



**INDIAN SOCIAL INSTITUTE**  
Center for Research, Training and  
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# SUBALTERN

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## REPUBLIC OF INDIA@70

Seven decades ago, a young nation just emerging from nearly a century long colonial rule and a painful partition adopted one of the longest Constitutions in the world. The Constituent Assembly (1946-49) with 299 members discussed every article of the Constitution during 165 days of discussions spread over 11 sessions. The Constitution of India had 395 articles in 22 parts and 8 schedules when it was signed on 26 November, 1949. It had a preamble that captured the spirit of the Constitution of India, which guaranteed six basic fundamental rights of the citizens of India, namely the right to equality, liberty, freedom of religion, constitutional remedies, cultural and educational rights, and right against exploitation. This Constitution of India came into force on 26th January, 1950, when India became a sovereign democratic federal republic and celebrated its first Republic Day.

Over the last 70 years, India remains a vibrant democracy which has witnessed growth and development in various aspects of socio-economic and political life. The Constitution of India has remained dynamic to respond to the challenges of the times. In keeping with this dynamism, the last seven decades has witnessed 104 amendments to the Constitution, expanding it to 448 articles in 25 parts and 12 schedules. There has been seventeen general elections and a smooth transfer of power

from one government to another at the state level and at the National level. The election process has also undergone a change from paper ballots to Electronic Voting Machines (EVMs) with Voter Verifiable Paper Audit Trail (VVPAT). Democracy has broadened and deepened with elected representatives engaged in governance right down to the panchayat level in villages and municipalities in towns and cities. Even when a government abused its power under the Constitution by declaring Emergency in 1975, it could not be sustained for long due to people's democratic resistance, forcing the government to restore democracy by calling for elections in less than two years. This is a good illustration of the strength of our democracy that has shaped the republic and held together diverse peoples with different races, cultures, religious affiliations, genders, ethnicities and languages into one country.

As India celebrates its Republic Day in 2020, there are widespread concerns about the direction in which Indian democracy is moving. Firstly, there is a deep concern about the influence of money in the electoral process and formation of governments. Once elected to the legislative assembly or Parliament, elected representatives put themselves on sale to the highest bidder and align to a political party that is most likely to form a government. Even a government that is defeated in

the elections is able to cobble up a majority using horse-trading and corrupt means that leave the voters and citizens in dismay. The influence of money in the electoral process and formation of governments is a concern that needs to be addressed to strengthen democracy in India. Secondly, citizens are concerned about manner in which elected representatives use their legislative and administrative powers. In recent times, legislations are drafted and passed without adequate scrutiny and consultation with all stakeholders concerned. Consequently, the constitutional validity of several laws are challenged in the High Courts and the Supreme Court resulting in protests in almost all parts of the country. Thirdly, a more serious concern is the influence of fascist non-state actors that seek to undermine the secular fabric and federal republic of India in order to establish a Hindu Nation. Finally, there is a concern that the judiciary is unable to act promptly to respond to the widespread violations of fundamental rights of citizens and guarantee the rights of citizens enshrined in the Constitution. In spite of these concerns, it is heartening to see that even after 70 years the people of India treasure the republic as envisioned in the preamble of the Constitution and are ready to stake their lives to preserve and protect it. □

*-Denzil Fernandes*

The Supreme Court Judgment Crl No. 10367 of 2011 on the case of Kailash & Others versus the State of Maharashtra no. 19 states that "the Bhils are probably the descendants of some of the original inhabitants of India known as the 'aborigines' or Scheduled Tribes (Adivasis), who presently comprise of about 8% of the population of India. The rest 92 % of the population of India consists of descendants of immigrants." The Judgment affirms that India has a history of thousands of years. Many other communities poured in the country at various times and therefore, "India has tremendous diversity and this is due to the large scale migrations and invasions into India over thousands of years. The various immigrants/invaders who came into India brought with them their different cultures, languages, religions, etc."

Obviously, if a country which has divergent cultures, languages, history and civilization will have its richness in multiple ways. The Scheduled Tribes/Adivasis by being the original settlers of India are undoubtedly the harbingers of various systems, practices, customs and worldviews. The autonomy practiced by the original settlers is in itself a republic. The various originally settled communities affirmed some values and practices beyond all else. On July 22nd 1947, the day India got its own national flag, Jaipal Singh Munda, a tribal member of the Constituent Assembly, reminded the country in the following words: "Sir, most of the members of this House are inclined to think that flag hoisting is the privilege of the Aryan civilised. Sir, the Adivasis had been the first to hoist flags and to fight for their flags. Each village has its own flag and that flag cannot be copied by any other tribe. If any one dared challenge that flag, Sir, I can assure you that particular tribe would shed its last drop of blood in defending the honour of that flag." This shows that the first settlers had their own practice of autonomy, freedom and

republic. Jaipal Singh Munda asserts that it is as old as six thousand years. Thus the republic of India after Independence is a Republic with Republics. For the Adivasis, Jaipal Singh Munda says, will have two flags, one their own, age-old, traditional flag and the National flag. True to this day, many tribal communities and villages have their own traditional flag which is indicative of their indigenous republic which is an age-old heritage and also carries with it the particular identity and culture of the tribal peoples of India.

