

REFERENCE MATERIAL FOR CLASS 6th, 7th AND 8th

Please Note-This is for the reference purpose only. Students are encouraged to also read from other sources.

Content-

NCERT books-chapters specified below

1. Class 6- Textbook (NCERT) - Social and Political life-I

Chapter 3-What is Government

Chapter 4-Key Elements of a Democratic Government

Chapter 5-Panchayati Raj (Local Government)

Chapter 6-Rural Administration

Chapter 7- Urban Administration

2. Class 7-Textbook (NCERT)- Social and Political life-II

Chapter 1-Equality in Indian Democracy

Chapter 2-Role of the government in health

Chapter 3-How the State Government Works

Chapter 9-Struggles for equality

3. Class 8-

A) Textbook (NCERT)-History- Our Pasts-III

Chapter 5- When People Rebel, 1857 and After

Chapter 9-The Making of the National Movement: 1870s–1947

Chapter 10- India After Independence

B) Textbook (NCERT)-Social and Political life-III

Chapter 1-The Indian Constitution

Chapter 2-Understanding Secularism

Chapter 3-Why do we need a Parliament?

Chapter 4-Understanding the Law

Chapter 5-Judiciary

Chapter 10-Law and Social Justice

National Anthem of India

*Jana-gana-mana-adhinayaka jaya he
Bharata-bhagya-vidhata.*

*Punjaba-Sindhu-Gujarata-Maratha
Dravida-Utkala-Banga*

*Vindhya-Himachala-Yamuna-Ganga
uchchala-jaladhi-taranga.*

*Tava shubha name jage, tava shubha asisa mage,
gahe tava jaya-gatha.*

*Jana-gana-mangala-dayaka jaya he
Bharata-bhagya-vidhata.*

*Jaya he, jaya he, jaya he,
jaya jaya jaya jaya he!*

Translation of the National Anthem

*Thou art the ruler of the minds of all people,
dispenser of India's destiny.*

*Thy name rouses the hearts of
the Punjab, Sindh, Gujarat and Maratha,*

of the Dravida and Odisha and Bengal.

*It echoes in the hills of the Vindhyas and Himalayas,
mingles in the music of Yamuna and Ganga and is
chanted by the waves of the Indian Sea.*

They pray for thy blessings and sing thy praise.

The saving of all people waits in thy hand,

thou dispenser of India's destiny.

Victory, Victory, Victory to thee!

Note: "Jana Gana Mana" was translated by Gurudev Rabindranath Tagore from Bengali to English in February 1919 at Madanapalle in the District of Chittoor. (Source: www.btcollege.org)

UNIT - II



Not bad! One of the taps in the nearby village must be getting water!



I told him to make the garland smaller... He is a frail old man and wouldn't be able to stand the weight of such a huge garland!

Government

A cartoonist's business in a democracy is to exercise his right to criticise, ridicule, find fault with... political leaders, through cartoons...

- R.K.Laxman

What is Government?



0658CH03

You must have heard the word 'government' mentioned several times. In this chapter you will learn about what a government is and the important role it plays in our lives. What do governments do? How do they decide what to do? What is the difference between different types of governments such as monarchies and democracies? Read more and find out....

Government sought to protect rights of unorganised workers

Detailed plan to tackle floods soon, says Government

Govt. fixes price of onions. Says no shortage in market

Supreme Court can have five more judges: Govt

Govt. for revamping coal and power sector

Over 15,000 villages declared scarcity-hit by Government

Look at the newspaper headlines above and list the different kinds of activities that the government is reported to be doing in these newspaper headlines.

- 1.
- 2.
- 3.
- 4.

Isn't this a wide range of activities? What do you think government is? Discuss in class.

Every country needs a government to make decisions and get things done. These can be decisions about where to build roads and schools, or how to reduce the price of onions when they get too expensive or ways to increase the supply of electricity. The government also takes action on many social issues, for example it has several programmes to help the poor. It does other important things such as running postal and railway services.



The government also has the job of protecting the boundaries of the country and maintaining peaceful relations with other countries. It is responsible for ensuring that all its citizens have enough to eat and have good health facilities. When there are natural disasters like the tsunami or an earthquake it is the government that mainly organises aid and assistance for the affected people. If there is a dispute or if someone has committed a crime you find people in a court. Courts are also part of the government.

Perhaps you are wondering how governments manage to do all this. And why it is necessary for them to do so. When human beings live and work together, there needs to be some amount of organisation so that decisions can be made.



Some examples of institutions that are part of the government: The Supreme Court, The Indian Railways and Bharat Petroleum.

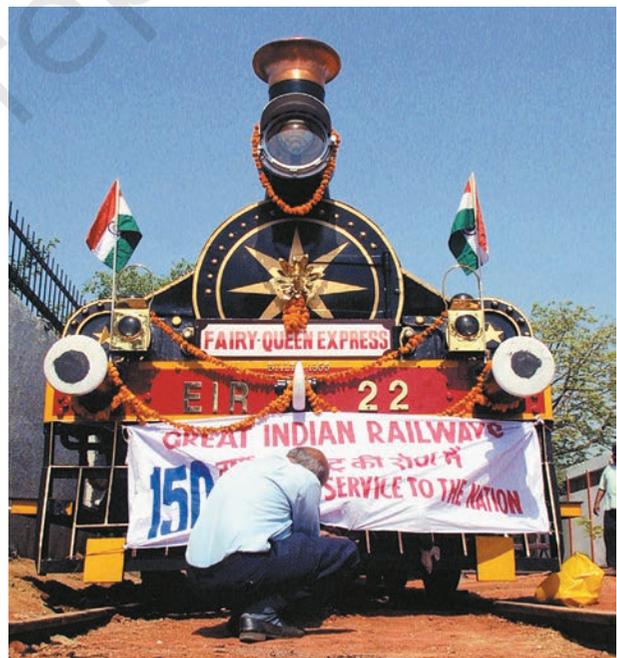
Can you list three things that the government does which have not been mentioned.

- 1.
 - 2.
 - 3.
-

Some rules have to be made that apply to everyone. For example, there is a need to control resources and protect the territory of a country, so people can feel secure. Governments do this on behalf of their people by exercising leadership, taking decisions and implementing these among all the people living in their territory.

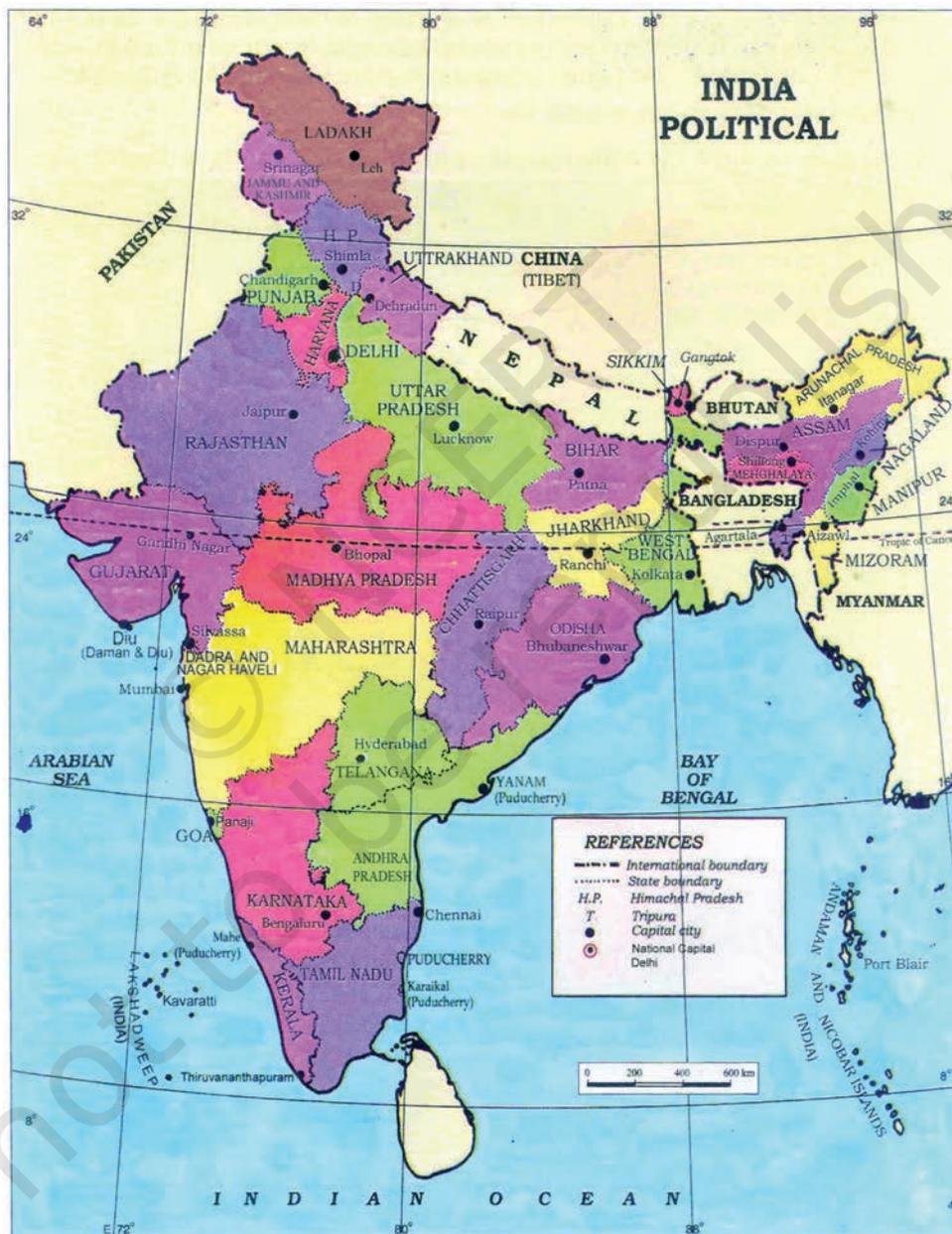
Levels of Government

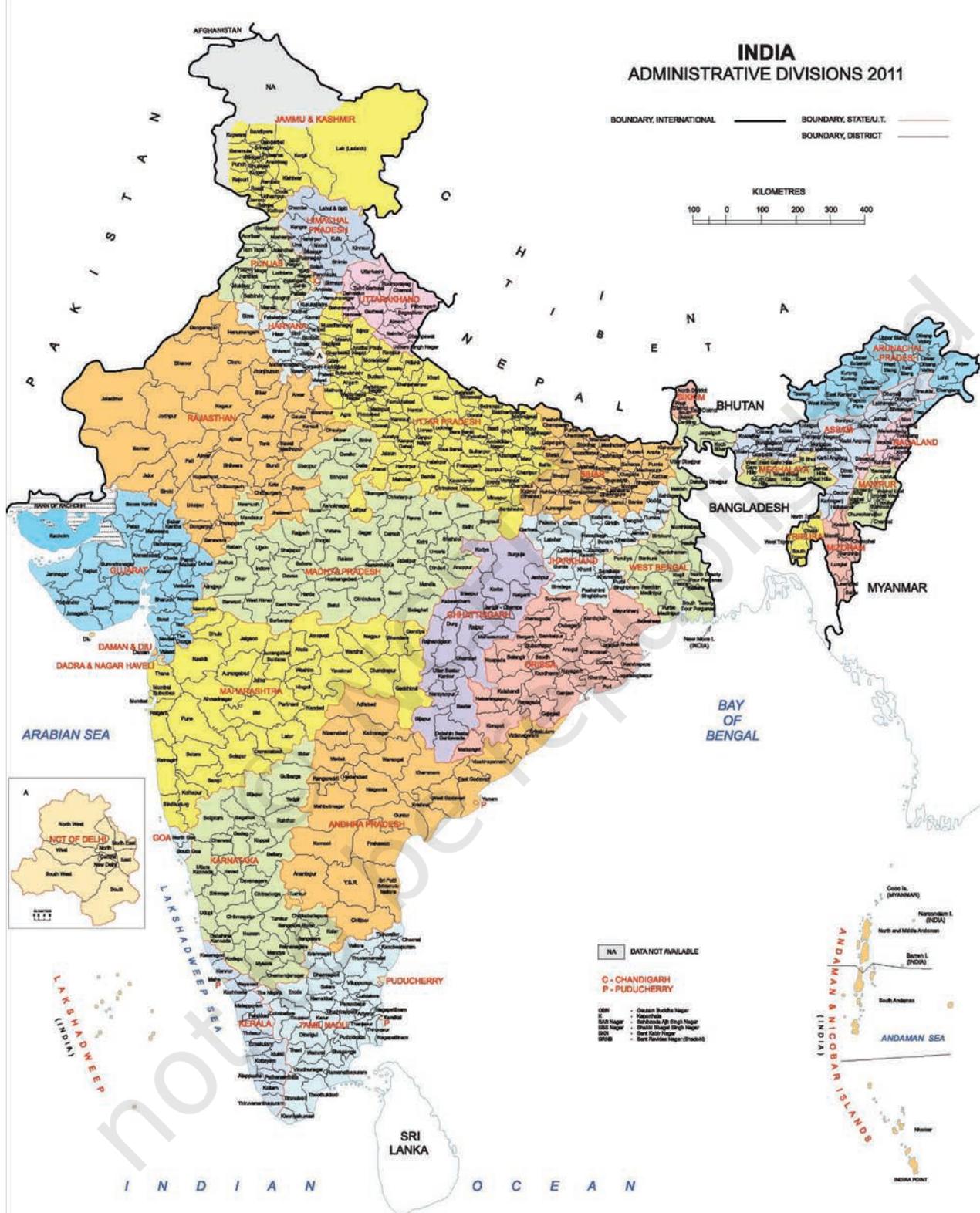
Now that you know that the government is responsible for so many



different things, can you think of how it manages to do all these? The government works at different levels: at the local level, at the level of the state and at the national level. The local level means in your village, town or locality, the state level would mean that which covers an entire state like

Haryana or Assam and the national level relates to the entire country (see the maps). Later in this book, you will read about how local level government functions, and when you go into the next few classes you will learn about how governments function at the state and central levels.





Source: www.censusindia.gov.in/2011census/maps/atlas/00part1.pdf

Note: Telangana became the 29th State of India on the 2nd June, 2014 after the reorganisation of the State of Andhra Pradesh.

Since 31 October 2019, the state of Jammu & Kashmir was divided into two union territories — Jammu & Kashmir and Ladakh.

Laws and the Government

The government makes laws and everyone who lives in the country has to follow these. This is the only way governments can function. Just like the government has the power to make decisions, similarly it has the power to enforce its decisions. For example, there is a law that says that all persons driving a motor vehicle must have a licence. Any person caught driving a vehicle without a licence can either be jailed or fined a large sum of money. Without these laws the government's power to make decisions is not of much use.

Discuss

Think of an example of another law. Why do you think it is important that people abide by this law?

In addition to any actions that governments can take, there are also steps that people can take if they feel that a particular law is not being followed. If a person feels, for example, that they were not hired for a job because of their religion or caste, he or she may approach the court and claim that the law is not being followed. The court can then give orders about what should be done.

Types of Government

Who gives the government this power to make decisions and enforce laws?

The answer to this question depends on the type of government there is in a country. In a democracy it is the people

who give the government this power. They do this through elections in which they vote for particular persons and elect them. Once elected, these persons form the government. In a democracy the government has to explain its actions and defend its decisions to the people.

Another form of government is monarchy. The monarch (king or queen) has the power to make decisions and run the government. The monarch may have a small group of people to discuss matters with, but the final decision-making power remains with the monarch. Unlike in a democracy, kings and queens do not have to explain their actions or defend the decisions they take.



Discuss

1. Do you think it is important for people to be involved in decisions that affect them? Give two reasons for your answer.
2. Which type of government would you prefer to have in the place you live in? Why?
3. Which of the statements below is correct? Correct those sentences that you think need correction.
 - a. In a monarchy the country's citizens are allowed to elect whomever they want.
 - b. In a democracy a king has absolute powers to rule the country.
 - c. In a monarchy people can raise questions about the decisions the monarch takes.

Democratic Governments

India is a democracy. This achievement is the result of a long and eventful struggle of the Indian people. There are other places in the world where people have also struggled to have democracies. You now know that the main feature of a democracy is that the people have the power to elect their leaders. So in a sense a democracy is rule by the people. The basic idea is that people rule themselves by participating in the making of these rules.

Democratic governments in our times are usually referred to as representative democracies. In representative democracies people do not participate directly but, instead, choose their representatives through an



Nowhere in the world have governments willingly shared power. All over Europe and USA, women and the poor have had to fight for participation in government.

Women's struggle to vote got strengthened during the First World War. This movement is called the women's suffrage movement as the term suffrage usually means right to vote.

During the War, many men were away fighting, and because of this women were called upon to do work that was earlier considered men's work. Many women began organising and managing different kinds of work. When people saw this they began to wonder why they had created so many unfair stereotypes about women and what they were capable of doing. So women began to be seen as being equally capable of making decisions.

The suffragettes demanded the right to vote for all women and to get their demands heard they chained themselves to railings in public places. Many suffragettes were imprisoned and went on hunger strikes, and they had to be fed by force. American women got the right to vote in 1920 while women in the UK got to vote on the same terms as men some years later, in 1928.





Voting in a rural area: A mark is put on the finger to make sure that a person casts only one vote.

election process. These representatives meet and make decisions for the entire population. These days a government cannot call itself democratic unless it allows what is known as universal adult franchise. This means that all adults in the country are allowed to vote.

But it was not always like this. Can you believe that there was a time when governments did not allow women and the poor to participate in elections? In their earliest forms governments allowed only men who owned property and were educated, to vote. This meant that women, the poor, the property-less and the uneducated were not allowed to vote. The country was governed by the rules and regulations that these few men made!

In India, before Independence, only a small minority was allowed to vote and they therefore came together to determine the fate of the majority. Several people including Gandhiji were shocked at the unfairness of this practice and demanded that all adults have the right to vote. This is known as universal adult franchise.

Writing in the journal *Young India* in 1931, Gandhiji said, "I cannot possibly bear the idea that a man who has got wealth should have the vote, but that a man who has got character but no wealth or literacy should have no vote, or that a man who works honestly by the sweat of his brow day in and day out should not have the vote for the crime of being a poor man...".



Look at the maps on Pages 29 and 30. They show the States, Union Territories and Districts of India. Find out the following information from these maps and various other resources.

- Names of the neighbours of India
- Names of your State or Union Territory and its neighbours
- Names of your District and its neighbours
- Routes from your District to the National Capital

Exercise: Look at the statements in the column on the left. Can you identify which level they belong to? Place tick marks against the level you consider most appropriate.

	Local	State	Central
• The decision of the Government of India to maintain peaceful relations with Russia.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
• The decision of the Government of West Bengal on whether to have Board exam in Class 8 for all government schools.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
• Introduction of two new trains between Dibrugarh and Kanyakumari.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
• The decision to locate a common well in a particular area of the village.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
• Decision to construct a big children's park in Patna.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
• The decision of the Government of Haryana to provide free electricity for all farmers.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
• Introduction of a new 1000 rupee note.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

QUESTIONS

1. What do you understand by the word 'government'? List five ways in which you think the government affects your daily life.
2. Why do you think the government needs to make rules for everyone in the form of laws?
3. Name two essential features of a democratic government.
4. What was the suffrage movement? What did it accomplish?
5. Gandhiji strongly believed that every adult in India should be given the right to vote. However, a few people don't share his views. They feel that illiterate people, who are mainly poor, should not be given the right to vote. What do you think? Do you think this would be a form of discrimination? Give five points to support your view and share these with the class.



Chapter 4

Key Elements of a Democratic Government



0658CH04



In this chapter you will read about some of the key elements that influence the working of a democratic government. These include people's participation, the resolution of conflict and equality and justice.

South Africa is a country that has people of several races. There are black people who belong to South Africa, whites who came there to settle, and Indians who came as labourers and traders.

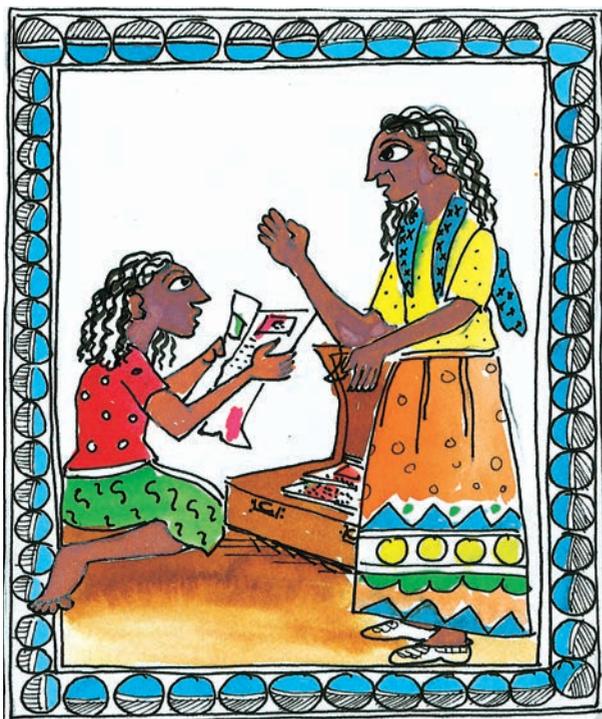
Maya Naidoo, an eleven-year old South African girl living in the town of Johannesburg, was helping her mother clear up her old boxes. She found a scrapbook full of pictures and newspaper articles. There were many pictures of a young schoolboy of around fifteen years of age. When she asked her mother who the boy was, she was told that he was called, Hector Pieteron.

He had been shot by the police. Maya was shocked. "Why?" she asked.

Her mother explained that South Africa was earlier governed by apartheid laws. Apartheid means separation on the basis of race. South African people were divided into white, black, Indian and coloured races. According to the law, these races were not allowed to mingle with each other, to live near each other or even to use common facilities.

Maya could not believe her ears. Maya's mother sounded angry when she spoke about life under apartheid. She told Maya that in those days





hospitals were separate and so were ambulances. An ambulance meant for white people would always be well equipped while one meant for black people was not. There were separate trains and buses. Even the busstops were different for black and white people.

Non-whites were not allowed to vote. The best land in the country was reserved for the white people, and non-whites had to live on the worst available land. Thus blacks and coloured people were not considered to be equal to whites.

One black township was the South Western Township (Soweto). Hector Pieterse lived here and he and his classmates joined the protest against learning the Afrikaans language in school. This was the language that the

whites spoke. Hector and other school students were being forced to learn this language but they wanted to learn their own language, Zulu. The South African police beat up the protestors mercilessly and shot at the crowd. One of their bullets killed Hector. This was on 16 June 1976.

The African National Congress, a group of people who led the struggle against apartheid, and their most well known leader, Nelson Mandela fought the apartheid system for several years. Finally, they succeeded and in 1994 South Africa became a democratic country in which people of all races were considered equal.

What were Hector and his classmates protesting about?

List five ways in which the non-whites were discriminated against:

- 1.
- 2.
- 3.
- 4.
- 5.

Do you think it is important for all persons to be treated equally? Why?

Let us now try to understand what a democratic government means to all of us.

PARTICIPATION

Why do we have regular elections? You've already read in the previous chapter that people make the decisions in a democracy. Through voting in elections people elect leaders to represent them. These representatives take decisions on behalf of the people.



In doing so it is assumed that they will keep in mind the voices and interests of the people.

Discuss

Look at some newspapers and discuss some elections that you may have read about. Why do you think elections are required after a fixed period?

All governments are elected for fixed periods. In India this period is five years. Once elected, governments can stay in power only for that period. If they want to continue to be in power then they have to be re-elected by the people. This is a moment when people can sense their power in a democracy. In this way the power of the government gets limited by regular elections.

Other ways of participating

Elections are usually held once in five years. Besides voting there are other ways of participating in the process of government. People participate by taking an interest in the working of the government and by criticising it when required. In August 2005, when a particular government increased the money people had to pay for electricity, people expressed their disapproval very sharply. They took out rallies and also organised a signature campaign. The government tried to explain and defend its decision but finally listened to the people’s opinion and withdrew the increase. The government had to change its decision because it is responsible to the people.

What approval or disapproval is being expressed here?



Not bad! One of the taps in the nearby village must be getting water!

Letters to the editor

Ban posters

POSTERS ON walls spoil the city’s looks. Further, many times posters are pasted on important sign boards and even road maps. All political parties should arrive at a consensus on banning posters on walls.

MAHESH KAPASI
Delhi

Take Action

It is worrying to know that the tiger population in India is falling. Tigers are being hunted and killed by poachers for their skins. The government has not taken the issue of poaching seriously enough. It must take action immediately, arrest the poachers and implement the laws protecting the tiger. If this does not happen the tiger will become an extinct animal in the next ten years.

Sohan Pal
Guwahati, Assam

'Government must give compensation to flood victims'

New Delhi: Petroleum Minister Mani Shankar Aiyar has called for involvement of panchayati raj institutions and industries across eight industrial sectors — fertilizer, power, sponge iron, glass, petrochemicals, LPG fractionators, and compressor stations and

There are many ways in which people express their views and make governments understand what actions they should take. These include dharnas, rallies, strikes, signature campaigns etc. Things that are unfair and unjust are also brought forward. Newspapers, magazines and TV also play a role in discussing government issues and responsibilities.



While it is true that a democracy allows people to participate, it is also true that not all sections of people are actually able to do so. Another way for people to participate is by organising themselves into social movements that seek to challenge the government and its functioning. Members of the minority community, dalits, adivasis, women and others are often able to participate in this manner.

If a country's people are alert and interested in how the country is run, the democratic character of the government of that country will be stronger.

So the next time we see a rally winding through the streets of our cities and towns or villages we should pause to find out what the rally is about, who is participating in it, and what they are protesting about. This will help to give us a sense of how our government works.

NEED TO RESOLVE CONFLICT

In Maya's story you read about how conflicts can often lead to violence and death because one group decides that it is all right to use force to prevent the other group from protesting.

Read the story again: Do you think the police shooting of Hector could have been avoided? How?

Conflicts occur when people of different cultures, religions, regions or economic backgrounds do not get along with each other, or when some among them feel they are being discriminated against. People may use violent means to settle their differences. This leads to fear and tension among others living in an area. The government is responsible for helping to resolve conflicts.

Let's read about some of the conflicts in our society and the role of the government in resolving them.



The Indian Constitution lays down the basic rules or laws that have to be followed by everyone. These laws are for both the government and the people. Conflicts and differences have to be resolved according to these laws. We will read more about this in later classes.

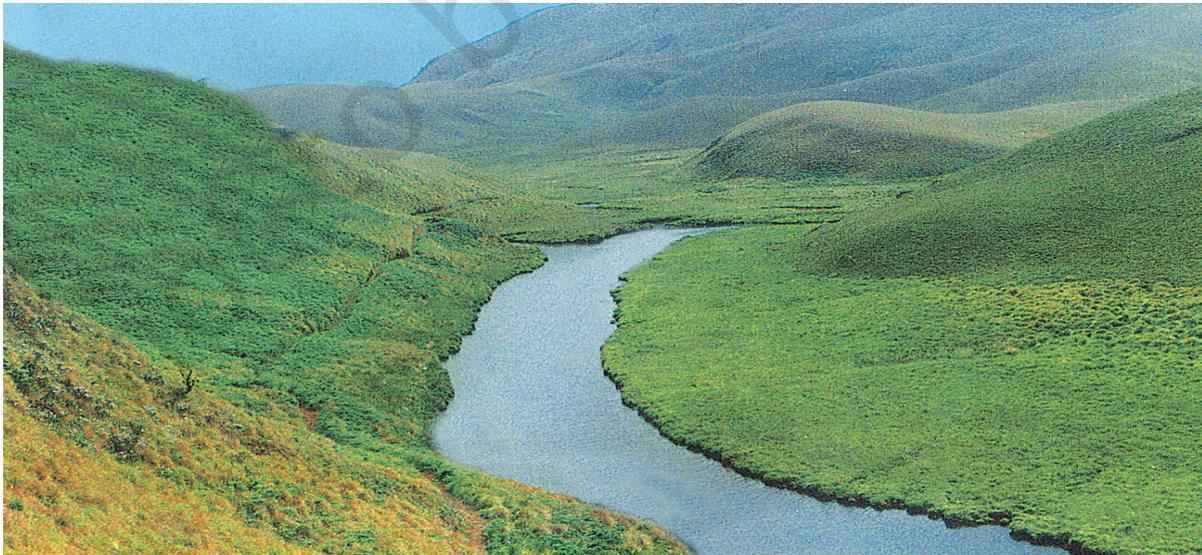
Religious processions and celebrations can sometimes lead to conflicts. For example, the route a procession takes may lead to a conflict. The government, particularly the police, play an important role in getting representatives of concerned communities to meet and try and arrive at a solution. At times there is fear that violence may erupt, with people throwing stones or trying to disrupt the procession. The police is responsible for ensuring that violence does not take place.

Rivers too can become a source of conflict between states. A river may begin in one state, flow through

another and end in a third. The sharing of river water between different states that the river goes through is becoming an issue of conflict. For example, you may have heard about the Cauvery water dispute between Karnataka and Tamil Nadu. The water stored in Krishna Raja Sagara dam in Karnataka is used for irrigating a number of districts and for meeting the needs of the city of Bengaluru. The water stored in Mettur dam in Tamil Nadu is used for crops grown in the delta region of that state.

A conflict arises because both dams are on the same river. The downstream dam in Tamil Nadu can only be filled up if water is released from the upstream one located in Karnataka. Therefore, both states can't get as much water as they need for people in their states. This leads to conflict. The central government has to step in and see that a fair distribution is worked out for both states.

Quiet flows the Cauvery despite being at the centre of heated conflict between two states for the last 30 years.



EQUALITY AND JUSTICE

One of the key ideas of a democratic government is its commitment to equality and justice. Equality and justice are inseparable.

Discuss

In Maya's story did the government support the idea that people are equal?

In Dr Ambedkar's story did the practice of untouchability support the idea that people are equal?

The earlier practice of untouchability is now banned by law. This group of people were denied education, transport or medical facilities and even the chance to offer prayers. Dr Ambedkar, whom you have read about earlier in this book, and many others like him, realised that such practices must not continue and that justice can only be achieved when people are treated equally.

The government also recognises this and makes special provisions for groups within society that are unequal. For instance, in our society there is a general tendency to value and care for the boy child more than the girl child.

This means that society does not value the girl and boy child equally and this is unjust. In this context the government steps in to promote justice by providing special provisions that can enable girls to overcome the injustice that they are subjected to. Thus it is possible that fees for girls might be waived or lowered in government schools or colleges.

How do you think lowering the school fees would help girls attend school?

Can you think of any experience from your life in which you have helped someone out of a situation which you thought was unfair? Did everyone else see it the same way? What did you have to say to convince others that what you did was fair?

QUESTIONS

1. How would Maya's life be different in South Africa today?
2. What are the various ways in which people participate in the process of government?
3. Why do you think we need the government to find solutions to many disputes or conflicts?
4. What actions does the government take to ensure that all people are treated equally?
5. Read through the chapter and discuss some of the key ideas of a democratic government. Make a list. For example, all people are equal.



UNIT - III



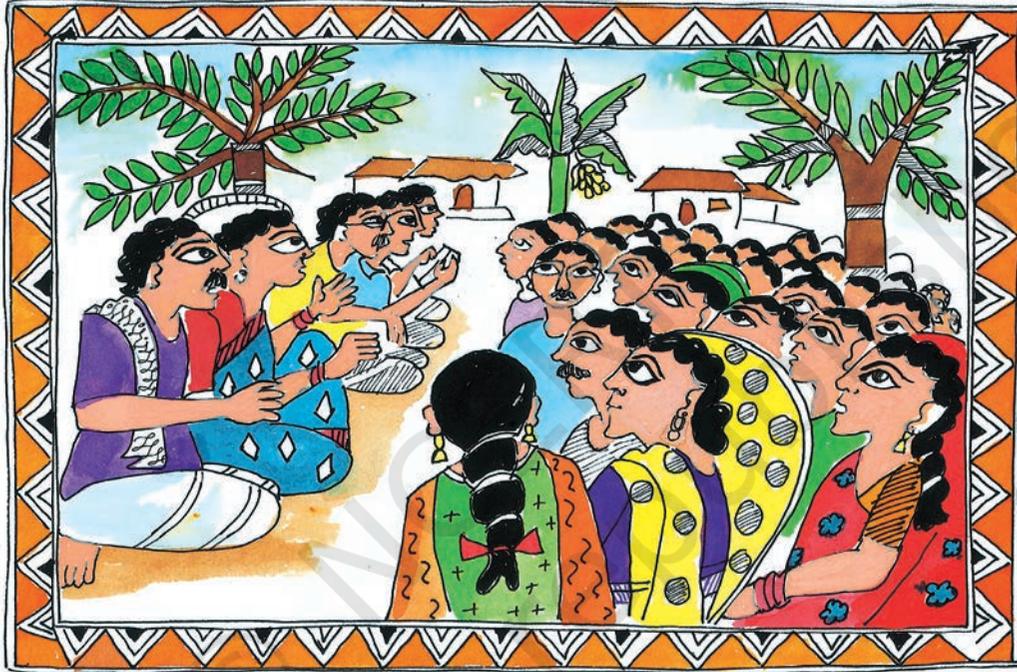
Local Government and Administration

Panchayati Raj



0658CH05

What happens after people elect their representatives? How are decisions made? Let's look at how this takes place in rural areas. Here, we look at the Gram Sabha, which is a meeting where people directly participate and seek answers from their elected representatives.



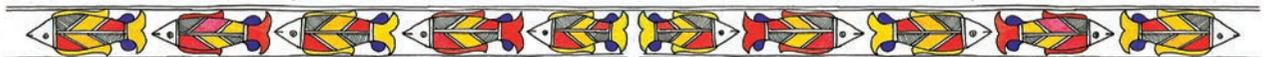
It's a special day today! Everyone's rushing to get to the Gram Sabha! Do you know why? Because the Gram Sabha is holding its first meeting after the election of the new Gram Panchayat.

The Gram Sabha is a meeting of all adults who live in the area covered by a Panchayat. This could be only one village or a few villages. In some states, as in the example above, a village meeting is held for each village. Anyone who is 18 years old or more and who has the right to vote is a member of the Gram Sabha.

The people of Hardas village are keen to find out what their new Panchayat leaders have planned for the village.

Gram Sabha

The Gram Sabha meeting begins with the Panchayat President (who is also called the Sarpanch) and the members of the Panchayat (the Panchs) presenting a plan on repairing the road that connects the village to the main highway. After this, the discussion moves to the subject of water and water shortages.



Every village Panchayat is divided into wards, i.e. smaller areas. Each ward elects a representative who is known as the Ward Member (Panch). All the members of the Gram Sabha also elect a Sarpanch who is the Panchayat President. The Ward Panchs and the Sarpanch form the Gram Panchayat. The Gram Panchayat is elected for five years.

The Gram Panchayat has a Secretary who is also the Secretary of the Gram Sabha. This person is not an elected person but is appointed by the government. The Secretary is responsible for calling the meeting of the Gram Sabha and Gram Panchayat and keeping a record of the proceedings.

A villager called Tija begins the meeting by saying, “The water problem in Hardas has become very acute. The hand pump water has gone well below the point up to which the ground has been drilled. We hardly get any water in the taps. Women have to go to the Suru river which is 3 k.m. away to get water.” One of the members suggests piping water from the Suru and making an overhead tank in the village to increase the supply. But the others think that this will be expensive. It’s better, they feel, to deepen the handpumps and clean the wells for this season. Tija says, “This is not enough.

We need to do something more permanent as groundwater levels seem to be going down every year. We’re using more water than is seeping into the ground.”

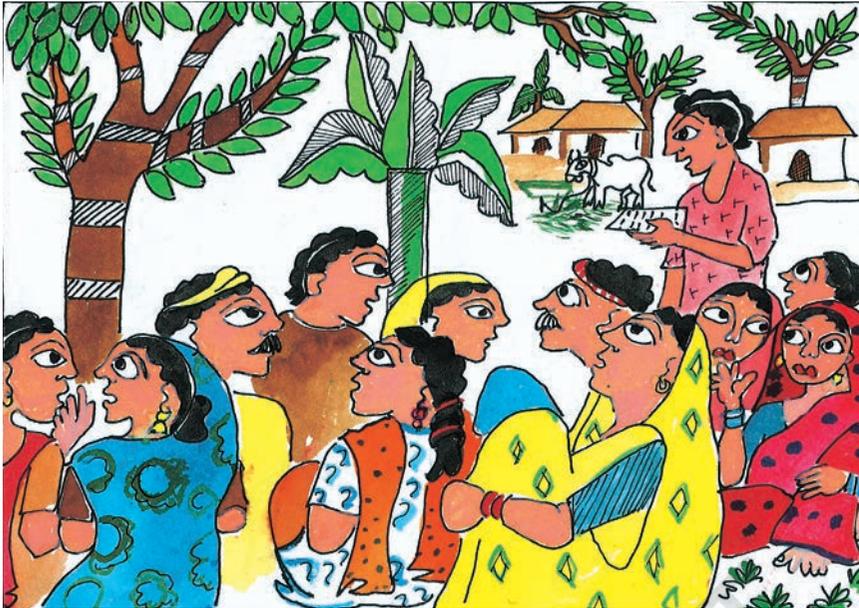
Another member, Anwar then tells everyone that he has seen ways of conserving water and recharging (refilling) it in a village in Maharashtra where he’d once gone to visit his brother. It was called watershed development and he had heard that the government gave money for this work.

In his brother’s village people had planted trees, constructed check-dams and tanks. Everyone thought this was an interesting idea and the Gram Panchayat was asked to find out about it in detail.

1. What is a Gram Sabha?
2. In the meeting of the Gram Sabha so far what are the problems that are being discussed? What sort of solutions are being suggested?

The next item on the agenda for the Gram Sabha is the finalisation of the list of people below the poverty line (BPL) which had to be approved by the Gram Sabha. As soon as the list is read out people begin to whisper. “Natwar has just bought a colour T.V. and his son has sent him a new motorcycle. How can he be below the poverty line?” Soorajmal mutters to the person sitting next to him. Saroj says to Sukhi bai “How did Birju’s name get on to the list? He has so much land. This list should have





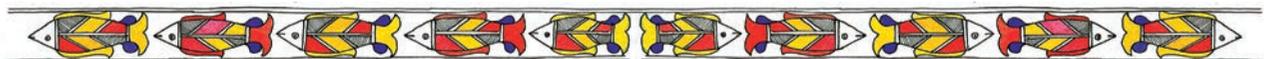
The Gram Sabha is a key factor in making the Gram Panchayat play its role and be responsible. It is the place where all plans for the work of the Gram Panchayat are placed before the people. The Gram Sabha prevents the Panchayat from doing wrong things like misusing money or favouring certain people. It plays an important role in keeping an eye on the elected representatives and in making them responsible to the persons who elected them.

only poor people. And Om Prakash is a landless labourer who can barely make ends meet, yet his name is not on the list.” “You know that both Natwar and Birju are friends of Amirchand. Who can counter Amirchand’s power?” Sukhi bai says, “Amirchand was the earlier Zamindar (landowner) of the village and still has control over a lot of land. But we should get Om Prakash’s name put in.”

The Sarpanch (Panchayat President) notices people whispering and asks if anyone has anything to say. Saroj tries to provoke Soorajmal to ask about Natwar and Birju. But he keeps quiet. Amirchand is sitting in the Gram Sabha keeping an eye on everyone. Then Saroj gets up and says that Om Prakash’s name should be in the BPL list. Others agree that he and his family are very poor. The Sarpanch asks how his name had been missed out. The person who did the survey of BPL

families says, “Om Prakash’s house was locked when I went there. He may have gone somewhere to look for work.” The Sarpanch gives instructions that Om Prakash’s family income be looked at and if it is less than what has been decided by the government, his name should be included in the list.

1. Was there a problem with the BPL list that the Gram Sabha was finalising? What was this problem?
2. Why do you think Soorajmal kept quiet even though Saroj asked him to speak?
3. Have you seen any similar incidents when people are unable to speak for themselves? Why do you think that happened and what prevented the person from speaking?
4. How can the Gram Sabha prevent the Panchayat from doing what it likes?



The Gram Panchayat

The Gram Panchayat meets regularly and one of its main tasks is to implement development programmes for all villages that come under it. As you have seen, the work of the Gram Panchayat has to be approved by the Gram Sabha.

In some states, Gram Sabhas form committees like construction and development committees. These committees include some members of the Gram Sabha and some from the Gram Panchayat who work together to carry out specific tasks.



Two village Panchs from Maharashtra who were awarded the Nirmal Gram Puruskar in 2005 for the excellent work done by them in the Panchayat.

The work of a Gram Panchayat includes

1. The construction and maintenance of water sources, roads, drainage, school buildings and other common property resources.
2. Levying and collecting local taxes.
3. Executing government schemes related to generating employment in the village.

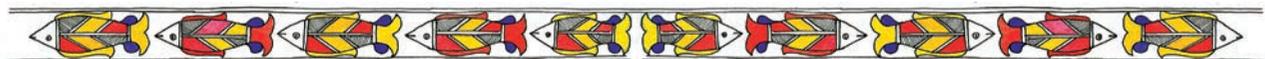
Sources of funds for the Panchayat

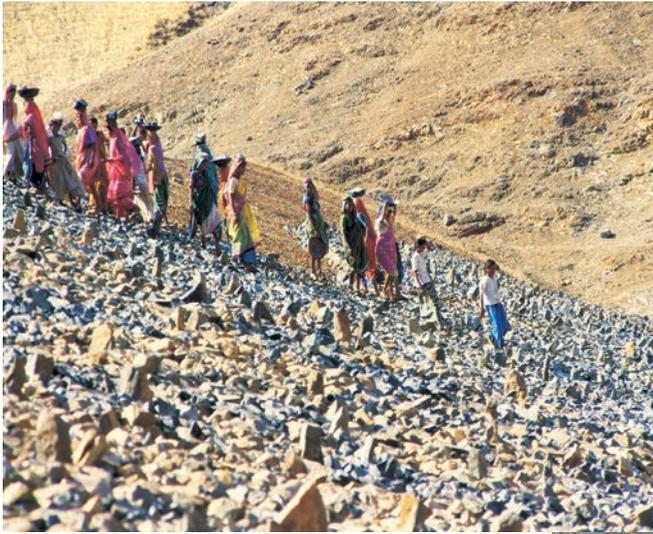
- Collection of taxes on houses, market places etc.
- Government scheme funds received through various departments of the government – through the Janpad and Zila Panchayats.
- Donations for community works etc.

