuous employment. Not many people from indigenous backgrounds work for the government. There is a connection between a household's economic situation and its other areas of life.

B. Lack of access to education:

Most women in tribal communities have paid jobs or other outside-the-home responsibilities. They need to support their families, so they go to work. The majority of women in the workforce are engaged in agricultural labour. Young girls and boys often accompany their mothers to the workplace. They tend to either intermittently attend school or eventually give up on formal education altogether. Even in low-income households, sending kids to school isn't always prioritised because it

means fewer people to help with chores. The women in the household are responsible for taking care of the house and its needs. Domestic duties include food preparation, cleaning, laundry, and fuel collection. Girls in elementary school don't learn much since they don't study either at school or at home.

C. Poor condition of health:

Most tribal women are frail, anaemic, and prone to a wide range of illnesses because of a lack of education about proper diet. Pregnant women need extra care because their health and that of their unborn child are at stake. Measures of women's empowerment include their degree of education, employment, health, and the ability to make important life decisions. A focus on women's education that leads to gainful work is essential. As a result, women will have more agency in decision-making. Women's decision-making skill is reflected in their capacity to interact with and persuade other family members. When women are given more say in family matters, they are given more power.

7.3 Review of Literature:

Low levels of formal education have had minimal effect on tribal communities, and most tribal members lack even a high school education. In many parts of India, the tribal population has an extremely low literacy rate. The Government's Reservation policy has resulted in several shifts in the academic landscape. They place a low value on education in general, which is a contributing factor to the low literacy rates. They aren't engaged by the current educational system, but would benefit from a more practically oriented curriculum. The tribes' low standard of living means that they view their children less as future consumers and more as potential sources of revenue, which means that they are less likely to send them to school. Using a comparative framework with scheduled caste and non-scheduled women, Chowdhuri(1988)[5] tried to investigate the socio-economic status of Scheduled tribal women in West Bengal.

To a considerable part, a society's social structure and the type of society it is determine the position of women within that community. Patriarchal family structures are common in Indian society, with men holding most positions of authority. Many tribal societies, however, were characterised by the prevalence of matrilineal families. Matriarchal households, in contrast to patriarchal ones, give women more respect. There is evidence from several sources (Mitra, 2007; Burman Roy, 2012)[6] that the matrilineal ancestry, matrilocal residence, and succession of property through the female system is responsible for the significantly elevated roles assigned to women in the Garo and Khasi tribes of North East India. Women do not enjoy the same level of respect in patriarchal tribal cultures as they do in matriarchal ones. In some societies, such as the Ho and the Gond, the spouse does not always play a central role in family life. When compared to men, Gond women are treated no differently than men.

According to Hutton's (1921)[7] research on Naga women, they have greater independence and a more prestigious social position than men. This suggests that the position of women within different tribal groups and social orders varies from location to place. However, in tribal societies, tribal women are more significant than women in any other social group. This is because tribal women work extremely hard, and in almost all tribal communities, they participate in economic activities almost equally with males or work harder than men. The state of one's health is another factor in establishing one's standing. When compared to the overall population, the tribal group's health state is worse. They suffer from a high infant mortality rate, a high fertility rate, and a general lack of knowledge about health issues, medical care, clean water, and sanitation. The tribal population of India is disproportionately affected by endemic infectious diseases, water-borne illnesses, and nutritional deficiencies. Some of the tribes had an extremely high rate of infant mortality. The general health of the young people in the tribes has been negatively impacted by the prevalence of malnutrition among them. It makes people more susceptible to infections and causes chronic diseases, some of which can have neurological consequences. Their health is

connected to their financial and educational standing as well. Their living conditions have deteriorated since they are unable to take part in the industrial economic activities of contemporary societies. Tribal peoples typically spend their time hunting, manufacturing crafts, and farming, none of which bring in a substantial revenue. The advent of industrialization and urbanisation has altered the way of life of the tribal people by displacing them from their traditional ways of life and making them more vulnerable to the whims of non-tribal people.

In a 1993 study, Singh and Rajyalaxmi[8] examined the demographic, health, educational, and occupational status of indigenous women. The Indian Constitution has provided certain safeguards for the country's indigenous tribal peoples ever since the country gained its independence. Some of the realities of tribal labour were brought to light by the study, including the fact that tribe women receive equal compensation to men but are often sexually exploited for their efforts.

Women in tribal communities have a lower literacy rate than those in the general population and the scheduled caste, and they lack the right to own property. As a result of malnutrition and other health issues, many tribal women are in poor health. The research showed that if tribal women want to see change, they need to work to better the lives of tribal girls.

Women can benefit greatly from formal training in communicating with and pitching investment ideas to informal financiers. Relevant here is the training programme created by the "European Ready for Equity! Piacentini, (2013)[9] describes the venture as a "initiative that targets both entrepreneurs and angel investors. For a variety of reasons, SHGs have shown to be a superior source of credit for financially disadvantaged women (Somasekhar, K.). (2005)[10]. Microfinance programmes and women's empowerment in Bangladesh; lessons from the margins to the mainstream, by Gita Sabharwal (1990)[11].