The discourse on republic and the idea of a democratic structure in Independent India finds its roots in the history and culture of the land. The first settler communities had their own ways and structures of self-governance which kept them together as an autonomous community. During the Constituent Assembly debate on the democratic set up, Jaipal Singh Munda drew the attention of Assembly when he said, "You cannot teach democracy to the tribal people; you have to learn democratic ways from them. They are the most democratic people on earth." The democratic structure of India owes much to the democratic practices and values that were already found in practice among various tribes. The indigenous self-governance is part of any sustained community.

The beauty of India's democratic republic is that it accommodated the 'already-existing' socio-cultural values and practices in the Constitution of the country under the Fifth Schedule. The Fifth Schedule is a constitutional safeguard and directive principle for the Adivasis/Tribals of this country. The provision of the Fifth Schedule in the Constitution has the flexibility to accommodate the tenable indigenous cultural practices for the progress and well-being of the people belonging to any particular tribal communities. The PESA Act of 1996 was a landmark step by the Indian States and the Parliament to give constitutional sanction to

implement the Provisions of Fifth Schedule for the Tribals in keeping with self-rule practices prevalent in the community. The Samta Judgment (1997) affirmed the rights of the tribals over land and resources. There were many other subsequent constitutional safeguards brought into place to make the tribals' and India's republic a reality. The Forest Rights Act 2006 recognized and outlined the rights of the Scheduled Tribes and other traditional forest dwellers whose rights were not recorded. The Rights to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (LARR) Act 2013 ensures just and fair compensation to farmers and landholders and thereby desisting from forced land acquisitions. These are illustrations of how the traditional self-rule of the tribals could be made a reality without harming the idea and spirit of the republic that they cherish.

But decades of experiences show the will-power and willingness of the subsequent governments in Independent India but they have failed in safeguarding and implementing the idea of the republic to diverse cultures and communities in the country. Leaving apart the democratic values of indigenous republics practiced by the tribal communities, the governments seem to have failed in building up a just, humane and discrimination-free society in India. After 70 years, the Republic India as a democracy is struggling to provide basic minimum justice, dignity, human rights and freedom to its citizens. It is high time that Governments, citizens, entrepreneurs, developers, academicians, workers, thinkers, planners and commoners come on board to envision a common future for our countrymen and women where justice, equality, dignity, rights and freedom will be enjoyed by all. The idea of republic matters when all citizens pledge to carry forward the dreams of the republic which was not given its due place in the last 70 years. □

In the last 70 years, India has made considerable progress in democratizing the society at large but what is the nature of the republic? Most people would probably describe the Republic as Plato's account of the ideal state. The struggle that won India its freedom from the British on August 15, 1947, was conducted in the name of non-violence, the central pillar of Mahatma Gandhi's philosophy. And yet, when freedom arrived, it did so awash with blood. Speaking in the Parliament on the Industrial Policy Resolution of 1956, Jawaharlal Nehru had said that the Constitution was not so sacrosanct that it could not be changed even if the needs of the country or the nation so demand. To make change impossible would be to kill the Constitution. Nehru remarked, 'if you are flexible in your action and Constitution, you are nearer the living curve of a nation's

growth.'

The Constitution is not only for the exclusive benefit of governments and states... it also exists for the common man, for the poor and the humble... for the marginalized and socially backward masses. India's political system has come under increasing challenge, the nation's unresolved dilemmas are growing in magnitude and complexity and many critical issues call for a fresh appraisal or the primary objective should be to rethink and search for a new national consensus.

The journey of India as a Democratic Republic for the last 70 years has affected all sections of society and has shaped the destiny of the country. Today when we talk about the Republic of India completing 70 years, the Citizenship Amendment Act (CAA) 2019 has brought to the fore the fault lines

in the people of India. In a rare show of solidarity, the country's diverse citizenry, let alone Muslims, have come together to resist what it sees as a giant leap toward a Hindutva homeland. Social-media trolls take the side of a particular political fence and are trying to discredit what's turning out to be a long-drawn citizens' agitation as a violent, Muslim-only protest. But the mosaic of protesters from diverse religious, ethnic and geographical backgrounds depict a different story.