Let's see what the Hardas Gram Panchayat was able to do.

Do you remember the options that were suggested to solve the water problem in the Gram Sabha of Hardas village? When the Hardas Gram Panchayat held a meeting, this point was brought up again by some of the members (Panchs). This meeting was attended by the Sarpanch, Ward Members (Panchs) and the Secretary.

Gram Panchayat members first discussed the suggestion to deepen two handpumps and clean one well, so that the village would not go without water. The Sarpanch (Panchayat President) suggested that since the Panchayat had received some money for maintenance of handpumps, this could be used





Watershed management has transformed this barren slope to a green meadow in just two years.



for completing this work. The members agreed and the Secretary recorded their decision.

The members then went on to discuss the options for a long-term solution. They were sure that the Gram Sabha members would ask questions at the next meeting. Some Panchs asked whether the watershed programme would make a substantial difference to the water level. A lot of discussion followed. In the end it was decided that the Gram Panchayat would approach the Block Development Officer and get more information on the scheme.

Three Levels of Panchayats

After reading about what happened in the Gram Sabha and the Gram Panchayat in Hardas village you can understand that the Panchayati Raj System is a process through which people participate in their own government. In rural areas, the Gram Panchayat is the first tier or level of democratic government. The Panchs and the Gram Panchayat are answerable to the Gram Sabha because it is the members of the Gram Sabha who elected them.

What decisions were taken by the Gram panchayat?

Do you think it was necessary for them to take these decisions? Why?

From the above description, write down one question that people could ask of the Panchayat in the next Gram Sabha meeting.

This idea of people's participation in the Panchayati Raj system extends to two other levels. One is the Block level, which is called the Janpad Panchayat or the Panchayat Samiti. The Panchayat Samiti has many Gram Panchayats under it. Above the Panchayat Samiti is the District Panchayat or the Zila Parishad. The Zila Parishad



actually makes developmental plans at the district level. With the help of Panchayat Samitis, it also regulates the money distribution among all the Gram Panchayats.

Within the guidelines given in the Constitution each state in the country has its own laws with regard to Panchayats. The idea is to provide

more and more space for people to participate and raise their voices.

Ask your teacher to invite any of the elected persons such as the Panch, Sarpanch (Panchayat President) or member of the Janpad or Zila Panchayat and interview them on their work and the projects undertaken by them.

QUESTIONS

1. What problem did the villagers in Hardas village face? What did they do to solve this problem?
2. What, in your opinion, is the importance of the Gram Sabha? Do you think all members should attend Gram Sabha meetings? Why?
3. What is the link between a Gram Sabha and a Gram Panchayat?
4. Take an example of any one task done by a Panchayat in your area/ nearby rural area and find out the following:
 - a. Why it was taken up.
 - b. Where the money came from.
 - c. Whether or not the work has been completed.

5. What is the difference between a Gram Sabha and a Gram Panchayat?
6. Read the following news item.

Nimone is a village on the Chauphula-Shirur Road. Like many others, this village has also been facing a severe water shortage for the last few months and villagers depend on tankers for all their needs. Bhagvan Mahadeo Lad (35) of this village was beaten with sticks, iron rods and axes by a group of seven men. The incident came to light when some villagers brought a badly injured Lad to hospital for treatment. In the FIR recorded by the police Lad said that he was attacked when he insisted that the water in the tanker must be emptied into the storage tanks constructed as part of the water supply scheme by Nimone Gram Panchayat so that there would be equal distribution of water. However, he alleged that the upper caste men were against this and told him that the tanker water was not meant for the lower castes.

Adapted from Indian Express, May 1, 2004

- a. Why was Bhagvan beaten?
 - b. Do you think that the above is a case of discrimination? Why?
7. Find out more about watershed development and how it benefits an area?

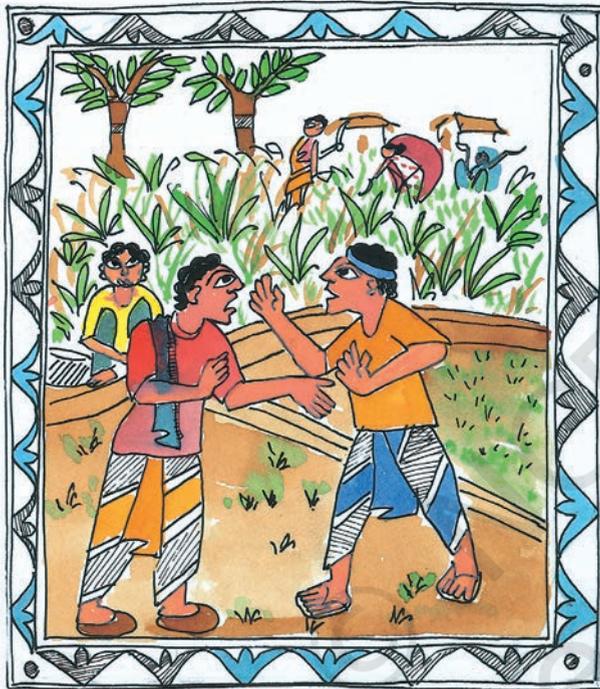


Rural Administration



0658CH06

There are more than six lakh villages in India. Taking care of their needs for water, electricity, road connections, is not a small task. In addition to this, land records have to be maintained and conflicts too need to be dealt with. A large machinery is in place to deal with all this. In this chapter we will look at the work of two rural administrative officers in some detail.



A Quarrel in the Village

Mohan is a farmer. His family owns a small agricultural field, which they have been farming for many years. Next to his field is Raghu's land which is separated from his by a small boundary called a bund.

One morning Mohan noticed that Raghu had shifted the bund by a few feet. By doing so, he had managed to take over some of Mohan's land, and increased the size of his own field.

Mohan was angry but also a little frightened. Raghu's family owned many fields and besides, his uncle was also the Sarpanch of the village. But even so, he plucked up courage and went to Raghu's house.

A heated argument followed. Raghu refused to accept that he had moved the bund. He called one of his helpers and they began shouting at Mohan and beating him up. The neighbours heard the commotion and rushed to the spot where Mohan was being beaten up. They took him away.

He was badly hurt on his head and hand. He was given first aid by one of his neighbours. His friend, who also ran the village post-office, suggested that they go to the local police station and file a report. Others were doubtful if this was a good idea because they felt they would waste a lot of money and nothing would come out of it. Some people said that Raghu's family would have already contacted the police station.

After much discussion it was decided that Mohan would go to the police station along with some of the neighbours who had seen the incident.



Area of the Police Station

On the way to the police station one of the neighbours asked, “Why don’t we spend some more money and go to the main police station in the town?”

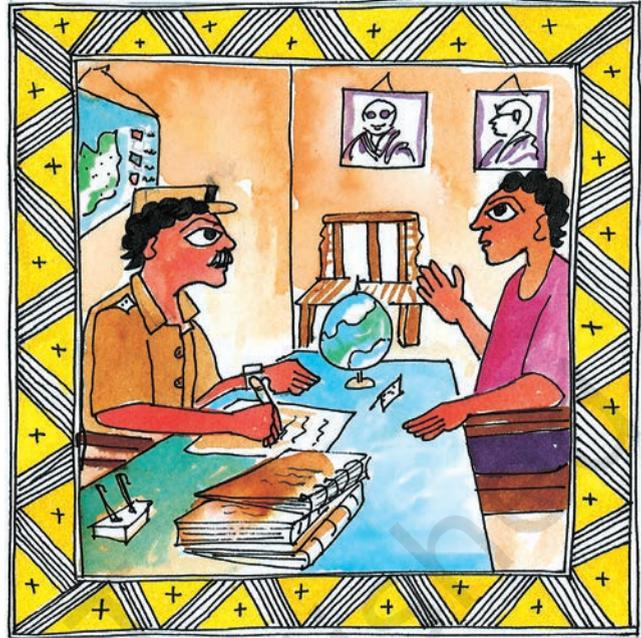
“It is not a question of money. We can register the case only in this police station because our village comes in its area of work,” explained Mohan.

Every police station has an area that comes under its control. All persons in that area can report cases or inform the police about any theft, accident, injury, fight, etc. It is the responsibility of the police of that station to enquire, to investigate and take action on the cases within its area.

1. If there is a theft in your house which police station would you go to register your complaint?
2. What was the dispute between Mohan and Raghu?
3. Why was Mohan worried about picking a quarrel with Raghu?
4. Some people said Mohan should report the matter to the police and others said he should not. What were the arguments they gave?

The work at the Police Station

When they reached the police station Mohan went to the person in charge (Station House Officer or S.H.O.) and told him what had happened. He also said that he wanted to give the complaint in writing. The S.H.O rudely brushed him aside saying that he couldn’t be bothered to waste his time writing down minor complaints and



then investigating them. Mohan showed him his injuries but the S.H.O did not believe him.

Mohan was puzzled and did not know what to do. He was not sure why his complaint was not being recorded. He went and called his neighbours into the office. They argued strongly that Mohan had been beaten up in front of them and had they not rescued him he

Show the above situation in the police station through a skit.

Then talk about how you felt playing Mohan’s role or that of the S.H.O or the neighbours. Could the S.H.O have handled the situation differently?

would have been injured very seriously. They insisted that the case be registered. Finally the officer agreed. He asked Mohan to write down his complaint and



also told the people that he would send a constable the next day to investigate the incident.

Maintenance of Land Records

You saw that Mohan and Raghu were arguing heatedly whether the common boundary of their fields had been shifted. Isn't there a way by which they could have settled this dispute in a peaceful manner? Are there records that show who owns what land in the village? Let's find out how this is done.

Measuring land and keeping land records is the main work of the Patwari. The Patwari is known by different names in different states - in some villages such officers are called Lekhpal, in others Kanungo or

Karamchari or Village Officer etc. We will refer to this officer as Patwari. Each Patwari is responsible for a group of villages. The Patwari maintains and updates the records of the village.

The map and the corresponding details from the register on the next page are a small part of the records kept by the Patwari.

The Patwari usually has ways of measuring agricultural fields. In some places a long chain is used. In the above instance the Patwari would have measured both Mohan's and Raghu's fields and compared them with the measurements on the map. If they did not match then it would be clear that the boundary of the fields has been changed.



Find out the term used for the Patwari in your state.

If you live in a rural area find out:

How many villages does the Patwari of your area maintain land records of?

How do people in the village contact him/her?

The Patwari is also responsible for organising the collection of land revenue from the farmers and providing information to the government about the crops grown in this area. This is done from the records that are kept, and this is why it's important for the Patwari to regularly update these. Farmers may change the crops grown on their fields or someone may dig a well somewhere,



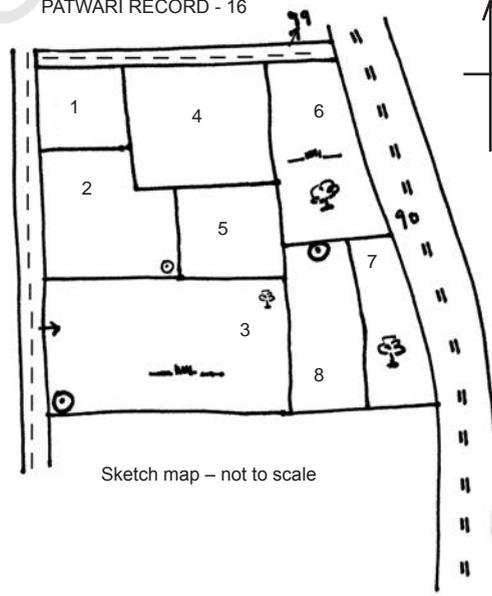
The Khasra record of the Patwari gives you information regarding the map given below. It identifies which plot of land is owned by whom. Look at both the records and the map and answer the questions given below regarding Mohan and Raghu's land.

Khasra 5								
No.	Area in hectare	Name of owner, Father or husband's name, address	If it is rented to some other farmer, their name and rent received	Area cultivated this year			Area not cultivated fallow land	Facilities
				Crop grown	Area	Sec-ond crop grown		
1	2	3	4	5	6	7	8	
1	0.75	Mohna, Son of Raja Ram, Village Amarpura owner	No	Soya-bean	0.75 Hectare			
2	3.00	Raghu Ram, Son of Ratan Lal, Village Amrapura owner	No	Soya-bean, Wheat, irrigated	2.75 Hectare	1.75	0.25	Well-1 working
3	6.00	Madhya Pradesh Government Grassland	No	-				Well-1 working Grazing

- Who owns the land south of Mohan's field?
- Mark the common boundary between Mohan's and Raghu's lands.
- Who can use field no 3?
- What information can one get for field no 2 and field no 3?

VILLAGE - AMARPURA
PATWARI RECORD - 16

NORTH



Legend	
	Boundary
	Well
	Grassland
	Kachcha road
	Pakka road
	Tree



and keeping track of all this is the work of the revenue department of the government. Senior people in this department supervise the Patwari's work.

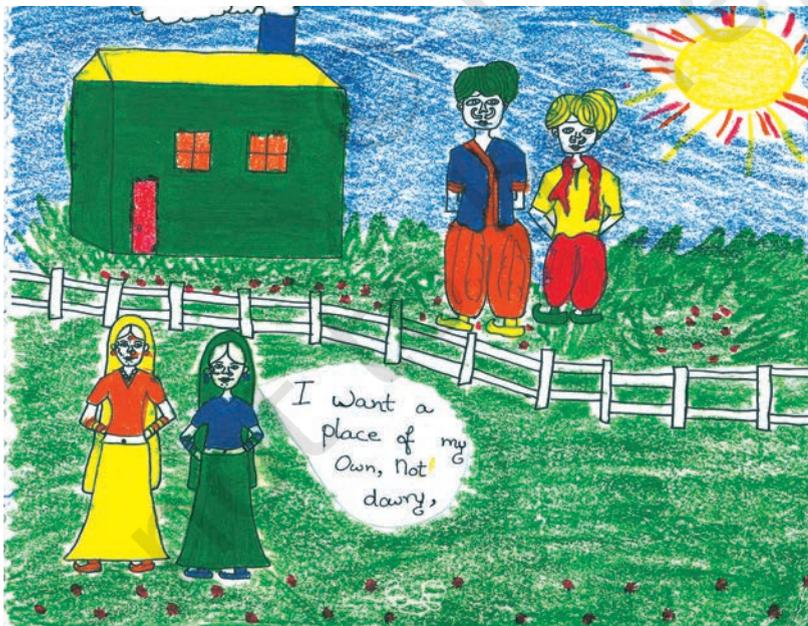
All states in India are divided into districts. For managing matters relating to land these districts are further sub-divided. These sub-divisions of a district are known by different names such as tehsil, taluka, etc. At the head is the District Collector and under her are the revenue officers, also known as tehsildars. They have to hear disputes. They also supervise the work of the Patwaris and ensure that records are properly kept and land revenue is collected. They make sure that the farmers can easily obtain a copy of their record, students can obtain their caste certificates etc. The Tehsildar's office is where land disputes are also heard.

Farmers often require a copy of their land's record together with a map, as shown in the previous illustration. They have a right to this information. They may have to pay a small fee for this.

However, this information is not easily made available and farmers sometimes have to face many problems to get it. In some states, records are now being computerised and also kept at the Panchayat office so that they are more easily available and regularly updated.

When do you think farmers may require a copy of this record? Study the following situations and identify the cases in which these records would be necessary and why.

- * A farmer wants to buy a plot of land from another.
- * A farmer wants to sell her produce to another.
- * A farmer wants a loan from the bank to dig a well in her land.
- * A farmer wants to purchase fertilizers for his field.
- * A farmer wants to divide his property among his children.



A daughter's wish

*Father inherited our house
from his father
And everyone says he'll
leave it to brother
But what about me and my
mother?
To expect a share in my
father's home,
Is not very womanly, I am
told.
But I really want a place of
my own,
Not dowry of silk and gold.*

(Source: Reflections on MY FAMILY,
Anjali Monteiro, TISS)



A New Law

(Hindu Succession Amendment Act, 2005)

Often when we think of farmers who own land, we think of men. Women are seen as people who work on the fields, but not as people who own agricultural land. Till recently in some states Hindu women did not get a share in the family's agricultural land. After the death of the father his property was divided equally only among his sons.

Recently, the law was changed. In the new law sons, daughters and their mothers in Hindu families can get an equal share in the land. The same law will apply to all states and union territories of the country.

This law will benefit a large number of women. For example Sudha is the eldest daughter of an agricultural family. She is married and lives in a neighbouring village. After her father's death Sudha often comes to help her mother with the farming work.

Her mother has asked the Patwari to transfer the land and enter her name along with the names of all the children in his record.

Sudha's mother confidently organises the farming with the help of the younger brother and sister. Similarly Sudha also lives with the assurance that if she ever has a problem she can always depend upon her share of the land.

Other Public Services - A survey

This chapter has looked at some of the administrative work of the government, especially for rural areas. The first example related to maintaining law and order and the second to maintaining land records. In the first case we examined the role of the police and in the second that of the Patwari. This work is supervised by other people in the department, such as the Tehsildar or the Superintendent of Police. We have also seen how people use these services, and some of the problems that they face. These services have to be used and made to function according to the laws that have been framed for them. You have probably seen many other public services and facilities provided by various departments of the government.

Do the following exercise for your village/by visiting a nearby village or looking at your own area.

List the public services in the village/area such as: the milk society, the fair price shop, the bank, the police station, the agricultural society for seeds and fertiliser, the post office or sub post office, the anganwadi, crèche, government school/s, health centre or government hospital etc. Collect information on three public services and discuss with your teacher how improvements can be made in their functioning. One example has been worked out.

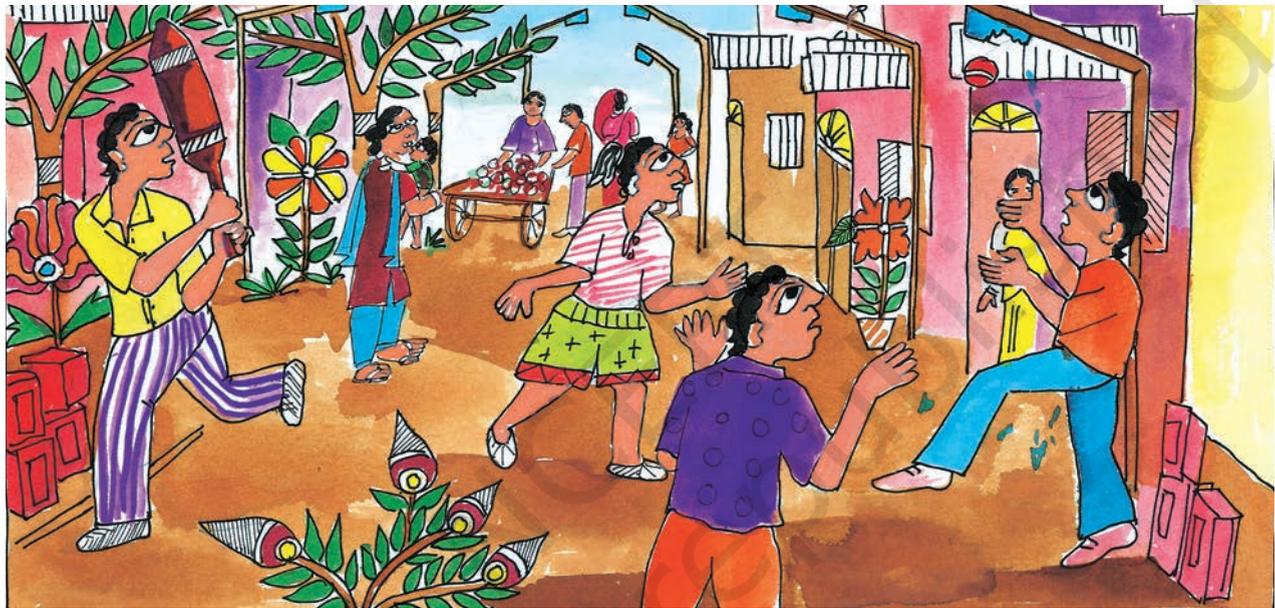


Urban Administration



0658CH07

A city is much bigger than a village and more spread out. A city has crowded markets, many buses and cars, water and electricity facilities, traffic control and hospitals. Have you ever wondered who is responsible for running all this? Do you know how decisions are made? How the planning is done? Who are the people who do all the work? Read this chapter and find some answers.



One lazy Sunday afternoon Mala and her friends Shankar, Jehangir and Rehana were playing a game of cricket in the street.

Shankar had bowled a good over and although he nearly managed to get Rehana out, she was still batting. Frustrated, he bowled a short ball and hoped she would hit it for an easy catch. Instead, Rehana hit the ball so hard and so high that the street light broke. Rehana screamed, “Oh no, look what I’ve done!” Shankar said, “Yes! we forgot to make a rule that if you break

the street light you are automatically out.” But Mala, Jehangir and Rehana were more worried about what had happened and they told Shankar he’d better stop thinking about the wicket.

Last week they had broken Nirmala Mausi’s window and had spent their pocket money to have it replaced. Would they have to dish out money again from their pockets? But who would they pay this to? To whom did the lights on the streets belong? Who changed them?

Rehana’s house was the closest and they ran and told her mother what had



happened. Rehana’s mother said, “I don’t really know these things in great detail but I do know that it is the Municipal Corporation of the city that takes care of replacing lights. The best person to ask would be Yasmin Khala. She just retired from the Municipal Corporation. Go and ask her, and Rehana come back home soon.”

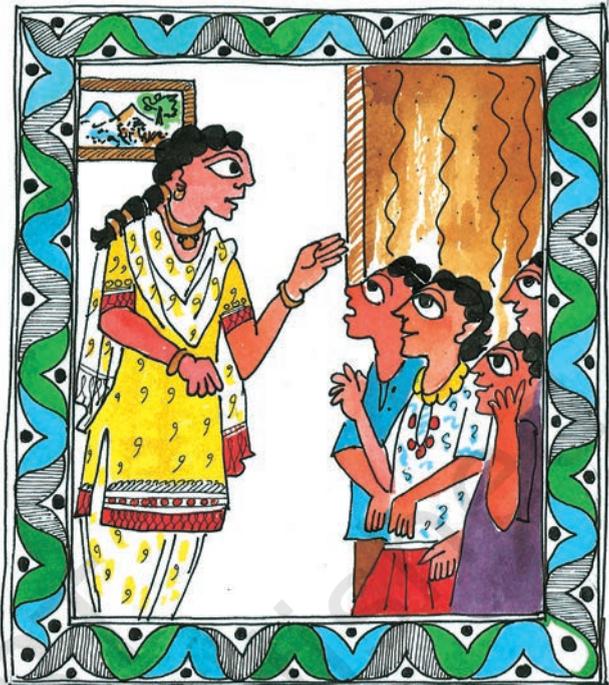
Yasmin Khala lived in the same lane and she and Rehana’s mother were good friends. The children ran to Khala’s house and when she opened the door they began to tell her what had happened all at once! When they asked about the street light, Yasmin Khala laughed and said, “There is no one person that you can pay the money to. There is a big organisation called the Municipal Corporation that takes care of street lights, garbage collection, water supply, keeping the streets and the market clean.”

“I’ve heard about the Municipal Corporation. They’ve put up signs around the city to inform people about malaria,” said Mala.

“Yes, you are quite right. The Municipal Corporation is also responsible for ensuring that diseases do not break out in the city. It also runs schools, hospitals and dispensaries. And makes gardens and maintains

List at least four different tasks that the Municipality does:

- 1.
 - 2.
 - 3.
-



them,” said Yasmin Khala. Then she added, “Our city Pune is a big city and so here it is called a Municipal Corporation. In smaller towns it is called a Municipal Council.”

The Ward Councillor and Administrative Staff

“Yasmin Khala, I’m curious. Who decides where a park should go? Did you have to make interesting decisions like this when you worked in the Municipal Corporation?” asked Rehana.

“No Rehana, I was working in the accounts office of the Corporation so I just worked on pay slips. Cities are usually quite large so the Municipal Corporation has to make a lot of decisions as well as do a lot of work to keep the city clean. The decisions like where a park or a new hospital should go are usually made by the Ward Councillors.”



The city is divided into different wards and ward councillors get elected. The complicated decisions that affect the entire city are taken by groups of councillors who form committees to decide and debate issues. For example, if bus stands need to be improved, or a crowded market-place needs to have its garbage cleared more regularly, or there is a 'nala' or drain that cuts through the city that needs cleaning etc. It is these committees for water, garbage collection, street lighting etc. that decide on the work to be done.

When the problems are within a ward then the people who live in the ward can contact their councillors. For example, if there are dangerous electrical wires hanging down then the local Councillor can help them get in touch with the electricity authority.

While the Councillor's Committees and the councillors decide on issues, the Commissioner and the administrative staff implement these. The Commissioner and the administrative staff are appointed. Councillors are elected.

"So how are these decisions made?" asked Rehana who never gave up on her train of thought.

"Well, all of the Ward Councillors meet and they make a budget and the money is spent according to this. The Ward Councillors try and ensure that the particular demands of their wards are placed before the entire council. These decisions are then implemented by the administrative staff," said

Fill in the blanks in the sentences below:

1. In a panchayat the elected members are called _____.
2. The city is divided into several _____.
3. In a municipal corporation the elected members are called _____.
4. Groups of councillors deal with issues that affect the _____.
5. Elections are held once every _____ years for the panchayat as well as for the municipality.
6. While the councillors make decisions the administrative staff led by the Commissioner _____ these.

How does the Municipal Corporation get its money?

Providing and running so many services requires a lot of money. The Municipal Corporation collects this in different ways. A tax is a sum of money that people pay to the government for the services the government provides. People who own homes have to pay a property tax as well as taxes for water and other services. The larger the house the more the tax. Property taxes however form only 25-30 per cent of the money that a Municipal Corporation earns.

There are also taxes for education and other amenities. If you own a hotel or shop then you have to pay a tax for this as well. Also the next time you go to see a movie look carefully at your ticket because you pay a tax for this as well. Thus while rich people account for property taxes, a much wider population pays more general taxes.



Yasmin Khala, enjoying the questions that the children asked. No adults asked her about her job and the children's questions provided her an opportunity to relive some of her experiences.

"But the city is so large. It must take a lot of people to look after it. Does the Municipal Corporation have a lot of workers?" asked Shankar curiously. He had by now luckily forgotten about the cricket match and his incomplete over.

"Yes, the work in the city is divided into different departments. So there is the water department, the garbage collection department, a department to look after gardens, another to look after roads. I worked on accounts in the sanitation department," said Yasmin Khala and then went on to offer the children some kababs to eat.

Jehangir ate his kababs at top speed and as he wolfed them down he asked loudly from the kitchen, "Yasmin Khala where does the garbage that the Municipal Corporation collects go to?". The others were still eating when Yasmin Khala began to answer, "This question has an interesting answer. As you know you can usually find garbage



Recycling is not a new thing. People like the man in the photo above have been recycling paper, metal, glass and plastic for a long time. The kabadi wallah plays a major role in recycling household plastic and paper, including your note books.

lying all over the street. Earlier even our neighbourhood used to have garbage lying all over, and if this remains uncollected it attracts dogs, rats and flies. Also, people get ill from the smell. At one point things became so bad that children even stopped playing cricket in the street because their parents were afraid that they'd get sick from staying on the streets too long."

A Community Protest

Yasmin Khala continued, "The women were very unhappy about the situation and even came to me for advice. I said I could try and speak with some officer in the department but I wasn't sure how long it would take. Then it was Gangabai who said that it is the



What has changed since Khala retired?

What Yasmin Khala did not mention to the children was that in recent times, in order to save money the Commissioners of several municipalities across the country had hired private contractors to collect and process garbage. This is called Sub-Contracting. This means that the work that was earlier being done by government workers is now being done by a private company.

These contract workers get paid less and their jobs are temporary. Collecting garbage is also quite a dangerous job and often these contract workers do not have any access to safety measures and are not taken care of if they are injured while working.

Ward Councillor who we should go to and protest since we are the ones who elected him. She gathered a small group of women and went to his house. They began shouting slogans in front of his house and he came out and asked them what was wrong.

Gangabai described the situation in the locality to him. He promised to go with them the next day to meet the Commissioner. He asked Gangabai to get a petition signed by all of the adults in the locality saying that garbage was not being collected. He suggested that taking the local sanitation engineer with them the next day might be a good idea. The sanitation engineer could also speak with the Commissioner and tell him how bad the situation was.

That evening children ran from house to house making sure that as many families as possible signed the petition.

The next morning a large group of women and the Ward Councillor and the sanitation engineer went to the Municipal Corporation office. The Commissioner met with this large group and began giving excuses saying that the Corporation did not have enough trucks. But Gangabai smartly replied, "But you seem to have enough trucks to collect garbage from the rich localities".

"That must have left him lost for words," quipped Jehangir.

"Yes, he said that he would take care of it immediately and Gangabai threatened that if it was not done in two days a larger group of women would protest in front of the Corporation," said Yasmin Khala. "So did the streets get cleaned?" asked Rehana who never let things remain unfinished.

"Well not within two days and then after another larger and more noisy protest the sanitation service in this locality became more regular."

"Wow this sounds just like a Bollywood film with a happy ending,"

What was Gangabai protesting about?

Why do you think Gangabai decided to approach the Ward Councillor?

What did Gangabai say when the Commissioner said that there were not enough trucks in the city?



said Mala who already began imagining herself in the lead role of Gangabai.

The children enjoyed hearing Gangabai's story immensely. They had sensed that Gangabai was much loved and respected and now they understood why. They got up and thanked Khala for answering their questions and then, before they left, Rehana said, "Oh, I have one last question Khala. The two dustbins that we have at home now, are they also Gangabai's idea?"

Khala began laughing. "No, not really. The Municipal Corporation was the one who suggested that we do this to help keep our streets clean. When we sort our own garbage it reduces their work."

The children thanked Khala and walked back down the street together. It had become quite late and they needed to get back home. For some reason the street seemed darker than usual. They looked up and then looked at each other smiling and ran right back to Khala's house...

The city of Surat had a plague scare in 1994. Surat was one of the dirtiest cities in India. Houses, hotels and restaurants would dump their garbage into the nearest drain or street which made it very difficult for sweepers to collect and transfer the garbage into selected dumps. In addition to this, the Municipal Corporation did not collect the garbage as often as it should have and this led to the situation getting worse. Plague spreads through the air and people who have the disease have to be isolated. In Surat, several people lost their lives, and over 300,000 deserted the city. The scare of the plague ensured that the Municipal Corporation completely cleaned up the city. Surat continues to remain one of the cleanest cities in India.

Do you know when and how often garbage gets collected in your neighbourhood? Do you think it is the same for all neighbourhoods of the city? Why not? Discuss.

Did you know that your taxes enable the government to provide roads, bridges, parks, and street lights? List three more benefits that the taxes help in funding, after discussing with your family:

- 1.
- 2.
- 3.



QUESTIONS

1. Why did the children go to Yasmin Khala's house?
2. List four ways in which the work of the Municipal Corporation affects the life of a city-dweller.
3. Who is a Municipal Councillor?
4. What did Gangabai do and why?
5. How does the Municipal Corporation earn the money to do its work?

Photo 1



Photo 2



6. Discuss

In the two photographs you see different ways of collecting and disposing garbage.

- i) Which way do you think provides safety to the person disposing garbage?
- ii) What are the dangers of collecting garbage in the manner shown in the first photograph?
- iii) Why do you think that proper ways of disposing garbage are not available to those who work in municipalities?



7. Several poor people in the city work as domestic servants as well as work for the Corporation, keeping the city clean. Yet the slums in which they live are quite filthy. This is because these slums seldom have any water and sanitation facilities. The reason often given by the Municipal Corporation is that the land in which the poor have set up their homes does not belong to them and that slum-dwellers do not pay taxes. However people living in middle class neighbourhoods pay very little in taxes compared to the amount of money the corporation spends on them in setting up parks, street lighting facilities, regular garbage collection etc. Also as you read in this chapter, the property taxes collected by the Municipality makes up only 25-30 per cent of its money. Why do you think it is important that the Corporation should spend more money on slum localities? Why is it important that the Municipal Corporation provide the poor in the city with the same facilities that the rich get?
8. Look at the image below.



The Government of India launched the Swachh Bharat Mission on 2 October 2014 to promote cleanliness in both rural and urban areas all over the nation. Under the “Swachh Bharat, Swachh Vidyalaya” campaign, many activities are also being carried out in schools to generate awareness on sanitation and hygiene amongst students. Observe the ways in which “Swachh Bharat Abhiyan” is being implemented by municipality / panchayat in your locality. Prepare a poster and display it in your school.





0764CH01



On election day, Kanta and her friend Sujata are waiting to cast their votes...

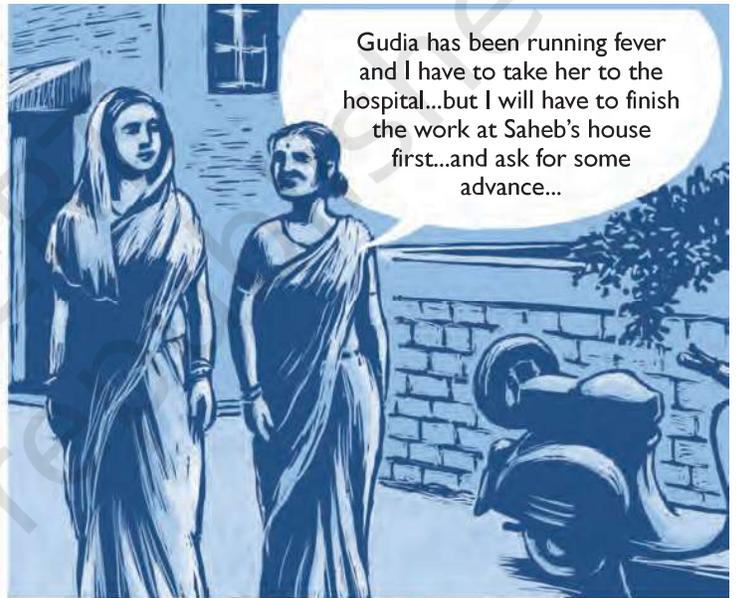
On Equality

India is a democracy. In the Class VI book, we looked at the key elements of a democratic government. These include people's participation, the resolution of conflict, and equality and justice. Equality is a key feature of democracy and influences all aspects of its functioning. In this chapter you will read more about equality – what it is, why it is important in a democracy, and whether or not everyone is equal in India. Let's begin by looking at Kanta's story.

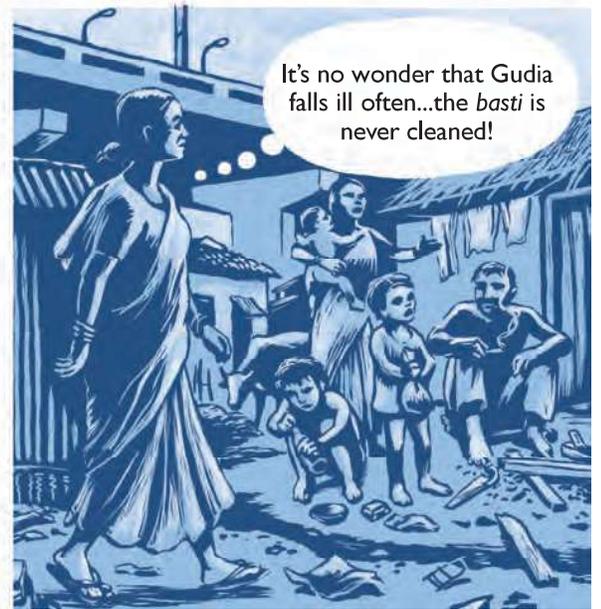




Afterwards...



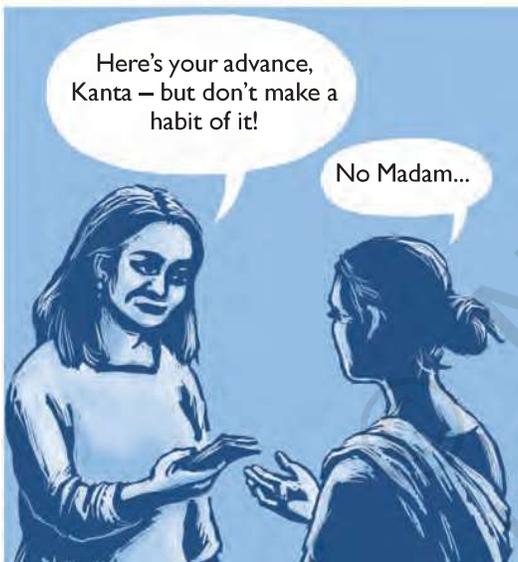
At home...





Equal right to vote

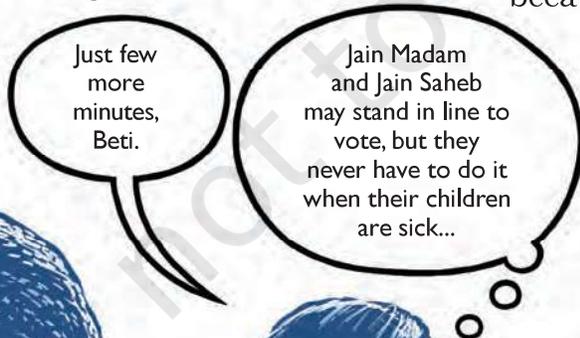
The story above begins with Kanta standing in line to cast her vote. Look again at the various people who are standing in line with her. Kanta recognises her employer, Ashok Jain and Chotte Lal, her neighbour. In a democratic country, like India, all adults irrespective of what religion they belong to, how much education they have had, what caste they are, or whether they are rich or poor are allowed to vote. This, as you have already read in the Class VI book, is called **universal adult franchise** and is an essential aspect of all democracies. The idea of universal adult franchise is based on the idea of equality because it states that every adult in a country, irrespective of their wealth and the communities she/he belongs to, has one vote. Kanta is excited to vote and happy that she is equal to all of the others because each of them has one vote.



But as her day goes on, Kanta becomes less certain about what this equality really means.

What is it that makes Kanta unsure? Let's take a look at a day in her life. She lives in a slum and has a drain behind her house. Her daughter is sick but she cannot take the day off from work because she needs to borrow money from her employers to take her child to the doctor. Her job as a domestic help tires her out, and finally she ends her day by again standing in a long line. This line, in front of the government hospital, is unlike the one in the morning because most of the people standing in it are poor.

That evening...



Do you think Kanta has enough reason to doubt whether she really is equal? List three reasons from the story above that might make her feel like this.

Other kinds of equality

Kanta is one of many people who live in democratic India and who have the right to vote but whose daily living and working conditions are far from equal. Apart from being poor, people in India experience inequality in different ways. Let us see what this means by reading the two stories given below. Each of these is based on real incidents in people's lives and reflects the different kinds of inequalities that exist in India.

One of the more common forms of inequality in India is the caste system. If you live in rural India your caste identity is something that you probably learned or experienced very young. If you live in urban India some of you might think that people no longer believe in caste. But just look at these matrimonials shown from a leading English newspaper and you will see how important the issue of caste continues to be in the minds of highly educated urban Indians.

Now let us read a story about the experiences of a *Dalit* child attending school. You have already read about Dalits in the Class VI book. *Dalit* is a term that the so-called lower castes use to address themselves. *Dalit* means 'broken' and by using this word, lower castes are pointing to how they were, and continue to be, seriously discriminated against.

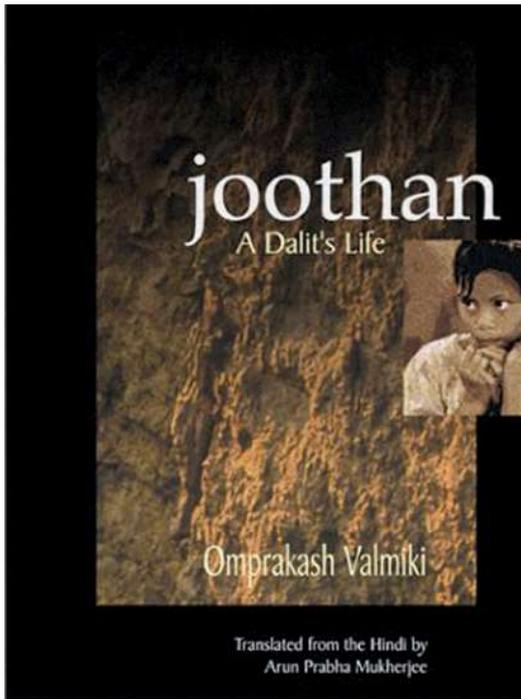
Omprakash Valmiki (1950–2013) is a famous *Dalit* writer. In his autobiography, *Joothan*, he writes, "I had to sit away from the others in the class, and that too on the floor. The mat ran out before reaching the spot I sat on. Sometimes I would have to sit way behind everybody, right near the door...sometimes they would beat me without any reason." When he was in Class IV, the headmaster asked Omprakash to sweep the school and the playground. He writes, "The playground was way larger than my small physique could handle and in cleaning it, my back began to ache. My face was covered with dust. Dust had gone

✓ ALLIANCE invited for
32/MMS/5'4"/fair/b'ful
girl
working in IT Co. Mumbai
from BE / MBA boy working
in Mumbai/Abroad from IT
Industry Caste no bar, SC/
ST excuse. Send BHP (must)

PROF Qlfd B'ful tall girl 4
Gupta Boy 28/6' CA Working
MNC TXS USA \$ 80k.

TAMIL BRAHMIN Iyengar groom,
1981 born, Naithruvakashyapa Goth-
ram, Swathi Star, 180cms, tall, fair

Circle the reference to caste in the matrimonial advertisements given above.



Cover of Omprakash Valmiki's book, *Joothan*, which talks about his experiences of growing up as a Dalit boy.

Why do you think Omprakash Valmiki was being treated unequally by his teacher and his classmates? Imagine yourself as Omprakash Valmiki and write four lines about how you would feel if you were in the same situation as him.

Why do you think the Ansaris were being treated unequally? What would you do if you were in the Ansaris' position and could not find a place to live because some people did not want to live next to you because of the religion you practice?

inside my mouth. The other children in my class were studying and I was sweeping. Headmaster was sitting in his room and watching me. I was not even allowed to get a drink of water. I swept the whole day,...From the doors and windows of the school rooms, the eyes of the teachers and the boys saw this spectacle." Omprakash was made to sweep the school and the playground for the next couple of days and this only came to an end when his father, who happened to be passing by, saw his son sweeping. He confronted the teachers and then walking away from the school holding Omprakash's hand, he said loudly for all of them to hear, "You are a teacher...So I am leaving now. But remember this much Master...(He) will study right here...in this school. And not just him, but there will be more coming after him."

