



**INDIAN SOCIAL INSTITUTE**  
Center for Research, Training and  
Action for Social and Economic  
Development and Human Rights

For Private Circulation only

# SUBALTERNS

A Quarterly Newsletter of Indian Social Institute, New Delhi

Volume 29

JANUARY - MARCH 2021

No. 01



## Editorial

Every Indian citizen takes pride in the fact that India is the largest and most populous democracy in the world. Indian democracy is founded on the vision articulated in the Constitution of India. This democracy is sustained through its institutions, namely the Executive, Legislature and the Judiciary. Media and civil society also play a major role in sustaining a vibrant democracy. In the last seven decades after Independence, India faced several challenges including food scarcity, wars, economic crisis and even Emergency, where fundamental rights of citizens were suspended for a couple of years. However, in every time of crisis, Indian democracy remained resilient and withstood these challenges. In the last few years, democracy in India is facing unique challenges and the citizens are experiencing significant changes in the nature of Indian democracy. The fundamental principle of democracy is that the people elect and choose their representatives in Parliament and State Legislatures and the party or coalition that forms the majority governs the country or the state. The first change in Indian democracy is the switch from ballot papers to Electronic Voting Machines (EVMs). In recent times, the electoral process is conducted with the help of EVMs instead of ballot papers. Since there were doubts about the transparency of these EVMs, Voter Verifiable Paper Audit Trail (VVPAT) was also introduced. However, in spite of such a transparent system, the elections are conducted without

## The Changing Face of Indian Democracy

matching the votes displayed in the EVMs with the VVPATs, thus making the transparency of the elections redundant. The second change in Indian democracy is the ease at which elected representatives betray the voters who elected them. In recent times, many elected members in Parliament and State legislatures betray the voters who elected them and change their parties with the lure of money and political positions creating political instability in various Governments. The third change in Indian democracy is the phenomenon of populism and majoritarianism that pervades the political spectrum that promotes sectarian and vested interests and undermines genuine democracy as a mechanism that reconciles the interests of all sections of society. It is a well established principle in democracy that though elections are fought on party lines, once elected, these representatives should work for the welfare of all people. However, in recent times, elected governments formulate laws and policies that promote the interests of their vote base, which creates greater polarisation of society. The patronage given to a religious nationalistic view has also undermined the secular foundations of Indian democracy. The fourth change in Indian democracy is that the consensus approach to the formulation of new laws and policies has been abandoned and the majority support in Parliament is equated to the will of the people. New laws and policies having far reaching effects on the people

are being passed merely with the brute force of majority support in Parliament and implemented without proper consultation with all stakeholders. Consequently, new legislations are unable to address those who are adversely affected by these new laws. Therefore, a democracy that reflects the will of the people has been reduced to a democracy that reflects the will of the majority in Parliament and State legislatures. This has resulted in widespread protests throughout the country. The fifth change in Indian democracy is that independent Constitutional authorities and the judiciary are becoming subservient to the Executive and this trend poses a serious threat of India descending into prolonged dictatorial and authoritarian rule. The sixth change in Indian democracy is crony capitalism and the increasing corporate control of the media and public services which is disturbing the conditions of having a level-playing field in the electoral process. Finally, the silencing of dissent and suppression of civil society is posing a serious threat to the future of Indian democracy. Several civil society organisations are forced to close down and social activists, including Fr. Stan Swamy, have been incarcerated in jails under draconian laws that undermines the principles of natural justice. As India celebrates its 72<sup>nd</sup> Republic Day, every citizen is called to strive towards preserving the ideals of Indian democracy, which guarantees justice, equality and liberty to every citizen of the country. □ **Denzil Fernandes**

# CHANGING FACE OF INDIAN DEMOCRACY: WOMEN'S PERSPECTIVE

Archana Sinha

True democracy is a system which in Abraham Lincoln's words, is a government 'of the people, by the people and for the people'. Democracy is one of the most coveted inventions humankind has made so far. It provides freedom to decide the way of life human beings want for themselves. Human society has been struggling to achieve the goal of democracy. In India, where there is great inequality in terms of income and prosperity, elections serve as the great equaliser. All enjoy the same importance when it comes exercising their right to vote. India has a rich history of measuring political participation of women since its independence. The decentralization of governance which is taking place for the last two decades has increased the importance of measuring participation of women in decision making. Proper gender budgeting has already been worked out for inclusive growth of women and girls by ear-marking one third budget for the women in all the schemes. The Indian Government has a lot of emphasis on utilizing real time data for measuring different social indicators and using them for policy intervention. With more responsive data on women's participation, better gender budget initiatives aim to move the country towards a gender equal society. This reflection explores the idea of Indian democracy through the concepts and representation from the perspective of women who are mostly agricultural labourers. In the Covid-19 scenario, the returning male migrant workers do not allow women of their family to do wage labour. One reason is that these men take up wage labour and therefore their wives do not need to. They are expected to be provided for by