Because of the CAA, for the first time, Indian diversity has united in contempt of the political elite that has jumped the democracy into perpetual sectarianism. For now at least, the CAA has broken the binary between 1984 and 2002. And that's the proverbial silver lining in the dark clouds hovering over the Republic. □

## THE DARKNESS HOVERING OVER THE REPUBLIC OF INDIA@70



As we are aware that India became independent from British rule on 15th August 1947 and adopted the Constitution on 26th January 1950 by declaring that India is a democratic and republic state. Many freedom fighters like Subhash Chandra Bose, Muhammad Iqbal, Bankim Chandra Chatterjee, Mahatma Gandhi etc. raised their voices with their powerful slogans for a free republic and nation like 'Karo ya maro', 'Tum Mujhe Khoon do, main tumhe Azadi dunga', *Vande Matram* etc.

Dr. Jennings said 'Equality before the law' means everybody is equal before the law. Even our

Constitution has given common rights and powers to all. But the question is 'are we all equal before the law?' Are we allowed to exercise our freedom or right that is given in our Constitution?

Every Indian is aware of the present conditions in our country. Is this the nation that our freedom fighters had foreseen? By observing all the happenings in our country we can say that our nation has again gone back to 1857 when we had started our journey towards freedom. The only difference is that earlier our struggle was against the British and now it is against our own people, the self-centered politicians who disregard people's voice.

As it was well said by our first Prime Minister of India Pt. Jawaharlal Nehru 'The light has

gone out of our living and there is darkness everywhere'. This statement is absolutely correct by seeing this present situation of our country where we still have caste discrimination, rape, domestic violence, breach of rights, etc.

After the celebration of 70th Republic Day, can we say that India is a democratic country? And do we have right to expression, which is given to us by our constitution under Article 19? What is the purpose of giving this right in the Constitution which we can't use to express our thoughts?

If we express our thoughts or protest for our rights, we are put into jail or even charged with sedition. This is what our nation has been reduced to after 70 years of being a Republic. □

- Abhishek Kumar

# DIMINISHING DISSENT

- Furzee Kashyap

The present-day is witnessing a vicious suppression of the voices of dissent which is a hallmark of an intolerant and fascist government. The freedom of expression which is one of the basic human rights principles is in danger from communal, sectarian forces and government responses. There is no one, be it the activists, lawyers, journalists, writers, teachers, academicians, actors or artists who are not at risk of being targeted for voicing against the divisive ideology. A prominent specimen of this is the manhandling of Ramachandra Guha who is a supporter of civil rights and freedom of speech and who like many other compatriots across the country recognized the unjust Citizenship Amendment Act recently. The space for dissent in India today in any form has shrunk dramatically. Today, to be secular is deemed to be anti-national, an anti-fascist is believed to be a terrorist, and the stack of allegations is unending.

In Assam, huge protests were organized in the month of December and are still being continued as a mass revolt against Citizenship Amendment Act. The Act for the people of Assam was a betrayal and total humiliation by the Indian state, legally violating all Accords and promises. The movement was primarily led by the students across and beyond party lines across rural and urban areas became inconvenient for many. To crush and divert the ongoing rage and to stop the spread of news and dissent, the internet services was suspended in Assam following the protests which affected the flow of information and events that

has been affecting the movement. People could not communicate through social media about the situation.

Further, the arrests of activists across the state and India as a whole is an attempt to subvert democracy in the country. The arrest of Akhil Gogoi, who is a human rights defender, an Indian peasant leader and RTI activist from Assam, shows how critics of the government are accused of sedition, criminal defamation, or terrorism. Akhil Gogoi over the years has been leading many movements in the state and was also actively leading the protest across Assam against CAA. He is important for the people of Assam because he is one leader whose appeal transcends sub-regional, religion and ethno linguistic fault lines. The people of Assam see in him a leader who has worked in the field for decades, from the anti-mega-dam to anti-corruption

**The space for dissent in India today in any form has shrunk dramatically. Today, to be secular is deemed to be anti-national. An anti-fascist is believed to be a terrorist. and the stack of allegations is unending.**

to forming workers co-operatives to running mass sensitization campaigns. He has been held in preventive detention to curb the entire progressive resistance. Probing into his participation in the protest held in Assam, he was later booked by the National Investigation Agency (NIA) under the amended Unlawful Activities(Prevention)Act. The system has a problem with him, and the problem is structural. The State cannot afford the channelizing of the radical energy of the masses, can't afford a leader who taps into that potential and holds up a form of civil disobedience that overwhelms

the State.

The present situation in India is stirring most importantly because of the unmet aspirations of the people from the elected government. Unknown was the fascist facet of the party to many. The party was voted to power by the people in a hope of development and growth. But what the government seemed to be focusing more was on the non- inclusive India which promotes Hindutva through a nationalist agenda. Hindutva politics play a bigger hand in the government's rise to power and the blind support of the followers. People started to realize that the government began to falter in pledges of jobs and development and thus the disappointment over unmet promises became a challenge. India today feels like that the voice of its own people doesn't hold any significance.