The second story is based on an incident that took place in one of India's larger cities and is common practice in most parts of the country. It is a story about Mr and Mrs Ansari who were looking to rent an apartment in the city. They had the money and so paying the rent was no problem. They went to a property dealer for help to find a place. The dealer informed them that he knew about quite a few apartments that were available for rent. They visited the first apartment and the Ansaris liked it very much and decided to take it. However, when the landlady found out their names, she made an excuse about how she could not rent the house to someone who ate meat because the building did not have any non-vegetarian residents. Both the Ansaris and the property dealer were surprised to hear this because they could smell fish being cooked in the neighbour's house. The same excuse was repeated in the second and the third apartments. Finally, the property dealer told them that they might want to change their names and call themselves Mr and Mrs Kumar. The Ansaris were reluctant to do this and decided to look some more. In the end, it took a whole month of looking at apartments before they found a landlady who was willing to give them a place on rent.

Recognising dignity

You have understood by now that the caste we are born into, the religion we practice, the class background we come from, whether we are male or female – these are often the things that determine why some people are treated unequally. Omprakash Valmiki and the Ansaris are being treated unequally on the basis of differences of caste and religion.

When persons are treated unequally, their **dignity** is violated. The dignity of both Omprakash Valmiki and the Ansaris was violated because of the way in which they were treated. By picking on him and making him sweep the school, because of his caste, Omprakash Valmiki's schoolmates and teachers hurt his dignity badly and made him feel as if he was less than equal to all other students in the school. Being a child, Omprakash Valmiki could do very little about the situation that he was in. It was his father who, on seeing his son sweep, felt angry by this unequal treatment and confronted the teachers. The Ansaris' dignity was also hurt when persons refused to lease their apartments to them. However, when the property dealer suggested that they change their name, it was their dignity or self-respect that made them refuse this suggestion.

Omprakash and the Ansaris do not deserve to be treated like this. They deserve the same respect and dignity as anyone else.

Equality in Indian democracy

The Indian **Constitution** recognises every person as equal. This means that every individual in the country, including male and female persons from all castes, religions, tribes, educational and economic backgrounds are recognised as equal. This is not to say that inequality ceases to exist. It doesn't. But at least, in democratic India, the principle of the equality of all persons is recognised. While earlier

If you were one of the Ansaris how would you have responded to the suggestion that you change your name?

Can you think of an incident in your life in which your dignity was violated? How did this make you feel?



In the 1975 film, Deewar, a boy who works as a shoeshine refuses to pick up a coin thrown at him. He feels that there is dignity in the work that he does and insists that his fee be given respectfully.



The Parliament is the cornerstone of our democracy and we are represented in it through our elected representatives.

no law existed to protect people from discrimination and ill-treatment, now there are several that work to see that people are treated with dignity and as equals.

This recognition of equality includes some of the following provisions in the Constitution: first that every person is equal before the law. What this means is that every person, from the President of the country to Kanta, a domestic worker, has to obey the same laws. Second, no person can be discriminated against on the basis of their religion, race, caste, place of birth or whether they are female or male. Third, every person has access to all public places including playgrounds, hotels, shops and markets. All persons can use publicly available wells, roads and bathing ghats. Fourth, untouchability has been abolished.



Sustainable Development Goal (SDG)
www.in.undp.org

The two ways in which the government has tried to implement the equality that is guaranteed in the Constitution is first through laws and second through government programmes or schemes to help disadvantaged communities. There are several laws in India that protect every person's right to be treated equally. In addition to laws, the government has also

set up several schemes to improve the lives of communities and individuals who have been treated unequally for several centuries. These schemes are to ensure greater opportunity for people who have not had this in the past.

One of the steps taken by the government includes the midday meal scheme. This refers to the programme introduced in all government elementary schools to provide children with cooked lunch. Tamil Nadu was the first state in India to introduce this scheme, and in 2001, the Supreme Court asked all state governments to begin this programme in their schools within six months. This programme has had many positive effects. These include the fact that more poor children have begun enrolling and regularly attending school. Teachers reported that earlier children would often go home for lunch and then not return to school but now with the midday meal being provided in school, their attendance has improved. Their mothers, who earlier had to interrupt their work to feed their children at home during the day, now no longer need to do so. This programme has also helped reduce caste prejudices because children of all castes in the school eat this meal together, and in quite a few places, *Dalit* women have been employed to cook the meal. The midday meal programme also helps reduce the hunger of poor students who often come to school and cannot concentrate because their stomachs are empty.

While government programmes play an important role in increasing equality of opportunity, there is much that still needs to be done. While the midday meal programme has helped increase the enrolment and attendance of poor children in school, there continues to be big differences in our country between schools that the rich attend and those that the poor attend. Even today there are several schools in the country in which *Dalit* children, like Omprakash Valmiki, are discriminated against and treated unequally. These children are forced into unequal situations in which their dignity is not



Children being served their midday meal at a government school in Uttarakhand.

What is the midday meal programme? Can you list three benefits of the programme? How do you think this programme might help promote greater equality?

Find out about one government scheme in your area. What does this scheme do? Whom is this scheme set up to benefit?



“It is disgraceful to live at the cost of one's self-respect. Self-respect is the most vital factor in life. Without it, man is a cipher. To live worthily with self-respect, one has to overcome difficulties. It is out of hard and ceaseless struggle alone that one derives strength, confidence and recognition.

“Man is mortal. Everyone has to die some day or the other. But one must resolve to lay down one's life in enriching the noble ideals of self-respect and in bettering one's human life... Nothing is more disgraceful for a brave man than to live life devoid of self-respect.”

– B.R. Ambedkar

respected. This is because people refuse to think of them as equal even though the law requires it.

One of the main reasons for this is that attitudes change very slowly. Even though persons are aware that discrimination is against the law, they continue to treat people unequally on the basis of their caste, religion, disability, economic status and because they are women. It is only when people begin to believe that no one is inferior, and that every person deserves to be treated with dignity, that present attitudes can change. Establishing equality in a democratic society is a continuous struggle and one in which individuals as well as various communities in India contribute to and you will read more about this in this book.

Issues of equality in other democracies

You are probably wondering whether India is the only democratic country in which there is inequality and where the struggle for equality continues to exist. The truth is that in many democratic countries around the world, the issue of equality continues to be the key issue around which communities struggle. So, for example, in the United States of America, the African-Americans whose ancestors were the slaves who were brought over from Africa, continue to describe their lives today as largely unequal. This, despite the fact that there was a movement in the late 1950s to push for equal rights for African-Americans. Prior to this, African-Americans were treated extremely unequally in the United States and denied equality through law. For example, when travelling by bus, they either had to sit at the back of the bus or get up from their seat whenever a white person wished to sit.

Rosa Parks (1913–2005) was an African-American woman. Tired from a long day at work she refused to give up her seat on a bus to a white man on 1 December 1955. Her refusal that day started a huge agitation against the unequal ways in which African-Americans were



treated and which came to be known as the **Civil Rights Movement**. The Civil Rights Act of 1964 prohibited discrimination on the basis of race, religion or national origin. It also stated that all schools would be open to African-American children and that they would no longer have to attend separate schools specially set up for them. However, despite this, a majority of African-Americans continue to be among the poorest in the country. Most African-American children can only afford to attend government schools that have fewer facilities and poorly qualified teachers as compared to white students who either go to private schools or live in areas where the government schools are as highly rated as private schools.

Rosa Parks, an African-American woman, changed the course of American history with one defiant act.

Excerpt from Article 15 of the Indian Constitution

Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth.

(1) The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them.

(2) No citizen shall, on grounds only of religion, race, caste, sex, place of birth or any of them, be subject to any disability, liability, restriction or condition with regard to –

(a) access to shops, public restaurants, hotels and places of public entertainment;

or

(b) the use of wells, tanks, bathing ghats, roads and places of public resort maintained wholly or partly out of State funds or dedicated to the use of the general public.

Challenge of democracy

No country can be described as being completely democratic. There are always communities and individuals trying to expand the idea of democracy and push for a greater recognition of equality on existing as well as new issues. Central to this is the struggle for the recognition of all persons as equal and for their dignity to be maintained. In this book you will read about how this issue of equality affects various aspects of our daily lives in democratic India. As you read these chapters, think about whether the equality of all persons and their being able to maintain their dignity is upheld.

CHAPTER 3

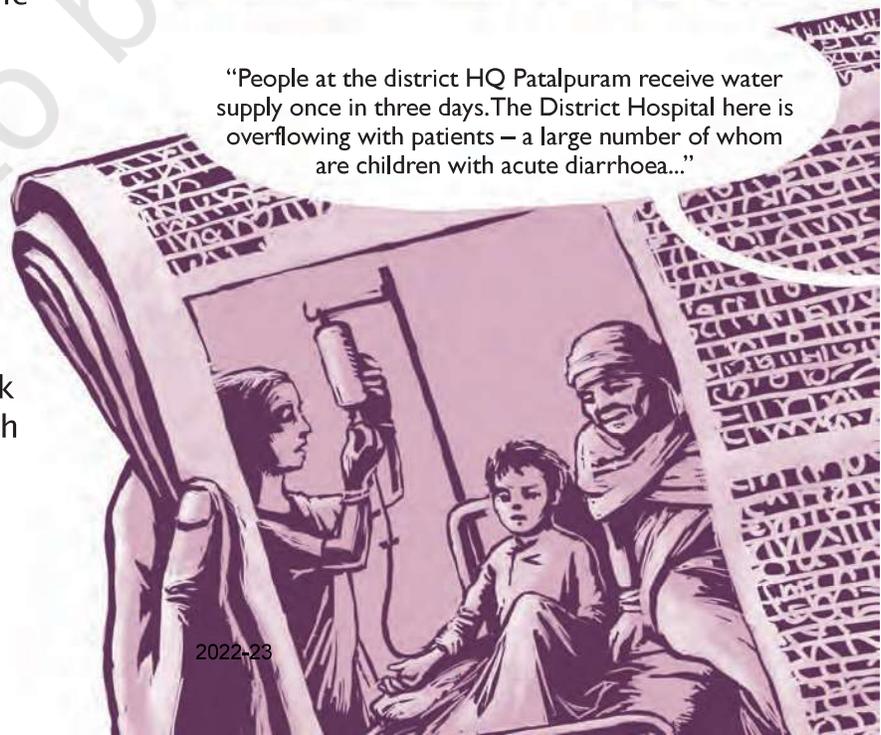
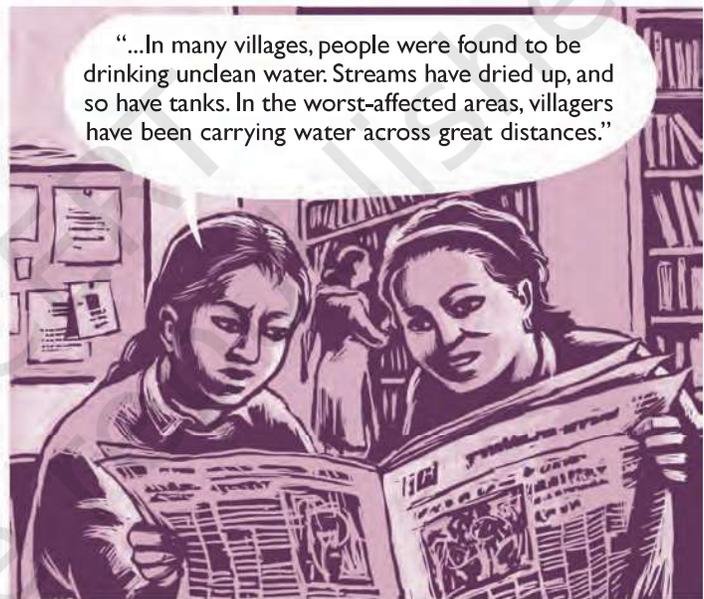


0764CH03

How the State Government Works

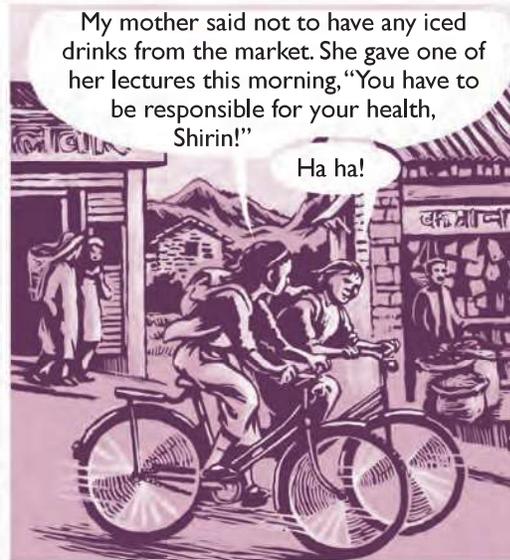
Last year, we discussed the fact that government works at three levels – local, state and national – and looked at the work of local government in some detail. In this chapter, we examine the work of the government at the state level. How does this take place in a democracy? What is the role of a Member of the Legislative Assembly (MLA) and Ministers? How do people express their views or demand action from government? We look at these questions through the example of health.

WHOSE RESPONSIBILITY?

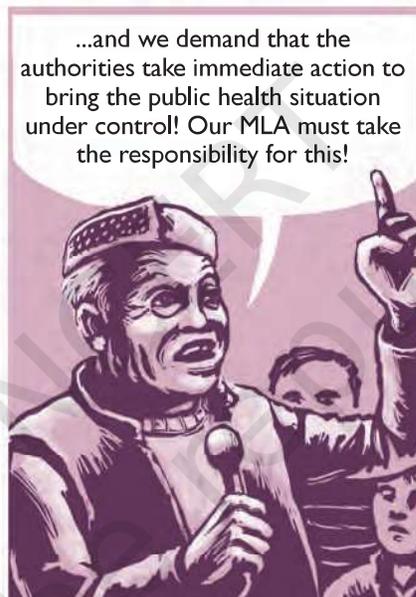




That afternoon...



Suddenly...



Who is an MLA?

In the above section, you have read about some events in Patalpuram. You may be familiar with some official names such as Collector, Medical Officer, etc. But have you heard of an MLA and the Legislative Assembly? Do you know the MLA of your area? Can you identify which party she or he belongs to?

Members of the Legislative Assembly (MLAs) are elected by the people. They then become members of the legislative assembly and also form the

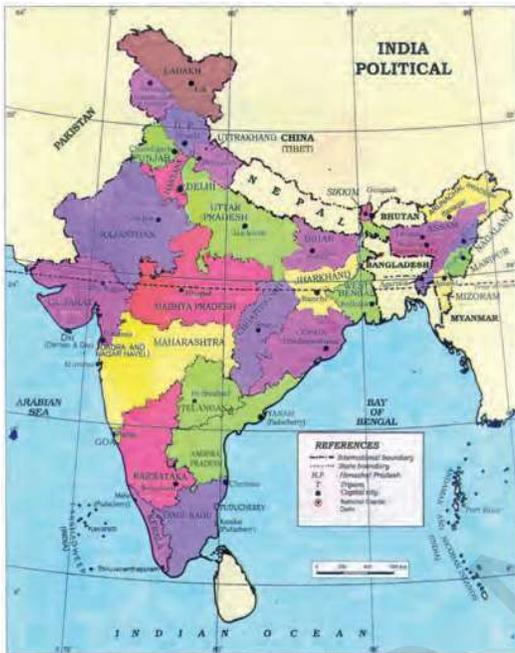
What is happening in Patalpuram ?

Why is this problem serious?

What action do you think can be taken in the above situation and who do you think should take this action? Discuss.

Discuss the following terms with your teacher—public meeting, States in India, constituency, majority, ruling party and opposition.

Can you explain the following terms—majority, ruling party, opposition with reference to your state.



The state of Himachal Pradesh is coloured in purple in the above thumbnail map of India.

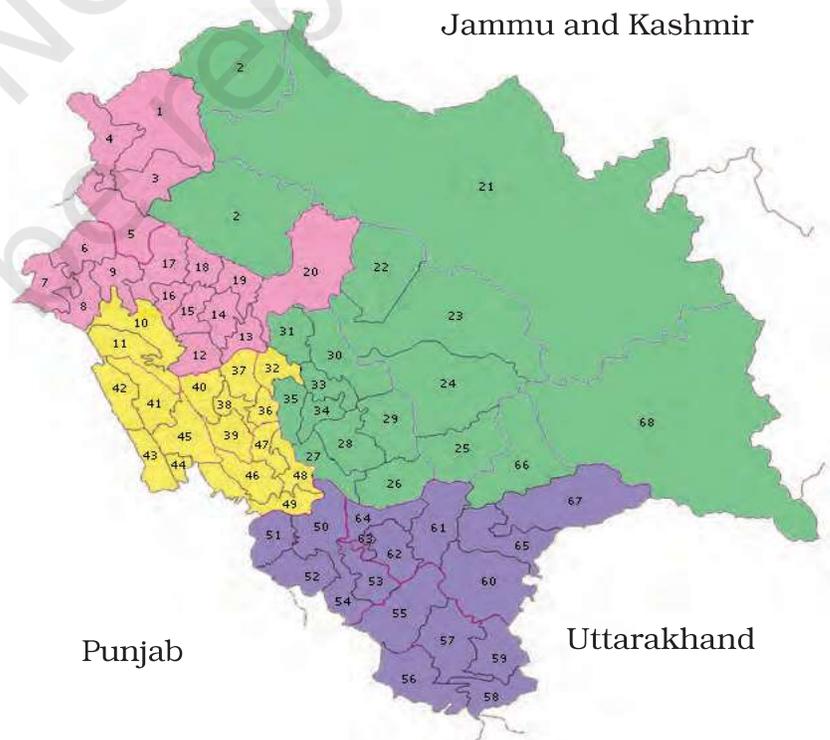
Using a pencil outline the following on the map given on page 111:

- (i) the state that you live in;
- (ii) the state of Himachal Pradesh.

government. In this way we say that the MLAs represent people. The example below will help us understand this better.

Every state in India has a Legislative Assembly. Each state is divided into different areas or constituencies. For example, look at the map below. It shows that the state of Himachal Pradesh is divided into 68 assembly constituencies. From each **constituency**, the people elect one representative who then becomes a Member of the Legislative Assembly (MLA). You would have noticed that people stand for elections in the name of different parties. These MLAs, therefore, belong to different political parties.

How do people who are MLAs become ministers or chief minister? A political party whose MLAs have won more than half the number of constituencies in a state can be said to be in a **majority**. The political party that has the majority is called the **ruling party** and all other members are called the **opposition**. For example, the Legislative Assembly of the state of Himachal Pradesh has 68 MLA constituencies.



Results of the Assembly Elections in Himachal Pradesh in 2017

Political party	Number of MLAs elected
Bharatiya Janata Party (BJP)	44
Indian National Congress (INC)	21
Communist Party of India (Marxist)	1
Independents (who don't belong to any party)	2
Total	68

For more details, visit <http://hpvidhansabha.nic.in>

Candidates from various political parties won the 2017 assembly elections and became MLAs. Since the total number of MLAs in the Legislative Assembly is 68, a political party would have needed to have more than 34 MLAs in order to gain a majority. The Bharatiya Janata Party (BJP) with 44 MLAs had the majority and it became the ruling party. All other MLAs became the opposition. In this case, the Indian National Congress (INC) was the major opposition party, since it had the largest number of MLAs after the BJP. Among the opposition were other parties, including those who had been elected as independent candidates.

After the elections, the MLAs belonging to the ruling party will elect their leader who will become the chief minister. In this case, the BJP MLAs chose Shri Jairam Thakur as their leader and he became the chief minister. The chief minister then selects other people as ministers. After the elections, it is the Governor of the state who appoints the chief minister and other ministers.

The chief minister and other ministers have the responsibility of running various government departments or ministries. They have separate offices. A Legislative Assembly is a place where all the MLAs, whether from the ruling party or from the opposition meet to discuss various things. Hence, some MLAs have dual responsibilities: one as an MLA and the other as a minister. We will read about this further.

Construct a table, similar to the one given for Himachal Pradesh, for your state.

The Head of the State is the Governor. She/He is appointed by the Central Government to ensure that the State Government works within the rules and regulations of the Constitution. Find out the name of Governor of your State.

At times, the ruling party may not be a single party but a group of parties working together. This is called a coalition. Discuss with your teacher.

A debate in the Legislative Assembly

Afreen, Sujata and many other students from their school travelled to the state capital to visit the Legislative Assembly which was housed in an impressive building. The children were excited. After security checks, they were taken upstairs. There was a gallery from where they could see the large hall below. There were rows and rows of desks.

This Assembly was going to have a debate on a current problem. During this time, MLAs can express their opinions and ask questions related to the issue or give suggestions about what should be done by the government. Those who wish to, can respond to this. The minister then replies to the questions and tries to assure the Assembly that adequate steps are being taken.

The chief minister and other ministers have to take decisions and run the government. We usually hear about them or see them in the news channels or in the papers. However, whatever decisions are being taken have to be approved by the members of the legislative assembly. In a democracy, these members can ask questions, debate an important issue, decide where money should be spent, etc. They have the main authority.

MLA 1: In my constituency of Akhandagaon, during the last three weeks, there were 15 deaths because of diarrhoea. I think it is a shame that this government has not been able to check the situation of a simple problem like diarrhoea while proclaiming itself to be a champion of technology. I would call the attention of the minister in charge of health to take immediate measures to control the situation.

MLA 2: My question is why are government hospitals in such a bad situation? Why is the government not appointing proper doctors and other medical staff in the district? I would also like to know how the government plans to deal with this situation

which is affecting a large number of people and is also spreading. This is an epidemic.

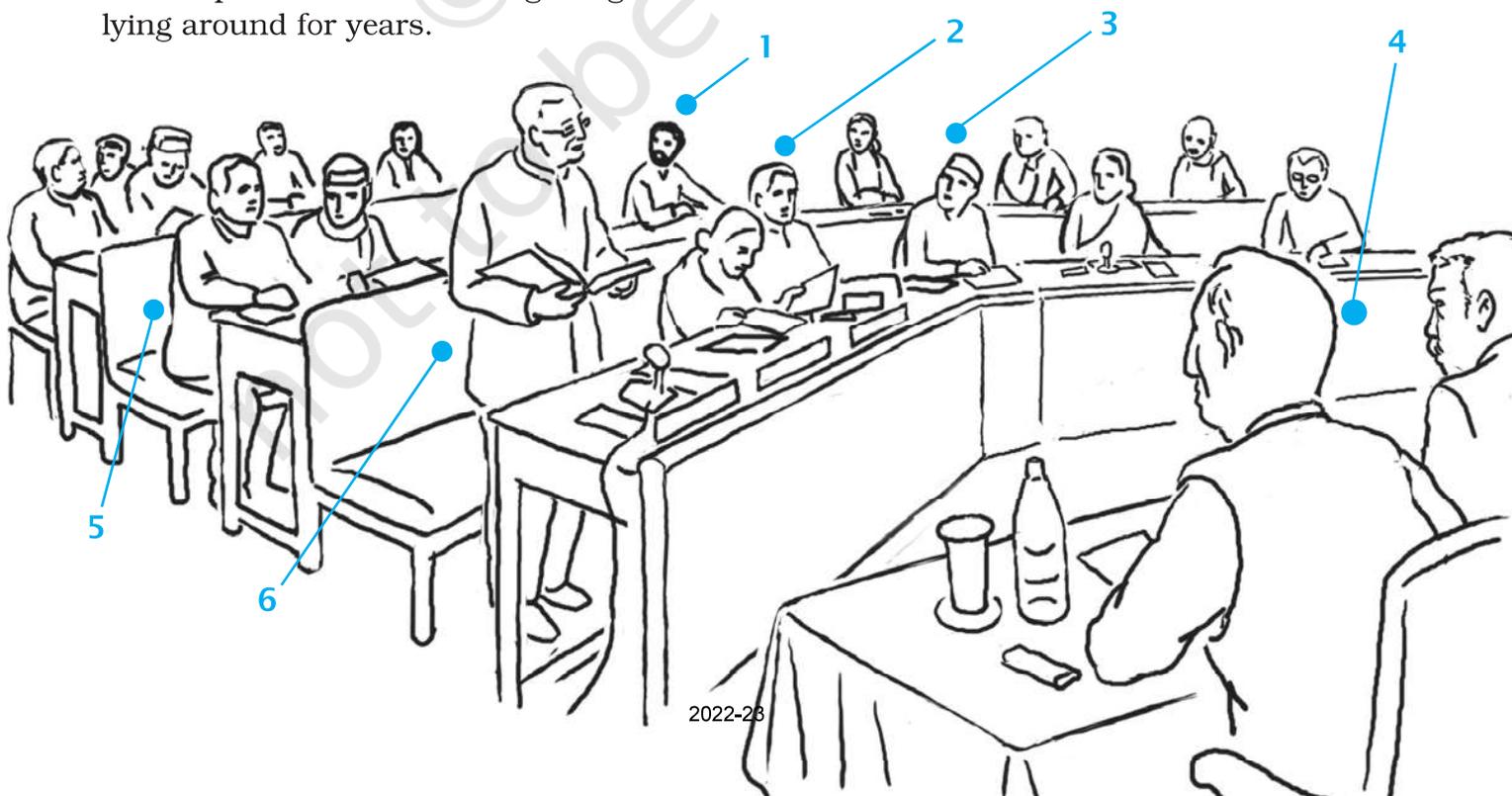
MLA 3: My constituency of Tolpatti too has a serious shortage of water. Women travel up to 3 or 4 kilometres to collect water. How many tankers have been put into service to supply water? How many wells and ponds have been cleaned and disinfected?

MLA 4: I think my colleagues are exaggerating the problem. The government has taken steps to control the situation. Water tankers have been put into service. ORS packets are being distributed. The government is doing everything possible to help people.

MLA 5: We have very poor facilities in our hospitals. There are hospitals that do not have a doctor and no medical staff has been appointed for the last few years. In another hospital, the doctor has gone on a long leave. This is a shame. I think the situation is going from bad to worse. How are we going to ensure that ORS packets reach all families in the affected areas?

MLA 6: The opposition members are unnecessarily blaming the government. The previous government did not pay any attention to sanitation. We have now taken up a drive to clear the garbage that has been lying around for years.

Can you identify the MLAs of the ruling party and the opposition in the illustration? Colour the ruling party in one colour and the opposition in another.



What were the main arguments put forward by different MLAs who thought that the government was not taking the situation in a serious manner?

If you were the health minister, how would you respond to the above discussion?

Do you think the above debate would have been useful in some ways? How? Discuss.

In the working of the government, explain the difference between being an MLA and an MLA who is also a minister.

In the earlier section you have read about a debate in the Legislative Assembly. The members were debating the action taken or not taken by the government. This is because the MLAs are together responsible for the work of the government. In common usage the word 'government' refers to government departments and various ministers who head them. The overall head is the chief minister. More correctly, this is called the executive part of the government. All the MLAs who gather together (assemble) in the legislative assembly are called the Legislature. They are the ones who authorise and supervise their work. As we saw in the earlier section, it is from among them that the head of the executive, or the chief minister is formed.

Working of the government

The Legislative Assembly is not the only place where opinions are expressed about the work of the government and action is demanded. You will find newspapers, TV channels and other organisations regularly talking about the government. In a democracy, there are various ways through which people express their views and also take action. Let us look at one such way.

Soon after the discussion in the assembly, there was a **press conference** organised by the health minister. Large numbers of people from different newspapers were present. The minister and some government officials were also present. The minister explained the steps the government had taken. Reporters asked many questions at this meeting. These discussions were then reported in different newspapers. The following page has one such report.

During the next week, the chief minister and the minister for health visited Patalpuram district. They went to visit the families who had lost their relatives and also visited people in the hospitals. The government announced a compensation for these

Government smells the garbage

Chief Minister promises funds for work

Patalpuram | Ravi Ahuja

During the last few weeks, there have been many deaths in some districts of our state. There has been a strong reaction that the government has not taken this seriously. The health minister explained today at a press conference that his government has asked all the collectors and the chief medical officers to take urgent measures. The most important problem is that of drinking water. The minister said that they

intend to supply drinking water to every village through tanker trucks. The chief minister has promised funds for this work. They also plan to start a campaign to inform people about the steps that can be taken to prevent diarrhoea. When a reporter asked him as to what steps are being taken to see that garbage that has been lying around for months is quickly collected, the chief minister said that he would look into this.

Write two measures that the government undertook for controlling diarrhoea?

What is the purpose of a press conference? How does the press conference help you get information on what the government is doing?

families. The chief minister also said that he thought the problem was not only one of sanitation but also of a lack of clean drinking water. He said that a high-level enquiry committee will be asked to look into the needs of the district to provide sanitation facilities and would request the minister for Public Works to take care of the needs of proper water supply in the region.

As you saw above, the people in power like the chief minister and the minister have to take action. They do so through various departments like the Public Works Department, the Agriculture Department, the Health Department, the Education Department and so on. They also have to answer questions that are asked in the Legislative Assembly and convince people asking the questions that proper steps are being taken. At the same time, newspapers and the media widely discuss the issue and the government has to respond, for example, by holding the press conferences.

The government can also decide to make new laws for the state regarding sanitation and health facilities. For example, it may make it compulsory for municipal corporations to ensure that there are adequate toilets in every urban area. It may also ensure that a health worker is appointed in every village. This act of making laws on certain issues is done in the Legislative Assembly of each state. The various government departments then implement these laws. Laws for the entire country are made in the Parliament. You will read more about the Parliament next year.

In a democracy, it is the people who elect their representatives as Members of the Legislative Assembly (MLAs) and, thus, it is the people who have the main authority. The ruling party members then form the government and some members are appointed ministers. These ministers are in charge of various departments of the government such as health in the above example. Whatever work is done by these departments has to be approved by the members of the legislative assembly.

In a democracy, people organise meetings to voice their opinions and protest against the government.



Name of department	Examples of their work
School Education	
Public Works Department	
Agriculture	

A wallpaper project

A wallpaper is an interesting activity through which research can be done on particular topics of interest. The following photographs explain the different aspects involved in creating a wallpaper in a classroom.

Find out with the help of your teacher, the work done by the government departments mentioned above, and fill in the table.

After introducing the topic and having a brief discussion with the whole class, the teacher divides the class into groups. The group discusses the issue and decides what it would like to include in the wall-paper. Children then work individually or in pairs to read the collected material and write their observations or experiences. They can do this through creating stories, poems, case studies, interviews, etc.



The group looks at the material that they have selected, drawn or written. They read each other's writing and provide feedback to each other. They make decisions on what should be included and finalise the layout for the wallpaper.





Each group then presents the wallpaper to the entire class. It is important that more than one member of the group is asked to present and that each group is allotted the same amount of time to discuss their work. After each group has presented, it would be a good idea to have a feedback session on the following – What more could they do on their own? How could their work be organised better? How could writing and presentation be improved upon?

This wallpaper about the 2006 dengue epidemic was prepared by children of Class VI B of Kendriya Vidyalaya II, Hindon, Ghaziabad, Uttar Pradesh.

Do a similar wallpaper project about any issue connected with the working of your State Government like an education programme, any law and order issue, midday meal scheme, etc.





0764CH09



Struggles for Equality

In this book, you have read about people like Kanta, the Ansaris, Melani and Swapna. The thread that connects all of these lives is that they have been treated unequally. What do people do when they face such inequalities? History is full of examples of persons who have come together to fight against inequality and for issues of justice. Do you recall the story of Rosa Parks in Chapter 1? Do you remember the photo-essay on the women's movement in Chapter 5? In this chapter you will learn about some of the ways in which people have struggled against inequality.



As you have already read in this book, the Indian Constitution recognises all Indians as equal before the law and states that no person can be discriminated against because of their religion, sex, caste or whether they are rich or poor. All adults in India have the equal right to vote during elections and this 'power over the ballot box' has been used by people to elect or replace their representatives.

But this feeling of equality that the ballot box provides, because the vote of one person is as good as that of another, does not extend to most people's lives. As you have read, the increasing privatisation of health services and the neglect of government hospitals have made it difficult for most poor people like Kanta, Hakim Sheik and Aman to get good quality health care. These people do not have the resources to afford expensive private health services.

Similarly, the man who sells juice does not have the resources to compete with all of the major companies who sell branded drinks through expensive advertising. Swapna does not have sufficient resources to grow cotton and, so, has to take a loan from the trader to grow her crop. This forces her to sell her cotton at a lower price. Melani, like the millions of domestic workers across the country, is forced to endure the insults and hardship of working as a domestic help because she has no resources to set up something on her own. **Poverty and the lack of resources continue to be a key reason why so many people's lives in India are highly unequal.**

On the other hand, the Ansaris were discriminated against not because they did not have the resources. In fact, despite having the money to pay the required rent, they were not able to find an apartment for over a month. People were reluctant to lease them an apartment because of their religion. Similarly, the main reason that the teachers forced Omprakash Valmiki to sweep the school yard was because he was *Dalit*. You've also read that the work women do

What do you think is meant by the expression 'power over the ballot box'? Discuss.



Sustainable Development Goal (SDG)
www.in.undp.org

In India, it is the case that the poor consist of a majority of members of Dalit, Adivasi and Muslim communities and are often women.

According to the 2011 Census data women form 48.5 per cent of the population, Muslims form 14.2 per cent of the population, SCs form 16.6 per cent and STs 8.6 per cent.



Sustainable Development Goal (SDG)
www.in.undp.org

Can you think of one person in your family, community, village, town or city whom you respect because of their fight for equality and justice?

is often considered of less value than that done by the men. All of these persons are discriminated against primarily because of their social and cultural background as well as because they are women. **Discrimination on the basis of a person's religion, caste and sex is another significant factor for why people are treated unequally in India.**

Often, poverty and lack of dignity and respect for certain communities and groups come together in such powerful ways that it is difficult to identify where one aspect of inequality ends and the other begins. As you have read, *Dalit*, *Adivasi* and Muslim girls drop out of school in large numbers. This is a combined outcome of poverty, social discrimination and the lack of good quality school facilities for these communities.

Struggles for equality

Throughout the world – in every community, village, city and town—you will find that there are some people who are known and respected because of their fight for equality. These people may have stood up against an act of discrimination that they faced or which they witnessed. Or they may be well-respected because they treat all persons with dignity and are, therefore, trusted and called upon to resolve issues in the community.

Often, some of these persons become more widely recognised because they have the support or represent large numbers of people who have united to address a particular issue of inequality. In India, there are several struggles in which people have come together to fight for issues that they believe are important. In Chapter 5, you read about the methods used by the women's movement to raise issues of equality. The Tawa Matsya Sangh in Madhya Pradesh is another example of people coming together to fight for an issue. There are many such struggles such as those among *beedi* workers, fisherfolk, agricultural

labourers, slum dwellers and each group is struggling for justice in its own way. There are also many attempts to form cooperatives or other collective ways by which people can have more control over resources.

Tawa Matsya Sangh

When dams are built or forest areas declared sanctuaries for animals, thousands of people are displaced. Whole villages are uprooted and people are forced to go and build new homes, start new lives elsewhere. Most of these people are poor. In urban areas too, *bastis* in which poor people live are often uprooted. Some of them are relocated to areas outside the city. Their work as well as their children's schooling is severely disrupted because of the distance from the outskirts of the city to these locations.

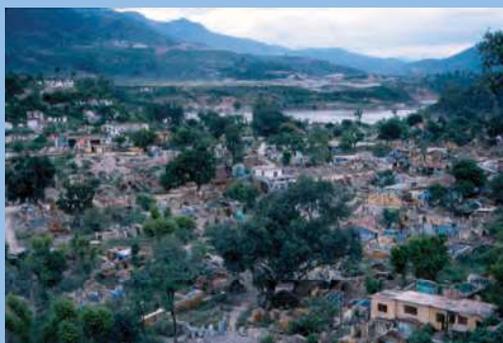
This displacement of people and communities is a problem that has become quite widespread in our

The reservoir of the Tawa river.



country. People usually come together to fight against this. There are several organisations across the country fighting for the rights of the displaced. In this chapter we will read about the Tawa Matsya Sangh – a federation of Fisherworker’s cooperatives – an organisation fighting for the rights of the displaced forest dwellers of the Satpura forest in Madhya Pradesh.

Originating in the Mahadeo hills of Chindwara district, the Tawa flows through Betul, before joining the Narmada in Hoshangabad. The Tawa dam began to be built in 1958 and was completed in 1978. It submerged large areas of forest and agricultural land. The forest dwellers were left with nothing. Some of the displaced people settled around the reservoir and apart from their meagre farms found a livelihood in fishing. They earned very little.



A dam is built across a river at sites where one can collect a lot of water. This forms a reservoir and as the water collects it submerges vast areas of land. This is because the wall of the dam across the river is high and the water spreads over a large area. This is a photo of the submergence caused by the Tehri dam in Uttarakhand. The old Tehri town and 100 villages, some totally and some partially, were submerged by this dam. Nearly one lakh people were displaced.

What issue is the Tawa Matsya Sangh (TMS) fighting for?

Why did the villagers set up this organisation?

Do you think that the large-scale participation of villagers has contributed to the success of the TMS? Write two lines on why you think so.

In 1994, the government gave the rights for fishing in the Tawa reservoir to private contractors. These contractors drove the local people away and got cheap labour from outside. The contractors began to threaten the villagers, who did not want to leave, by bringing in hoodlums. The villagers stood united and decided that it was time to set up an organisation and do something to protect their rights.

The newly formed Tawa Matsya Sangh (TMS) organised rallies and a *chakka jam* (road blockade), demanding their right to continue fishing for their



livelihood. In response to their protests, the government created a committee to assess the issue. The committee recommended that fishing rights be granted to the villagers for their livelihood. In 1996, the Madhya Pradesh government decided to give to the people displaced by the Tawa dam the fishing rights for the reservoir. A five-year lease agreement was signed two months later. On January 2, 1997, people from 33 villages of Tawa started the new year with the first catch.

With the TMS taking over the fishworkers were able to increase their earnings substantially. This was because they set up the cooperative which would buy the catch from them at a fair price. The cooperative would then arrange to transport and sell this in markets where they would get a good price. They have now begun to earn three times more than they earned earlier. The TMS has also begun giving the fishworkers loans for repair and the buying of new nets. By managing to earn a higher wage as well as preserving the fish in the reservoir, the TMS has shown that when people's organisations get their rights to livelihood, they can be good managers.



Top: Members of the TMS protesting at a rally. Above: A member of the cooperative weighing the fish.

Can you think of an incident in your life in which one person or a group of people came together to change an unequal situation.



Over 1,500 persons attended a public hearing in Lucknow in 2001 to protest violence against women. Over 15 cases of violence against women were heard by a jury of eminent women who played the role of judges. This people's jury helped highlight the lack of support in the legal system for women who seek justice in such cases.

Issues of equality are central to a democracy. In this book, we have tried to highlight issues that pose a challenge to this idea of equality in a democracy. These, as you have read, include the privatisation of health services in the country, the increasing control that business houses exert on the media, the low value given to women and their work, and the low earnings made by small farmers who grow cotton. These issues substantially affect poor and marginalised communities, and therefore, concern economic and social equality in the country.

This is the core of the struggle for equality in a democracy. The dignity and self-respect of each person and their community can only be realised if they have adequate resources to support and nurture their families and if they are not discriminated against.

What role does the Constitution play in people's struggles for equality?

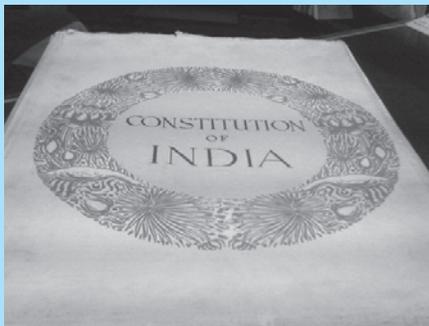
Can you make up a social advertisement on equality? You can do this in small groups.

References

- ◆ Dreze, Jean and Aparajita Goyal. 2003. 'Future of Mid-day Meals'. In *Economic and Political Weekly*.
- ◆ Hossain, Sakhawat Rokeya. 1905. (reprint) 1988. *Sultana's Dream*. Feminist Press, New York.
- ◆ Kumar, Krishna. 1986. "Growing Up Male" in *Seminar* 318.
- ◆ Mazumdar, Indrani. 2007. *Women and Globalization: The Impact on Women Workers in the Formal and Informal Sectors in India*. Stree, Kolkata.
- ◆ Mead, Margaret. 1928, 1973. (edition) *Growing Up In Samoa*. American Museum of Natural History, Washington D.C.
- ◆ Medical Council of India, <http://www.mciindia.org/Rules-and-Regulation/Ethics%20Regulations-2002.pdf>
- ◆ Parks, Rosa. 2000. *Quiet Strength*. Grand Rapids, Zondervan, Michigan.
- ◆ Rashsundari Devi. 1999. *Words to Win*. Translated and with an introduction by Tanika Sarkar. Zubaan, New Delhi.
- ◆ Roy, Tirthankar. 1999. 'Growth and Recession in Small-Scale Industry: A Study of Tamil Nadu Powerlooms' *Economic and Political Weekly*.
- ◆ Supreme Court of India, *Paschim Banga Khet Mazdoor Samity of Ors. Vs. State of West Bengal & Anr.* (Hakim Seikh case, date of judgment: 6 May 1996, <http://judis.nic.in/supremecourt/imgs1.aspx?filename=15597>)
- ◆ Valmiki, Omprakash. 2003. *Joothan: A Dalit's Life*. SAMYA, Kolkata.
- ◆ World Health Organization, *Essential medicines and health products*, <http://www.who.int/medicines/services/inn/en/>
- ◆ www.cehat.org/rthc/policybrieffinal.pdf
- ◆ www.in.undp.org (Sustainable Development Goals – SDGs)
- ◆ www.infochangeindia.org
- ◆ Zubaan. 1996. *Poster Women: A Visual History of the Women's Movement in India*. Zubaan, New Delhi.