7.4 Objectives:

a. To find out the social and economic status of tribal women in India.
b. To analyze the challenges faced by tribal women.
c. To suggest some strategies for handling the challenges faced by tribal women in India.
d. To study the socio-economic background of tribal women
e. To examine the economic empowerment of tribal women
f. To examine the nature and characteristics of socio-cultural conflicts faced by the tribal women.

7.5 Research Methodology:

This is a theoretical research paper, where secondary information produced by different authors and researchers has been used. For obtaining necessary information, various books, journals as well as websites have been explored by the researcher which has been mentioned in the reference section.

7.6 Result & Discussion:

Women's empowerment has gained prominence as a pressing topic in recent years.

Women's economic independence is increasingly seen as a prerequisite to national development, making this an issue of critical relevance to reformers. In light of these factors, this research makes an attempt to evaluate the tribal women respondents' economic and social standing .[12]

Table 7.1: Socio-Economic Factors:

Category	Frequency	Percentage
1. Age Group		
18-25 (years)	54	18.0
26-35	123	41.0
36-45	73	34.3
<46	50	16.7
2. Education		
Illiterate	155	51.7
Primary level	70	23.3
Secondary level	52	17.3
Degree level	17	5.7
Degree & Above	6	2.0
3. Marital status		
Married	269	89.6
Widow	28	9.2
Divorced	3	1.0

4. Type of Family		
Nuclear	251	83.7
Joint	49	16.3
5. Size of Family		
> 3 members	97	32.3
4-6	183	61.0
7-9	17	5.0
<9	3	1.0
6. Decision Making		
Wife	188	62.7
Husband	110	36.7
Son(s)	1	0.3
Daughter (s)	1	0.3

7.	**Income Particulars**		
	<Rs.5000	80	26.7
	Rs.6000-10,000	102	34.0
	Rs.11,000-15,000	54	18.0
	>Rs.16,000	64	21.3
8.	**Saving Particulars**		
	LIC	24	8.0
	Chits	3	1.0
	Banks	12	4.0
	Post Office	3	1.0
	SHGs	9	3.0
	No Saving	249	83.0

Information about the sample women's socioeconomic status is provided in Table 7.1. According to the data, the majority of respondents are between the ages of 26 and 35, while 24.3% are between the ages of 36 and 45, 18.3% are between the ages of 18 and 25, and 16.7% are older than 46.

Women's empowerment is a revolving door that opens to political, economic, social, and cultural authority. This is the distribution of power where women have the same say as males.

According to the Christian philosophy, and as a beneficial agent of change. Educating women and helping men realise that females are full members of society should help shift power away from men and toward them.[13]
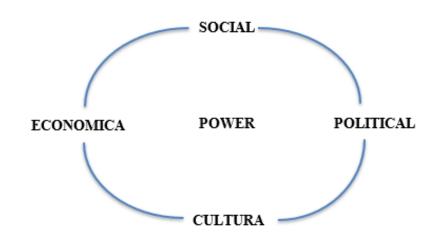
Figure 7.1: Multi-Dimensions of Women Empowerment

Status of Tribal Population in India:

The majority of the population in the northern states of Mizoram and Lakshadweep (94.4%), Meghalaya (86.1%), and Nagaland (86.1%), is tribal (86.5per cent). The only Indian states without any Scheduled Tribes are Punjab, Chandigarh, Haryana, Delhi, and Pondicherry. There are 8.6 percent of India's overall population who identify as tribal, making up 10.43 crore people as per the 2011 census (Table-3).[14]

Table 7.2: Scheduled Tribe population and decadal change by residence in 2011

	Scheduled Tribe population2011			Decadal 2011 change2001-		
	Total	Rural	Urban	Total	Rural	Urban
India	104,281,034	93,819,162	10,461,872	23.7	21.3	49.7

The scheduled tribal urban population grew by 23.7% between 2001 and 2011; the overall urban population grew by 49.7%; the rural population grew by 21.3%. There are only 2.8% of STs living in urban India, but 11.3% living in rural areas. (Table3)

Table 7.3: Percentage of Scheduled Tribes to total population in India: 2001-2011

	Percentage of Scheduled Tribes2001			Percentage of Scheduled Tribes		2011
	Total	Rural	Urban	Total	Rural	Urban
India	8.2	10.4	2.4	8.6	11.3	2.8

7.7 Conclusion:

The research highlighted the importance of empowering India's tribal communities. It is crucial for a methodical process of tribal development due to their low level of economic activity, social backwardness, low level of literacy, and poor health conditions. A family's income must be high enough to lift them out of poverty. It is crucial to one's well-being because one's financial standing impacts so many other areas of daily life and the quality of one's home. Tribal women's access to education is crucial to progress. Education is a powerful tool for empowering and transforming the lives of indigenous women. It has altered their worldviews and given them newfound economic independence. Researchers investigate tribe members' health knowledge. They don't always get enough of the right nutrients. Because of a general lack of knowledge about the importance of health and hygiene, individuals often fall victim to a wide range of illnesses. The status of tribal women in India can be improved and they can better cope with adversity if the literacy rate is raised and they are given access to economic possibilities.

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