The republic of India is 70 today and what happened 70 years ago in the year 1950 was that the people of India gave themselves a Constitution that promised to secure for all citizens liberty of thought, expression, belief, faith, and worship with specific rights that were guaranteed. Among others, dissent was considered as a right and was recognized by the Supreme Court of India as one aspect of the right of freedom of speech guaranteed as a Fundamental Right in the Constitution. The past six years have witnessed the demeaning of what has been laid down by the constitution for its people. In a democratic society, the need to accept the difference of opinion is an essential ingredient of plurality. India today is in a situation where a huge section of youth, women, men from all age groups and religious affiliations are fighting against tremendous repression. The rage on the streets of India today will not be squashed; the struggle will intensify until power comes with responsibilities and not dictatorship. □

## NATIONAL SEMINAR ON “EDUCATIONAL RIGHTS OF MINORITIES”



A hundred and eleven Principals and Managers of the various Minority Educational Institutions from twenty states attended the four days seminar organised at Indian Social Institute from 25th to 28th October 2019. Though the number of applicants for this course was more, we had to limit the number due to the lack of space for accommodating more people.

The seminar started with the lighting of the lamp followed by the inaugural talk by Dr. Denzil Fernandes SJ, the Executive Director of Indian Social Institute, on the present socio-political scenario and minority school governance. He emphasised the need of understanding the Constitutional provisions and the existing laws of the country. After the inaugural talk, Sr. (Adv.) Tresa Paul gave an insight into the Constitutional Spirituality for all of us to follow.

She continued with an elaborate exposition of the Fundamental Rights and especially Article 29 and 30 which directly deal with the educational rights of minorities. She took the group through a guided tour of the various judgments of the Supreme Court upholding the rights of the minorities to establish and administer educational institutions of their choice. She dwelt in detail on the interpretation of the words “establish” and “administer” as given by the Supreme Court.

On the second day, we have dealt with various labour laws and its impact on minority educational institutions. These sessions were taken by Adv. Michael Dias, an eminent labour lawyer from Delhi. Administration of Minority Educational Institutions was dealt with by Adv. Ravi Sagar SJ. Dr. MP Raju, an eminent lawyer from the Supreme Court of India, enlightened

the participants about the various remedies available when their rights are violated by the state. Dr. Xavier Vedam threw some light on the New Education Policy to the participants. The need of having the internal complaints committee and the need of having a policy on child safeguarding was emphasised by Sr. (Adv.) Tresa Paul. Finally the recent amendments of tax related matters and FCRA were dealt with by Mr. Joselyn Martins, an expert chartered accountant from Delhi. Finally, during the evaluation, all the participants said that they felt empowered by the knowledge they gained from this seminar. An opportunity was made available to the desiring participants to visit Agra on 29th of October. About 32 participants joined the Agra trip. For many of them it was a first experience to visit Agra and they enjoyed it. □ *-Joy Karayampuram*

## REGIONAL CONSULTATION WITH THE UN SPECIAL RAPPORTEUR ON THE INTERNATIONAL STANDARDS ON THE RIGHTS OF INDIGENOUS PEOPLES IN BANGKOK

United Nations Office of the High Commissioner for Human Rights (OHCHR) and United Nations Human Rights Special Procedures in collaboration with Tebtebba and Asia Indigenous Peoples Pact organized a regional consultation meeting

with the United Nations Special Rapporteur Ms. Victoria Tauli-Corpuz on the International Standards on the Rights of the Indigenous Issues from November 13-15, 2019 at Amari Watergate Hotel, Bangkok, Thailand. Indigenous peoples (IPs) from Nepal,

Bangladesh, Myanmar, Philippines, Malaysia, Indonesia, Timor Leste, India, Vietnam, Thailand, and Cambodia attended the consultant meeting. The main agenda of this meeting was to present and submit the country level comprehensive

report on indigenous issues and rights.