Chapter 1



The Indian Constitution

In this chapter, we are going to begin with football, a game many of you have probably heard of, or even played. As the name suggests, this is a game that involves the players' feet. According to the rules of football, if the ball touches the arm of any player (except the goalkeeper), then this is considered a foul. So if players start holding the football in their hands and passing it around, then they are not playing football any more. Similarly other games, such as hockey or cricket, also have rules according to which they are played. Each of these rules helps define the game, and helps us distinguish one game from another. As these are fundamental to the game, we can also call them the constitutive rules of the game. Like these games, a society also has constitutive rules that make it what it is and differentiate it from other kinds of societies. In large societies in which different communities of people live together, these rules are formulated through consensus, and in modern countries this consensus is usually available in written form. A written document in which we find such rules is called a Constitution.

We have looked at the Indian Constitution in Classes VI and VII in our *Social and Political Life* textbooks. Have you ever wondered why we need a Constitution or been curious about how the Constitution got written, or who wrote it? In this chapter, we will discuss both these issues and also look at the key features of the Indian Constitution. Each of these features is crucial to the working of democracy in India and some of these will be the focus of different chapters in this book.

Why Does a Country Need a Constitution?



Today most countries in the world have a Constitution. While all democratic countries are likely to have a Constitution, it is not necessary that all countries that have a Constitution are democratic. The Constitution serves several purposes. First, it lays out certain ideals that form the basis of the kind of country that we as citizens aspire to live in. Or, put another way, a Constitution tells us what the fundamental nature of our society is. A country is usually made up of different communities of people who share certain beliefs but may not necessarily agree on all issues. A Constitution helps serve as a set of rules and principles that all persons in a country can agree upon as the basis of the way in which they want the country to be governed. This includes not only the type of government but also an agreement on certain **ideals** that they all believe the country should uphold.

In 1934, the Indian National Congress made the demand for a Constituent Assembly. During the Second World War, this assertion for an independent Constituent Assembly formed only of Indians gained momentum and this was convened in December 1946. The photo on page 2 shows some members of the Constituent Assembly.

Between December 1946 and November 1949, the Constituent Assembly drafted a constitution for independent India. Free to shape their destiny at last, after 150 years of British rule, the members of the Constituent Assembly approached this task with the great idealism that the freedom struggle had helped produce. You will read more about the work of the Constituent Assembly later in the chapter.

The photo alongside shows Prime Minister Jawaharlal Nehru addressing the Constituent Assembly.



The country of Nepal has witnessed several people's struggles for democracy. There was a people's struggle in 1990 that established democracy that lasted for 12 years until 2002. In October 2002, King Gyanendra, citing the Maoist uprising in the countryside as his reason, began taking over different aspects of the government with the army's assistance. The King then finally took over as the head of government in February 2005. In November 2005, the Maoists joined other political parties to sign a 12-point agreement. This agreement signalled to the larger public an imminent return to democracy and peace. In 2006, this people's movement for democracy began gaining immense force. It repeatedly refused the small concessions that the King made and finally in April 2006 the King restored the Third Parliament and asked the political parties to form a government. In 2008, Nepal became a democracy after abolishing the monarchy. The above photos show scenes from the people's movement for democracy in 2006.

Discuss with your teacher what you understand by the term 'constitutive'. Provide one example of 'constitutive rules' from your everyday life.

Why did the people of Nepal want a new Constitution?



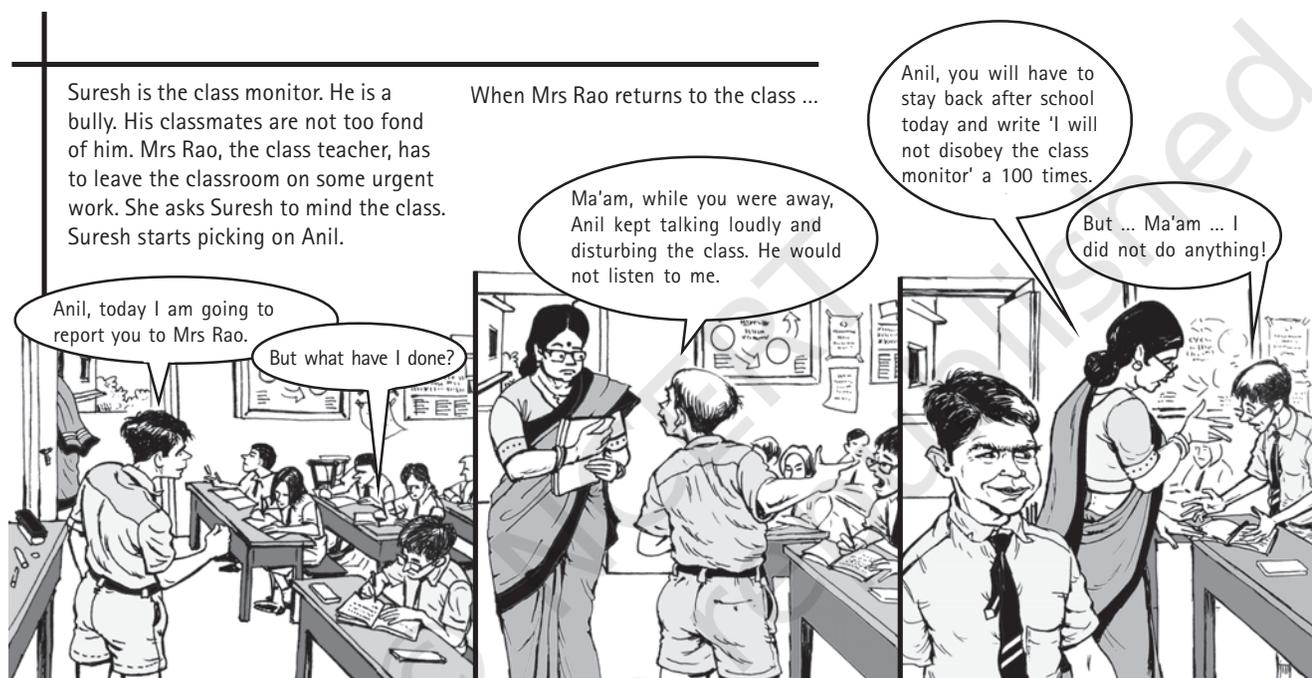
Let us try and understand what we mean by this through two contrasting situations in the recent history of Nepal, a country that borders India on the north. Until recently, Nepal was a monarchy. The previous Constitution of Nepal, which had been adopted in 1990, reflected the fact that the final authority rested with the King. A people's movement in Nepal fought for several decades to establish democracy and in 2006 they finally succeeded in putting an end to the powers of the King. The people had to write a new Constitution to establish Nepal as a democracy. The reason that they did not want to continue with the previous Constitution is because it did not reflect the ideals of the country that they want Nepal to be, and that they have fought for.

As in the game of football, in which a change in the constitutive rules will change the game altogether, Nepal, by moving from a monarchy to a democratic government, needs to change all its constitutive rules in order to usher in a new society. This is why, the people of Nepal adopted a new Constitution for the country in 2015. The caption alongside elaborates Nepal's struggle for democracy.

The second important purpose of a Constitution is to define the nature of a country's political system. For example, Nepal's earlier Constitution stated that the country was to be ruled by the King and his council of ministers. In countries that have adopted a democratic form of

government or **polity**, the Constitution plays a crucial role in laying out certain important guidelines that govern decision-making within these societies.

In a democracy, we choose our leaders so that they can exercise power responsibly on our behalf. However, there is always the possibility that these leaders might misuse their authority and the Constitution usually provides safeguards against this. This misuse of authority can result in gross injustice as demonstrated in the classroom situation below:



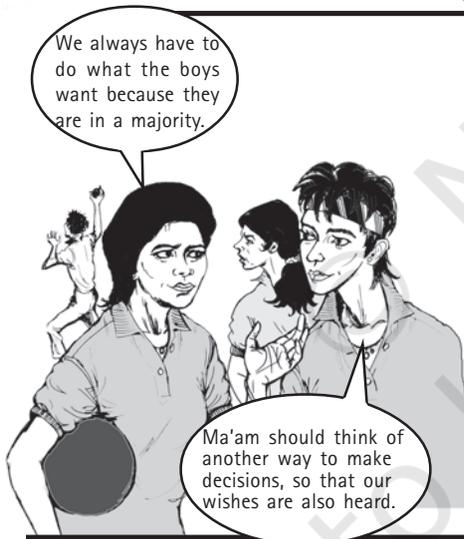
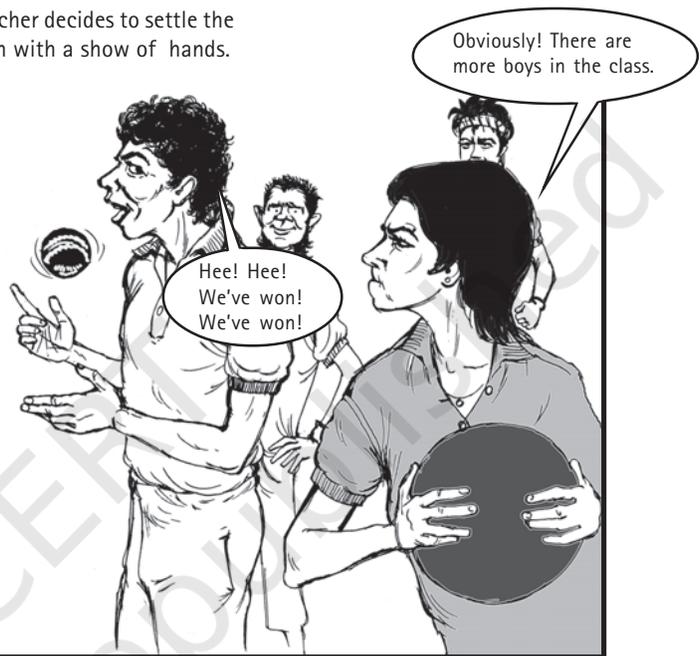
In democratic societies, the Constitution often lays down rules that guard against this misuse of authority by our political leaders. In the case of the Indian Constitution, about which you will read more later in this chapter, many of these laws are contained in the section on Fundamental Rights. Do you recall the chapter on the Dalit writer, Omprakash Valmiki's experiences in school from your Class VII book? In that chapter, we talked about the discrimination Omprakash faced because he was a Dalit. You read about how the Indian Constitution guarantees the right to equality to all persons and says that no citizen can be discriminated against on grounds of religion, race, caste, gender, and place of birth. The Right to Equality is one of the Fundamental Rights guaranteed by the Indian Constitution.

1. In what way is the class monitor misusing his power?
2. In which of the following situations is a minister misusing his power:
 - a) refuses to sanction a project of his ministry for sound technical reasons;
 - b) threatens to send his security staff to rough up his neighbour;
 - c) calls up the police station asking them not to register a complaint that is likely to be filed against his relative.



Another important function that a Constitution plays in a democracy is to ensure that a dominant group does not use its power against other, less powerful people or groups. The storyboard below demonstrates one such situation in the classroom.

The teacher decides to settle the problem with a show of hands.



Such unhealthy situations can occur in democratic societies too, where a majority can continuously enforce decisions that exclude minorities and go against their interests. As the above storyboard illustrates, every society is prone to this **tyranny** of the majority. The Constitution usually contains rules that ensure that minorities are not excluded from anything that is routinely available to the majority. Another reason why we have a Constitution is precisely to prevent this tyranny or domination by the majority of a minority. This can refer to one community dominating another, i.e. inter-community domination, or members of one community dominating others within the same community, i.e. intra-community domination.

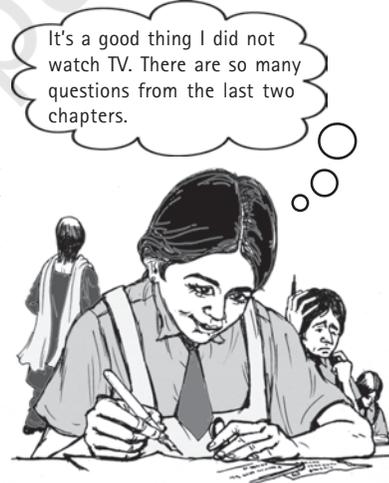
Who is in a minority in the above storyboard? In what way is this minority being dominated by the decision taken by the majority?

The third significant reason why we need a Constitution is to save us from ourselves. This may sound strange but what is meant by this is that we might at times feel strongly about an issue that might go against our larger interests and the Constitution helps us guard against this. Look at the storyboard below to understand this better:



Similarly, the Constitution helps to protect us against certain decisions that we might take that could have an adverse effect on the larger principles that the country believes in. For example, it is possible that many people who live in a democracy might come to strongly feel that party politics has become so acrimonious that we need a strong dictator to set this right. Swept by this emotion, they may not realise that in the long run, dictatorial rule goes against all their interests. A good Constitution does not allow these whims to change its basic structure. It does not allow for the easy overthrow of provisions that guarantee rights of citizens and protect their freedom.

From the above discussion, you will understand that the Constitution plays a very important role in democratic societies.



Why was Shabnam happy that she had not watched TV? What would you have done in a similar situation?

Let us recap the reasons why the Constitution plays an important role in democratic societies by recalling the constitutive rules that you have read about through these examples:

Example	Constitutive Rules
The people of Nepal adopted a new Constitution after the success of the people's movement for democracy.	It lays down ideals that define the kind of country that we want to live in.
Suresh, the class monitor wrongly picks on Anil, his classmate.	
The girls do not get to play basketball because the boys are a majority in class.	
Shabnam decides to revise her chapters instead of watching TV.	

Now let us try and understand the ways in which the above points get translated into certain ideals and rules by studying some key features of the Indian Constitution.

The Indian Constitution: Key Features

By the beginning of the twentieth century, the **Indian national movement** had been active in the struggle for independence from British rule for several decades. During the freedom struggle the nationalists had devoted a great deal of time to imagining and planning what a free India would be like. Under the British, they had been forced to obey rules that they had had very little role in making. The long experience of authoritarian rule under the colonial state convinced Indians that free India should be a democracy in which everyone should be treated equally and be allowed to participate in government. What remained to be done then was to work out the ways in which a democratic government would be set up in India and the rules that would determine its functioning. This was done not by one person but by a group of around 300 people who became members of the Constituent Assembly in 1946 and who met periodically for the next three years to write India's Constitution.



There was an extraordinary sense of unity amongst the members of the Constituent Assembly. Each of the provisions of the future constitution was discussed in great detail and there was a sincere effort to compromise and reach an agreement through consensus. The above photo shows Sardar Vallabhbhai Patel, a prominent member of the Constituent Assembly.

These members of the Constituent Assembly had a huge task before them. The country was made up of several different communities who spoke different languages, belonged to different religions, and had distinct cultures. Also, when the Constitution was being written, India was going through considerable turmoil. The partition of the country into India and Pakistan was imminent, some of the Princely States remained undecided about their future, and the socio-economic condition of the vast mass of people appeared dismal. All of these issues played on the minds of the members of the Constituent Assembly as they drafted the Constitution. They rose to the occasion and gave this country a visionary document that reflects a respect for maintaining diversity while preserving national unity. The final document also reflects their concern for eradicating poverty through socio-economic reforms as well as emphasising the crucial role the people can play in choosing their representatives.

Listed below are the key features of the Indian Constitution. While reading these, keep in mind the above-mentioned concerns of diversity, unity, socio-economic reform and representation that the authors of this document were grappling with. Try and understand the ways in which they tried to balance these concerns with their commitment to transforming independent India into a strong, democratic society.

1. Federalism: This refers to the existence of more than one level of government in the country. In India, we have governments at the state level and at the centre. Panchayati Raj is the third tier of government and you have read about this in your Class VI book. We looked at the functioning of the state government in your Class VII book and this year we will read more about the central government.

The vast number of communities in India meant that a system of government needed to be devised that did not involve only persons sitting in the capital city of New Delhi and making



Baba Saheb Dr Ambedkar is known as the Father of the Indian Constitution. Dr Ambedkar believed that his participation in the Constituent Assembly helped the Scheduled Castes get some safeguards in the draft constitution. But he also stated that although the laws might exist, Scheduled Castes still had reason to fear because the administration of these laws were in the hands of 'caste Hindu officers'. He, therefore, urged Scheduled Castes to join the government as well as the civil services.



When the Constituent Assembly adopted the principle of universal adult franchise, Shri A.K. Ayyar, a member, remarked that this was done, "with an abundant faith in the common man and the ultimate success of democratic rule, and in the full belief that the introduction of democratic government on the basis of adult suffrage will bring enlightenment and promote the well-being, the standard of life, the comfort, and the decent living of the common man".

Austin, G. 1966. *The Indian Constitution: Cornerstone of a Nation*. Clarendon Press, Oxford.

The photo below shows people standing in line to cast their votes.

decisions for everyone. Instead, it was important to have another level of government in the states so that decisions could be made for that particular area. While each state in India enjoys autonomy in exercising powers on certain issues, subjects of national concern require that all of these states follow the laws of the central government. The Constitution contains lists that detail the issues that each tier of government can make laws on. In addition, the Constitution also specifies where each tier of government can get the money from for the work that it does. Under federalism, the states are not merely agents of the federal government but draw their authority from the Constitution as well. All persons in India are governed by laws and policies made by each of these levels of government.

2. Parliamentary Form of Government: The different tiers of government that you just read about consist of representatives who are elected by the people. Your Class VII book began with the story of Kanta who was standing in line to vote during an election. The



Constitution of India guarantees universal adult suffrage for all citizens. When they were making the Constitution, the members of the Constituent Assembly felt that the freedom struggle had prepared the masses for universal adult suffrage and that this would help encourage a democratic mindset and break the clutches of traditional caste, class and gender hierarchies. This means that the people of India have a direct role in electing their representatives. Also, every citizen of the country, irrespective of his/her social background, can also contest in elections. These representatives are accountable to the people. You will read more about why representation is crucial to democratic functioning in Unit 2 of this book.

3. Separation of Powers: According to the Constitution, there are three organs of government. These are the legislature, the executive and the judiciary. The legislature refers to our elected representatives. The executive is a smaller group of people who are responsible for implementing laws and running the government. The judiciary, of which you will read more in Unit 3 of this book, refers to the system of courts in this country. In order to prevent the misuse of power by any one branch of government, the Constitution says that each of these organs should exercise different powers. Through this, each organ acts as a check on the other organs of government and this ensures the balance of power between all three.

The word 'State' is often used in this chapter. This does NOT refer to state governments. Rather when we use State, we are trying to distinguish it from 'government'. 'Government' is responsible for administering and enforcing laws. The government can change with elections. The State on the other hand refers to a political institution that represents a **sovereign** people who occupy a definite territory. We can, thus, speak of the Indian State, the Nepali State etc. The Indian State has a democratic form of government. The government (or the executive) is one part of the State. The State refers to more than just the government and cannot be used interchangeably with it.



Members of the Constituent Assembly feared that the executive might become too strong and ignore its responsibility to the legislature. The Assembly, therefore, included a number of provisions in the Constitution to limit and control the action taken by the executive branch of government as a whole.

Discuss the difference between State and Government with your teacher.

The Fundamental Rights in the Indian Constitution include:

1. Right to Equality: All persons are equal before the law. This means that all persons shall be equally protected by the laws of the country. It also states that no citizen can be discriminated against on the basis of their religion, caste or sex. Every person has access to all public places including playgrounds, hotels, shops etc. The State cannot discriminate against anyone in matters of employment. But there are exceptions to this that you will read about later in this book. The practice of untouchability has also been abolished.

2. Right to Freedom: This includes the right to freedom of speech and expression, the right to form associations, the right to move freely and reside in any part of the country, and the right to practise any profession, occupation or business.

3. Right against Exploitation: The Constitution prohibits human trafficking, forced labour, and employment of children under 14 years of age.

4. Right to Freedom of Religion: Religious freedom is provided to all citizens. Every person has the right to practise, profess and propagate the religion of their choice.

5. Cultural and Educational Rights: The Constitution states that all minorities, religious or linguistic, can set up their own educational institutions in order to preserve and develop their own culture.

6. Right to Constitutional Remedies: This allows citizens to move the court if they believe that any of their Fundamental Rights have been violated by the State.

4. Fundamental Rights: The section on Fundamental Rights has often been referred to as the ‘conscience’ of the Indian Constitution. Colonial rule had created a certain suspicion of the State in the minds of the nationalists and they wanted to ensure that a set of written rights would guard against the misuse of State power in independent India. Fundamental Rights, therefore, protect citizens against the arbitrary and absolute exercise of power by the State. The Constitution, thus, guarantees the rights of individuals against the State as well as against other individuals.

Moreover, the various minority communities also expressed the need for the Constitution to include rights that would protect their groups. The Constitution, therefore, also guarantees the rights of minorities against the majority. As Dr Ambedkar has said about these Fundamental Rights, their object is two-fold. The first objective is that every citizen must be in a position to claim those rights. And secondly, these rights must be binding upon every authority that has got the power to make laws.

In addition to Fundamental Rights, the Constitution also has a section called Directive Principles of State Policy. This section was designed by the members of the Constituent Assembly to ensure greater social and economic reforms, and to serve as a guide to the independent Indian State to institute laws and policies that help reduce the poverty of the masses.

Which Fundamental Rights will the following situations violate:

- If a 13-year old child is working in a factory manufacturing carpets.
- If a politician in one state decides to not allow labourers from other states to work in his state.
- If a group of people are not given permission to open a Telugu-medium school in Kerala.
- If the government decides not to promote an officer of the armed forces for being a woman.

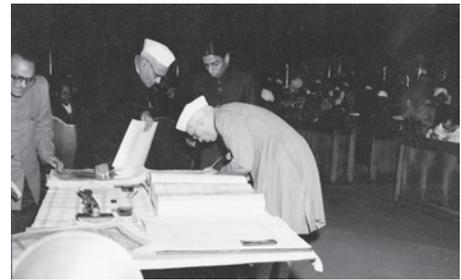
5. Secularism: A secular state is one in which the state does not officially promote any one religion as the state religion. We will read more about this in the following chapter.

You now understand the ways in which a country's history often determines the kind of Constitution that a country adopts for itself. The Constitution plays a crucial role in laying out the ideals that we would like all citizens of the country to adhere to, including the representatives that we elect to rule us. Just like in the game of football, a change of constitutive rules will affect the game. Indian Constitution has been amended over the years to reflect new concerns of the polity. Often a major change in the Constitution means a change in the fundamental nature of the country. We saw this in the case of Nepal and how it needed to adopt a new Constitution after it became a democracy.

The different features of the Indian Constitution outlined above, involve complicated ideas that are often not easy to grasp. Don't worry too much about this for the moment. In the rest of the book as well as in your higher classes, you will read more about these different features of the Indian Constitution and understand more substantively what they mean.

The Constitution also mentions Fundamental Duties. Find out with the help of your teacher what these include and why it is important for citizens in a democracy to observe these.

Illustrate each of the 11 Fundamental Duties with drawings, pictures, poems or songs and discuss them in the classroom.



The above photos show various members of the Constituent Assembly signing a copy of the Constitution at its final session on 24 January 1950. The first photo (from top) shows Prime Minister Pandit Jawaharlal Nehru signing. The second photo is of Dr Rajendra Prasad, President of the Constituent Assembly. The last photo shows the following persons (from right to left): Shri Jairamdas Daulatram, Minister for Food and Agriculture; Rajkumari Amrit Kaur, Health Minister; Dr John Mathai, Finance Minister; Sardar Vallabhbhai Patel, Deputy Prime Minister and behind him Shri Jagjivan Ram, Labour Minister.



Chapter 2

Understanding Secularism

Imagine yourself as a Hindu or Muslim living in a part of the United States of America where Christian fundamentalism is very powerful. Suppose that despite being a US citizen, no one is willing to rent their house to you. How would this make you feel? Would it not make you feel resentful? What if you decided to complain against this discrimination and were told to go back to India. Would this not make you feel angry? Your anger could take two forms. First, you might react by saying that Christians should get the same treatment in places where Hindus and Muslims are in a majority. This is a form of retaliation. Or, you might take the view that there should be justice for all. You may fight, stating that no one should be discriminated against on grounds of their religious practices and beliefs. This statement rests on the assumption that all forms of domination related to religion should end. This is the essence of secularism. In this chapter, you will read more about what this means in the Indian context.



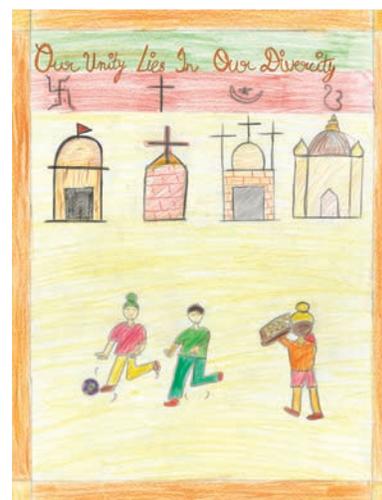
History provides us with many examples of discrimination, exclusion and persecution on the grounds of religion. You may have read about how Jews were persecuted in Hitler's Germany and how several millions were killed. Now, however, the Jewish State of Israel treats its own Muslim and Christian minorities quite badly. In Saudi Arabia, non-Muslims are not allowed to build a temple, church etc., and nor can they gather in a public place for prayers.

In all of the above examples, members of one religious community either persecute or discriminate against members of other religious communities. These acts of discrimination take place more easily when one religion is given official recognition by the State at the expense of other religions. Clearly no one would wish to be discriminated against, because of their religion nor dominated by another religion. In India, can the State discriminate against citizens on the grounds of their religion?

What is Secularism?

In the previous chapter, you read about how the Indian Constitution contains Fundamental Rights that protect us against State power as well as against the tyranny of the majority. The Indian Constitution allows individuals the freedom to live by their religious beliefs and practices as they interpret these. In keeping with this idea of religious freedom for all, India also adopted a strategy of separating the power of religion and the power of the State. Secularism refers to this separation of religion from the State.

Re-read the introduction to this chapter. Why do you think retaliation is not the proper response to this problem? What would happen if different groups followed this path?



Tarvi, Abhishasha and Snehal, VI B, Srijan School, Delhi.

The three drawings in this chapter were done by students of your age. They were asked to draw on religious tolerance.



Akshita Jain, V, Srijan School, Delhi.

Why is it Important to Separate Religion from the State?

As discussed above, the most important aspect of secularism is its separation of religion from State power. This is important for a country to function democratically. Almost all countries of the world will have more than one religious group living in them. Within these religious groups, there will most likely be one group that is in a majority. If this majority religious group has access to State power, then it could quite easily use this power and financial resources to discriminate against and persecute persons of other religions. This tyranny of the majority could result in the discrimination, **coercion** and at times even the killing of religious minorities. The majority could quite easily prevent minorities from practising their religions. Any form of domination based on religion is in violation of the rights that a democratic society guarantees to each and every citizen irrespective of their religion. Therefore, the tyranny of the majority and the violation of Fundamental Rights that can result is one reason why it is important to separate the State and religion in democratic societies.

Another reason that it is important to separate religion from the State in democratic societies is because we also need to protect the freedom of individuals to exit from their religion, embrace another religion or have the **freedom to interpret** religious teachings differently. To understand this point better, let us take the practice of untouchability. You might feel that you dislike this practice within Hinduism and therefore, you want to try and reform it. However, if State power were in the hands of those Hindus who support untouchability, then do you think that you would have an easy task to try and change this? Even if you were part of the dominant religious group, you might face a lot of resistance from fellow members of your community. These members who have control of State power might say that there is only one interpretation of Hinduism and that you do not have the freedom to interpret this differently.

Discuss in class: Can there be different views within the same religion?



Pinky, VI G, Sarvodaya Kanya Vidyalaya, Delhi.

What is Indian Secularism?

The Indian Constitution mandates that the Indian State be secular. According to the Constitution, only a secular State can realise its objectives to ensure the following:

1. that one religious community does not dominate another;
2. that some members do not dominate other members of the same religious community;
3. that the State does not enforce any particular religion nor take away the religious freedom of individuals.

The Indian State works in various ways to prevent the above domination. First, it uses a strategy of distancing itself from religion. The Indian State is not ruled by a religious group and nor does it support any one religion. In India, government spaces like law courts, police stations, government schools and offices are not supposed to display or promote any one religion.

In a government school in Seemapur, students want to celebrate a religious festival.

GOVERNMENT HIGH SCHOOL

Sir, there is a big religious festival next month. We've never celebrated it in school. Can we do it this year?

I'm afraid that isn't possible, Rekha. This is a government school. We cannot give importance to any one religion. Private schools may do that. Government schools don't celebrate any religious festivals in the school premises. Most religious festivals are public holidays so that we can celebrate these at home.

I never thought of it this way. I guess we can always celebrate it outside school.

Anyway we were planning to celebrate it in our locality.

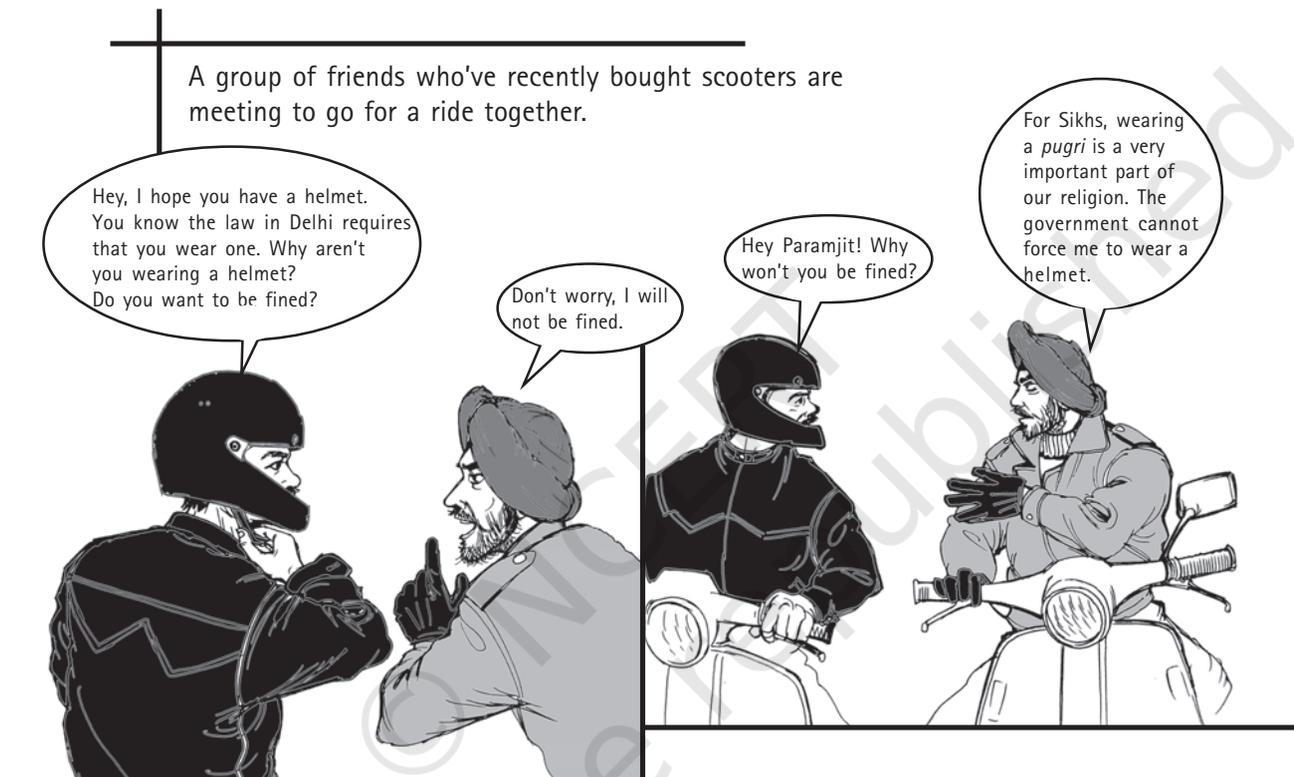


In the above storyboard, discuss the answer given by the teacher.

In the above storyboard, the celebration of the religious festival within the school would have been a violation of the government's policy of treating all religions equally. Government schools cannot promote any one religion either in their morning prayers or through religious celebrations. This rule does not apply to private schools.

The second way in which Indian secularism works to prevent the above domination is through a strategy of non-interference. This means that in order to respect the sentiments of all religions and not interfere with religious practices, the State makes certain exceptions for particular religious communities.

Government schools often have students from different religious backgrounds. Re-read the three objectives of a secular State and write two sentences on why it is important that government schools do not promote any one religion?



In the above storyboard, Paramjit, the Sikh youth, does not have to wear a helmet. This is because the Indian State recognises that wearing a *pugri* (turban) is central to a Sikh's religious practice and in order not to interfere with this, allows an exception in the law.

The third way in which Indian secularism works to prevent the domination listed earlier is through a strategy of intervention. You read earlier in this chapter about untouchability. This is a good example where members of

the same religion ('upper-caste' Hindus) dominate other members (some 'lower castes') within it. In order to prevent this religion-based exclusion and discrimination of 'lower castes', the Indian Constitution bans untouchability. In this instance, the State is intervening in religion in order to end a social practice that it believes discriminates and excludes, and that violates the Fundamental Rights of 'lower castes' who are citizens of this country. Similarly, to ensure that laws relating to equal inheritance rights are respected, the State may have to **intervene** in the religion-based 'personal laws' of communities.

The intervention of the State can also be in the form of support. The Indian Constitution grants the right to religious communities to set up their own schools and colleges. It also gives them financial aid on a non-preferential basis.

In what way is Indian secularism different from that of other democratic countries?



In the United States of America, most children in government schools have to begin their school day reciting the 'Pledge of Allegiance'. This Pledge includes the words "under God". It was established more than 60 years ago that government school students are not required to recite the Pledge if it conflicts with their religious beliefs. Despite this, there have been several legal challenges objecting to the phrase "under God" saying that it violates the separation between church and State that the First Amendment of the US Constitution guarantees.

The above photo shows students taking the 'Pledge of Allegiance' in a government school in the U.S.A.

Some of the above objectives are similar to those that have been included in the Constitutions of secular democratic countries in other parts of the world. For example, the First Amendment of the U.S. Constitution prohibits the legislature from making laws "respecting an establishment of religion" or that "prohibit the free exercise of religion". What is meant by the word 'establishment' is that the legislature cannot declare any religion as the official religion. Nor can they give preference to one religion. In the U.S.A. the separation between State and religion means that neither the State nor religion can interfere in the affairs of one another.

There is one significant way in which Indian secularism differs from the dominant understanding of secularism as practised in the United States of America. This is because unlike the strict separation between religion and the State in American secularism, in Indian secularism the State can intervene in religious affairs. You have read about how the

Indian Constitution intervened in Hindu religious practices in order to abolish untouchability. In Indian secularism, though the State is not strictly separate from religion it does maintain a principled distance vis-à-vis religion. This means that any interference in religion by the State has to be based on the ideals laid out in the Constitution. These ideals serve as the standard through which we can judge whether the State is or is not behaving according to secular principles.

The Indian State is secular and works in various ways to prevent religious domination. The Indian Constitution guarantees Fundamental Rights that are based on these secular principles. However, this is not to say that there is no violation of these rights in Indian society. Indeed it is precisely because such violations happen frequently that we need a constitutional mechanism to prevent them from happening. The knowledge that such rights exist makes us sensitive to their violations and enables us to take action when these violations take place.

Can you think of a recent incident, from any part of India, in which the secular ideals of the Constitution were violated and persons were persecuted and killed because of their religious backgrounds?

In February 2004, France passed a law banning students from wearing any conspicuous religious or political signs or symbols such as the Islamic headscarf, the Jewish skullcap, or large Christian crosses. This law has encountered a lot of resistance from immigrants who are mainly from the former French colonies of Algeria, Tunisia and Morocco. In the 1960s, France had faced a shortage of workers and, therefore, had provided visas for these immigrants to come and work in the country. The daughters of these immigrants often wear headscarves while attending school. However, with the passing of this new law, they have been expelled from their school for wearing headscarves.

Exercises

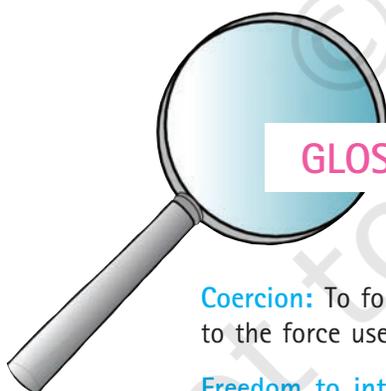
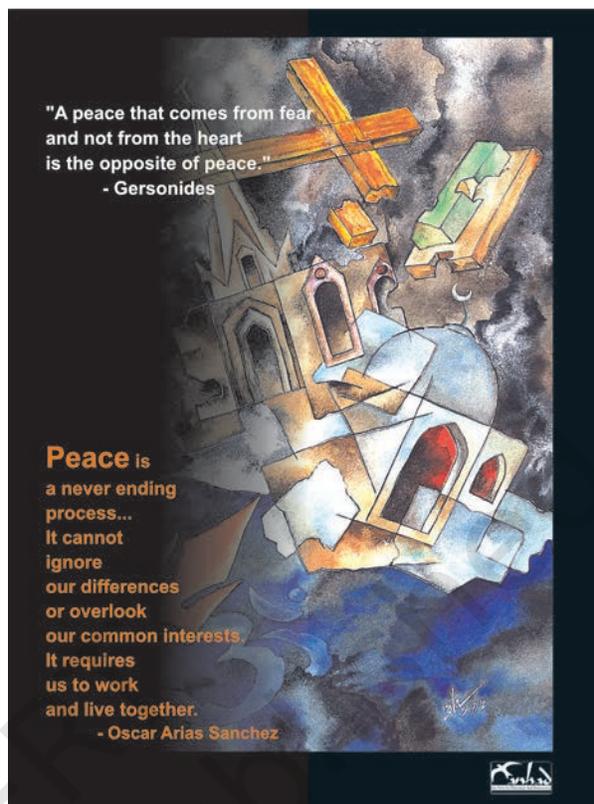
1. List the different types of religious practice that you find in your neighbourhood. This could be different forms of prayer, worship of different gods, sacred sites, different kinds of religious music and singing etc. Does this indicate freedom of religious practice?
2. Will the government intervene if some religious group says that their religion allows them to practise infanticide? Give reasons for your answer.
3. Complete the following table:

Objective	Why is this important?	Example of a violation of this objective
One religious community does not dominate another.		
The State does not enforce any particular religion nor take away the religious freedom of individuals.		
That some members do not dominate other members of the same religious community.		

4. Look up the annual calendar of holidays of your school. How many of them pertain to different religions? What does this indicate?
5. Find out some examples of different views within the same religion.
6. The Indian State both keeps away from religion as well as intervenes in religion. This idea can be quite confusing. Discuss this once again in class using examples from the chapter as well as those that you might have come up with.

7. This poster alongside highlights the need for 'Peace'. It says, "Peace is a never-ending process....It cannot ignore our differences or overlook our common interests." Write in your own words what you think the above sentences are trying to convey? How does it relate to the need for religious tolerance?

This chapter had three drawings on religious tolerance made by students of your age. Design your own poster on religious tolerance for your peers.



GLOSSARY

Coercion: To force someone to do something. In the context of this chapter, it refers to the force used by a legal authority like the State.

Freedom to interpret: The independence that all persons shall have to understand things in their own way. In the context of this chapter, it refers to a person's liberty to develop their own understanding and meaning of the religion they practice.

Intervene: In the context of this chapter, it refers to the State's efforts to influence a particular matter in accordance with the principles of the Constitution.



Chapter 3

Why Do We Need a Parliament?

We in India pride ourselves on being a democracy. Here we will try and understand the relation between the ideas of participation in decision-making and the need for all democratic governments to have the consent of their citizens.

It is these elements that together make us a democracy and this is best expressed in the institution of the Parliament. In this chapter, we will try to see how the Parliament enables citizens of India to participate in decision making and control the government, thus making it the most important symbol of Indian democracy and a key feature of the Constitution.

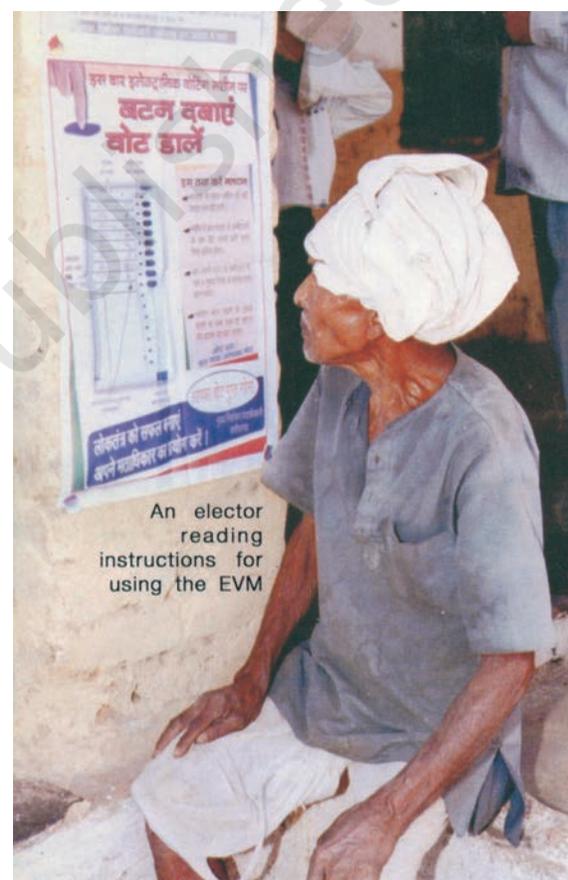


Why should People Decide?

India, as we know, became independent on 15 August 1947. Preceding this was a long and difficult struggle in which many sections of society participated. People from various backgrounds joined the struggle and they were inspired by the ideas of freedom, equality and participation in decision-making. Under colonial rule, the people had lived in fear of the British government and did not agree with many of the decisions that they took. But they faced grave danger if they tried to criticise these decisions. The freedom movement changed this situation. The nationalists began to openly criticise the British government and make demands. As far back as 1885, the Indian National Congress demanded that there be elected members in the legislature with a right to discuss the budget and ask questions. The Government of India Act 1909, allowed for some elected representation. While these early legislatures under the British government were in response to the growing demands of the nationalists, they did not allow for all adults to vote nor could people participate in decision making.

As you read in Chapter 1, the experience of colonial rule as well as the participation of different people in the struggle for freedom left little doubt in the minds of the nationalists that all persons in independent India would be able to participate in making decisions. With the coming of independence, we were going to be citizens of a free country. This did not mean that the government could do what it felt like, it meant that the government had to be sensitive to people's needs and demands. The dreams and aspirations of the freedom struggle were made concrete in the Constitution of independent India that laid down the principle of universal adult franchise, i.e. that all adult citizens of the country have the right to vote.

What do you think the artist is trying to convey through the image of Parliament on the previous page?



The above photo shows a voter reading instructions on how to use an Electronic Voting Machine (EVM). EVMs were used throughout the country for the first time in the 2004 general elections. The use of EVMs in 2004 saved around 1,50,000 trees which would have been cut to produce about 8,000 tons of paper for printing the ballot papers.

Give one reason why you think there should be universal adult franchise.

Do you think there would be any difference if the class monitor was selected by the teacher or elected by the students? Discuss.

People and their Representatives

The take-off point for a democracy is the idea of consent, i.e. the desire, approval and participation of people. It is the decision of people that creates a democratic government and decides about its functioning. The basic idea in this kind of democracy is that the individual or the citizen is the most important person and that in principle the government as well as other public institutions need to have the trust of these citizens.

How does the individual give approval to the government? One way of doing so, as you read, is through elections. People would elect their representatives to the Parliament, then, one group from among these elected representatives forms the government. The Parliament, which is made up of all representatives together, controls and guides the government. In this sense people, through their chosen representatives, form the government and also control it.

This photo shows election staff using an elephant to carry polling material and EVMs to polling stations located in difficult terrain.



The above idea of representation has been an important theme in your Class VI and VII *Social and Political Life* textbooks. You are familiar with how representatives are chosen at different levels of government. Let us recall these ideas by doing the following exercises.

1. Use the terms 'constituency' and 'represent' to explain who an MLA is and how the person gets elected?
2. Discuss with your teacher the difference between a State Legislative Assembly (Vidhan Sabha) and the Parliament (Lok Sabha).
3. From the list below, identify the work of a State government and that of a Central government.
 - (a) The decision of the Indian government to maintain peaceful relations with China.
 - (b) The decision of the Madhya Pradesh government to discontinue Board exams in Class VIII for all schools under this Board.
 - (c) Introduction of a new train connection between Ajmer and Mysore.
 - (d) Introduction of a new 1,000 rupee note.

4. Fill in the blanks with the following words.
universal adult franchise; MLAs; representatives; directly

Democratic governments in our times are usually referred to as representative democracies. In representative democracies, people do not participate but, instead, choose their through an election process. These meet and make decisions for the entire population. These days, a government cannot call itself democratic unless it allows what is known as This means that all adult citizens in the country are allowed to vote.

5. You have read that most elected members whether in the Panchayat, or the Vidhan Sabha or the Parliament are elected for a fixed period of five years. Why do we have a system where the representatives are elected for a fixed period and not for life?
6. You have read that people participate in other ways and not just through elections to express approval or disapproval of the actions of government. Can you describe three such ways through a small skit?



1. The Parliament of India (Sansad) is the supreme law-making institution. It has two Houses, the Rajya Sabha and the Lok Sabha.
2. Rajya Sabha (Council of States), with a total strength of 245 members, is chaired by the Vice-President of India.
3. Lok Sabha (House of the People), with a total membership of 545, is presided over by the Speaker.

The Role of the Parliament

Created after 1947, the Indian Parliament is an expression of the faith that the people of India have in principles of democracy. These are participation by people in the decision-making process and government by consent. The Parliament in our system has immense powers because it is the representative of the people. Elections to the Parliament are held in a similar manner as they are for the state legislature. The Lok Sabha is usually elected once every five years. The country is divided into numerous constituencies as shown in the map on page 41. Each of these constituencies elects one person to the Parliament. The candidates who contest elections usually belong to different political parties.

With the help of the table below, let us understand this further.

Results of the 17th Lok Sabha Elections, (May 2019)	
Political Party	No. of MPs
Bharatiya Janata Party (BJP)	303
Indian National Congress (INC)	52
Dravida Munnetra Kazhagam (DMK)	24
All India Trinamool Congress (AITC)	22
Yuvajana Sramika Rythu Congress Party (YSRCP)	22
Shiv Sena (SS)	18
Janata Dal (United) (JD (U))	16
Biju Janata Dal (BJD)	12
Bahujan Samaj Party (BSP)	10
Telangana Rashtra Samithi (TRS)	9
Lok Jan Shakti Party (LJSP)	5
Samajwadi Party (SP)	5
Independents (Ind.)	4
Nationalist Congress Party (NCP)	4
Communist Party of India (Marxist) (CPI)(M))	3
Indian Union Muslim League (IUML)	3
Jammu and Kashmir National Conference (J&KNC)	3
Telugu Desam Party (TDP)	3
All India Majlis-e-Ittehadul Muslimeen (AIMIM)	2
Apna Dal (Apna Dal)	2
Communist Party of India (CPI)	2
Shiromani Akali Dal (SAD)	2
Aam Aadmi Party (AAP)	1
AJSU Party (AJSU)	1
All India Anna Dravida Munnetra Kazhagam (AIADMK)	1
All India United Democratic Front (AIUDF)	1
Janata Dal (Secular) (JD(s))	1
Jharkhand Mukti Morcha (JMM)	1
Kerala Congress (M)(KC(M))	1
Mizo National Front (MNF)	1
Naga Peoples Front (NPF)	1
National People's Party (NPP)	1
Nationalist Democratic Progressive Party (PDPP)	1
Rashtriya Loktantrik Party (RLP)	1
Revolutionary Socialist Party (RSP)	1
Sikkim Krantikari Morcha (SKM)	1
Viduthalai Chiruthaigal Katchi (VCK)	1
Grand Total	543

Source: <http://loksabha.nic.in>

Use the table alongside to answer the questions below:

Who will form the government? Why?

Who will be present for discussions in the Lok Sabha?

Is this process similar to what you have read about in Class VII?

The photograph on page 28 shows results from the 3rd Lok Sabha elections held in 1962. Use the photograph to answer the following questions:

a. Which state has the highest number of MPs in the Lok Sabha? Why do you think this is so?

b. Which state has the least number of MPs in the Lok Sabha?

c. Which political party has won the most seats in all states?

d. Which party do you think will form the government? Give reasons why.

Results of the 15th Lok Sabha Elections, (May 2009)	
Political Party	No. of MPs
National Parties	
Bahujan Samaj Party (BSP)	21
Bharatiya Janata Party (BJP)	116
Communist Party of India (CPI)	4
Communist Party of India (Marxist) (CPM)	16
Indian National Congress (INC)	206
Nationalist Congress Party (NCP)	9
Rashtriya Janata Dal (RJD)	4
State Parties (Regional Parties)	
All India Anna DMK (AIADMK)	9
All India Forward Bloc	2
All India Trinamool Congress	19
Biju Janata Dal (BJD)	14
Dravida Munnetra Kazhagam (DMK)	18
Jammu & Kashmir National Conference	3
Janata Dal (Secular)	3
Janata Dal (United)	20
Jharkhand Mukti Morcha	2
Muslim League Kerala State Committee	2
Revolutionary Socialist Party	2
Samajwadi Party (SP)	23
Shiromani Akali Dal	4
Shiv Sena	11
Telangana Rashtra Samithi (TRS)	2
Telugu Desam (TDP)	6
Other Regional Parties	
Registered Unrecognised Parties	12
Independents	9
Grand Total	543
Source: www.eci.nic.in	

The above table gives you the results of the 15th Lok Sabha elections held in 2009. In these elections, the INC got a large number of seats but still not enough to emerge as the majority party in the Lok Sabha. It, thus, had to form a coalition, the United Progressive Alliance (UPA), with other political parties who were its allies.

Once elected, these candidates become Members of Parliament or MPs. These MPs together make up the Parliament. Once elections to the Parliament have taken place, the Parliament needs to perform the following functions:

A. To Select the National Government

Parliament of India consists of the President, the Rajya Sabha and the Lok Sabha. After the Lok Sabha elections, a list is prepared showing how many MPs belong to each political party. For a political party to form the government, they must have a majority of elected MPs. Since there are 543 elected (plus 2 Anglo-Indian nominated) members in Lok Sabha, to have a majority a party should have at least half the number i.e. 272 members or more. The Opposition in Parliament is formed by all the political parties that are not part of the majority party/**coalition** formed. The largest amongst these parties is called the Opposition party.

One of the most important functions of the Lok Sabha is to select the executive. The executive, as you read in Chapter 1, is a group of persons who work together to implement the laws made by the Parliament. This executive is often what we have in mind when we use the term government.

The Prime Minister of India is the leader of the ruling party in the Lok Sabha. From the MPs who belong to her party, the Prime Minister selects ministers to work with her to implement decisions. These ministers then take charge of different areas of government functioning like health, education, finance etc.

Often times in the recent past it has been difficult for a single political party to get the majority that is required to form the government. They then join together with different political parties who are interested in similar concerns to form what is known as a coalition government.



These two buildings of the Central Secretariat, the South Block and North Block were built during the 1930s. The photo on the left is of the South Block which houses the Prime Minister's Office (PMO), the Ministry of Defence and the Ministry of External Affairs. The North Block is the photo on the right and this has the Ministry of Finance and the Ministry of Home Affairs. The other ministries of the Union Government are located in various buildings in New Delhi.

The Rajya Sabha functions primarily as the representative of the states of India in the Parliament. The Rajya Sabha can also initiate legislation and a bill is required to pass through the Rajya Sabha in order to become a law. It, therefore, has an important role of reviewing and altering (if alterations are needed) the laws initiated by the Lok Sabha. The members of the Rajya Sabha are elected by the elected members of the Legislative Assemblies of various states. There are 233 elected members plus 12 members nominated by the President.

B. To Control, Guide and Inform the Government

The Parliament, while in session, begins with a question hour. The question hour is an important mechanism through which MPs can elicit information about the working of the government. This is a very important way through which the Parliament controls the executive. By asking questions the government is alerted to its shortcomings, and also comes to know the opinion of the people through their representatives in the Parliament, i.e. the MPs. Asking questions of the government is a crucial task for every MP. The Opposition parties play a critical role in the healthy functioning of a democracy. They highlight drawbacks in various policies and programmes of the government and mobilise popular support for their own policies.

The following is an example of a question asked in Parliament.

Lok Sabha

Unstarred Question No: 48 Answered On: 15.12.2017

Converge of Schemes for Children

Manoj Rajoria

Will the Minister of Women and Child Development be pleased to state:-

- (a) whether the Government proposes to converge various schemes and policies for children in the country;
- (b) if so, the details thereof; and;
- (c) if not, the reasons therefor?

Answer

Minister of State in the Ministry of Women and Child Development (Dr. Virendra Kumar)

(a) to (c) The Ministry has developed the National Plan of Action for Children 2016 which largely draws upon the existing programmes and schemes of various Ministries/Departments. It provides a framework for convergence and co-ordination between Ministries/Departments and State/UTs Governments and encourages collective action from all stakeholders to address multi-dimensional vulnerabilities experienced by children. The National Plan of Action for Children 2016 categorizes children's rights under four key priority areas; (i) Survival, Health and Nutrition, (ii) Education and Development, (iii) Protection and (iv) Participation. It identifies key programmes, schemes and policies as well as stakeholders for the implementation of different strategies.

Source: <http://loksabha.nic.in>

In the above question, what information is being sought from the Minister of Women and Child Development?

If you were a Member of Parliament (MP), list two questions that you would like to ask.

The government gets valuable feedback and is kept on its toes by the questions asked by the MPs. In addition, in all matters dealing with finances, the Parliament's approval is crucial for the government. This is one of the several ways in which the Parliament controls, guides and informs the government. The MPs as representatives of the people have a central role in controlling, guiding and informing Parliament and this is a key aspect of the functioning of Indian democracy.

C. Law-Making

Law-making is a significant function of Parliament. We shall read about this in the next chapter.

Who are the People in Parliament?

Parliament now has more and more people from different backgrounds. For example, there are more rural members as also members from many regional parties. Groups and peoples that were till now unrepresented are beginning to get elected to Parliament.

There has also been an increase in political participation from the Dalits and backward classes. Let us look at the following table that shows the percentage of the population who voted in Lok Sabha elections in different years.

Lok Sabha	Election Years	Voter Turnout (%)
1st	1951-52	61.16
4th	1967	61.33
5th	1971	55.29
6th	1977	60.49
8th	1984-85	64.01
10th	1991-92	55.88
14th	2004	57.98
15th	2009	58.19
16th	2014	66.40
17th	2019	67.11

Source: <http://eci.nic.in>

Looking at this table would you say that people's participation during the past 65 years has: decreased/increased/been stable after initial increase?

It has been observed that representative democracy cannot produce a perfect reflection of society. There is a realisation that when interests and experiences separate us it is important to ensure that communities that have been historically marginalised are given adequate representation. With this in mind, some seats are reserved in Parliament for SCs and STs. This has been done so that the MPs elected from these constituencies will be familiar with and can represent Dalit and Adivasi interests in Parliament.



The above photo shows a few women Members of Parliament.

Why do you think there are so few women in Parliament? Discuss.

Similarly, it has more recently been suggested that there should be reservation of seats for women. This issue is still being debated. Sixty years ago, only four per cent of MPs were women and today it is just above eleven per cent. This is a small share when you consider the fact that half the population are women.

It is issues of this kind that force the country to ask certain difficult and often **unresolved** questions about whether our democratic system is representative enough. The fact that we can ask these questions and are working towards answers is a reflection of the strength and the faith that people in India have in a democratic form of government.



Approval: To give one's consent to and be favourable towards something. In the context of this chapter, it refers both to the formal consent (through elected representatives) that Parliament has as well as the fact that it needs to continue to enjoy the people's trust.

Coalition: A temporary alliance of groups or parties. In this chapter, it refers to the alliance formed by political parties after elections when no party has been able to get adequate seats to form a clear majority.

Unresolved: Situations in which there are no easy solutions to problems.



Chapter 4

Understanding Laws

You may be familiar with some laws such as those that specify the age of marriage, the age at which a person can vote, and perhaps even the laws dealing with buying and selling of property. We now know that the Parliament is in charge of making laws. Do these laws apply to everyone? How do new laws come into being? Could there be laws that are unpopular or controversial? What should we as citizens do under such circumstances?



Do Laws Apply to All?

Read the following situation and answer the questions that follow.

A government official helps his son go into hiding because his son has been given a ten-year jail sentence by a District Court for a crime that he has committed.

Do you think that the government official's actions were right? Should his son be exempt from the law just because his father is economically and politically powerful?

The above is a clear case of the violation of law. As you read in Unit 1, members of the Constituent Assembly were agreed there should be no arbitrary exercise of power in independent India. They, therefore, instituted several provisions in the Constitution that would establish the rule of law. The most important of these was that all persons in independent India are equal before the law.

The law cannot discriminate between persons on the basis of their religion, caste or gender. What the rule of law means is that all laws apply equally to all citizens of the country and no one can be above the law. Neither a government official, nor a wealthy person nor even the President of the country is above the law. Any crime or violation of law has a specific punishment as well as a process through which the guilt of the person has to be established. But was it always like this?

In ancient India, there were innumerable and often overlapping local laws. Different communities enjoyed different degrees of autonomy in administering these laws

among their own. In some cases, the punishment that two persons received for the same crime varied depending on their caste backgrounds, with lower castes being more harshly penalised. This slowly began to change as this system of law began to further evolve during the colonial period.

Another example of British arbitrariness was the Rowlatt Act which allowed the British government to imprison people without due trial. Indian nationalists including Mahatma Gandhi were vehement in their opposition to the Rowlatt bills. Despite the large number of protests, the Rowlatt Act came into effect on 10 March 1919. In Punjab, protests against this Act continued quite actively and on April 10 two leaders of the movement, Dr Satyapal and Dr Saifuddin Kitchlew were arrested. To protest these arrests, a public meeting was held on 13 April at Jallianwala Bagh in Amritsar. General Dyer entered the park with his troops. They closed the only exit and without giving any warning General Dyer ordered the troops to fire. Several hundreds of people died in this gunfire and many more were wounded including women and children. This painting shows troops firing on the people during the Jallianwala Bagh massacre.

It is often believed that it was the British colonialists who introduced the rule of law in India. Historians have disputed this claim on several grounds, two of which include: first that colonial law was arbitrary, and second that the Indian nationalists played a prominent role in the development of the legal sphere in British India. One example of the arbitrariness that continued to exist as part of British law is the [Sedition Act of 1870](#). The idea of sedition was very broadly understood within this Act. Any person protesting or criticising the British government could be arrested without due trial.

Indian nationalists began protesting and criticising this arbitrary use of authority by the British. They also began fighting for greater equality and wanted to change the idea



of law from a set of rules that they were forced to obey, to law as including ideas of justice. By the end of the nineteenth century, the Indian legal profession also began emerging and demanded respect in colonial courts. They began to use law to defend the legal rights of Indians. Indian judges also began to play a greater role in making decisions. Therefore, there were several ways in which Indians played a major role in the **evolution** of the rule of law during the colonial period.

With the adoption of the Constitution, this document served as the foundation on which our representatives began making laws for the country. Every year our representatives pass several new laws as well as amend existing ones. In your Class VI book, you read about the Hindu Succession Amendment Act 2005. According to this new law, sons, daughters and their mothers can get an equal share of family property. Similarly, new laws have been enacted to control pollution and provide employment. How do people come to think and propose that a new law is necessary? You will read more about this in the next section.

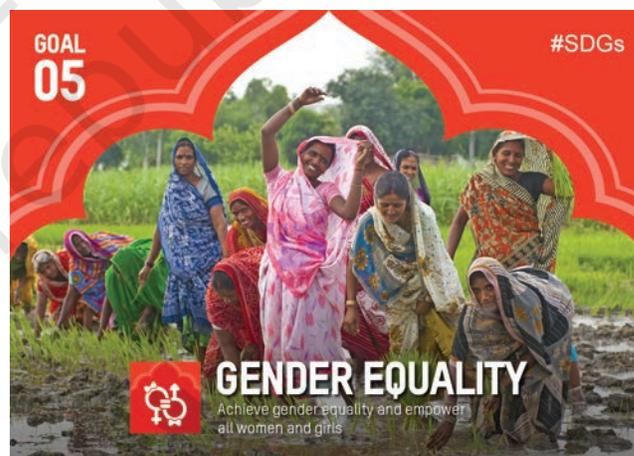
How Do New Laws Come About?

The Parliament has an important role in making laws. There are many ways through which this takes place and it is often different groups in society that raise the need for a particular law. An important role of Parliament is to be sensitive to the problems faced by people. Let us read the following story to understand how issue of domestic violence was brought to the attention of Parliament and the process adopted for this issue to become law.

Domestic violence generally refers to the injury or harm or threat of injury or harm caused by an adult male, usually the husband, against his wife. Injury may be caused by physically beating up the woman or by emotionally abusing her. Abuse of the woman can also include verbal, sexual and economic abuse. The Protection of Women from Domestic Violence Act 2005 extends the understanding of the term 'domestic' to include all women who 'live or have lived together in a shared household' with the male member who is perpetrating the violence.

The word 'arbitrary' has been used earlier in this book and you've read what the word means in the Glossary of Chapter 1. The word 'sedition' has been included in the Glossary of this chapter. Read the Glossary descriptions of both words and then answer the following questions:

State one reason why you think the Sedition Act of 1870 was arbitrary? In what ways does the Sedition Act of 1870 contradict the rule of law?



Sustainable Development Goal (SDG)
www.in.undp.org



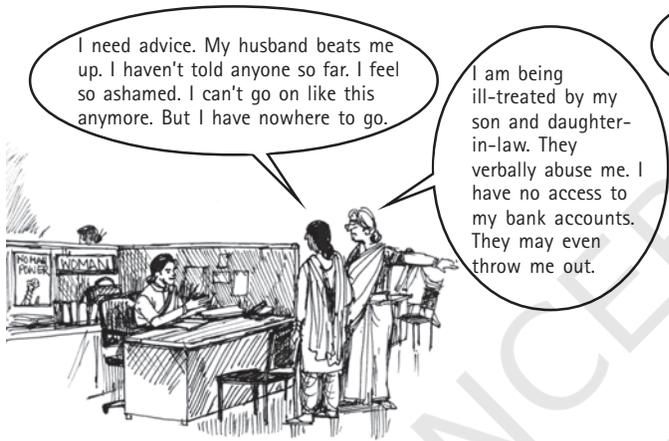
Shazia, did you read today's newspapers? Isn't it a great day for women?

Not just women. Violence-free homes will benefit everyone. Kusum, it's taken such a long time to get this law passed. In fact, it began with establishing the need for a new law.



Kusum and Shazia work for a women's organisation. They remember the journey of how the Protection of Women from Domestic Violence Act got passed.

April 1991: A typical day at their office...



I need advice. My husband beats me up. I haven't told anyone so far. I feel so ashamed. I can't go on like this anymore. But I have nowhere to go.

I am being ill-treated by my son and daughter-in-law. They verbally abuse me. I have no access to my bank accounts. They may even throw me out.

I do not want to go to the police. I just want to stop the violence.

I just don't want to be thrown out of the house I am living in.

Unfortunately the existing law is a criminal one and does not offer these options.



Throughout the 1990s, the need for a new law was raised in different forums.

We've heard testimonies of several women. We've seen that women want protection against being beaten, the right to continue living in a shared household and often temporary relief. We need a new civil law to address this issue.



In 1999, Lawyers Collective, a group of lawyers, law students and activists, after nation-wide consultations took the lead in drafting the Domestic Violence (Prevention and Protection) Bill. This draft bill was widely circulated.

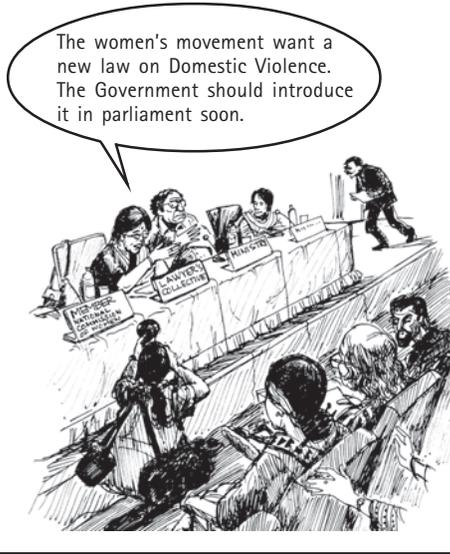
The definition of domestic violence should include physical, economic, sexual and verbal and emotional abuse.

The law should cover any women living within a shared domestic space. They should be protected from being evicted from the shared household.

What about some monetary relief?

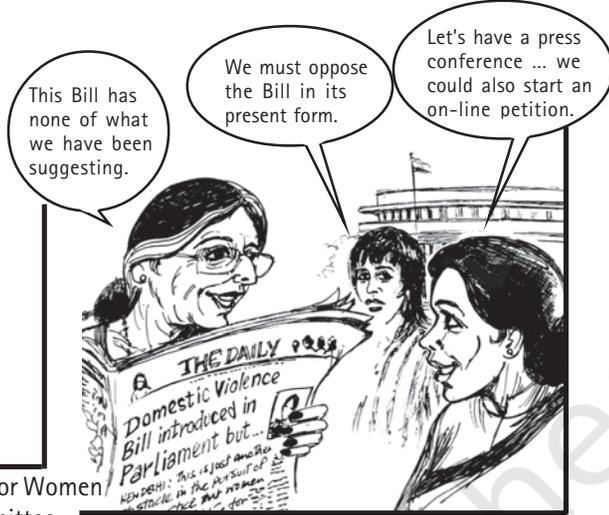


Meetings were held with different organisations.



The women's movement want a new law on Domestic Violence. The Government should introduce it in parliament soon.

Finally, the Bill was introduced in Parliament in 2002 but ...

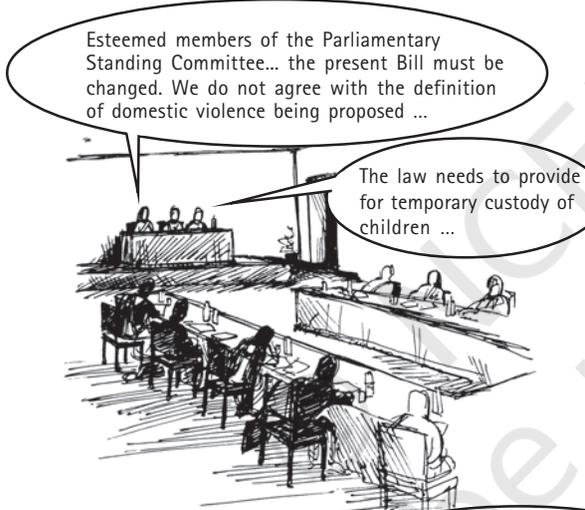


This Bill has none of what we have been suggesting.

We must oppose the Bill in its present form.

Let's have a press conference ... we could also start an on-line petition.

Several women's organisations, National Commission for Women made submissions to the Parliamentary Standing Committee.



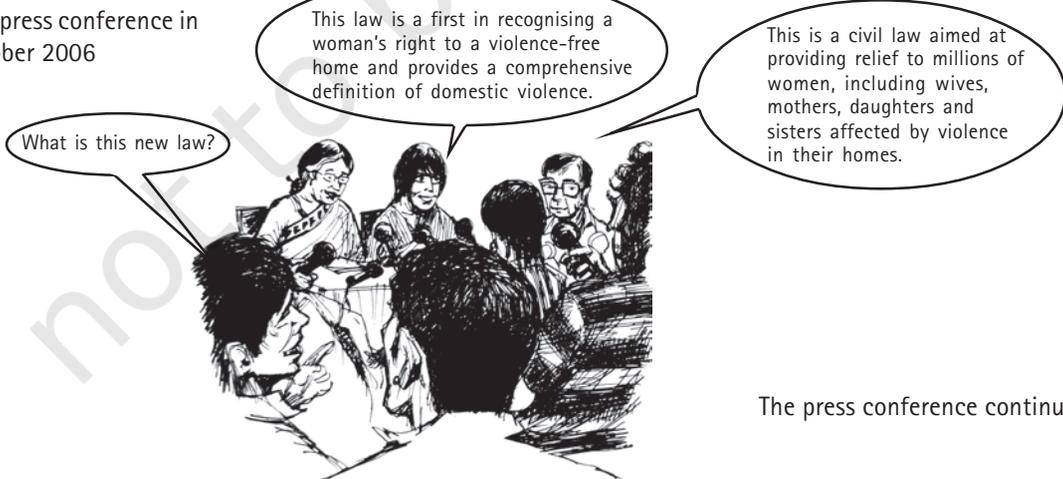
Esteemed members of the Parliamentary Standing Committee... the present Bill must be changed. We do not agree with the definition of domestic violence being proposed ...

The law needs to provide for temporary custody of children ...

In December 2002, the Standing Committee submitted its recommendations to the Rajya Sabha and these were also tabled in the Lok Sabha. The Committee's report accepted most of the demands of the women's groups. Finally a new bill, was reintroduced in Parliament in 2005. After being passed in both houses of Parliament, it was sent to the President for his assent. The Protection of Women from Domestic Violence Act came into effect in 2006.



At a press conference in October 2006

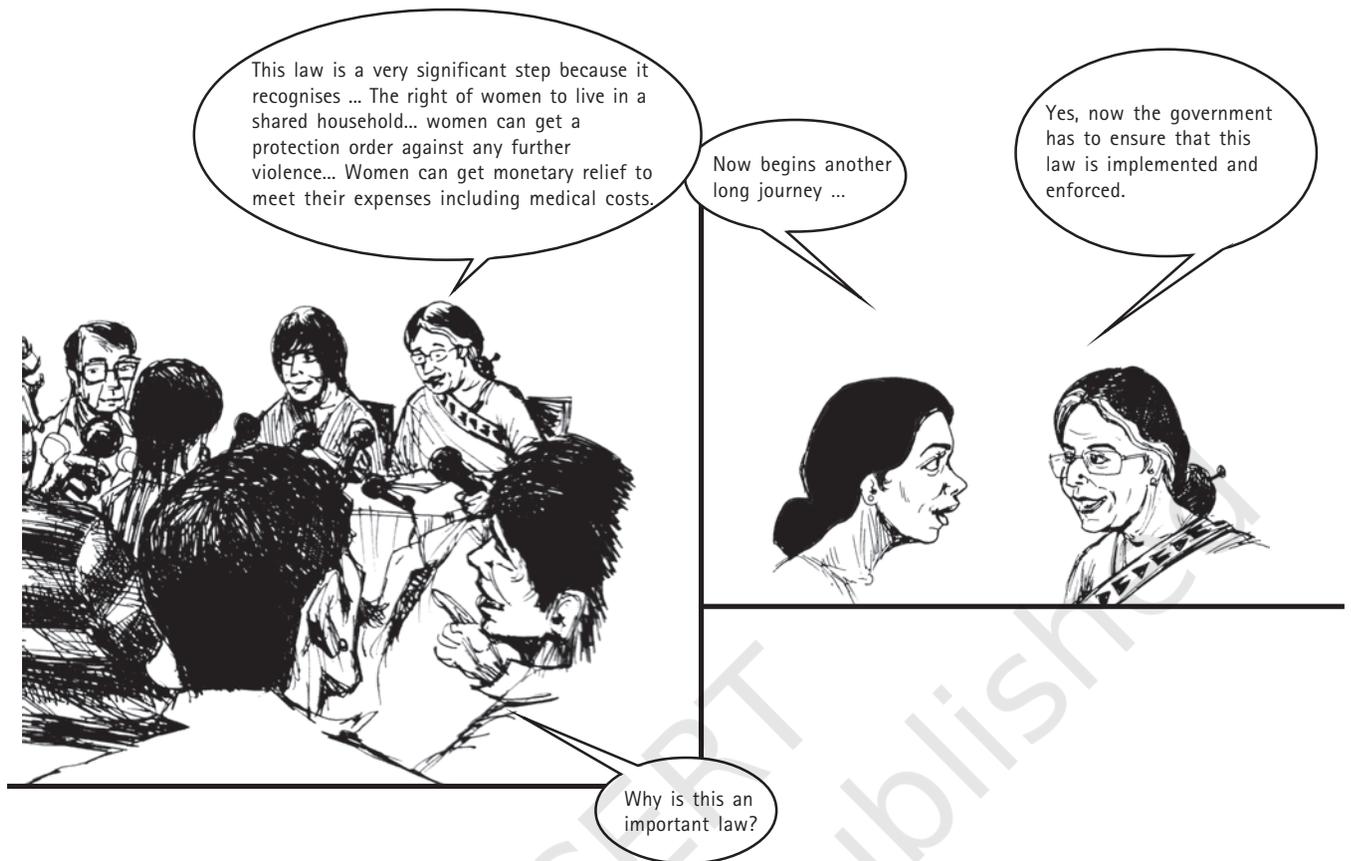


What is this new law?

This law is a first in recognising a woman's right to a violence-free home and provides a comprehensive definition of domestic violence.

This is a civil law aimed at providing relief to millions of women, including wives, mothers, daughters and sisters affected by violence in their homes.

The press conference continues...



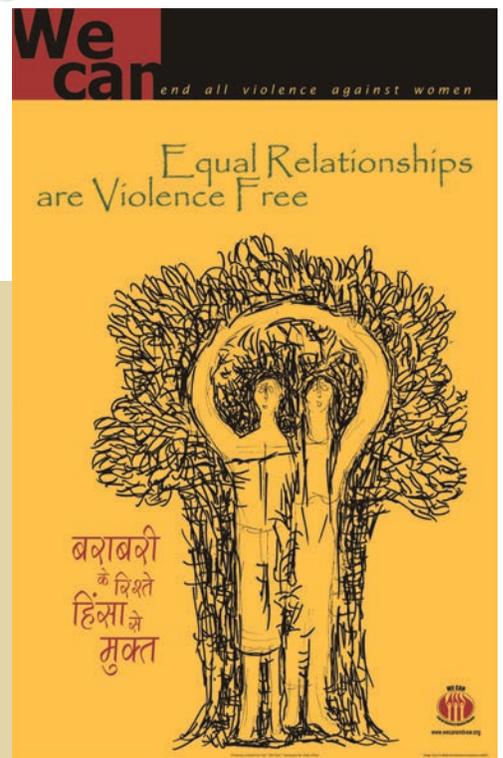
What do you understand by 'domestic violence'? List the two rights that the new law helped achieve for women who are survivors of violence.

Can you list one process that was used to make more people aware of the need for this law?

From the above storyboard, can you list two different ways in which people lobbied Parliament?

In the following poster, what do you understand by the phrase 'Equal Relationships are Violence Free'?

Often women who face violence or are abused are seen as victims. But women struggle in several different ways to survive these situations. Therefore, it is more accurate to refer to them as survivors rather than as victims.



As the above example shows, the role of citizens is crucial in helping Parliament frame different concerns that people might have into laws. From establishing the need for a new law to its being passed, at every stage of the process the voice of the citizen is a crucial element. This voice can be heard through TV reports, newspaper editorials, radio broadcasts, local meetings - all of which help in making the work that Parliament does more accessible and transparent to the people.

Unpopular and Controversial Laws

Let us now look at the situation where the Parliament passes laws that turn out to be very unpopular. Sometimes a law can be constitutionally valid and hence legal, but it can continue to be unpopular and unacceptable to people because they feel that the intention behind it is unfair and harmful. Hence, people might **criticise** this law, hold public meetings, write about it in newspapers, report to TV news channels etc. In a democracy like ours, citizens can express their unwillingness to accept **repressive** laws framed by the Parliament. When a large number of people begin to feel that a wrong law has been passed, then there is pressure on the Parliament to change this.

For example, various municipal laws on the use of space within municipal limits often make hawking and street vending illegal. No one will dispute the necessity for some rules to keep the public space open so that people can walk on the pavements easily. However, one also cannot deny that hawkers and vendors provide essential services cheaply and efficiently to the millions living in a large city. This is their means of livelihood. Hence, if the law favours one group and disregards the other it will be controversial and lead to conflict. People who think that the law is not fair can approach the court to decide on the issue. The court has the power to modify or cancel laws if it finds that they don't adhere to the Constitution.



As you read in the earlier section on the rule of law, Indian nationalists protested and criticised arbitrary and repressive laws being enforced by the British. History provides us with several examples of people and communities who have struggled to end unjust laws. In your Class VII book, you read of how Rosa Parks, an African-American woman, refused to give up her seat on a bus to a white man on 1 December 1955. She was protesting the law on segregation that divided up all public spaces, including the streets, between the whites and the African-Americans. Her refusal was a key event that marked the start of the Civil Rights Movement, which led to the Civil Rights Act in 1964, which prohibited discrimination on the basis of race, religion or national origin in the U.S.A.

Read the newspapers/watch news on TV for a week and find out if there are any unpopular laws that people in India or around the world are currently protesting.



List the three forms of protest that you see in the above photos.

Do you remember the photo essay on the women's movement in the Class VII book? The photos there showed the different ways in which citizens can protest, campaign and show solidarity. The following pictures point to other ways in which people protest unjust laws:



We need to remember that our role as citizens does not end with electing our representatives. Rather, it is then that we begin to use newspapers and the media to carefully chart the work that is being done by our MPs and criticise their actions when we feel it is required. Thus, what we should bear in mind is that it is the extent, involvement and enthusiasm of the people that helps Parliament perform its representative functions properly.



Chapter 5

Judiciary

A glance at the newspaper provides you a glimpse of the range of work done by the courts in this country. But can you think of why we need these courts? As you have read in Unit 2, in India we have the rule of law. What this means is that laws apply equally to all persons and that a certain set of fixed procedures need to be followed when a law is violated. To enforce this rule of law, we have a judicial system that consists of the mechanism of courts that a citizen can approach when a law is violated. As an organ of government, the judiciary plays a crucial role in the functioning of India's democracy. It can play this role only because it is independent. What does an 'independent judiciary' mean? Is there any connection between the court in your area and the Supreme Court in New Delhi? In this chapter, you will find answers to these questions.



What is the Role of the Judiciary?

Courts take decisions on a very large number of issues. They can decide that no teacher can beat a student, or about the sharing of river waters between states, or they can punish people for particular crimes. Broadly speaking, the work that the judiciary does can be divided into the following:

Dispute Resolution: The judicial system provides a mechanism for resolving disputes between citizens, between citizens and the government, between two state governments and between the centre and state governments.

Judicial Review: As the final interpreter of the Constitution, the judiciary also has the power to strike down particular laws passed by the Parliament if it believes that these are a **violation** of the basic structure of the Constitution. This is called judicial review.

Upholding the Law and Enforcing Fundamental Rights:

Every citizen of India can approach the Supreme Court or the High Court if they believe that their Fundamental Rights have been violated. For example, in the Class VII book, you read about Hakim Sheikh, an agricultural labourer who fell from a running train and injured himself and whose condition got worse because several hospitals refused to admit him. On hearing his case, the Supreme Court ruled that Article 21 which provides every citizen the Fundamental Right to Life also includes the Right to Health. It, therefore, directed the West Bengal government to pay him **compensation** for the loss suffered as well as to come up with a blueprint for primary health care with particular reference to treatment of patients during an emergency [*Paschim Banga Khet Mazdoor Samity vs State of West Bengal (1996)*].



Supreme Court of India
<https://www.sci.gov.in>

The Supreme Court was established on 26 January 1950, the day India became a Republic. Like its predecessor, the Federal Court of India (1937–1949), it was earlier located in the Chamber of Princes in the Parliament House. It moved to its present building on Mathura Road in New Delhi in 1958.

With the help of your teacher, fill in the blank spaces in the table below.

Type of Dispute	Example
Dispute between centre and the state	
Dispute between two states	
Dispute between two citizens	
Laws that are in violation of the Constitution	

What is an Independent Judiciary?

Imagine a situation in which a powerful politician has encroached on land belonging to your family. Within this judicial system, the politician has the power to appoint and dismiss a judge from his office. When you take this case to court, the judge is clearly partial to the politician.

The control that the politician holds over the judge does not allow for the judge to take an independent decision. This lack of independence would force the judge to make all judgments in favour of the politician. Although we often hear of rich and powerful people in India trying to influence the judicial process, the Indian Constitution protects against this kind of situation by providing for the independence of the judiciary.

One aspect of this independence is the 'separation of powers'. This, as you read in Chapter 1, is a key feature of the Constitution. What this means here is that other branches of government – the legislature and the executive – cannot interfere in the work of the judiciary. The courts are not under the government and do not act on their behalf.

For the above separation to work well, it is also crucial that all judges in the High Court as well as the Supreme Court are appointed with very little interference from these other branches of government. Once appointed to this office, it is also very difficult to remove a judge.

Do you think that any ordinary citizen stands a chance against a politician in this kind of judicial system? Why not?

It is the independence of the judiciary that allows the courts to play a central role in ensuring that there is no misuse of power by the legislature and the executive. It also plays a crucial role in protecting the Fundamental Rights of citizens because anyone can approach the courts if they believe that their rights have been violated.

List two reasons why you believe an independent judiciary is essential to democracy.

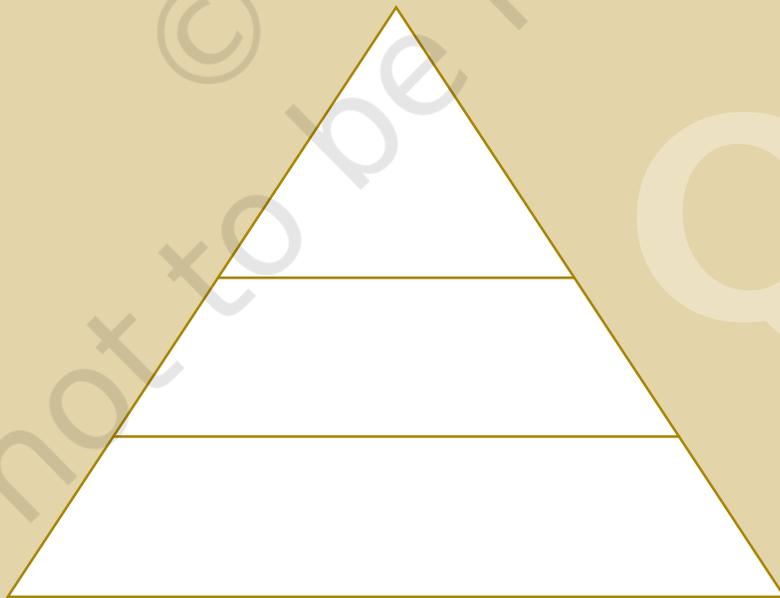
What is the Structure of Courts in India?

There are three different levels of courts in our country. There are several courts at the lower level while there is only one at the apex level. The courts that most people interact with are what are called subordinate or district courts. These are usually at the district or *Tehsil* level or in towns and they hear many kinds of cases. Each state is divided into districts that are presided over by a District Judge. Each state has a High Court which is the highest court of that state. At the top is the Supreme Court that is located in New Delhi and is presided over by the Chief Justice of India. The decisions made by the Supreme Court are binding on all other courts in India.



Sustainable Development Goal (SDG)
www.in.undp.org

The structure of the courts from the lower to the highest level is such that it resembles a pyramid. Having read the description above, can you fill out which type of courts would exist at what level in the following diagram?



High Courts were first established in the three Presidency cities of Calcutta, Bombay and Madras in 1862. The High Court of Delhi came up in 1966. Currently there are 25 High Courts. While many states have their own High Courts, Punjab and Haryana share a common High Court at Chandigarh, and four North Eastern states of Assam, Nagaland, Mizoram and Arunachal Pradesh have a common High Court at Guwahati. Andhra Pradesh (Amaravati) and Telangana (Hyderabad) have separate High Courts from 1 January 2019. Some High Courts have benches in other parts of the state for greater accessibility.



High Court of Madras
<http://www.hcmadras.tn.nic.in>

Are these different levels of courts connected to each other? Yes, they are. In India, we have an integrated judicial system, meaning that the decisions made by higher courts are binding on the lower courts. Another way to understand this integration is through the appellate system that exists in India. This means that a person can appeal to a higher court if they believe that the judgment passed by the lower court is not just.



High Court of Patna
<http://patnahighcourt.gov.in>

Let us understand what we mean by the appellate system by tracking a case, *State (Delhi Administration) vs Laxman Kumar and Others (1985)*, from the lower courts to the Supreme Court.