The meeting started with a welcome note by Ms. Katia Chirizzi, Deputy Regional Representative, OHCHR Regional Office Bangkok, Thailand, followed by the opening remarks by Ms. Victoria Tauli-Corpuz. The three-day consultation had several panels and plenary discussions on themes such as *Right to Self-determination, Indigenous Governance & Justice Systems; Land, Territories, and Resources; Conservation & Climate Change; Human Rights Defenders & Criminalization; Business & Human Rights; and Economic, Social & Cultural Rights, and Social Justice*. Before the end of each day, there were thematic working group discussions whose reports were compiled and submitted for the review by the UN Human Rights Council (UNHRC) Secretariat. Dr. Anabel Benjamin Bara, Social Scientist, Indian Social Institute, represented the indigenous peoples from India. He was part of two-panel discussions i.e., Conservation &



Dr. Benjamin sharing Tribal issues of India in consultation (Bangkok)

Climate Change and Economic, Social & Cultural Rights, and Social Justice. He gave presentations on issues related to the recent amendments in the Indian Forest Act (IFA) 1927 by the Ministry of Environment, Forest and Climate Change, the Supreme Court order on Forest Rights Act (FRA) 2006 to evict tribals & other forest dwellers, domicile status, reservation in government jobs, merging of schools in Jharkhand, conversion of tribal lands into wildlife corridor & tiger reserve areas etc. Dr. Benjamin thanked the UN Special Rapporteur

for intervening on the issue of FRA with the Government of India and appealed to give justice and rights to the indigenous peoples of India.

The consultation meeting was very fruitful, and IPs from different countries had the opportunity to learn and share their experiences. In the concluding ceremony, Ms. Victoria requested all the IPs human rights defenders to submit their country reports as soon as possible so that it could be documented and further submitted to the UN Human Rights Council for concrete actions. □

-Anabel Benjamin Bara

## ANNUAL HASHIYE KI AWAZ KATHA SAMMAN AND NEW BOOK RELEASE



On the eve of the Birsa Jayanti (13 November), under the aegis of the Department of Tribal Studies and Integrated Social Initiatives, ISI, Delhi a function, 'Hashiye Ki Awaaz Katha Samman - 2018', was organized. Mr. Rai Bahadur Singh from Delhi and Dr. Nandlal

Bharti from Madhya Pradesh were awarded for their best stories of the year 2018. Dr. Denzil Fernandes, Executive Director of the Indian Social Institute, honoured the awardees by giving them a tribal shawl, memento, appreciation certificate and some cash prize. Dr.

Kaushal Panwar, a well-known dalit activist and Professor of Sanskrit at the Delhi University delivered a lecture on "Empowerment of Marginalized Society through Literature" and shared her life experience. Dr. Sanjeev Kumar, also from the University of Delhi, spoke on the contribution of dalit literature in caste struggle, and said that the literature written by a dalit is dalit literature. The jury for the Katha-Samman, Prof. Ajay Navaria from Jamia Millia Islamia University, Delhi, Kanwal Bharti, a dalit thinker from Rampur, Uttar Pradesh and Ms. Neetisha Khalkho, from the University of Delhi, shared their experiences of reading and judging the stories for the award and said that all the stories were liked by them. Neetisha Khalkho

said that in the country there is right wing ideology, leftist ideology and the third one is dalit ideology which does not believe in God, soul, scripture, heaven, hell, etc., which only gives importance to human life. At present, there is influence of right wing ideology in the whole country, which is dangerous for this country. Dr. Ajay Navaria said that the work of the publication of the magazine by the Indian Social Institute is highly appreciated. It is a nursery, where the individuals are taught to be good writers. I hope that the magazine will get good stories. He congratulated both the story writers. Dr. Vincent Ekka, HoD of Tribal Studies, recalled the history of the monthly journal 'Hashiye Ki Awaz'. He said that this magazine was initially published in the name 'Hum Dalit' for the last 26 years, with a sole purpose to bring the issues, struggles and rights of the disadvantaged sections of people



like the tribals, dalits, minorities and women to readers through writing. He also said that to recognize the writers from marginalized sections of society, the department started this annual award from this year. Out of all the stories that are published in a year in the magazine 'Hashiye Ki Awaz', the Indian Social Institute will award the best story every year.

Thereafter, two new publications, 'Daliton ke Buniyadi Sarokar' and 'Sangharshrat Adivasi Samaj' edited by Department of

Tribal Studies were also released. Kanwal Bharti, a dalit thinker and Arun Kumar Oraon, co-editor of the 'Sangharshrat Adivasi Samaj' also shared their views on the books. The function was anchored by Srijan Kishore, a Research Associate in the Department of Tribal Studies, Indian Social Institute, and a vote of thanks was proposed by Syed Parvez, co-editor of Hashiye Ki Awaz. Many eminent dalit and adivasi writers and dignitaries participated in the programme. □ -Anabel B. Bara

## ASIA REGIONAL TOT ON INDIGENOUS WOMEN, SDGs AND CEDAW IN CHIANG MAI & NEW DELHI



ToT in Chiang Mai Thailand, represented by women leaders from 14 counties

Ms. Alma Grace Barla, Associate Researcher, Department of Tribal Studies, ISI-Delhi, attended the Asia Regional Training of Trainers on 'Indigenous Peoples, Sustainable Development Goals (SDGs) and UN Convention on Elimination of All forms of Discrimination against Women (CEDAW)', held from 21-25 September 2019. The ToT was organised by the Asia Indigenous Peoples Pact (AIPP), in Chiang Mai, Thailand. The overall objective of this training was to strengthen the capacity of indigenous women

on facilitation and contents on SDGs and CEDAW; to develop an understanding on the process of engagement with CEDAW and SDGs for advocacy and lobbying for promoting rights of indigenous peoples in particular with a motto "No One Left Behind" and "Nothing About Us, Without Us".