High Court of Karnataka
<http://karnatakajudiciary.kar.nic.in>

In February 1980, Laxman Kumar married 20-year-old Sudha Goel and they lived in a flat in Delhi with Laxman's brothers and their families. On 2 December 1980 Sudha died in hospital due to burns. Her family filed a case in court. When this case was heard in the Trial Court, four of her neighbours were called in as witnesses. They stated that on the night of December 1, they had heard Sudha scream and had forced their way into Laxman's flat. There they saw Sudha standing with her sari in flames. They extinguished the fire by wrapping Sudha in a gunny bag and a blanket. Sudha told them that her mother-in-law Shakuntala had poured kerosene oil on her and that her husband Laxman had lit the fire. During the trial,

members of Sudha's family and a neighbour stated that Sudha had been subjected to torture by her in-laws and that they were demanding more cash, a scooter and a fridge on the birth of the first child. As part of their defence, Laxman and his mother stated that Sudha's sari had accidentally caught fire while she was heating milk. On the basis of this and other evidence, the Trial Court convicted Laxman, his mother Shakuntala and his brother-in-law Subash Chandra and sentenced all three of them to death.

In November 1983, the three accused went to the High Court to **appeal** against this verdict of the Trial Court. The High Court, after hearing the arguments of all the lawyers, decided that Sudha had died due to an accidental fire caused by the kerosene stove. Laxman, Shakuntala and Subash Chandra were **acquitted**.

You may remember the photo essay on the women's movement in your Class VII book. You read about how, in the 1980s, women's groups across the country spoke out against 'dowry deaths'. They protested against the failure of courts to bring these cases to justice. The above High Court judgment deeply troubled women and they held demonstrations and filed a separate appeal against this High Court decision in the Supreme Court through the Indian Federation of Women Lawyers.

In 1985, the Supreme Court heard this appeal against the acquittal of Laxman and the two members of his family. The Supreme Court heard the arguments of the lawyers and reached a decision that was different from that of the High Court. They found Laxman and his mother guilty but acquitted the brother-in-law Subash because they did not have enough evidence against him. The Supreme Court decided to send the accused to prison for life.



Aizawl (Mizoram) Bench of the Gauhati High Court
<http://ghcazlbench.nic.in>

Write two sentences of what you understand about the appellate system from the given case.



District Courts Complex in Namchi, South Sikkim
<http://districtcourtsnamchi.nic.in>

The subordinate court is more commonly known by many different names. These include the Trial Court or the Court of the District Judge, the Additional Sessions Judge, Chief Judicial Magistrate, Metropolitan Magistrate, Civil Judge.

What are the Different Branches of the Legal System?

The above case of the dowry death falls within what is considered a ‘crime against society’ and is a violation of criminal law. In addition to criminal law, the legal system also deals with civil law cases. You read in Chapter 4 of how a new civil law was passed in 2006 to protect women against domestic violence. Look at the following table to understand some of the significant differences between criminal and civil law.

No.	Criminal Law	Civil Law
1.	Deals with conduct or acts that the law defines as offences. For example, theft, harassing a woman to bring more dowry, murder.	Deals with any harm or injury to rights of individuals. For example, disputes relating to sale of land, purchase of goods, rent matters, divorce cases.
2.	It usually begins with the lodging of an First Information Report (FIR) with the police who investigate the crime after which a case is filed in the court.	A petition has to be filed before the relevant court by the affected party only. In a rent matter, either the landlord or tenant can file a case.
3.	If found guilty, the accused can be sent to jail and also fined.	The court gives the specific relief asked for. For instance, in a case between a landlord and a tenant, the court can order the flat to be vacated and pending rent to be paid.

Fill in the table given below based on what you have understood about criminal and civil law.

Description of Violation	Branch of Law	Procedure to be Followed
A group of girls are persistently harassed by a group of boys while walking to school.		
A tenant who is being forced to move out files a case in court against the landlord.		

Does Everyone Have Access to the Courts?

In principle, all citizens of India can access the courts in this country. This implies that every citizen has a right to justice through the courts. As you read earlier, the courts play a very significant role in protecting our Fundamental Rights. If any citizen believes that their rights are being violated, then they can approach the court for justice to be done. While the courts are available for all, in reality access to courts has always been difficult for a vast majority of the poor in India. Legal procedures involve a lot of money and paperwork as well as take up a lot of time. For a poor person who cannot read and whose family depends on a daily wage, the idea of going to court to get justice often seems remote.

In response to this, the Supreme Court in the early 1980s devised a mechanism of Public Interest Litigation or PIL to increase access to justice. It allowed any individual or organisation to file a PIL in the High Court or the Supreme Court on behalf of those whose rights were being violated. The legal process was greatly simplified and even a letter or telegram addressed to the Supreme Court or the High Court could be treated as a PIL. In the early years, PIL was used to secure justice on a large number of issues such as rescuing bonded labourers from inhuman work conditions; and securing the release of prisoners in Bihar who had been kept in jail even after their punishment term was complete.

Did you know that the mid-day meal that children now receive in government and government-aided schools is because of a PIL? See the photos on the right and read the text below to understand how this came about.



Photo 1. In 2001, the drought in Rajasthan and Orissa meant that millions faced an acute shortage of food.

Photo 2. Meanwhile the government godowns were full of grain. Often this was being eaten away by rats.

Photo 3. In this situation of 'hunger amidst plenty' an organisation called the People's Union of Civil Liberties or PUCL filed a PIL in the Supreme Court. It stated that the fundamental Right to Life guaranteed in Article 21 of the Constitution included the Right to Food. The state's excuse that it did not have adequate funds was shown to be wrong because the godowns were overflowing with grains. The Supreme Court ruled that the State had a duty to provide food to all.

Photo 4. It, therefore, directed the government to provide more employment, to provide food at cheaper prices through the government ration shops, and to provide mid-day meals to children. It also appointed two Food Commissioners to report on the implementation of government schemes.



For the common person, access to courts is access to justice. The courts exercise a crucial role in interpreting the Fundamental Rights of citizens and as you saw in the above case, the courts interpreted Article 21 of the Constitution on the Right to Life to include the Right to Food. They, therefore, ordered the State to take certain steps to provide food for all including the mid-day meal scheme.

However, there are also court judgments that people believe work against the best interests of the common person. For example, activists who work on issues concerning the right to shelter and housing for the poor believe that the recent judgments on **evictions** are a far cry from earlier judgments. While recent judgments tend to view the slum dweller as an encroacher in the city, earlier judgments (like the 1985 *Olga Tellis vs Bombay Municipal Corporation*) had tried to protect the livelihoods of slum dwellers.

The judgment of the *Olga Tellis vs Bombay Municipal Corporation* established the Right to Livelihood as part of the Right to Life. The following excerpts from the judgment point to the ways in which the judges linked the issue of the Right to Life to that of livelihood:

The sweep of the Right to Life, conferred by Article 21 is wide and far reaching. 'Life' means something more than mere animal existence. It does not mean merely that life cannot be extinguished or taken away as, for example, by the imposition and execution of the death sentence, except according to procedure established by law. That is but one aspect of the Right to Life. An equally important facet of that right is the right to livelihood because no person can live without the means of living, that is, the means of livelihood.

That the eviction of a person from a pavement or slum will inevitably lead to the deprivation of his means of livelihood, is a proposition which does not have to be established in each individual case In the present case that facts constituting empirical evidence justify the conclusion that the petitioners live in slums and on pavements because they have small jobs to nurse in the city and for them there is nowhere else to live. They choose a pavement or a slum in the vicinity of their place of work and to lose the pavement or the slum is to lose the job. The conclusion therefore is that the eviction of the petitioners will lead to deprivation of their livelihood and consequently to the deprivation of life.

Olga Tellis vs Bombay Municipal Corporation (1985) 3 SCC 545

Find out about the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014.

Another issue that affects the common person's access to justice is the inordinately long number of years that courts take to hear a case. The phrase 'justice delayed is justice denied' is often used to characterise this extended time period that courts take.

Number of Judges in India				
No.*	Name of the Court	Sanctioned strength	Working strength	Vacancies
A	Supreme Court	34	34	0
B	High Courts	1,079	655	424
C	District and Subordinate Courts	22,644	17,509	5,135

* Data in A and B (as on 1 November 2019)

However, inspite of this there is no denying that the judiciary has played a crucial role in democratic India, serving as a check on the powers of the executive and the legislature as well as in protecting the Fundamental Rights of citizens. The members of the Constituent Assembly had quite correctly envisioned a system of courts with an independent judiciary as a key feature of our democracy.

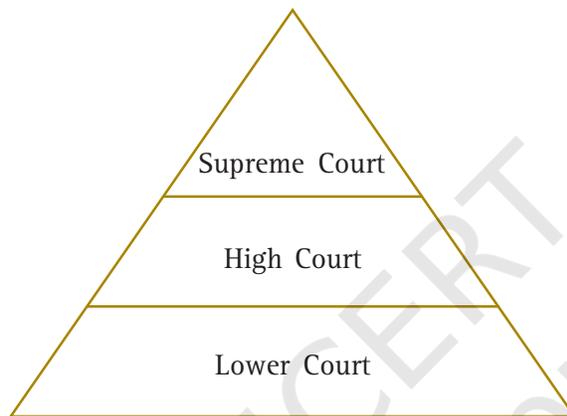


The above photo shows the family members of some of the 43 Muslims of Hashimpura, Meerut, killed on 22 May 1987. These families fought for justice for over 31 years. Due to long delay in the commencement of the trial, the Supreme Court in September 2002 transferred the case from the State of Uttar Pradesh to Delhi. 19 Provincial Armed Constabulary (PAC) men faced criminal prosecution for alleged murder and other offences. By 2007, only three prosecution witnesses had been examined. Finally, the Delhi High Court convicted the accused persons on 31 October 2018. (photo was taken at Press Club, Lucknow, 24 May 2007)

Discuss the impact of the shortage of judges on the delivery of justice to the litigants.

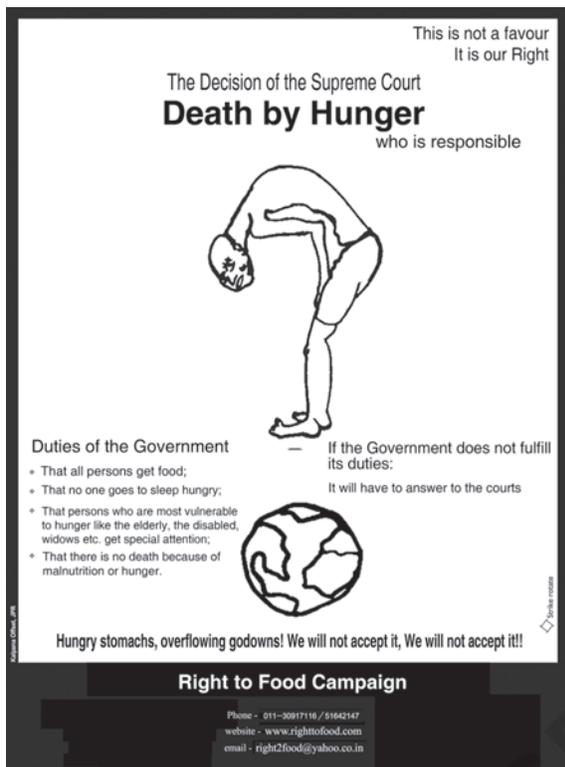
Exercises

1. You read that one of the main functions of the judiciary is 'upholding the law and Enforcing Fundamental Rights'. Why do you think an independent judiciary is necessary to carry out this important function?
2. Re-read the list of Fundamental Rights provided in Chapter 1. How do you think the Right to Constitutional Remedies connects to the idea of judicial review?
3. In the following illustration, fill in each tier with the judgments given by the various courts in the Sudha Goel case. Check your responses with others in class.



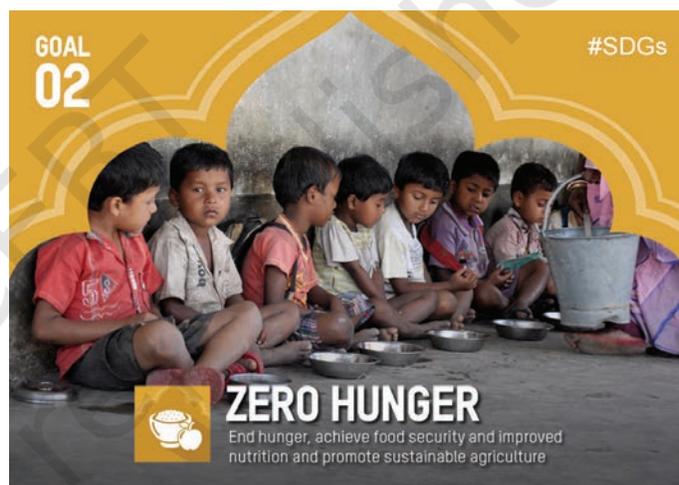
4. Keeping the Sudha Goel case in mind, tick the sentences that are true and correct the ones that are false.
 - (a) The accused took the case to the High Court because they were unhappy with the decision of the Trial Court.
 - (b) They went to the High Court after the Supreme Court had given its decision.
 - (c) If they do not like the Supreme Court verdict, the accused can go back again to the Trial Court.
5. Why do you think the introduction of Public Interest Litigation (PIL) in the 1980s is a significant step in ensuring access to justice for all?
6. Re-read excerpts from the judgment on the *Olga Tellis vs Bombay Municipal Corporation* case. Now write in your own words what the judges meant when they said that the Right to Livelihood was part of the Right to Life.
7. Write a story around the theme, 'Justice delayed is justice denied'.
8. Make sentences with each of the glossary words given on the next page.

9. The following is a poster made by the Right to Food campaign.



Read this poster and list the duties of the government to uphold the Right to Food.

How does the phrase “Hungry stomachs, overflowing godowns! We will not accept it!!” used in the poster relate to the photo essay on the Right to Food on page 61?



Sustainable Development Goal (SDG)
www.in.undp.org



Acquit: This refers to the court declaring that a person is not guilty of the crime which he/she was tried for by the court.

To Appeal: In the context of this chapter this refers to a petition filed before a higher court to hear a case that has already been decided by a lower court.

Compensation: In the context of this chapter this refers to money given to make amends for an injury or a loss.

Eviction: In the context of this chapter this refers to the removal of persons from land/homes that they are currently living in.

Violation: In the context of this chapter it refers both to the act of breaking a law as well as to the breach or infringement of Fundamental Rights.



Chapter 10

Law and Social Justice

Do you recall the 'Story of a shirt' from your Class VII book? We saw there that a chain of markets links the producer of cotton to the buyer of the shirt in the supermarket. Buying and selling was taking place at every step in the chain.

Many of the people directly or indirectly involved in the production of the shirt - the small farmer producing cotton, the weavers of Erode or the workers in the garment - exporting factory - faced exploitation or an unfair situation in the market. Markets everywhere tend to be exploitative of people - whether as workers, consumers or producers.

To protect people from such exploitation, the government makes certain laws. These laws try to ensure that the unfair practices are kept at a minimum in the markets.



Let us take a common market situation where the law is very important. This is the issue of workers' wages. Private companies, contractors, businesspersons normally want to make as much profit as they can. In the drive for profits, they might deny workers their rights and not pay them wages, for example. In the eyes of the law it is illegal or wrong to deny workers their wages. Similarly to ensure that workers are not underpaid, or are paid fairly, there is a law on minimum wages. A worker has to be paid not less than the minimum wage by the employer. The minimum wages are revised upwards every few years.

As with the law on minimum wages, which is meant to protect workers, there are also laws that protect the interests of producers and consumers in the market. These help ensure that the relations between these three parties – the worker, **consumer** and **producer** - are governed in a manner that is not exploitative.



Why do we need a law on minimum wages?

Find out:

- a) What is the minimum wage for a construction worker in your state?
- b) Do you think the minimum wage for a construction worker is adequate, low or high?
- c) Who sets the minimum wages?

Workers in a textile mill in Ahmedabad. Faced with greater competition from power looms, a majority of the textile mills closed down during the 1980s and 1990s. Power looms are small units with 4-6 looms. The owners operate them with hired and family labour. It is well known that conditions of work in the power looms are far from satisfactory.

Table 1 provides some important laws relating to the protection of these various interests. Columns (2) and (3) in Table 1 state why and for whom these laws are necessary. Based on discussions in the classroom, you have to complete the remaining entries in the table.

Table 1

Law	Why is it necessary?	Whose interests does the law protect?
Minimum Wages Act specifies that wages should not be below a specified minimum.	Many workers are denied fair wages by their employers. Because they badly need work, workers have no bargaining power and are paid low wages.	This law is meant to protect the interests of all workers; particularly, farm labourers, construction workers, factory workers, domestic workers, etc.
Law specifying that there be adequate safety measures in workplaces. For example, alarm system, emergency exits, properly - functioning machinery.		
Law requiring that the quality of goods meet certain prescribed standards. For example, electrical appliances have to meet safety standards.	Consumers might be put to risk by the poor quality of products such as electrical appliances, food, medicines.	
Law requiring that the prices of essential goods are not high - For example, sugar, kerosene, foodgrains.		The interests of the poor who will otherwise be unable to afford these goods.
Law requiring that factories do not pollute air or water.		
Laws against child labour in workplaces.		
Law to form workers unions/associations	By organising themselves into unions, workers can use their combined power to demand fair wages and better working conditions.	

But merely making laws is not enough. The government has to ensure that these laws are implemented. This means that the law must be enforced. Enforcement becomes even more important when the law seeks to protect the weak from the strong. For instance, to ensure that every worker gets fair wages, the government has to regularly inspect work sites and punish those who violate the law. When workers are poor or powerless, the fear of losing future earnings or facing reprisals often forces them to accept low wages. Employers know this well and use their power to pay workers less than the fair wage. In such cases, it is crucial that laws are enforced.

Through making, enforcing and upholding these laws, the government can control the activities of individuals or private companies so as to ensure social justice. Many of these laws have their basis in the Fundamental Rights guaranteed by the Indian Constitution. For instance, the Right against Exploitation says that no one can be forced to work for low wages or under bondage. Similarly, the Constitution lays down “no child below the age of 14 years shall be employed to work in any factory or mines or engaged in any other hazardous employment.”

How are these laws played out in practice? To what extent do they address the concerns of social justice? These are some of the questions that this chapter will now go on to explore.



According to the 2011 census, over 4 million children in India aged between 5 and 14 work in various occupations including hazardous ones. In 2016, Parliament amended the Child Labour (Prohibition and Regulation) Act, 1986, banning the employment of children below the age of 14 years in all occupations and of adolescents (14-18 years) in hazardous occupations and processes. It made employing these children or adolescents a cognizable offence. Anyone found violating the ban must be penalized with a punishment ranging from a jail term of six months to two years and/or fine of ₹ 20,000 to ₹ 50,000. The central government had asked state governments to develop plans to rescue and rehabilitate children who are working.

An online portal, <https://pencil.gov.in>, Platform for Effective Enforcement for No Child Labour (PENCIL) has become functional in 2017. It is meant for filing of complaint, child tracking, implementation and monitoring of National Child Labour Project (NCLP).

Bhopal Gas Tragedy

The world's worst industrial tragedy took place in Bhopal 24 years ago. Union Carbide (UC) an American company had a factory in the city in which it produced pesticides. At midnight on 2 December 1984 methyl-isocyanite (MIC) a highly poisonous gas – started leaking from this UC plant...

Remembers Aziza Sultan, a survivor: "At about 12.30 am I woke to the sound of my baby coughing badly. In the half-light I saw that the room was filled with a white cloud. I heard people shouting 'run, run!' Then I started coughing, with each breath seeming as if I was breathing in fire. My eyes were burning."



The next morning



Mass cremations

Within three days, more than 8,000 people were dead. Hundreds of thousands were maimed.

Most of those exposed to the poison gas came from poor, working-class families, of which nearly 50,000 people are today too sick to work. Among those who survived, many developed severe respiratory disorders, eye problems and other disorders. Children developed peculiar abnormalities, like the girl in the photo.



A child severely affected by the gas

The disaster was not an accident. UC had deliberately ignored the essential safety measures in order to cut costs. Much before the Bhopal disaster, there had been incidents of gas leak killing a worker and injuring several.



Members of UC Employees Union protesting



Gas victims with the Gas Relief Minister

Despite the overwhelming evidence pointing to UC as responsible for the disaster, it refused to accept responsibility.

In the ensuing legal battle, the government represented the victims in a civil case against UC. It filed a \$3 billion compensation case in 1985, but accepted a lowly \$470 million in 1989. Survivors appealed against the settlement but the Supreme Court ruled that the settlement amount would stand.

UC stopped its operations, but left behind tons of toxic chemicals. These have seeped into the ground, contaminating water. Dow Chemical, the company who now owns the plant, refuses to take responsibility for clean up.



Bags of chemicals lie strewn around the UC plant



The struggle for justice goes on...

24 years later, people are still fighting for justice: for safe drinking water, for health-care facilities and jobs for the people poisoned by UC. They also demand that Anderson, the UC chairman who faces criminal charges, be prosecuted.



Accidents are common to construction sites. Yet, very often, safety equipment and other precautions are ignored.

What is a Worker's Worth?

If we are to understand the events leading to Bhopal disaster, we have to ask: why did Union Carbide set up its plant in India?

One reason why foreign companies come to India is for cheap labour. Wages that the companies pay to workers, say in the U.S.A., are far higher than what they have to pay to workers in poorer countries like India. For lower pay, companies can get longer hours of work. Additional expenses such as for housing facilities for workers are also fewer. Thus, companies can save costs and earn higher profits.

Cost cutting can also be done by other more dangerous means. Lower working conditions including lower safety measures are used as ways of cutting costs. In the UC plant, every safety device was malfunctioning or was in short supply. Between 1980 and 1984, the work crew for the MIC plant was cut in half from 12 to 6 workers. The period of safety training for workers was brought down from 6 months to 15 days! The post of night-shift worker for the MIC plant was abolished.

Read the following comparison between UC's safety system in Bhopal and its other plant in the US:

At West Virginia (U.S.A.) computerised warning and monitoring systems were in place, whereas the UC plant in Bhopal relied on manual gauges and the human senses to detect gas leaks. At the West Virginia plant, emergency evacuation plans were in place, but nonexistent in Bhopal.

Why are there such sharp differences in safety standards across countries? And even after the disaster happened, why was the compensation to the victims so low?

One part of the answer lies in what is perceived as the worth of an Indian worker. One worker can easily replace another. Since there is so much unemployment, there are many workers who are willing to work in unsafe conditions in

return for a wage. Making use of the workers' vulnerability, employers ignore safety in workplaces. Thus, even so many years after the Bhopal gas tragedy, there are regular reports of accidents in construction sites, mines or factories due to the callous attitude of the employers.

Enforcement of Safety Laws

As the lawmaker and enforcer, the government is supposed to ensure that safety laws are implemented. It is also the duty of the government to ensure that the Right to Life guaranteed under Article 21 of the Constitution is not violated. What was the government doing when there were such blatant violations of safety standards in the UC plant?

First, the safety laws were lax in India. Second, even these weak safety laws were not enforced.

Government officials refused to recognise the plant as hazardous and allowed it to come up in a populated locality. When some municipal officials in Bhopal objected that the installation of an MIC production unit in 1978 was a safety violation, the position of the government was that the state needs the continued **investment** of the Bhopal plant, which provides jobs. It was unthinkable, according to them, to ask UC to shift to cleaner technology or safer procedures. Government inspectors continued to approve the procedures in the plant, even when repeated incidents of leaks from the plant made it obvious to everybody that things were seriously wrong.

This, as you know, is contrary to what the role of a law-making and enforcement agency should be. Instead of protecting the interests of the people, their safety was being disregarded both by the government and by private companies.

This is obviously not at all desirable. With more industries being set up both by local and foreign businesses in India, there is a great need for stronger laws protecting workers' rights and better enforcement of these laws.

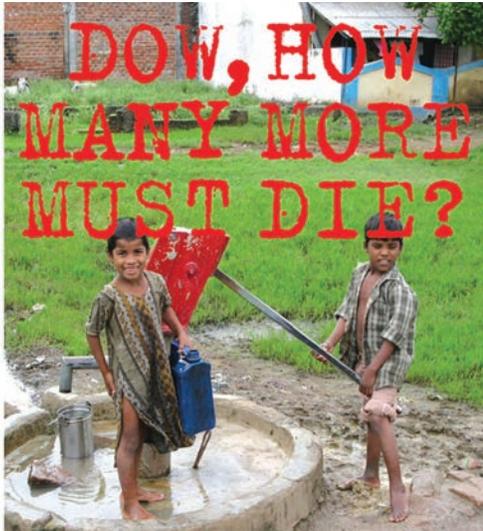
Why do you think enforcement of safety laws is important in any factory?

Can you point to a few other situations where laws (or rules) exist but people do not follow them because of poor enforcement? (For example, over-speeding by motorists, not wearing helmet/seat belt and use of mobile phone while driving). What are the problems in enforcement? Can you suggest some ways in which enforcement can be improved?



Recently a large travel agency was asked to pay Rs 8 lakh as compensation to a group of tourists. Their foreign trip was poorly managed and they missed Disneyland and shopping in Paris. Why did the victims of Bhopal gas tragedy then get so little for a lifetime of misery and pain?

New Laws to Protect the Environment

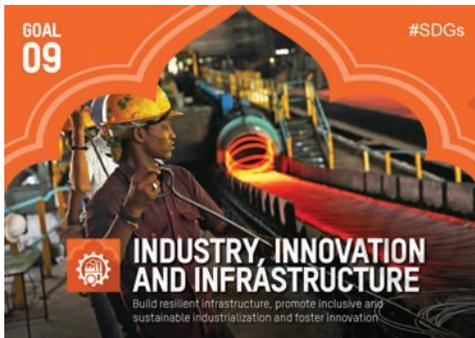


Pumps at contaminated wells are painted red by the government around the UC factory in Bhopal. Yet, local people continue to use them as they have no other accessible source of clean water.

In 1984, there were very few laws protecting the environment in India, and there was hardly any enforcement of these laws. The environment was treated as a 'free' entity and any industry could pollute the air and water without any restrictions. Whether it was our rivers, air, groundwater - the environment was being polluted and the health of people disregarded.

Thus, not only was UC a beneficiary of lower safety standards, it didn't have to spend any money to clean up the pollution. In the U.S.A., this is a necessary part of the production process.

The Bhopal disaster brought the issue of environment to the forefront. Several thousands of persons who were not associated with the factory in any way were greatly affected because of the poisonous gases leaked from the plant. This made people realise that the existing laws, though weak, only covered the individual worker and not persons who might be injured due to industrial accidents.



Sustainable Development Goal (SDG)
www.in.undp.org

In response to this pressure from environmental activists and others, in the years following the Bhopal gas tragedy, the Indian government introduced new laws on the environment. Henceforth, the polluter was to be held accountable for the damage done to environment. The environment is something that people over generations will share, and it could not be destroyed merely for industrial development.

A 'clean environment is a public facility.' Can you explain this statement?

Why do we need new laws?

Why are companies and contractors able to violate environmental laws?

The courts also gave a number of judgments upholding the right to a healthy environment as intrinsic to the Fundamental Right to Life. In *Subhash Kumar vs. State of Bihar (1991)*, the Supreme Court held that the Right to Life is a Fundamental Right under Article 21 of the Constitution and it includes the right to the enjoyment of pollution-free water and air for full enjoyment of life. The government is responsible for setting up laws and procedures that can check pollution, clean rivers and introduce heavy fines for those who pollute.

Environment as a Public Facility

In recent years, while the courts have come out with strong orders on environmental issues, these have sometimes affected people's livelihoods adversely.

For instance, the courts directed industries in residential areas in Delhi to close down or shift out of the city. Several of these industries were polluting the neighbourhood and discharge from these industries was polluting the river Yamuna, because they had been set up without following the rules.

But, while the court's action solved one problem, it created another. Because of the closure, many workers lost their jobs. Others were forced to go to far-away places where these factories had relocated. And the same problem now began to come up in these areas – for now these places became polluted. And the issue of the safety conditions of workers remained unaddressed.

Recent research on environmental issues in India has highlighted the fact that the growing concern for the environment among the middle classes is often at the expense of the poor. So, for example, slums need to be cleaned as part of a city's beautification drive, or as in the case above, a polluting factory is moved to the outskirts of the city. And while this awareness of the need for a clean environment is increasing, there is little concern for the safety of the workers themselves.

The challenge is to look for solutions where everyone can benefit from a clean environment. One way this can be done is to gradually move to cleaner technologies and processes in factories. The government has to encourage and support factories to do this. It will need to fine those who pollute. This will ensure that the workers livelihoods are protected and both workers and communities living around the factories enjoy a safe environment.



Emissions from vehicles are a major cause of environmental pollution. In a series of rulings (1998 onwards), the Supreme Court had ordered all public transport vehicles using diesel were to switch to Compressed Natural Gas (CNG). As a result of this move, air pollution in cities like Delhi came down considerably. But a recent report by the Center for Science and Environment, New Delhi, shows the presence of high levels of toxic substance in the air. This is due to emissions from cars run on diesel (rather than petrol) and a sharp increase in the number of cars on the road.



Workers outside closed factories. Thrown out of work, many of the workers end up as small traders or as daily-wage labourers. Some might find work in even smaller production units, where the conditions of work are even more exploitative and the enforcement of laws weaker.

Do you think everyone got justice in the case cited above?

Can you think of other ways in which the environment can be protected? Discuss in class.

Advanced countries are relocating the toxic and hazardous industries to developing countries to take advantage of the weaker laws in these countries and keep their own countries safe. South Asian countries – particularly India, Bangladesh and Pakistan – play hosts for industries producing pesticides, asbestos or processing zinc and lead.

Ship-breaking is another hazardous industry that is growing rapidly in South Asia. Old ships no longer in use, are sent to ship-yards in Bangladesh and India for scrapping. These ships contain potentially dangerous and harmful substances. This photo shows workers breaking down a ship in Alang, Gujarat.

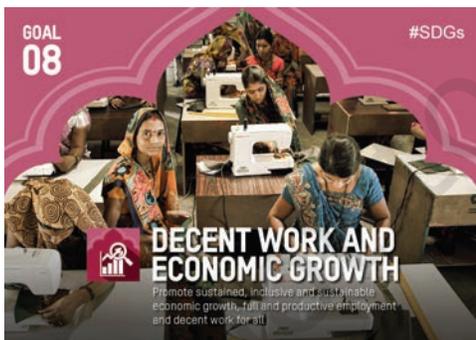


Conclusion

Laws are necessary in many situations, whether this be the market, office or factory so as to protect people from unfair practices. Private companies, contractors, business persons, in order to make higher profits, resort to unfair practices such as paying workers low wages, employing children for work, ignoring the conditions of work, ignoring the damage to the environment (and hence to the people in the neighbourhood) etc.

A major role of the government, therefore, is to control the activities of private companies by making, enforcing and upholding laws so as to prevent unfair practices and ensure social justice. This means that the government has to make ‘appropriate laws’ and also has to enforce the laws. Laws that are weak and poorly enforced can cause serious harm, as the Bhopal gas tragedy showed.

While the government has a leading role in this respect, people can exert pressure so that both private companies and the government act in the interests of society. Environment, as we saw, is one example where people have pushed a public cause and the courts have upheld the right to healthy environment as intrinsic to the Right to Life. In this chapter, we have argued that people now must demand that this facility of healthy environment be extended to all. Likewise, workers’ rights (right to work, right to a fair wage and decent work conditions) is an area where the situation is still very unfair. People must demand stronger laws protecting workers’ interests so that the Right to Life is achieved for all.



Sustainable Development Goal (SDG)
www.in.undp.org

The Constitution as a Living Ideal

The Right to Life is a Fundamental Right that the Constitution guarantees to all the citizens of this country. As you have read in this book, over the years this right, or Article 21, has been used by ordinary citizens to include issues to make this Right more meaningful and substantial. So for example, you have read of how the case of the injured farmer Hakim Sheikh established the right to health as part of the Right to Life. Similarly, you read of how the case of the slum-dwellers being evicted from Mumbai established the right to livelihood as part of the Right to Life. In this chapter, you have read about how the court ruled in favour of a person's Right to the "enjoyment of pollution free water and air for full enjoyment of life" as part of the Right to Life. In addition to these cases, the courts have also ruled to include the right to education and the right to shelter within this expanded understanding of Article 21.

The above expanded understanding of the Right to Life was achieved through the efforts of ordinary citizens to get justice from the courts when they believed that their Fundamental Rights were being violated. As you read in several instances in this book, these Fundamental Rights have also served time and again as the basis for the making of new laws and establishing certain policies to protect all citizens. All of this is possible because our Constitution contains certain constitutive rules that work towards protecting the dignity and self-respect of all citizens of India and guard against all forms of possible violations. What these should include is spelt out in the various provisions on Fundamental Rights and the rule of law.

But as the above cases highlight, there is also an intrinsic flexibility to our Constitution that allows for a continually expanding list of issues to be included within the idea of dignity and justice that the Constitution guarantees. This flexibility allows for new interpretations and, therefore, the Constitution can be considered to be a living document. Thus, the right to health, the right to shelter etc, are issues that were not present in written form in the Constitution that members of the Constituent Assembly had presented in 1949. But they were present in spirit, i.e. the democratic ideals that the Constitution established allowed for persons to use the political process to continually ensure that these ideals became a reality in the lives of ordinary citizens.

As the chapters in this book discuss, much has been done in this process of making Constitutional ideals into a reality. But as these chapters also point out, a lot still remains to be done. Several struggles by people in different parts of the country serve as a continual reminder that serious issues of equality, dignity and self-respect remain to be realised in the lives of the majority. These struggles, as you read in your Class VII book, are often not covered by the media. But this does not in any way diminish the attention that they deserve.

The various chapters in this book have tried to make clear to you the democratic ideals that the Constitution contains and the ways in which it affects people's daily lives. We have done this with the intent that this might provide you the tools with which you can critically begin to understand and examine the world around you, and participate in it as the Constitution prescribes.



Fig. 1 – Sepoys and peasants gather forces for the revolt that spread across the plains of north India in 1857

Policies and the People

In the previous chapters you looked at the policies of the East India Company and the effect they had on different people. Kings, queens, peasants, landlords, tribals, soldiers were all affected in different ways. You have also seen how people resist policies and actions that harm their interests or go against their sentiments.

Nawabs lose their power

Since the mid-eighteenth century, nawabs and rajas had seen their power erode. They had gradually lost their authority and honour. Residents had been stationed in many courts, the freedom of the rulers reduced, their armed forces disbanded, and their revenues and territories taken away by stages.

Many ruling families tried to negotiate with the Company to protect their interests. For example, Rani Lakshmibai of Jhansi wanted the Company to recognise her adopted son as the heir to the kingdom after the death of her husband. Nana Saheb, the adopted son of

Peshwa Baji Rao II, pleaded that he be given his father's pension when the latter died. However, the Company, confident of its superiority and military powers, turned down these pleas.

Awadh was one of the last territories to be annexed. In 1801, a subsidiary alliance was imposed on Awadh, and in 1856 it was taken over. Governor-General Dalhousie declared that the territory was being misgoverned and British rule was needed to ensure proper administration.

The Company even began to plan how to bring the Mughal dynasty to an end. The name of the Mughal king was removed from the coins minted by the Company. In 1849, Governor-General Dalhousie announced that after the death of Bahadur Shah Zafar, the family of the king would be shifted out of the Red Fort and given another place in Delhi to reside in. In 1856, Governor-General Canning decided that Bahadur Shah Zafar would be the last Mughal king and after his death none of his descendants would be recognised as kings – they would just be called princes.

The peasants and the sepoys

In the countryside peasants and zamindars resented the high taxes and the rigid methods of revenue collection. Many failed to pay back their loans to the moneylenders and gradually lost the lands they had tilled for generations.

The Indian sepoys in the employ of the Company also had reasons for discontent. They were unhappy about their pay, allowances and conditions of service. Some of the new rules, moreover, violated their religious sensibilities and beliefs. Did you know that in those days many people in the country believed that if they crossed the sea they would lose their religion and caste? So when in 1824 the sepoys were told to go to Burma by the sea route to fight for the Company, they refused to follow the order, though they agreed to go by the land route. They were severely punished, and since the issue did not die down, in 1856 the Company passed a new law which stated that every new person who took up employment in the Company's army had to agree to serve overseas if required.

Sepoys also reacted to what was happening in the countryside. Many of them were peasants and had families living in the villages. So the anger of the peasants quickly spread among the sepoys.

Activity

Imagine you are a sepoy in the Company army, advising your nephew not to take employment in the army. What reasons would you give?

Responses to reforms

The British believed that Indian society had to be reformed. Laws were passed to stop the practice of sati and to encourage the remarriage of widows. English-language education was actively promoted. After 1830, the Company allowed Christian missionaries to function freely in its domain and even own land and property. In 1850, a new law was passed to make conversion to Christianity easier. This law allowed an Indian who had converted to Christianity to inherit the property of his ancestors. Many Indians began to feel that the British were destroying their religion, their social customs and their traditional way of life.

There were of course other Indians who wanted to change existing social practices. You will read about these reformers and reform movements in Chapter 7.

Through the Eyes of the People

To get a glimpse of what people were thinking those days about British rule, study Sources 1 and 2.



Fig. 2 – Sepoys exchange news and rumours in the bazaars of north India

Source 1

The list of eighty-four rules

Given here are excerpts from the book *Majha Pravaas*, written by Vishnubhatt Godse, a Brahman from a village in Maharashtra. He and his uncle had set out to attend a *yajna* being organised in Mathura. Vishnubhatt writes that they met some sepoys on the way who told them that they should not proceed on the journey because a massive upheaval was going to break out in three days.

The sepoys said:

the English were determined to wipe out the religions of the Hindus and the Muslims ... they had made a list of eighty-four rules and announced these in a gathering of all big kings and princes in Calcutta. They said that the kings refused to accept these rules and warned the English of dire consequences and massive upheaval if these are implemented ... that the kings all returned to their capitals in great anger ... all the big people began making plans. A date was fixed for the war of religion and the secret plan had been circulated from the cantonment in Meerut by letters sent to different cantonments.

Vishnubhatt Godse, Majha Pravaas, pp. 23-24.

“There was soon excitement in every regiment”

Another account we have from those days are the memoirs of Subedar Sitaram Pande. Sitaram Pande was recruited in 1812 as a sepoy in the Bengal Native Army. He served the English for 48 years and retired in 1860. He helped the British to suppress the rebellion though his own son was a rebel and was killed by the British in front of his eyes. On retirement he was persuaded by his Commanding Officer, Norgate, to write his memoirs. He completed the writing in 1861 in Awadhi and Norgate translated it into English and had it published under the title *From Sepoy to Subedar*.

Here is an excerpt from what Sitaram Pande wrote:

It is my humble opinion that this seizing of Oudh filled the minds of the Sepoys with distrust and led them to plot against the Government. Agents of the Nawab of Oudh and also of the King of Delhi were sent all over India to discover the temper of the army. They worked upon the feelings of sepoys, telling them how treacherously the foreigners had behaved towards their king. They invented ten thousand lies and promises to persuade the soldiers to mutiny and turn against their masters, the English, with the object of restoring the Emperor of Delhi to the throne. They maintained that this was wholly within the army's powers if the soldiers would only act together and do as they were advised.

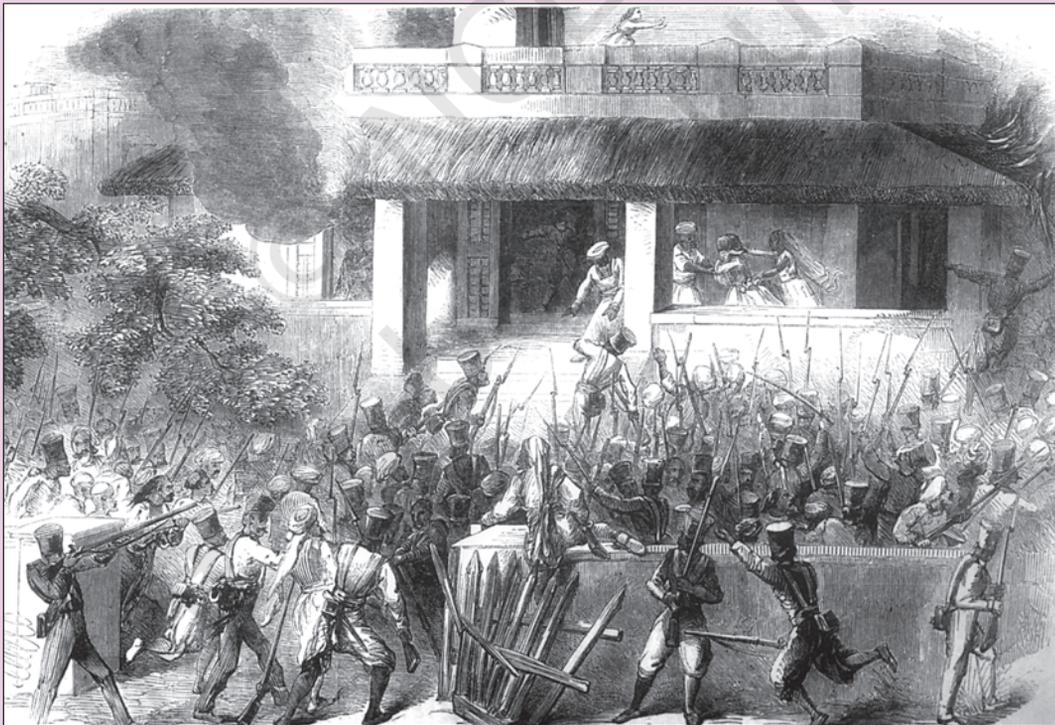


Fig. 3 – Rebel sepoys at Meerut attack officers, enter their homes and set fire to buildings

Source 2 contd.

Source 2 contd.

It chanced that about this time the Sarkar sent parties of men from each regiment to different garrisons for instructions in the use of the new rifle. These men performed the new drill for some time until a report got about by some means or the other, that the cartridges used for these new rifles were greased with the fat of cows and pigs. The men from our regiment wrote to others in the regiment telling them about this, and there was soon excitement in every regiment. Some men pointed out that in forty years' service nothing had ever been done by the Sarkar to insult their religion, but as I have already mentioned the sepoys' minds had been inflamed by the seizure of Oudh. Interested parties were quick to point out that the great aim of the English was to turn us all into Christians, and they had therefore introduced the cartridge in order to bring this about, since both Mahommedans and Hindus would be defiled by using it.

The Colonel sahib was of the opinion that the excitement, which even he could not fail to see, would pass off, as it had done before, and he recommended me to go to my home.

Sitaram Pande, From Sepoy to Subedar, pp. 162-63.

▶ Activity

1. What were the important concerns in the minds of the people according to Sitaram and according to Vishnubhatt?
2. What role did they think the rulers were playing? What role did the sepoys seem to play?