As a follow up of this programme, Ms. Alma also conducted a workshop on Capacity Building and Strategic Development in ISI from 6-7 December, 2019. The workshop was attended by state focal persons of the Inter-state Adivasi Women's Network (ISAWN) from Odisha, Jharkhand, Chhattisgarh, Madhya Pradesh, Maharashtra,

Gujarat and the Union Territory of Dadra and Nagar Haveli. Ms. Alma presented an overall view of the MDGs, SDGs, its mechanisms, processes and engagement. Through group discussions the participants prioritised issues and prepared a roadmap to implement and monitor some of the goals of SDGs and to engage at the community level, national and global level consultation process on SDGs. □



Capacity Building and Strategy Planning workshop of adivasi women leaders in ISI, Delhi

## INTERNATIONAL CONFERENCE ON ADIVASI LANGUAGES, CULTURE AND SUSTAINABLE DEVELOPMENT HELD IN BHOPAL

An International Conference and Seminar on Adivasi Culture, Language and Sustainable Development was held from 15-17 November 2019, in Rashtriya Manav Sanghralaya, Bhopal. The event was organized by the SC & ST

Welfare Department, Government of Madhya Pradesh. It was attended by more than 200 presenters on nine thematic areas who came from across the country. Dr. Vincent Ekka presented a paper on *Protection of Indigenous Languages*

*calls for Protection of Land* and Ms. Alma presented a paper on *Tribal/ Indigenous Women Customary Institution: Transformation of Realities through Advocacy* and Dr. Benjamin Bara moderated some sessions. Selected papers will be published in a book form. □

-Alma Grace Barla

## LEGAL COMPLIANCE FOR NGOS/EDUCATIONAL INSTITUTIONS



Jesuit Research and Development Society (JRDS) conducted a two day training workshop on 'LEGAL COMPLIANCES for NGOs/ Educational Institutions' on 23rd & 24th November, 2019, at Indian Social Institute, New Delhi. One Hundred and twenty participants from all over India attended this workshop. Organisations and educational institutions of all sizes are subject to an ever-growing set of regulations, which put immense pressure on the management team. Today, more than ever, meeting with the requirements of the law is an imperative and no longer an option. Legal compliance of regulations protects the rights of the organisations and individuals. When legal compliances are infringed (deliberately or unknowingly), the organisations fall into the category of defaulters and are liable to face prosecution and penalties, apart from a range of harassments from the concerned authorities, both financial and otherwise. Finance is the life blood of an institution/

organization and its activities. The availability, mobilization and utilization of finances in any organization are a good indication of its health. It is efficient financial management that, among many other things, determines the very survival and sustainability of organisations/institutions. Therefore, strategic and effective finance management is a need of the hour. Moreover, we live in a complex, ever-changing, ultra-technological era, in which the rules of financial management and reporting are constantly being changed by various government agencies. Therefore, we have to update our knowledge on FCRA, Income Tax, TDS, GST, PF, ESI, Trust and Society, and Investment, in order to introduce and promote greater accountability structures and systems, for effective legal compliance. Our Finance systems must be upgraded with proper long-term planning and organizations/ institutions must, therefore, take the necessary steps to set timely and relevant

policies and procedures in place to prevent infringement of government laws, and ensure compliance to avoid any sanctions from the Tax Authorities. This workshop was not just about acquiring knowledge and information; it also provided practical and professional perspective on financial management issues. Legal notices continue to pose a challenge to organizations/ educational institutions, both large and small. Compliance is not just about recognizing the key regulatory pressures facing financial institutions, but also proactively ensuring the organization/ institution is processing and streamlining its operations to follow legal requirements. As the challenges around compliance continue to put pressure on organisations, finding new solutions and methods to resolve them are vital. This workshop helped the participants to make the best of this unique opportunity to build up their knowledge, competencies and structures for successful financial management. □ -Shiju Mathew

Book Fairs offer a wide range of books from all categories and promotes the reading habit among all age groups. It is a platform where all publishers display to promote their publications according to their culture, education, society, information and knowledge.

This time there were two book fairs in the same place at the same time conducted by CRD Patna Book Fair local organizer and Samay India, New Delhi. On this occasion, the Indian Social Institute participated in "Patna National Book Fair" conducted by Samay India which was held from 9th November 2019 to 20th November 2019 in Gandhi Maidan, Patna, for 12 days. Samay India stall cost was cheaper than the CRD stall. We had ample space and free tables to display our books. We had an excellent opportunity to sell our

## PATNA BOOK FAIR



books because book lovers got the opportunity to visit both places. They could purchase books according to their taste. Our publication titles, especially Legal Education Series, are something unique. All those who came to our stall had picked up at least two or three booklets or stopped for a while and looked at it to purchase the books displayed there and appreciated the Institute's

work.

The titles of legal series booklets are highly informative and in a more straightforward form so that people can understand and benefit from it. These styles of booklets were not available at any other stalls; therefore, many visitors visited twice or thrice to our stall.

The primary purpose of participating in the book fair was to sell, publicise and make our publications and Institution known to the public and communicate the vision and mission of the Institute. Our publications are printed on the basis of research studies, and articles on laws, human rights, women, children, Dalits, Adivasis, and legal education series. The aim is to make available the knowledge generated by the Institute and its collaborators at an affordable price. □ *-John Kullu*

## FIELD WORKSHOP ON SOCIAL HARMONY AND DALIT WOMEN IN GURUGRAM, HARYANA



The aim of this one-day workshop, "Social Harmony and Dalit Women in Gurugram" was to deliberate on various dimensions of violence against dalit women, which is the extreme manifestation of social conflict in rural Haryana, including causes, reactions and role of stake holders among others. This workshop was conducted in the Sadhrana village of Gurugram, Haryana on July 24, 2019. The event commenced with the speech given by an advocate who acquainted a total

of 25 women about the legal aspects regarding women in India. She pointed out the gender differences associated with children from the moment they are born, and how the process of differentiation and categorization begins with gender by society. She mentioned that the seed of this differentiation starts from the family at an early stage of childhood for the child, where at each stage, gender notions are attached and children are asked to behave accordingly. Subsequently,

responsibilities and distinctions are highlighted as they grow into adults, with women shouldering the job of housework while men leading the household as the breadwinner of the family, eventually establishing the ground rules for a patriarchal setup. To keep up to this burden, the responsibilities of women, therefore, increase manifold. She highlighted that there is no physical incapability regarding women, as women work equally or even more than men, taking care of their domestic as well as work duties, without being paid equally. The only problem is in the mindset of people, who divide the responsibilities of women and men based on gender. The workshop on social harmony and legal aspects on women was a success with the combined efforts of everyone as they came up with positive results from the interaction with dalit women from the field on strategies for social harmony. Thus the workshop was informative as this gave them the motivation to stand against what is wrong and to support what is right. □

*-Archana Sinha*

## 50TH ANNIVERSARY OF THE SOCIAL JUSTICE AND ECOLOGY SECRETARIAT (SJES) IN ROME



The 50th anniversary of the Social Justice and Ecology Secretariat (SJES) was celebrated at the SJES Congress on 4–8 November, 2019, in Rome. 210 delegates from 62 countries, including Jesuits, lay collaborators, experts and activists, gathered in the Aula Magna of the General Curia in Rome to deliberate on the theme "A Journey of Justice and Reconciliation: 50 years and beyond". The SJES Congress began with a warm welcome extended to all delegates by Fr. Xavier Jeyaraj SJ, the Secretary of SJES. At the inaugural session, Cardinal Peter Turkson, Prefect of the Vatican Dicastery for the Promotion of Integral Human Development, lauded the contribution of Jesuits in the promotion of the Catholic Social Teaching articulated by encyclicals of Popes for over a century in his keynote address. In his address to the SJES Congress, Cardinal Michael Czerny SJ, Under-secretary for Migrants and Refugees, stressed on the need for Jesuits to reach out to the most

vulnerable people in the world, particularly migrants, refugees, indigenous peoples, minorities and discriminated sections of society. In his inaugural address, Fr. Arturo Sosa SJ, Superior General of the Society of Jesus, recalled the initiative of his predecessor, Fr. Pedro Arrupe SJ, who initiated the establishment of the Secretariat



in 1969, and the price the Society of Jesus had to pay for its social commitment in terms of 57 Jesuit martyrs across the globe during the last five decades. He challenged the Jesuits to deepen the spiritual dimension of the commitment to social justice and integral ecology and strengthen local and global