A Mutiny Becomes a Popular Rebellion

Though struggles between rulers and the ruled are not unusual, sometimes such struggles become quite widespread as a popular resistance so that the power of the state breaks down. A very large number of people begin to believe that they have a common enemy and rise up against the enemy at the same time. For such a situation to develop people have to organise, communicate, take initiative and display the confidence to turn the situation around.

Such a situation developed in the northern parts of India in 1857. After a hundred years of conquest and administration, the English East India Company faced a massive rebellion that started in May 1857 and threatened the Company's very presence in India. Sepoys mutinied in several places beginning from Meerut and a large number of people from different sections of society rose up in rebellion. Some regard it as the biggest armed resistance to colonialism in the nineteenth century anywhere in the world.

Mutiny – When soldiers as a group disobey their officers in the army



Fig. 4 – The battle in the cavalry lines

On the evening of 3 July 1857, over 3,000 rebels came from Bareilly, crossed the river Jamuna, entered Delhi, and attacked the British cavalry posts. The battle continued all through the night.

From Meerut to Delhi

On 8 April 1857, a young soldier, Mangal Pandey, was hanged to death for attacking his officers in Barrackpore. Some days later, some sepoys of the regiment at Meerut refused to do the army drill using the new cartridges, which were suspected of being coated with the fat of cows and pigs. Eighty-five sepoys were dismissed from service and sentenced to ten years in jail for disobeying their officers. This happened on 9 May 1857.

The response of the other Indian soldiers in Meerut was quite extraordinary. On 10 May, the soldiers marched to the jail in Meerut and released the imprisoned sepoys. They attacked and killed British officers. They captured guns and ammunition and set fire to the buildings and properties of the British and declared war on the *firangis*. The soldiers were determined to bring an end to their rule in the country. But who would rule the land instead? The soldiers had an answer to this question – the Mughal emperor Bahadur Shah Zafar.

The sepoys of Meerut rode all night of 10 May to reach Delhi in the early hours next morning. As news of their arrival spread, the regiments stationed in Delhi also rose up in rebellion. Again British officers were killed, arms and ammunition seized, buildings set on fire. Triumphant soldiers gathered around the walls of the Red Fort where the Badshah lived, demanding to meet him. The emperor was not quite willing to challenge the mighty British power but the soldiers persisted. They forced their way into the palace and proclaimed Bahadur Shah Zafar as their leader.



Fig. 5 – Postal stamp issued in commemoration of Mangal Pandey

Firangis – Foreigners
The term reflects an attitude of contempt.

The ageing emperor had to accept this demand. He wrote letters to all the chiefs and rulers of the country to come forward and organise a confederacy of Indian states to fight the British. This single step taken by Bahadur Shah had great implications.

The Mughal dynasty had ruled over a very large part of the country. Most smaller rulers and chieftains controlled different territories on behalf of the Mughal ruler. Threatened by the expansion of British rule, many of them felt that if the Mughal emperor could rule again, they too would be able to rule their own territories once more, under Mughal authority.

The British had not expected this to happen. They thought the disturbance caused by the issue of the cartridges would die down. But Bahadur Shah Zafar's decision to bless the rebellion changed the entire situation dramatically. Often when people see an alternative possibility they feel inspired and enthused. It gives them the courage, hope and confidence to act.

The rebellion spreads

After the British were routed from Delhi, there was no uprising for almost a week. It took that much time for news to travel. Then, a spurt of mutinies began.

Regiment after regiment mutinied and took off to join other troops at nodal points like Delhi, Kanpur and Lucknow. After them, the people of the towns and villages also rose up in rebellion and rallied around local leaders, zamindars and chiefs who were prepared to establish their authority and fight the British. Nana Saheb, the adopted son of the late Peshwa Baji Rao who lived near Kanpur, gathered armed forces and expelled the British garrison from the city. He proclaimed himself Peshwa. He declared that he was a governor under Emperor Bahadur Shah Zafar. In Lucknow, Birjis Qadr, the son of the deposed Nawab Wajid Ali Shah, was proclaimed the new Nawab. He too acknowledged the suzerainty of Bahadur Shah Zafar. His mother Begum Hazrat Mahal took an active part in organising the uprising against the British. In Jhansi, Rani Lakshmibai joined the rebel sepoys and

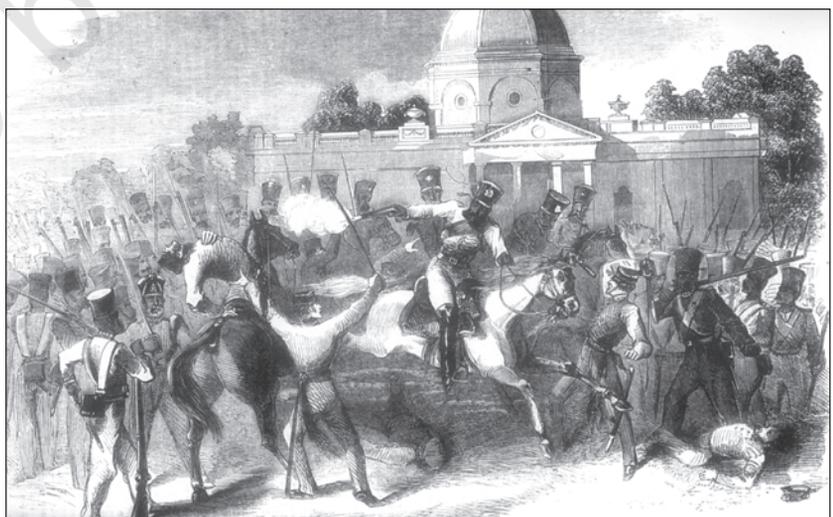


Fig. 6 – Bahadur Shah Zafar



Fig. 7 – Rani Lakshmibai

Fig. 8 – As the mutiny spread, British officers were killed in the cantonments



Activity

1. Why did the Mughal emperor agree to support the rebels?
2. Write a paragraph on the assessment he may have made before accepting the offer of the sepoys.



Fig. 9 – A portrait of Nana Saheb



Fig. 10 –
A portrait of Vir Kunwar Singh

Fig. 11 – British forces attack the rebels who had occupied the Red Fort (on the right) and Salimgarh Fort in Delhi (on the left)

fought the British along with Tantia Tope, the general of Nana Saheb. In the Mandla region of Madhya Pradesh, Rani Avantibai Lodhi of Ramgarh raised and led an army of four thousand against the British who had taken over the administration of her state.

The British were greatly outnumbered by the rebel forces. They were defeated in a number of battles. This convinced the people that the rule of the British had collapsed for good and gave them the confidence to take the plunge and join the rebellion. A situation of widespread popular rebellion developed in the region of Awadh in particular. On 6 August 1857, we find a telegram sent by Lieutenant Colonel Tytler to his Commander-in-Chief expressing the fear felt by the British: “Our men are cowed by the numbers opposed to them and the endless fighting. Every village is held against us, the zamindars have risen to oppose us.”

Many new leaders came up. For example, Ahmadullah Shah, a Maulvi from Faizabad, prophesied that the rule of the British would come to an end soon. He caught the imagination of the people and raised a huge force of supporters. He came to Lucknow to fight the British. In Delhi, a large number of *ghazis* or religious warriors came together to wipe out the white people. Bakht Khan, a soldier from Bareilly, took charge of a large force of fighters who came to Delhi. He became a key military leader of the rebellion. In Bihar, an old zamindar, Kunwar Singh, joined the rebel sepoys and battled with the British for many months. Leaders and fighters from across the land joined the fight.

The Company Fights Back

Unnerved by the scale of the upheaval, the Company decided to repress the revolt with all its might. It brought





reinforcements from England, passed new laws so that the rebels could be convicted with ease, and then moved into the storm centres of the revolt. Delhi was recaptured from the rebel forces in September 1857. The last Mughal emperor, Bahadur Shah Zafar was tried in court and sentenced to life imprisonment. He and his wife Begum Zinat Mahal were sent to prison in Rangoon in October 1858. Bahadur Shah Zafar died in the Rangoon jail in November 1862.

The recapture of Delhi, however, did not mean that the rebellion died down after that. People continued to resist and battle the British. The British had to fight for two years to suppress the massive forces of popular rebellion.

Lucknow was taken in March 1858. Rani Lakshmi Bai was defeated and killed in June 1858. A similar fate awaited Rani Avantibai, who after initial victory in Kheri, chose to embrace death when surrounded by the British on all sides. Tantia Tope escaped to the jungles of central India and continued to fight a guerrilla war with the support of many tribal and peasant leaders. He was captured, tried and killed in April 1859.

Just as victories against the British had earlier encouraged rebellion, the defeat of rebel forces encouraged desertions. The British also tried their best to win back the loyalty of the people. They announced rewards for loyal landholders would be allowed to continue to enjoy traditional rights over their lands. Those who had rebelled were told that if they submitted to the British, and if they had not killed any white people,

Fig. 12– The siege train reaches Delhi

The British forces initially found it difficult to break through the heavy fortification in Delhi. On 3 September 1857 reinforcements arrived – a 7-mile-long siege train comprising cartloads of canons and ammunition pulled by elephants.



Fig. 13 – Postal stamp Issued in commemoration of Tantia Tope

Activity

Make a list of places where the uprising took place in May, June and July 1857.



Fig. 14 – British troops blow up Kashmere Gate to enter Delhi

they would remain safe and their rights and claims to land would not be denied. Nevertheless, hundreds of sepoys, rebels, nawabs and rajas were tried and hanged.



Fig. 15 – British forces capture the rebels near Kanpur

Notice the way the artist shows the British soldiers valiantly advancing on the rebel forces.

Aftermath

The British had regained control of the country by the end of 1859, but they could not carry on ruling the land with the same policies any more.

Given below are the important changes that were introduced by the British.

1. The British Parliament passed a new Act in 1858 and transferred the powers of the East India Company to the British Crown in order to ensure a more responsible management of Indian affairs. A member of the British Cabinet was appointed Secretary of State for India and made responsible for all matters related to the governance of India. He was given a council to advise him, called the India Council. The Governor-General of India was given the title of Viceroy, that is, a personal representative of the Crown. Through these measures the British government accepted direct responsibility for ruling India.

2. All ruling chiefs of the country were assured that their territory would never be annexed in future. They were allowed to pass on their kingdoms to their heirs, including adopted sons. However, they were made to acknowledge the British Queen as their Sovereign Paramount. Thus the Indian rulers were to hold their kingdoms as subordinates of the British Crown.

3. It was decided that the proportion of Indian soldiers in the army would be reduced and the number of European soldiers would be increased. It was also decided that instead of recruiting soldiers from Awadh, Bihar, central India and south India, more soldiers would be recruited from among the Gurkhas, Sikhs and Pathans.

4. The land and property of Muslims was confiscated on a large scale and they were treated with suspicion and hostility. The British believed that they were responsible for the rebellion in a big way.

5. The British decided to respect the customary religious and social practices of the people in India.

6. Policies were made to protect landlords and zamindars and give them security of rights over their lands.

Thus a new phase of history began after 1857.

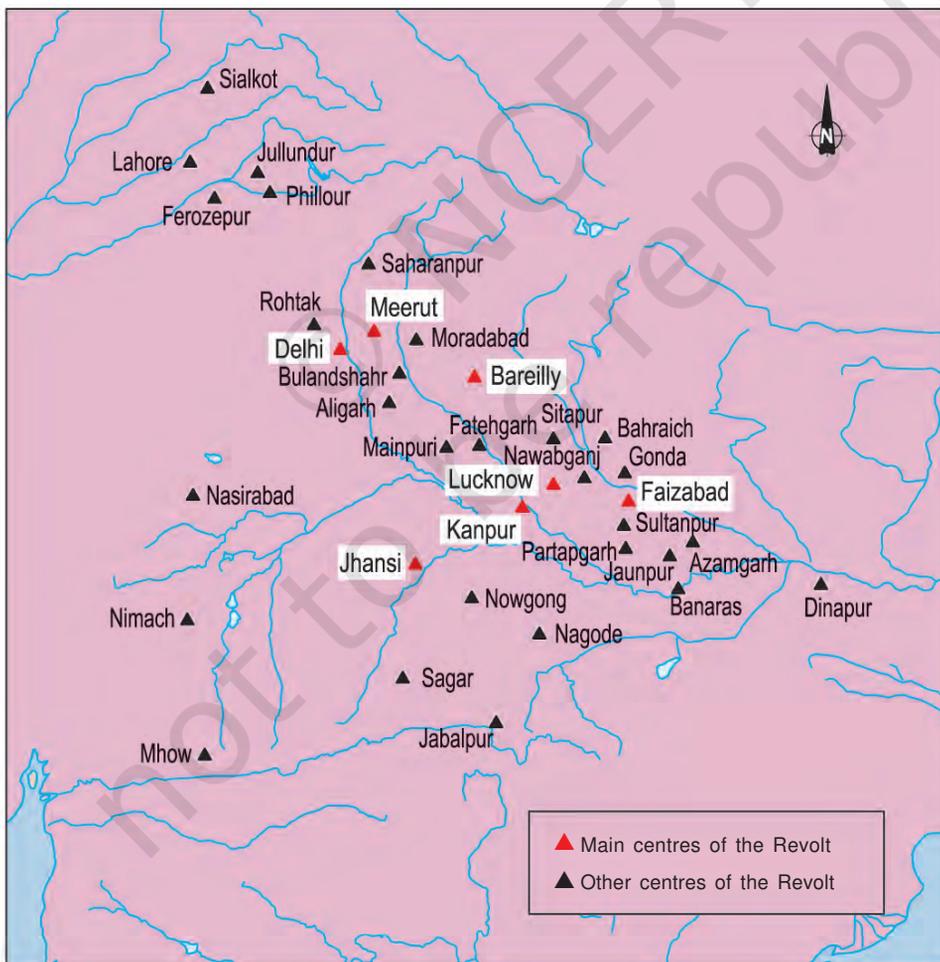


Fig. 16 – Some important centres of the Revolt in North India

The Khurda Uprising – A Case Study

Much before the event of 1857, there had taken place another event of a similar nature at a place called Khurda in 1817. Here, it would be instructive for us to study that event and reflect on how resentment against the colonial policies of the British had been building up since the beginning of the 19th century in different parts of the country.

Khurda, a small kingdom built up in the late 16th century in the south-eastern part of Odisha, was a populous and well-cultivated territory consisting of 105 *garhs*, 60 large and 1109 small villages at the beginning of the 19th century. Its king, Raja Birakishore Dev had to earlier give up the possession of four *parganas*, the superintendence of the Jagannath Temple and the administration of fourteen *garjats* (Princely States) to the Marathas under compulsion. His son and successor, Mukunda Dev II was greatly disturbed with this loss of fortune. Therefore, sensing an opportunity in the Anglo-Maratha conflict, he had entered into negotiations with the British to get back his lost territories and the rights over the Jagannath Temple. But after the occupation of Odisha in 1803, the British showed no inclination to oblige him on either score. Consequently, in alliance with other feudatory chiefs of Odisha and secret support of the Marathas, he tried to assert his rights by force. This led to his deposition and annexation of his territories by the British. As a matter of consolation, he was only given the rights of management of the Jagannath Temple with a grant amounting to a mere one-tenth of the revenue of his former estate and his residence was fixed at Puri. This unfair settlement commenced an era of oppressive foreign rule in Odisha, which paved the way for a serious armed uprising in 1817.

Soon after taking over Khurda, the British followed a policy of resuming service tenures. It bitterly affected the lives of the ex-militia of the state, the *Paiks*. The severity of the measure was compounded on account of an unreasonable increase in the demand of revenue and also the oppressive ways of its collection. Consequently, there was large scale desertion of people from Khurda between 1805 and 1817. Yet, the British went for a series of short-term settlements, each time increasing the demands, not recognising either the productive capacity of the land or the paying capacity of the *ryots*. No leniency was shown even in case of natural calamities, which Odisha was frequently prone to. Rather, lands of defaulters were sold off to scheming revenue officials or speculators from Bengal.

The hereditary Military Commander of the deposed king, Jagabandhu Bidyadhar Mahapatra Bhramarabar Rai or Buxi Jagabandhu as he was popularly known, was one among the dispossessed land-holders. He had in effect become a beggar, and for nearly two years survived on voluntary contributions from the people of Khurda before deciding to fight for their grievances as well as his own. Over the years, what had added to these grievances were (a) the introduction of *sicca* rupee (silver currency) in the region, (b) the insistence on payment of revenue in the new currency, (c) an unprecedented rise in the prices of food-stuff and salt, which had become far-fetched following the introduction of salt monopoly because of which the traditional salt makers of Odisha were deprived of making salt, and (d) the auction of local estates in Calcutta, which brought in absentee landlords from Bengal to Odisha. Besides, the insensitive and corrupt police system also made the situation worse for the armed uprising to take a sinister shape.

The uprising was set off on 29 March 1817 as the *Paiks* attacked the police station and other government establishments at Banpur killing more than a hundred men and took away a large amount of government money. Soon its ripples spread in different directions with Khurda becoming its epicenter. The *zamindars* and *ryots* alike joined the *Paiks* with enthusiasm. Those who did not, were taken to task. A 'no-rent campaign' was also started. The British tried to dislodge the *Paiks* from their entrenched position but failed. On 14

April 1817, Buxi Jagabandhu, leading five to ten thousand *Paiks* and men of the Kandh tribe seized Puri and declared the hesitant king, Mukunda Dev II as their ruler. The priests of the Jagannath Temple also extended the *Paiks* their full support.

Seeing the situation going out of hand, the British clamped Martial Law. The King was quickly captured and sent to prison in Cuttack with his son. The Buxi with his close associate, Krushna Chandra Bhramarabar Rai, tried to cut off all communications between Cuttack and Khurda as the uprising spread to the southern and the north-western parts of Odisha. Consequently, the British sent Major-General Martindell to clear off the area from the clutches of the *Paiks* while at the same time announcing rewards for the arrest of Buxi Jagabandhu and his associates. In the ensuing operation hundreds of *Paiks* were killed, many fled to deep jungles and some returned home under a scheme of amnesty. Thus by May 1817 the uprising was mostly contained.

However, outside Khurda it was sustained by Buxi Jagabandhu with the help of supporters like the Raja of Kujung and the unflinching loyalty of the *Paiks* until his surrender in May 1825. On their part, the British henceforth adopted a policy of 'leniency, indulgence and forbearance' towards the people of Khurda. The price of salt was reduced and necessary reforms were made in the police and the justice systems. Revenue officials found to be corrupt were dismissed from service and former land-holders were restored to their lands. The son of the king of Khurda, Ram Chandra Dev III was allowed to move to Puri and take charge of the affairs of the Jagannath Temple with a grant of rupees twenty-four thousand.

In sum, it was the first such popular anti-British armed uprising in Odisha, which had far reaching effect on the future of British administration in that part of the country. To merely call it a 'Paik Rebellion' will thus be an understatement.

ELSEWHERE

For a Heavenly Kingdom of Great Peace



Fig. 16 – Taiping army meeting their leader

While the revolt was spreading in India in 1857, a massive popular uprising was raging in the southern parts of China. It had started in 1850 and could be suppressed only by the mid-1860s. Thousands of labouring, poor people were led by Hong Xiuquan to fight for the establishment of the Heavenly Kingdom of Great Peace. This was known as the Taiping Rebellion.

Hong Xiuquan was a convert to Christianity and was against the traditional religions practised in China such as Confucianism and Buddhism. The rebels of Taiping wanted to establish a kingdom where a form of Christianity was practised, where no one held any private property, where there was no difference between social classes and between men and women, where consumption of opium, tobacco, alcohol, and activities like gambling, prostitution, slavery, were prohibited.

The British and French armed forces operating in China helped the emperor of the Qing dynasty to put down the Taiping Rebellion.

Let's imagine

Imagine you are a British officer in Awadh during the rebellion. What would you do to keep your plans of fighting the rebels a top secret.

Let's recall

1. What was the demand of Rani Lakshmibai of Jhansi that was refused by the British?
2. What did the British do to protect the interests of those who converted to Christianity?
3. What objections did the sepoys have to the new cartridges that they were asked to use?
4. How did the last Mughal emperor live the last years of his life?

Let's discuss



Fig. 17 – Ruins of the Residency in Lucknow

In June 1857, the rebel forces began the siege of the Residency. A large number of British women, men and children had taken shelter in the buildings there. The rebels surrounded the compound and bombarded the building with shells. Hit by a shell, Henry Lawrence, the Chief Commissioner of Awadh, died in one of the rooms that you see in the picture. Notice how buildings carry the marks of past events.

5. What could be the reasons for the confidence of the British rulers about their position in India before May 1857?

6. What impact did Bahadur Shah Zafar's support to the rebellion have on the people and the ruling families?

7. How did the British succeed in securing the submission of the rebel landowners of Awadh?

8. In what ways did the British change their policies as a result of the rebellion of 1857?

Let's do

9. Find out stories and songs remembered by people in your area or your family about San Sattavan ki Ladaai. What memories do people cherish about the great uprising?
10. Find out more about Rani Lakshmibai of Jhansi. In what ways would she have been an unusual woman for her times?



Fig. 1 – Police teargas demonstrators during the Quit India movement

In the previous chapters we have looked at:

- The British conquest of territories, and takeover of kingdoms
- Introduction of new laws and administrative institutions
- Changes in the lives of peasants and tribals
- Educational changes in the nineteenth century
- Debates regarding the condition of women
- Challenges to the caste system
- Social and religious reform
- The revolt of 1857 and its aftermath
- The decline of crafts and growth of industries

On the basis of what you have read about these issues, do you think Indians were discontented with British rule? If so, how were different groups and classes dissatisfied?

The Emergence of Nationalism

The above-mentioned developments led the people to ask a crucial question: what is this country of India and for whom is it meant? The answer that gradually emerged was: India was the people of India – *all the people* irrespective of class, colour, caste, creed, language, or gender. And the country, its resources and systems, were meant for all of them. With this answer came the awareness that the British were exercising control over the resources of India and the lives of its people, and until this control was ended India could not be for Indians.

This consciousness began to be clearly stated by the political associations formed after 1850, especially those that came into being in the 1870s and 1880s. Most of these were led by English-educated professionals such as lawyers. The more important ones were the Poona Sarvajanik Sabha, the Indian Association, the Madras Mahajan Sabha, the Bombay Presidency Association, and of course the Indian National Congress.

Note the name, “Poona Sarvajanik Sabha”. The literal meaning of “*sarvajanik*” is “of or for all the people” (*sarva* = all + *janik* = of the people). Though many of these associations functioned in specific parts of the country, their goals were stated as the goals of all the people of India, not those of any one region, community or class. They worked with the idea that the people should be **sovereign** – a modern consciousness and a key feature of nationalism. In other words, they believed that the Indian people should be empowered to take decisions regarding their affairs.

Sovereign – The capacity to act independently without outside interference

The dissatisfaction with British rule intensified in the 1870s and 1880s. The Arms Act was passed in 1878, disallowing Indians from possessing arms. In the same year the Vernacular Press Act was also enacted in an effort to silence those who were critical of the government. The Act allowed the government to confiscate the assets of newspapers including their printing presses if the newspapers published anything that was found “objectionable”. In 1883, there was a furore over the attempt by the government to introduce the Ilbert Bill. The bill provided for the trial of British or European persons by Indians, and sought equality between British and Indian judges in the country. But when white opposition forced the government to withdraw the bill, Indians were enraged. The event highlighted the racial attitudes of the British in India.

The need for an all-India organisation of educated Indians had been felt since 1880, but the Ilbert Bill controversy deepened this desire. The Indian National Congress was established when 72 delegates from all over the country met at Bombay in December 1885. The early leadership – Dadabhai Naoroji, Pherozeshah Mehta, Badruddin Tyabji, W.C. Bonnerji, Surendranath Banerji, Romesh Chandra Dutt, S. Subramania Iyer, among others – was largely from Bombay and Calcutta. Naoroji, a businessman and **publicist** settled in London, and for a time member of the British Parliament, guided the younger nationalists. A retired British official, A.O. Hume, also played a part in bringing Indians from the various regions together.

Publicist – Someone who publicises an idea by circulating information, writing reports, speaking at meetings

Source 1

Who did the Congress seek to speak for?

A newspaper, *The Indian Mirror*, wrote in January 1886:

The First National Congress at Bombay ... is the nucleus of a future Parliament for our country, and will lead to the good of inconceivable magnitude for our countrymen.

Badruddin Tyabji addressed the Congress as President in 1887 thus:

this Congress is composed of the representatives, not of any one class or community of India, but of all the different communities of India.

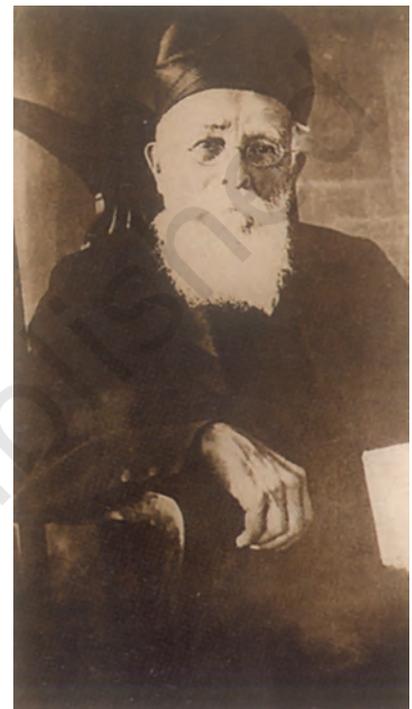


Fig. 2 – Dadabhai Naoroji
Naoroji's book *Poverty and Un-British Rule in India* offered a scathing criticism of the economic impact of British rule.

A nation in the making

It has often been said that the Congress in the first twenty years was “moderate” in its objectives and methods. During this period it demanded a greater voice for Indians in the government and in administration. It wanted the Legislative Councils to be made more representative, given more power, and introduced in provinces where none existed. It demanded that Indians be placed in high positions in the government. For this purpose it called for civil service examinations to be held in India as well, not just in London.

The demand for Indianisation of the administration was part of a movement against racism, since most important jobs at the time were monopolised by white

Activity

From the beginning the Congress sought to speak for, and in the name of, *all* the Indian *people*. Why did it choose to do so?

Repeal – To undo law; to officially end the validity of something such as a law

Source 2

In pursuit of gold

This is what a Moderate leader, Dinshaw Wacha, wrote to Naoroji in 1887:

Pherozeshah is nowadays too busy with his personal work ... They are already rich enough ... Mr. Telang too remains busy. I wonder how if all remain busy in the pursuit of gold can the progress of the country be advanced?

Activity

What problems regarding the early Congress does this comment highlight?

officials, and the British generally assumed that Indians could not be given positions of responsibility. Since British officers were sending a major part of their large salaries home, Indianisation, it was hoped, would also reduce the drain of wealth to England. Other demands included the separation of the judiciary from the executive, the **repeal** of the Arms Act and the freedom of speech and expression.

The early Congress also raised a number of economic issues. It declared that British rule had led to poverty and famines: increase in the land revenue had impoverished peasants and zamindars, and exports of grains to Europe had created food shortages. The Congress demanded reduction of revenue, cut in military expenditure, and more funds for irrigation. It passed many resolutions on the salt tax, treatment of Indian labourers abroad, and the sufferings of forest dwellers – caused by an interfering forest administration. All this shows that despite being a body of the educated elite, the Congress did not talk only on behalf of professional groups, zamindars or industrialists.

The Moderate leaders wanted to develop public awareness about the unjust nature of British rule. They published newspapers, wrote articles, and showed how British rule was leading to the economic ruin of the country. They criticised British rule in their speeches and sent representatives to different parts of the country to mobilise public opinion. They felt that the British had respect for the ideals of freedom and justice, and so they would accept the just demands of Indians. What was necessary, therefore, was to express these demands, and make the government aware of the feelings of Indians.

“Freedom is our birthright”

By the 1890s many Indians began to raise questions about the political style of the Congress. In Bengal, Maharashtra and Punjab, leaders such as Bepin Chandra Pal, Bal Gangadhar Tilak and Lala Lajpat Rai were beginning to explore more radical objectives and methods. They criticised the Moderates for their “politics of prayers”, and emphasised the importance of self-reliance and constructive work. They argued that people must rely on their own strength, not on the “good” intentions of the government; people must fight for *swaraj*. Tilak raised the slogan, “Freedom is my birthright and I shall have it!”

In 1905 Viceroy Curzon partitioned Bengal. At that time Bengal was the biggest province of British India and included Bihar and parts of Orissa. The British argued for dividing Bengal for reasons of administrative convenience. But what did “administrative convenience” mean? Whose “convenience” did it represent? Clearly, it was closely tied to the interests of British officials and businessmen. Even so, instead of removing the non-Bengali areas from the province, the government separated East Bengal and merged it with Assam. Perhaps the main British motives were to curtail the influence of Bengali politicians and to split the Bengali people.

The partition of Bengal infuriated people all over India. All sections of the Congress – the Moderates and the Radicals, as they may be called – opposed it. Large public meetings and demonstrations were organised and novel methods of mass protest developed. The struggle that unfolded came to be known as the Swadeshi movement, strongest in Bengal but with echoes elsewhere too – in deltaic Andhra for instance, it was known as the Vandemataram Movement.



Fig. 3 – Balgangadhar Tilak
Notice the name of the newspaper that lies on the table. *Kesari*, a Marathi newspaper edited by Tilak, became one of the strongest critics of British rule.



Fig. 4 – Thousands joined the demonstrations during the Swadeshi movement



Fig. 5 – Lala Lajpat Rai

A nationalist from Punjab, he was one of the leading members of the Radical group which was critical of the politics of petitions. He was also an active member of the Arya Samaj.

Revolutionary violence

The use of violence to make a radical change within society

Council – An appointed or elected body of people with an administrative, advisory or representative function

Activity

Find out which countries fought the First World War.

The Swadeshi movement sought to oppose British rule and encourage the ideas of self-help, *swadeshi* enterprise, national education, and use of Indian languages. To fight for *swaraj*, the radicals advocated mass mobilisation and boycott of British institutions and goods. Some individuals also began to suggest that “**revolutionary violence**” would be necessary to overthrow British rule.

The opening decades of the twentieth century were marked by other developments as well. A group of Muslim landlords and nawabs formed the All India Muslim League at Dacca in 1906. The League supported the partition of Bengal. It desired separate electorates for Muslims, a demand conceded by the government in 1909. Some seats in the **councils** were now reserved for Muslims who would be elected by Muslim voters. This tempted politicians to gather a following by distributing favours to their own religious groups.

Meanwhile, the Congress split in 1907. The Moderates were opposed to the use of boycott. They felt that it involved the use of force. After the split the Congress came to be dominated by the Moderates with Tilak’s followers functioning from outside. The two groups reunited in December 1915. Next year the Congress and the Muslim League signed the historic Lucknow Pact and decided to work together for representative government in the country.

The Growth of Mass Nationalism

After 1919 the struggle against British rule gradually became a mass movement, involving peasants, tribals, students and women in large numbers and occasionally factory workers as well. Certain business groups too began to actively support the Congress in the 1920s. Why was this so?

The First World War altered the economic and political situation in India. It led to a huge rise in the defence expenditure of the Government of India. The government in turn increased taxes on individual incomes and business profits. Increased military expenditure and the demands for war supplies led to a sharp rise in prices which created great difficulties for the common people. On the other hand, business groups reaped fabulous profits from the war. As you have seen (Chapter 7), the war created a demand for industrial goods (jute bags, cloth, rails) and caused a decline of imports from other countries into India. So

Indian industries expanded during the war, and Indian business groups began to demand greater opportunities for development.

The war also led the British to expand their army. Villages were pressurised to supply soldiers for an alien cause. A large number of soldiers were sent to serve abroad. Many returned after the war with an understanding of the ways in which imperialist powers were exploiting the peoples of Asia and Africa and with a desire to oppose colonial rule in India.

Furthermore, in 1917 there was a revolution in Russia. News about peasants' and workers' struggles and ideas of socialism circulated widely, inspiring Indian nationalists.

The advent of Mahatma Gandhi

It is in these circumstances that Mahatma Gandhi emerged as a mass leader. As you may know, Gandhiji, aged 46, arrived in India in 1915 from South Africa. Having led Indians in that country in non-violent marches against racist restrictions, he was already a respected leader, known internationally. His South African campaigns had brought him in contact with various types of Indians: Hindus, Muslims, Parsis and Christians; Gujaratis, Tamils and north Indians; and upper-class merchants, lawyers and workers.

Mahatma Gandhi spent his first year in India travelling throughout the country, understanding the people, their needs and the overall situation. His earliest

Fig. 6 – Founders of the Natal Congress, Durban, South Africa, 1895

In 1895, along with other Indians, Mahatma Gandhi established the Natal Congress to fight against racial discrimination. Can you identify Gandhiji? He is standing at the centre in the row at the back, wearing a coat and tie.



interventions were in local movements in Champaran, Kheda and Ahmedabad where he came into contact with Rajendra Prasad and Vallabhbhai Patel. In Ahmedabad he led a successful millworkers' strike in 1918.

Let us now focus in some detail on the movements organised between 1919 and 1922.

The Rowlatt Satyagraha

In 1919 Gandhiji gave a call for a *satyagraha* against the Rowlatt Act that the British had just passed. The Act curbed fundamental rights such as the freedom of expression and strengthened police powers. Mahatma Gandhi, Mohammad Ali Jinnah and others felt that the government had no right to restrict people's basic freedoms. They criticised the Act as "devilish" and tyrannical. Gandhiji asked the Indian people to observe 6 April 1919 as a day of non-violent opposition to this Act, as a day of "humiliation and prayer" and *hartal* (strike). *Satyagraha Sabhas* were set up to launch the movement.

Activity

Find out about the Jallianwala Bagh massacre. What is Jallianwala Bagh? What atrocities were committed there? How were they committed?



Fig. 7 – The walled compound in which General Dyer opened fire on a gathering of people

The people are pointing to the bullet marks on the wall.

Knighthood – An honour granted by the British Crown for exceptional personal achievement or public service

The Rowlatt Satyagraha turned out to be the first all-India struggle against the British government although it was largely restricted to cities. In April 1919 there were a number of demonstrations and *hartals* in the country and the government used brutal measures to suppress them. The Jallianwala Bagh atrocities, inflicted by General Dyer in Amritsar on Baisakhi day (13 April), were a part of this repression. On learning about the massacre, Rabindranath Tagore expressed the pain and anger of the country by renouncing his **knighthood**.

During the Rowlatt Satyagraha the participants tried to ensure that Hindus and Muslims were united in the fight against British rule. This was also the call of Mahatma Gandhi who always saw India as a land of *all* the people who lived in the country – Hindus, Muslims and those of other religions. He was keen that Hindus and Muslims support each other in any just cause.

Khilafat agitation and the Non-Cooperation Movement

The Khilafat issue was one such cause. In 1920 the British imposed a harsh treaty on the Turkish Sultan or Khalifa. People were furious about this as they had been about the Jallianwala massacre. Also, Indian Muslims were keen that the Khalifa be allowed to retain control over Muslim sacred places in the erstwhile Ottoman Empire. The leaders of the Khilafat agitation, Mohammad Ali and Shaukat Ali, now wished to initiate a full-fledged Non-Cooperation Movement. Gandhiji supported their call and urged the Congress to campaign against “Punjab wrongs” (Jallianwala massacre), the Khilafat wrong and demand *swaraj*.

The Non-Cooperation Movement gained momentum through 1921-22. Thousands of students left government-controlled schools and colleges. Many lawyers such as Motilal Nehru, C.R. Das, C. Rajagopalachari and Asaf Ali gave up their practices. British titles were surrendered and legislatures boycotted. People lit public bonfires of foreign cloth. The imports of foreign cloth fell drastically between 1920 and 1922. But all this was merely the tip of the iceberg. Large parts of the country were on the brink of a formidable revolt.

People’s initiatives

In many cases people resisted British rule non-violently. In others, different classes and groups, interpreting Gandhiji’s call in their own manner, protested in ways that were not in accordance with his ideas. In either case, people linked their movements to local grievances. Let us look at a few examples.

In Kheda, Gujarat, Patidar peasants organised non-violent campaigns against the high land revenue demand of the British. In coastal Andhra and interior Tamil Nadu, liquor shops were **picketed**. In the Guntur district of Andhra Pradesh, tribals and poor peasants staged a number of “forest *satyagrahas*”, sometimes sending their cattle into forests without paying grazing fee. They were protesting because the colonial state

Source 3

The eternal law of suffering

What did Mahatma Gandhi mean by *ahimsa* (non-violence)? How could *ahimsa* become the basis of struggle? This is what Gandhiji said:

Non-violence comes to us through doing good continually without the slightest expectation of return. ... That is the indispensable lesson in non-violence ... In South Africa ... I succeeded in learning the eternal law of suffering as the only remedy for undoing wrong and injustice. It means positively the law of non-violence. You have to be prepared to suffer cheerfully at the hands of all and sundry and you will wish ill to no one, not even to those who may have wronged you.

Mahatma Gandhi,
12 March 1938

Picket – People protesting outside a building or shop to prevent others from entering

Mahants – Religious
functionaries of Sikh
gurdwaras

Illegal eviction – Forcible
and unlawful throwing
out of tenants from the
land they rent

had restricted their use of forest resources in various ways. They believed that Gandhiji would get their taxes reduced and have the forest regulations abolished. In many forest villages, peasants proclaimed *swaraj* and believed that “Gandhi Raj” was about to be established.

In Sind (now in Pakistan), Muslim traders and peasants were very enthusiastic about the Khilafat call. In Bengal too, the Khilafat-Non-Cooperation alliance gave enormous communal unity and strength to the national movement.

In Punjab, the Akali agitation of the Sikhs sought to remove corrupt **mahants** – supported by the British – from their gurdwaras. This movement got closely identified with the Non-Cooperation Movement. In Assam, tea garden labourers, shouting “*Gandhi Maharaj ki Jai*”, demanded a big increase in their wages. They left the British-owned plantations amidst declarations that they were following Gandhiji’s wish. Interestingly, in the Assamese Vaishnava songs of the period the reference to Krishna was substituted by “Gandhi Raja”.

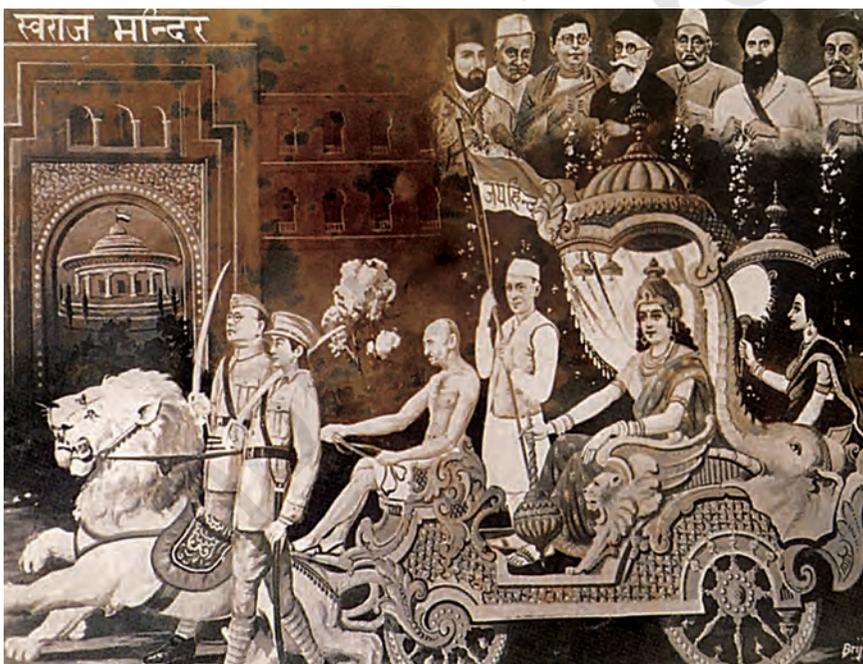
Fig. 8 – A popular representation
of Mahatma Gandhi

In popular images too Mahatma Gandhi is often shown as a divine being occupying a place within the pantheon of Indian gods. In this image he is driving Krishna’s chariot, guiding other nationalist leaders in the battle against the British.

The people’s Mahatma

We can see from the above that sometimes people thought of Gandhiji as a kind of messiah, as someone who could help them overcome their misery and poverty. Gandhiji wished to build class unity, not class conflict, yet peasants could imagine that he would help them in their fight against zamindars, and agricultural labourers believed he would provide them land. At times, ordinary people credited Gandhiji with their *own* achievements.

For instance, at the end of a powerful movement, peasants of Pratapgarh in the United Provinces (now Uttar Pradesh) managed to stop **illegal eviction** of tenants; but they felt it was Gandhiji who had won this demand for them. At other times, using Gandhiji’s name, tribals and peasants undertook actions that did not conform to Gandhian ideals.



“It was he who got *bedakhli* stopped in Pratapgarh”

The following is an extract from a CID report on the kisan movement in Allahabad district, January 1921:

The currency which Mr. Gandhi's name has acquired even in the remotest villages is astonishing. No one seems to know quite who or what he is, but it is an accepted fact that what he says is so, and what he orders must be done. He is a Mahatma or *sadhu*, a Pundit, a Brahmin who lives at Allahabad, even a *deota* ... the real power of his name is to be traced back to the idea that it was he who got *bedakhli* [illegal eviction] stopped in Pratapgarh ... as a general rule, Gandhi is not thought of as being antagonistic to Government, but only to the *zamindars* ... We are for Gandhiji and the Sarkar.

Activity

Read Source 4. According to this report, how did people view Mahatma Gandhi? Why do you think they felt that he was opposed to zamindars but not to the government? Why do you think they were in favour of Gandhiji?

The happenings of 1922-1929

Mahatma Gandhi, as you know, was against violent movements. He abruptly called off the Non-Cooperation Movement when in February 1922 a crowd of peasants set fire to a police station in Chauri Chaura. Twenty-two policemen were killed on that day. The peasants were provoked because the police had fired on their peaceful demonstration.

Once the Non-Cooperation movement was over, Gandhiji's followers stressed that the Congress must undertake constructive work in the rural areas. Other leaders such as Chitta Ranjan Das and Motilal Nehru argued that the party should fight elections to the councils and enter them in order to influence government policies. Through sincere social work in villages in the mid-1920s, the Gandhians were able to extend their support base. This proved to be very useful in launching the Civil Disobedience movement in 1930.