advocacy to change structures of exclusion and produce the greater and more universal good. At the SJES Congress, lectures by experts was interspersed with testimonies of Jesuits and lay collaborators, group sharing sessions and guided prayer sessions. One of the experts invited to speak at the SJES Congress was Ms. Sunita Narain, Director of Centre for Science and Environment (CSE) based in New Delhi, who stressed on the need to respond effectively to the ecological crisis and climate change that will transform the way we live in the future. A special moment of grace was the Private Audience with Pope Francis at Clementine Hall of the Vatican Apostolic Palace on 7th November. While addressing the delegates of the SJES Congress, the Jesuit Pontiff encouraged Jesuits and their collaborators to continue their creative commitment in the service of the poorest and refugees, defending human rights and providing social services in many fields. The South Asian delegation comprising of 29 members, included Dr. Denzil Fernandes SJ. During the session on 'Networking and Collaboration: A New Way of Proceeding in the Social Apostolate', Lok Manch programme was showcased as a model of collaboration in a mission of justice and reconciliation. SJES Congress concluded with a call to work with renewed enthusiasm for the mission of justice and reconciliation in the spirit of the UAPs.

On the sidelines of the SJES Congress, there was a presentation of the Lok Manch programme organised by MAGIS at the Gregorian Pontifical University, Rome, on 6th November. About 40 staff and students of the University participated in the programme. □

**-Denzil Fernandes**

## SAHR CONSULTATION ON FREEDOM OF RELIGION AND ASSOCIATION IN KATHMANDU



A South Asian Regional Consultation on the Restrictions on Freedom of Expression and Association was organised by South Asians for Human Rights (SAHR) at Hotel Himalaya, Kathmandu on

15-16 November, 2019. About 40 delegates, including social activists and Human Rights organisations, from Afghanistan, Bangladesh, India, Maldives, Nepal, Pakistan and Sri Lanka. Dr. Denzil Fernandes SJ was one of the delegates at the consultation. During the Consultation, a SAHR publication on the "Status of Regional Cooperation in South Asia: A Critical Assessment of the SAARC" by Bharat Bhushan was released. At the end of the consultation, the delegates released a statement expressing concern at the increasing violation of fundamental rights of citizens and a decline in democratic culture in the South Asian region. □

-Denzil Fernandes

The Geneva based International Catholic Migration Commission (ICMC) organised the meeting of ICMC Asia-Oceania Working Group on the theme "Putting People at the Centre" and a High Level Regional Conference on the "Future of Work" on 1-4 December, 2019, at Aloft Hotel in Bangkok, Thailand. The Conference was part of the global advocacy project on "The Future of Work, Labour after Laodato Si" on the occasion of the centenary year of ILO, of which Indian Social Institute was a part. Over 70 delegates representing UN agencies, ILO, Vatican's Migrants and Refugee section, NGO representatives, social partners and faith leaders. The programme began with visits to three migrant communities by delegates of the Conference. At the meeting of ICMC Asia-Oceania Working Group, the delegates deliberated on the issues of 'Child Migrants and Refugees', 'Human Trafficking', 'Internally Displaced Persons and Follow-up to Implementation of the Global Compacts' and 'Labour Migration'. The High Level Conference on

## FUTURE OF WORK CONFERENCE IN BANGKOK



"Future of Work" discussed various issues arising out of the phenomenon of labour migration within borders and across international borders. Dr. Denzil Fernandes SJ made a presentation on "Inter-religious Engagement on Labour Migration: A Catholic Perspective" during an inter-faith panel discussion on labour migration. Other panelists

included Swami Agnivesh and Rev. Emmy Sahertian from Indonesian Church Council-Timor Christian Church. The conference concluded with the World Migration Day event at the Regional-National office of the International Organization for Migration (IOM) in Bangkok. □

-Denzil Fernandes

## 8TH ASIAN PEACE PRACTITIONERS' RESEARCH CONFERENCE IN SIEM REAP, CAMBODIA



The Siem Reap based Center for Peace and Conflict Studies (CPCS) organised the 8th Asian Peace Practitioners Research Conference on 6-8 December, 2019, at Regency Angkor Hotel in Siem Reap. Over 200 delegates from several countries of Asia and other continents deliberated on the theme "Addressing Structural Violence through the Lens of Ethnicity and Faith". The participants of the Conference discussed issues of

conflict-prone regions of the world and the various peace initiatives that have been undertaken by State and non-state actors in these regions. Dr. Denzil Fernandes SJ represented Indian Social Institute at this Conference. Conflicts and peace efforts in Sri Lanka, Philippines, Kashmir, Myanmar, Thailand, Cambodia, Nepal, Hong Kong and Indonesia were deliberated upon by the delegates of the Conference. The conference

concluded with a call by Dr. Emma Leslie, Director of CPCS, to redouble our efforts to resolve conflicts and strive to build peaceful societies in the world. Dr. Denzil Fernandes SJ also participated in a MISEREOR Partner Exchange Meeting on "Ethnoreligious Nationalism as a Challenge for Peace in Asia" held on 5-6 December, 2019, at the office of CPCS in Siem Reap. □

*-Denzil Fernandes*



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