Two important developments of the mid-1920s were the formation of the Rashtriya Swayamsevak Sangh (RSS), a Hindu organisation, and the Communist Party of India. These parties have held very different ideas about the kind of country India should be. Find out about their ideas with the help of your teacher. The revolutionary nationalist Bhagat Singh too was active in this period.



Fig. 9 – Chitta Ranjan Das

A major figure in the freedom movement, Das was a lawyer from East Bengal. He was especially active in the Non-Cooperation Movement.

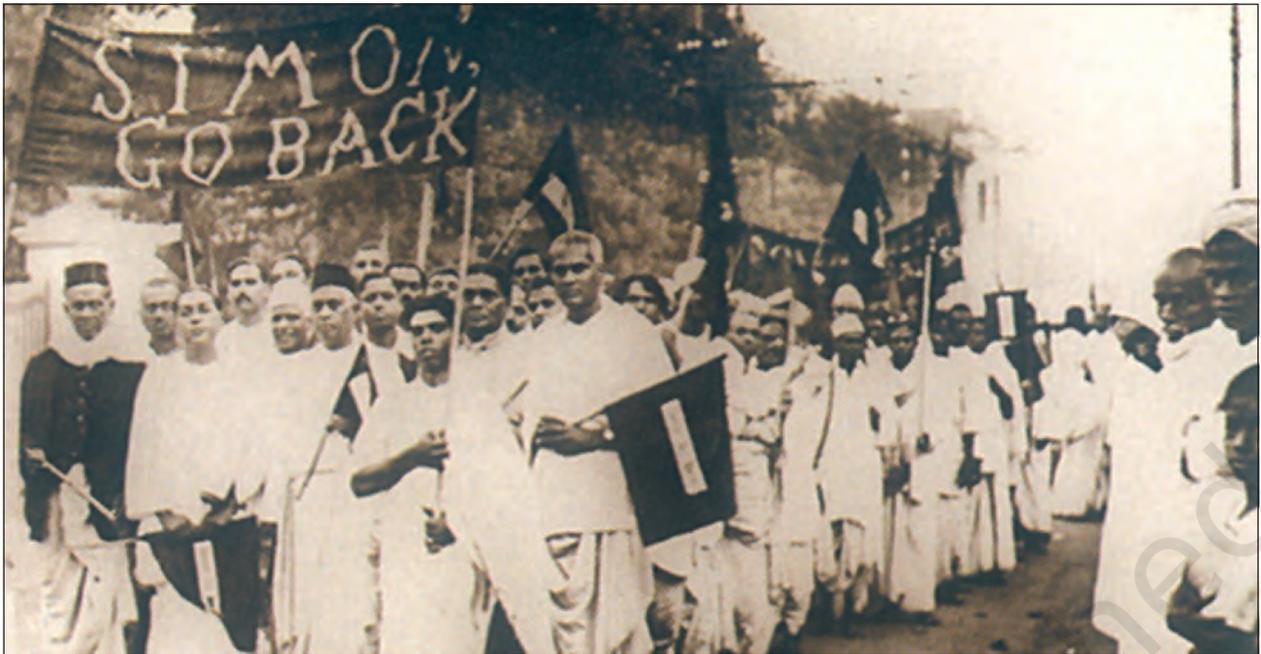


Fig. 10 – Demonstrators oppose the Simon Commission

In 1927 the British government in England decided to send a commission headed by Lord Simon to decide India's political future. The Commission had no Indian representative. The decision created an outrage in India. All political groups decided to boycott the Commission. When the Commission arrived it was met with demonstrations with banners saying "Simon Go Back".

The decade closed with the Congress resolving to fight for *Purna Swaraj* (complete independence) in 1929 under the presidency of Jawaharlal Nehru. Consequently, "Independence Day" was observed on 26 January 1930 all over the country.



Fig. 11 – Bhagat Singh

**"It takes a loud voice to make the deaf hear.
Inquilab Zindabad!"**

Revolutionary nationalists such as Bhagat Singh, Chandra Shekhar Azad, Sukhdev and others wanted to fight against the colonial rule and the rich exploiting classes through a revolution of workers and peasants. For this purpose they founded the Hindustan Socialist Republican Association (HSRA) in 1928 at Ferozeshah Kotla in Delhi. On 17 December, 1928, Bhagat Singh, Azad and Rajguru assassinated Saunders, a police officer who was involved in the lathi-charge that had caused the death of Lala Lajpat Rai.

On 8 April, 1929, Bhagat Singh and B.K. Dutt threw a bomb in the Central Legislative Assembly. The aim, as their leaflet explained, was not to kill but "to make the deaf hear", and to remind the foreign government of its callous exploitation.

Bhagat Singh, Sukhdev and Rajguru were executed on March 23, 1931. Bhagat Singh's age at that time was only 23.

The March to Dandi

Purna Swaraj would never come on its own. It had to be fought for. In 1930, Gandhiji declared that he would lead a march to break the salt law. According to this law, the state had a monopoly on the manufacture and sale of salt. Mahatma Gandhi along with other nationalists reasoned that it was sinful to tax salt since it is such an essential item of our food. The Salt March related the general desire of freedom to a specific grievance shared by everybody, and thus did not divide the rich and the poor.

Gandhiji and his followers marched for over 240 miles from Sabarmati to the coastal town of Dandi where they broke the government law by gathering natural salt found on the seashore, and boiling sea water to produce salt.



Fig. 12 – Mahatma Gandhi breaking the salt law by picking up a lump of natural salt, Dandi, 6 April 1930

Women in the freedom struggle: Ambabai from Karnataka

Women from diverse backgrounds participated in the national movement. Young and old, single and married, they came from rural and urban areas, from both conservative and liberal homes. Their involvement was significant for the freedom struggle, for the women's movement, and for themselves personally.

Both British officials and Indian nationalists felt that women's participation gave the national struggle an immense force. Participation in the freedom movement brought women out of their homes. It gave them a place in the professions, in the governance of India, and it could pave the way for equality with men.

What such participation meant for women is best recounted by them. Ambabai of Karnataka had been married at age twelve. Widowed at sixteen, she picketed foreign cloth and liquor shops in Udipi. She was arrested, served a sentence and was rearrested. Between prison terms she made speeches, taught spinning, and organised *prabhat pheris*. Ambabai regarded these as the happiest days of her life because they gave it a new purpose and commitment.

Women, however, had to fight for their right to participate in the movement. During the Salt Satyagraha, for instance, even Mahatma Gandhi was initially opposed to women's participation. Sarojini Naidu had to persuade him to allow women to join the movement.



Fig. 13 – Sarojini Naidu with Mahatma Gandhi, Paris, 1931

Active in the national movement since the early 1920s, Naidu was a significant leader of the Dandi March. She was the first Indian woman to become President of the Indian National Congress (1925).

Provincial autonomy

Capacity of the provinces to make relatively independent decisions while remaining within a federation

Peasants, tribals and women participated in large numbers. A business federation published a pamphlet on the salt issue. The government tried to crush the movement through brutal action against peaceful *satyagrahis*. Thousands were sent to jail.

The combined struggles of the Indian people bore fruit when the Government of India Act of 1935 prescribed **provincial autonomy** and the government announced elections to the provincial legislatures in 1937. The Congress formed governments in 7 out of 11 provinces.

In September 1939, after two years of Congress rule in the provinces, the Second World War broke out. Critical of Hitler, Congress leaders were ready to support the British war effort. But in return they wanted that India be granted independence after the war. The British refused to concede the demand. The Congress ministries resigned in protest.

Source 5

Veer Lakhan Nayak was hanged

Baji Mohammed, President of the Nabarangpur Congress, Orissa in the 1930s, reports:

On August 25, 1942 ... nineteen people died on the spot in police firing at Paparandi in Nabarangpur. Many died thereafter from their wounds. Over 300 were injured. More than a thousand were jailed in Koraput district. Several were shot or executed. Veer Lakhan Nayak (a legendary tribal leader who defied the British) was hanged.

Nayak, Baji tells us, was not worried about being executed, only sad that he would not live to see freedom's dawn.

Baji Mohammad mobilised 20,000 people to join the national struggle. He offered *satyagraha* many times over. He participated in protests against the Second World War and in the Quit India movement, and served long jail terms.



Fig. 14 – Quit India movement, August 1942

Demonstrators clashed with the police everywhere. Many thousands were arrested, over a thousand killed, many more were injured.

Quit India and Later

Mahatma Gandhi decided to initiate a new phase of movement against the British in the middle of the Second World War. The British must quit India immediately, he told them. To the people he said, “do or die” in your effort to fight the British – but you must fight non-violently. Gandhiji and other leaders were jailed at once but the movement spread. It specially attracted peasants and the youth who gave up their studies to join it. Communications and symbols of state authority were attacked all over the country. In many areas the people set up their own governments.

The first response of the British was severe repression. By the end of 1943 over 90,000 people were arrested, and around 1,000 killed in police firing. In many areas orders were given to machine-gun crowds from airplanes. The rebellion, however, ultimately brought the Raj to its knees.

Towards Independence and Partition

Meanwhile, in 1940 the Muslim League had moved a resolution demanding “Independent States” for Muslims in the north-western and eastern areas of the country. The resolution did not mention partition or Pakistan. Why did the League ask for an autonomous arrangement for the Muslims of the subcontinent?

From the late 1930s, the League began viewing the Muslims as a separate “nation” from the Hindus. In developing this notion it may have been influenced by the history of tension between some Hindu and Muslim groups in the 1920s and 1930s. More

Bose and the INA



Fig. 15 – Subhas Chandra Bose

A radical nationalist, with socialist leanings, Bose did not share Gandhiji’s ideal of *ahimsa*, though he respected him as the “Father of the Nation”. In January 1941, he secretly left his Calcutta home, went to Singapore, via Germany, and raised the Azad Hind Fauj or the Indian National Army (INA). To free India from British control, in 1944, the INA tried to enter India through Imphal and Kohima but the campaign failed. The INA members were imprisoned and tried. People across the country, from all walks of life, participated in the movement against the INA trials.



Fig. 16 – Maulana Azad with other members at the Congress Working Committee, Sevagram, 1942

Azad was born in Mecca to a Bengali father and an Arab mother. Well-versed in many languages, Azad was a scholar of Islam and an exponent of the notion of *wahadat-i-deen*, the essential oneness of all religions. An active participant in Gandhian movements and a staunch advocate of Hindu-Muslim unity, he was opposed to Jinnah's two-nation theory.

Fig. 17 – Chakravarti Rajagopalachari speaking to Gandhiji before the Gandhi-Jinnah talks, 1944

A veteran nationalist and leader of the Salt Satyagraha in the south, C. Rajagopalachari, popularly known as Rajaji, served as member of the Interim Government of 1946 and as free India's first Indian Governor-General.



Fig. 18 – Sardar Vallabhbhai Patel played an important role in the negotiations for independence during 1945-47

Patel hailed from an impoverished peasant-proprietor family of Nadiad, Gujarat. A foremost organiser of the freedom movement from 1918 onwards, Patel served as President of the Congress in 1931.



Fig. 19 – Mohammad Ali Jinnah with Mahatma Gandhi, Bombay, September 1944

An ambassador of Hindu-Muslim unity until 1920, Jinnah played an important role in the making of the Lucknow Pact. He reorganised the Muslim League after 1934, and became the major spokesperson for the demand for Pakistan.



Fig. 20 – Jawaharlal Nehru listens to Mahatma Gandhi before the Bombay session of the Congress, July 1946

Gandhiji's disciple, a Congress Socialist, and an internationalist, Nehru was a leading architect of the national movement and of free India's economy and polity.

“General” constituencies

Election districts with no reservations for any religious or other community

importantly, the provincial elections of 1937 seemed to have convinced the League that Muslims were a minority, and they would always have to play second fiddle in any democratic structure. It feared that Muslims may even go unrepresented. The Congress's rejection of the League's desire to form a joint Congress-League government in the United Provinces in 1937 also annoyed the League.

The Congress's failure to mobilise the Muslim masses in the 1930s allowed the League to widen its social support. It sought to enlarge its support in the early 1940s when most Congress leaders were in jail. At the end of the war in 1945, the British opened negotiations between the Congress, the League and themselves for the independence of India. The talks failed because the League saw itself as the sole spokesperson of India's Muslims. The Congress could not accept this claim since a large number of Muslims still supported it.

Elections to the provinces were again held in 1946. The Congress did well in the **“General” constituencies** but the League's success in the seats reserved for Muslims was spectacular. It persisted with its demand for “Pakistan”. In March 1946 the British cabinet sent a three-member mission to Delhi to examine this demand and to suggest a suitable political framework for a free India. This mission suggested that India should remain united and constitute itself as a loose confederation with some autonomy for Muslim-majority areas. But it could not get the Congress and the Muslim League to agree to specific details of the proposal. Partition now became more or less inevitable.



Fig. 21 – Khan Abdul Ghaffar Khan, the Pashtun leader from the North West Frontier Province, with his colleagues at a peace march through Bihar, March 1947

Also known as Badshah Khan, he was the founder of the Khudai Khidmatgars, a powerful non-violent movement among the Pathans of his province. Badshah Khan was strongly opposed to the Partition of India. He criticised his Congress colleagues for agreeing to the 1947 division.



Fig. 22 – Refugees from riot-torn Punjab gather in New Delhi, in search of shelter and food

After the failure of the Cabinet Mission, the Muslim League decided on mass agitation for winning its Pakistan demand. It announced 16 August 1946 as “Direct Action Day”. On this day riots broke out in Calcutta, lasting several days and resulting in the death of thousands of people. By March 1947 violence spread to different parts of northern India.

Many hundred thousand people were killed and numerous women had to face untold brutalities during the Partition. Millions of people were forced to flee their homes. Torn asunder from their homelands, they were reduced to being refugees in alien lands. Partition also meant that India changed, many of its cities changed, and a new country – Pakistan – was born. So, the joy of our country’s independence from British rule came mixed with the pain and violence of Partition.

ELSEWHERE

Nationalism in Africa: The case of Ghana

The late nineteenth and early twentieth centuries witnessed the rise of nationalism in many Afro-Asian countries. In many of these, nationalism arose as a part of the anti-colonial struggles for independence.

Colonial rule in Africa was dictatorial. Only the “Chiefs” were allowed to rule on behalf of the foreign powers. Alternately, laws affecting Africans were created in all-white legislatures. Africans had no decision-making powers or representation, not until after the Second World War at least. The forcible takeover of land from local owners or users, increased taxation and poor working conditions led to many African protests.

In 1957, Ghana, known until then as the Gold Coast, became the first sub-Saharan African country to gain independence. The freedom movement was led by Kwame Nkrumah’s Convention People’s Party through strikes, boycotts and mass rallies. In 1951 this party won a huge electoral victory. It opposed the existing system in which the British rulers had allowed the Chiefs to nominate representatives to the legislature. It pressed the British to grant a legislature that contained no nominated or special members and won this demand in 1954. Elections to the new Legislative Council were held in 1956. The Convention People’s Party won these, thus paving the way for the proclamation of an independent nation under the name “Ghana”.

Let's recall

1. Why were people dissatisfied with British rule in the 1870s and 1880s?
2. Who did the Indian National Congress wish to speak for?
3. What economic impact did the First World War have on India?
4. What did the Muslim League resolution of 1940 ask for?

Let's imagine

Imagine that you are involved in the Indian national movement. Based on your reading of this chapter, briefly discuss your preferred methods of struggle and your vision of a free India.

Let's discuss

5. Who were the Moderates? How did they propose to struggle against British rule?
6. How was the politics of the Radicals within the Congress different from that of the Moderates?
7. Discuss the various forms that the Non-Cooperation Movement took in different parts of India. How did the people understand Gandhiji?
8. Why did Gandhiji choose to break the salt law?
9. Discuss those developments of the 1937-47 period that led to the creation of Pakistan.

Let's do

10. Find out how the national movement was organised in your city, district, area or state. Who participated in it and who led it? What did the movement in your area achieve?
11. Find out more about the life and work of any two participants or leaders of the national movement and write a short essay about them. You may choose a person not mentioned in this chapter.



A New and Divided Nation

When India became independent in August 1947, it faced a series of very great challenges. As a result of Partition, 8 million refugees had come into the country from what was now Pakistan. These people had to be found homes and jobs. Then there was the problem of the princely states, almost 500 of them, each ruled by a maharaja or a nawab, each of whom had to be persuaded to join the new nation. The problems of the refugees and of the princely states had to be addressed immediately. In the longer term, the new nation had to adopt a political system that would best serve the hopes and expectations of its population.



Fig. 1 – Mahatma Gandhi's ashes being immersed in Allahabad, February 1948

Less than six months after independence the nation was in mourning. On 30 January 1948, Mahatma Gandhi was assassinated by a fanatic, Nathuram Godse, because he disagreed with Gandhiji's conviction that Hindus and Muslims should live together in harmony. That evening, a stunned nation heard Jawaharlal Nehru's moving statement over All India Radio: "Friends and comrades, the light has gone out of our lives and there is darkness everywhere ... our beloved leader ... the Father of the Nation is no more."

India's population in 1947 was large, almost 345 million. It was also divided. There were divisions between high castes and low castes, between the majority Hindu community and Indians who practised other faiths. The citizens of this vast land spoke many different languages, wore many different kinds of dress, ate different kinds of food and practised different professions. How could they be made to live together in one nation-state?

To the problem of unity was added the problem of development. At Independence, the vast majority of Indians lived in the villages. Farmers and peasants depended on the monsoon for their survival. So did the non-farm sector of the rural economy, for if the crops failed, barbers, carpenters, weavers and other service groups would not get paid for their services either. In the cities, factory workers lived in crowded slums with little access to education or health care. Clearly, the new nation had to lift its masses out of poverty by increasing the productivity of agriculture and by promoting new, job-creating industries.

Unity and development had to go hand in hand. If the divisions between different sections of India were not healed, they could result in violent and costly conflicts – high castes fighting with low castes, Hindus with Muslims and so on. At the same time, if the fruits of economic development did not reach the broad masses of the population, it could create fresh divisions – for example, between the rich and the poor, between cities and the countryside, between regions of India that were prosperous and regions that lagged behind.

A Constitution is Written

Between December 1946 and November 1949, some three hundred Indians had a series of meetings on the country's political future. The meetings of this "Constituent Assembly" were held in New Delhi, but the participants came from all over India, and from different political parties. These discussions resulted in the framing of the Indian Constitution, which came into effect on 26 January 1950.

One feature of the Constitution was its adoption of universal adult **franchise**. All Indians above the age of 21 would be allowed to vote in state and national elections. This was a revolutionary step – for never before had Indians been allowed to choose their own leaders. In other countries, such as the United Kingdom and

Activity

Imagine that you are a British administrator leaving India in 1947. You are writing a letter home where you discuss what is likely to happen to India without the British. What would be your views about the future of India?

Franchise – The right to vote



Fig. 2 – Jawaharlal Nehru introducing the resolution that outlined the objectives of the Constitution

the United States, this right had been granted in stages. First only men of property had the vote. Then men who were educated were also added on. Working-class men got the vote only after a long struggle. Finally, after a bitter struggle of their own, American and British women were granted the vote. On the other hand, soon after Independence, India chose to grant this right to all its citizens regardless of gender, class or education.

A second feature of the Constitution was that it guaranteed equality before the law to all citizens, regardless of their caste or religious affiliation. There were some Indians who wished that the political system of the new nation be based on Hindu ideals, and that India itself be run as a Hindu state. They pointed to the example of Pakistan, a country created explicitly to protect and further the interests of a particular religious community – the Muslims. However, the Indian Prime Minister, Jawaharlal Nehru, was of the opinion that India could not and must not become a “Hindu Pakistan”.

Besides Muslims, India also had large populations of Sikhs and Christians, as well as many Parsis and Jains. Under the new Constitution, they would have the same rights as Hindus – the same opportunities when it came to seeking jobs in government or the private sector, the same rights before the law.

A third feature of the Constitution was that it offered special privileges for the poorest and most disadvantaged

Indians. The practice of untouchability, described as a “slur and a blot” on the “fair name of India”, was abolished. Hindu temples, previously open to only the higher castes, were thrown open to all, including the former untouchables. After a long debate, the Constituent Assembly also recommended that a certain percentage of seats in legislatures as well as jobs in government be reserved for members of the lowest castes. It had been argued by some that Untouchable or as they were now known, Harijan, candidates did not have good enough grades to get into the prestigious Indian Administrative Service. But, as one member of the Constituent Assembly, H.J. Khandekar, argued, it was the upper castes who were responsible for the Harijans “being unfit today”. Addressing his more privileged colleagues, Khandekar said:

We were suppressed for thousands of years. You engaged us in your service to serve your own ends and suppressed us to such an extent that neither our minds nor our bodies and nor even our hearts work, nor are we able to march forward.

Along with the former Untouchables, the *adivasis* or Scheduled Tribes were also granted reservation in seats and jobs. Like the Scheduled Castes, these Indians too had been deprived and discriminated against. The tribals had been deprived of modern health care and education, while their lands and forests had been taken away by more powerful outsiders. The new privileges granted them by the Constitution were meant to make amends for this.

The Constituent Assembly spent many days discussing the powers of the central government versus those of the state governments. Some members thought that the Centre’s interests should be foremost. Only a strong Centre, it was argued, “would be in a position to think and plan for the well-being of the country as a whole”. Other members felt that the provinces should have greater autonomy and freedom. A member from Mysore feared that under the present system “democracy is centred in Delhi and it is not allowed to work in the same sense and spirit in the rest of the country”. A member from Madras insisted that

Source 1

We must give them security and rights

Nehru wrote in a letter to the Chief Ministers of states:

... we have a Muslim minority who are so large in numbers that they cannot, even if they want, go anywhere else. That is a basic fact about which there can be no argument. Whatever the provocation from Pakistan and whatever the indignities and horrors inflicted on non-Muslims there, we have got to deal with this minority in a civilised manner. We must give them security and the rights of citizens in a democratic State.

Activity

Imagine a conversation between a father and son in a Muslim family. After Partition, the son thinks it would be wiser for them to move to Pakistan while the father believes that they should continue to live in India. Taking information from the chapter so far (and Chapter 11), act out what each would say.



Fig. 3 – Dr B.R. Ambedkar

Dr. B.R. Ambedkar (1891-1956), respectfully referred to as Babasaheb, belonged to a Marathi-speaking *dalit* family. A lawyer and economist, he is best known as a revered leader of the Dalits and the father of the Indian Constitution

“the initial responsibility for the well-being of the people of the provinces should rest with the Provincial Governments”.

The Constitution sought to balance these competing claims by providing three lists of subjects: a Union List, with subjects such as taxes, defence and foreign affairs, which would be the exclusive responsibility of the Centre; a State List of subjects, such as education and health, which would be taken care of principally by the states; a Concurrent List, under which would come subjects such as forests and agriculture, in which the Centre and the states would have joint responsibility.

Another major debate in the Constituent Assembly concerned language. Many members believed that the English language should leave India with the British rulers. Its place, they argued, should be taken by Hindi. However, those who did not speak Hindi were of a different opinion. Speaking in the Assembly, T.T. Krishnamachari conveyed “a warning on behalf of people of the South”, some of whom threatened to separate from India if Hindi was imposed on them. A compromise was finally arrived at: namely, that while Hindi would be the “official language” of India, English would be used in the courts, the services, and communications between one state and another.

Many Indians contributed to the framing of the Constitution. But perhaps the most important role was played by Dr B.R. Ambedkar, who was Chairman of the Drafting Committee, and under whose supervision the document was finalised. In his final speech to the Constituent Assembly, Dr Ambedkar pointed out that political democracy had to be accompanied by economic and social democracy. Giving the right to vote would not automatically lead to the removal of other inequalities such as between rich and poor, or between upper and lower castes. With the new Constitution, he said, India was

going to enter into a life of contradictions. In politics we will have equality and in social and economic life we will have inequality. In politics

Activity

Discuss in your class, one advantage and one disadvantage today of the decision to keep English as a language of India.

we will be recognising the principle of one man one vote and one value. In our social and economic life, we shall, by reason of our social and economic structure, continue to deny the principle of one man one value.

How were States to be Formed?

Back in the 1920s, the Indian National Congress – the main party of the freedom struggle – had promised that once the country won independence, each major **linguistic** group would have its own province. However, after independence the Congress did not take any steps to honour this promise. For India had been divided on the basis of religion: despite the wishes and efforts of Mahatma Gandhi, freedom had come not to one nation but to two. As a result of the partition of India, more than a million people had been killed in riots between Hindus and Muslims. Could the country afford further divisions on the basis of language?

Both Prime Minister Nehru and Deputy Prime Minister Vallabhbhai Patel were against the creation of linguistic states. After the Partition, Nehru said, “disruptionist tendencies had come to the fore”; to check them, the nation had to be strong and united. Or, as Patel put it:

... the first and last need of India at the present moment is that it should be made a nation ... Everything which helps the growth of nationalism has to go forward and everything which throws obstacles in its way has to be rejected ... We have applied this test to linguistic provinces also, and by this test, in our opinion [they] cannot be supported.

That the Congress leaders would now go back on their promise created great disappointment. The Kannada speakers, Malayalam speakers, the Marathi speakers, had all looked forward to having their own state. The strongest protests, however, came from the Telugu-speaking districts of what was the Madras Presidency. When Nehru went to campaign there during the general elections of 1952, he was met with black flags and slogans demanding “We want Andhra”. In October of that year, a veteran Gandhian named Potti Sriramulu went on a hunger strike demanding the formation of Andhra state to protect the interests of Telugu speakers. As the fast went on, it attracted much support. *Hartals* and *bandhs* were observed in many towns.

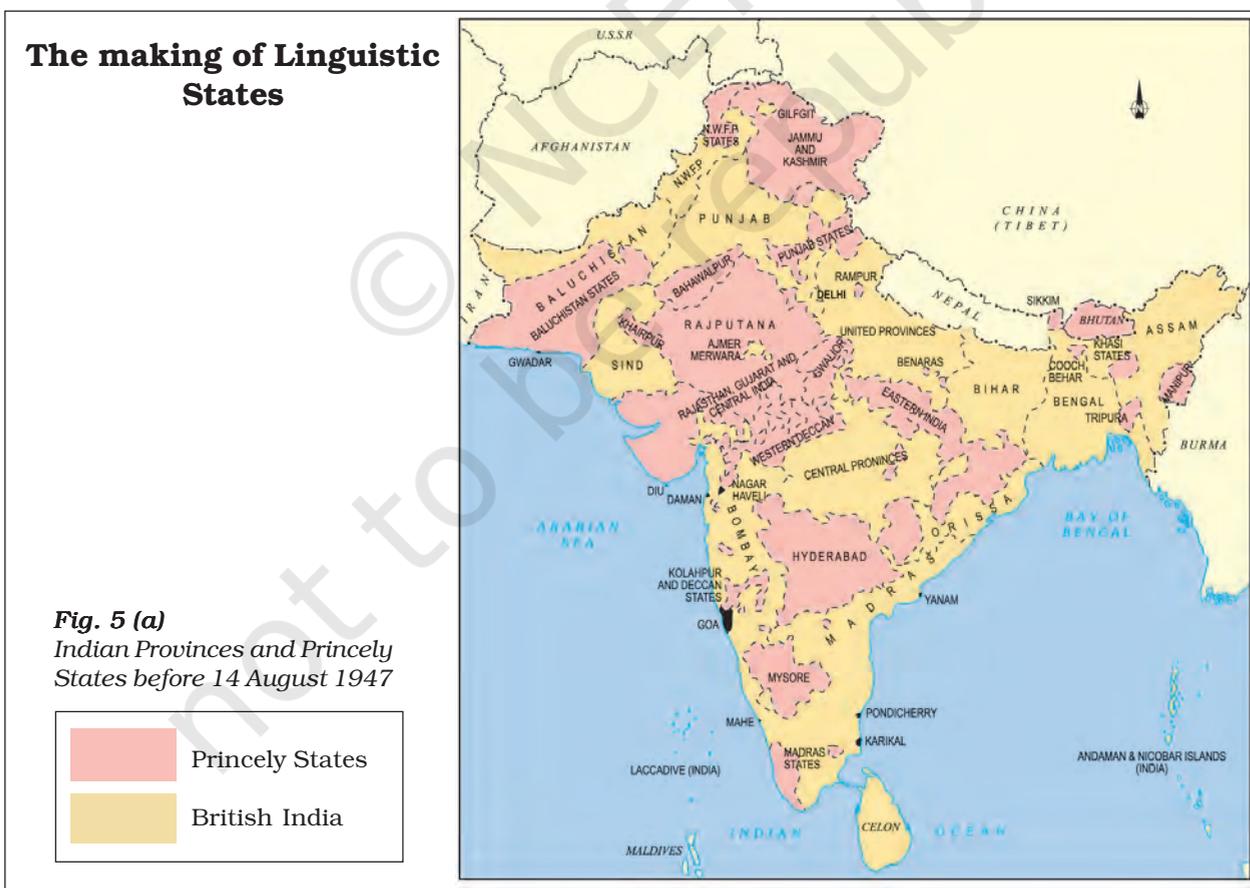
Linguistic – Relating to language

Fig. 4 – Potti Sriramulu, the Gandhian leader who died fasting for a separate state for Telugu speakers



On 15 December 1952, fifty-eight days into his fast, Potti Sriramulu died. As a newspaper put it, “the news of the passing away of Sriramulu engulfed entire Andhra in chaos”. The protests were so widespread and intense that the central government was forced to give in to the demand. Thus, on 1 October 1953, the new state of Andhra came into being, which subsequently became Andhra Pradesh.

After the creation of Andhra, other linguistic communities also demanded their own separate states. A States Reorganisation Commission was set up, which submitted its report in 1956, recommending the redrawing of district and provincial boundaries to form compact provinces of Assamese, Bengali, Oriya, Tamil, Malayalam, Kannada and Telugu speakers respectively. The large Hindi-speaking region of north India was also to be broken up into several states. A little later, in 1960, the bilingual state of Bombay was divided into separate states for Marathi and Gujarati speakers. In 1966, the state of Punjab was also divided into Punjab and Haryana, the former for the Punjabi speakers (who were also mostly Sikhs), the latter for the rest (who spoke not Punjabi but versions of Haryanvi or Hindi).





Erstwhile Princely States*

Other States

*A state ceased to be a “princely state” as and when its prince agreed to merger with India or Pakistan or was defeated. But many of these states were retained as administrative units until 31 October 1956. Hence the category, “erstwhile princely states” for the period 1947-48 to 31 October 1956.

Fig. 5 (b) – Indian States before 1 November 1956

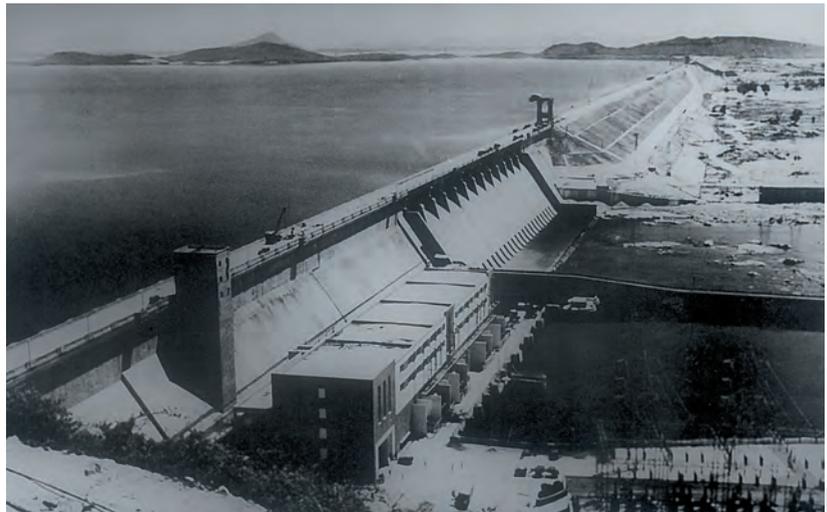
Activity
 Look at Figs. 5 (a), 5 (b) and 5 (c). Notice how the Princely States disappear in 5 (b). Identify the new states that were formed in 1956 and later and the languages of these states.



Fig. 5 (c) – Indian States in 1975

Fig. 6 – The bridge on the Mahanadi river constructed to control the flow of water

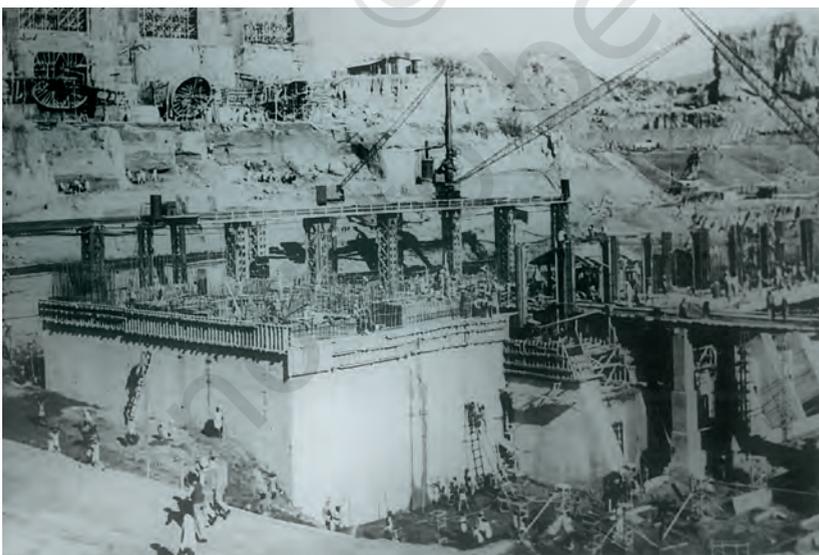
Bridges and dams became the symbol of development in independent India.



State – Concerned with the government. (Note that used in this sense, the word does not refer to the different states which are found in a country.)

Fig. 7 – Work going on at the Gandhi Sagar bandh

This was the first of the four dams built on the Chambal river in Madhya Pradesh. It was completed in 1960.



Planning for Development

Lifting India and Indians out of poverty, and building a modern technical and industrial base were among the major objectives of the new nation. In 1950, the government set up a Planning Commission to help design and execute suitable policies for economic development. There was a broad agreement on what was called a “mixed economy” model. Here, both the **State** and the private sector would play important and complementary roles in increasing production and generating jobs. What, specifically, these roles were to be – which industries should be initiated by the state and which by the market, how to achieve a balance between the different regions and states – was to be defined by the Planning Commission.

In 1956, the Second Five Year Plan was formulated. This focused strongly on the development of heavy industries such as steel, and on the building of large dams. These sectors would be under the control of the State. This focus on heavy industry, and the effort at state regulation of the economy was to guide economic policy for the next few decades. This approach had many strong supporters, but also some vocal critics.

Nehru on the Five Year Plans

Prime Minister Jawaharlal Nehru was a great supporter of the planning process. He explained the ideals and purposes of planning in a series of letters he wrote to the chief ministers of the different states. In a letter of 22 December 1952, he said that:

... behind the First Five Year Plan lies the conception of India's unity and of a mighty co-operative effort of all the peoples of India ... We have to remember always that it is not merely the governmental machinery that counts in all this, but even more so the enthusiasm and co-operation of the people. Our people must have the sensation of partnership in a mighty enterprise, of being fellow-travellers towards the next goal that they and we have set before us. The Plan may be, and has to be, based on the calculations of economists, statisticians and the like, but figures and statistics, very important as they are, do not give life to the scheme. That breath of life comes in other ways, and it is for us now to make this Plan, which is enshrined in cold print, something living, vital and dynamic, which captures the imagination of the people.

Fig. 8– Jawaharlal Nehru at the Bhilai Steel Plant

The Bhilai steel plant was set up with the help of the former Soviet Union in 1959. Located in the backward rural area of Chhattisgarh, it came to be seen as an important sign of the development of modern India after Independence.

Some felt that it had put inadequate emphasis on agriculture. Others argued that it had neglected primary education. Still others believed that it had not taken account of the environmental implications of economic policies. As Mahatma Gandhi's follower Mira Behn wrote in 1949, by "science and machinery he [mankind] may get huge returns for a time, but ultimately will come desolation. We have got to study Nature's balance, and develop our lives within her laws, if we are to survive as a physically healthy and morally decent species."

Activity

Discuss in your class whether Mira Behn was right in her view that science and machinery would create problems for human beings. You may like to think about examples of the effects of industrial pollution and de-forestation on the world today.



The search for an independent foreign policy

Fig. 9 – Jawaharlal Nehru and Krishna Menon arriving at the United Nations

Krishna Menon led the Indian delegation to the UN between 1952 and 1962 and argued for a policy of non-alignment.



India gained freedom soon after the devastations of the Second World War. At that time a new international body – the United Nations – formed in 1945 was in its infancy. The 1950s and 1960s saw the emergence of the Cold War, that is, power rivalries and ideological conflicts between the USA and the USSR, with

both countries creating military alliances. This was also the period when colonial empires were collapsing and many countries were attaining independence. Prime Minister Jawaharlal Nehru, who was also the foreign minister of newly independent India, developed free India's foreign policy in this context. Non-alignment formed the bedrock of this foreign policy.

Led by statesmen from Egypt, Yugoslavia, Indonesia, Ghana and India, the non-aligned movement urged countries not to join either of the two major alliances. But this policy of staying away from alliances was not a matter of remaining “isolated” or “neutral”. The former means remaining aloof from world affairs whereas non-aligned countries such as India played an active role in mediating between the American and Soviet alliances. They tried to prevent war—often taking a humanitarian and moral stand against war. However, for one reason or another, many non-aligned countries including India got involved in wars.

By the 1970s, a large number of countries had joined the non-aligned movement.

Fig. 10 – Leaders of Asian and African countries meet at Bandung, Indonesia 1955

Over 29 newly independent states participated in this famous conference to discuss how Afro-Asian nations could continue to oppose colonialism and Western domination.



The Nation, Sixty Years On

On 15 August 2007, India celebrated sixty years of its existence as a free nation. How well has the country done in this time? And to what extent has it fulfilled the ideals set out in its Constitution?

That India is still united, and that it is still democratic, are achievements that we might justly be proud of. Many foreign observers had felt that India could not survive as a single country, that it would break up into many parts, with each region or linguistic group seeking to form a nation of its own. Others believed that it would come under military rule. However, as many as thirteen general elections have been held since Independence, as well as hundreds of state and local elections. There is a free press, as well as an independent judiciary. Finally, the fact that people speak different languages or practise different faiths has not come in the way of national unity.

On the other hand, deep divisions persist. Despite constitutional guarantees, the Untouchables or, as they are now referred to, the Dalits, face violence and discrimination. In many parts of rural India they are not allowed access to water sources, temples, parks and other public places. And despite the secular ideals enshrined in the Constitution, there have been clashes between different religious groups in many states. Above all, as many observers have noted, the gulf between the rich and the poor has grown over the years. Some parts of India and some groups of Indians have benefited a great deal from economic development. They live in large houses and dine in expensive restaurants, send their children to expensive private schools and take expensive foreign holidays. At the same time many others continue to live below the poverty line. Housed in urban slums, or living in remote villages on lands that yield little, they cannot afford to send their children to school.

The Constitution recognises equality before the law, but in real life some Indians are more equal than others. Judged by the standards it set itself at Independence, the Republic of India has not been a great success. But it has not been a failure either.

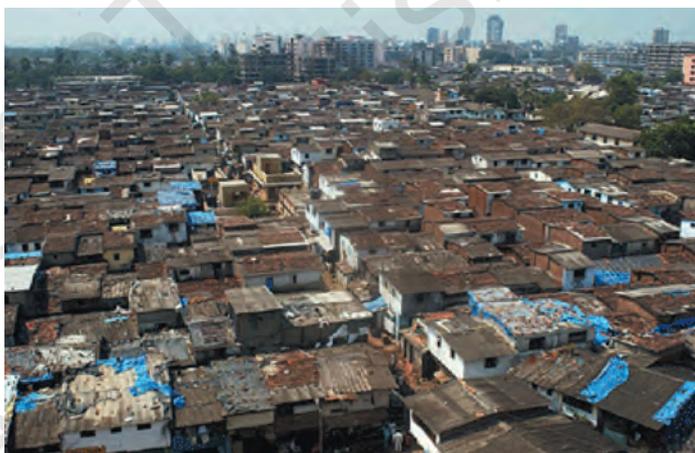


Fig. 11 – Dharavi in Bombay is one of the world's largest slums. Notice the high-rise buildings in the background.

What happened in Sri Lanka

In 1956, the year the states of India were reorganised on the basis of language, the Parliament of Sri Lanka (then Ceylon) introduced an Act recognising Sinhala as the sole official language of the country. This made Sinhala the medium of instruction in all state schools and colleges, in public examinations, and in the courts. The new Act was opposed by the Tamil-speaking minority who lived in the north of the island. "When you deny me my language," said one Tamil MP, "you deny me everything." "You are hoping for a divided Ceylon," warned another, adding: "Do not fear, I assure you [that you] will have a divided Ceylon." An Opposition member, himself Sinhala speaking, predicted that if the government did not change its mind and insisted on the Act being passed, "two torn little bleeding states might yet arise out of one little state".



Fig. 12 – Gun-carrying Tamil militant – a symbol of the civil war in Sri Lanka

For several decades now, a civil war has raged in Sri Lanka, whose roots lie in the imposition of the Sinhala language on the Tamil-speaking minority. And another South Asian country, Pakistan, was divided into two when the Bengali speakers of the east felt that their language was being suppressed. By contrast, India has managed to survive as a single nation, in part because the many regional languages were given freedom to flourish. Had Hindi been imposed on South India, in the way that Urdu was imposed on East Pakistan or Sinhala on northern Sri Lanka, India too might have seen civil war and fragmentation. Contrary to the fears of Jawaharlal

Nehru and Sardar Patel, linguistic states have not threatened the unity of India. Rather, they have deepened this unity. Once the fear of one's language being suppressed has gone, the different linguistic groups have been content to live as part of the larger nation called India.

Let's imagine

You are witness to an argument between an adivasi and a person who is opposed to the reservation of seats and jobs. What might be the arguments you heard each of them put forward? Act out the conversation.

Let's recall

1. Name three problems that the newly independent nation of India faced.
2. What was the role of the Planning Commission?
3. Fill in the blanks:
 - (a) Subjects that were placed on the Union List were _____, _____ and _____.
 - (b) Subjects on the Concurrent List were _____ and _____.