their husbands, make ends meet with what their husbands earn and they should focus on household responsibilities. Men do not allow women to take up wage labour outside their village. Women also prefer working near their homes for several reasons. Caste also limits women's participation in the visible productive economy. Labour relations of women are a part of the wider village-based social, economic and political relations of domination and subjugation. This has implications for women labourers.

Central to Indian democracy is the concept of representation, that is, formal political representation as a medium of communication between the state and its citizens. Over the years, the idea of representation has simultaneously become more complex and more problematic. Political freedom has not translated into social inclusion and egalitarian economic advancement. The idea of democracy are confronted with growing economic and social inequalities. Women's participation in politics has always been an issue concerning present democracy. Conventionally, they participated as male counterparts. Political activities and their relationship with women's participation is something which has not been discussed to a great extent in the Indian context, much like other democracies. India should work towards empowering women and also encourage greater participation of women leaders in panchayats. Historically, farmers have been an important socio-political constituency in Indian democracy as voters, as leaders of farmers' movements, as politicians or as groups aligned with political parties. Farmers are

not a united group; rather they are defined by identities of caste, region, and religion and so on. They engage with the Indian state on a variety of issues, like, provision of productive employment, formal credit, irrigation facilities, better Minimum Support Price, reform of agricultural market and so on - all pertains to 'public' domain. But the Indian State presents a probing issue by non-recognition of women as farmers, thus depriving them of all rights and entitlements. Conventionally, the sphere of exchange, production and market is part of the public domain dominated by men. It is not that women are not engaged in production; rather, their work is rendered invisible. In the eyes of Indian State, women are not farmers (contrary to ground evidence), and this invisibility is a serious constraint on their public engagement - with the state as well as the market. Farming is not work, considering the seasonality of wage labour. Their wages are low and often delayed or partially paid, and so on. Women's participation in decision-making is essential for women's interests to be incorporated into governance. It has been widely experienced that governance structures which do not provide for adequate participation of women, often suffer from state interventions which are neither inclusive nor democratic. Including women, especially in local governments, are an essential step towards creating gender equal opportunities and gender sensitive policies. Since women have different needs and perspectives on social and political issues, it is important to involve women in governments to incorporate all of the societal viewpoints in policy and decision-making processes. □

# CHHATTISGARH PESA: ONE STEP TOWARDS TRIBAL SELF GOVERNANCE

*Anabel Benjamin Bara*

The year 2020 brought many challenges and threats in the form of COVID-19, deaths due to the pandemic, economic crisis, job loss, agriculture reform bills, farmers protest, etcetera. This time of uncertainty is used by the government of Chhattisgarh as an opportunity to commence the process of the formulation of the Provision of the Panchayat Extension to Scheduled Area (P-PESA). P-PESA is a special Act formulated by the Union government in 1996 for the ease of management and governance of Scheduled Areas. However, very few states in our country have implemented it. PESA gives special provisions to the Gram Sabha for self-governance and to manage, control, and administer the territory and resources falling within its area.

Last year (2020), the Honorable Governor of Chhattisgarh, Ms Anusuiya Uikey, took the bold initiative by using the power conferred in the 5th Schedule of the Constitution of India to call for inputs in the formulation of PESA structure and rules in Chhattisgarh. With this, there was a sense of excitement and hope among the tribals of Chhattisgarh. Many tribal organizations, civil society organizations, and NGOs came forward to take the lead but each organization has a different understanding of the PESA Act and its structure. Few proposed PESA structure based on the three-tier system of Panchayati Raj with few amendments like Chairperson of the Gram Sabha would be the elected representative of the Panchayat, and some suggested PESA to be based on the 6th Schedule format which gave autonomy to the tribals. Few indigenous organizations neglected PESA and considered that scheduled areas should be only

governed under the clauses given in Article 244(1) and 5th Schedule of the Constitution of India. Lack of understanding and coordination among the tribals have made this task more tedious. Looking at this as an opportunity the Panchayati Raj Minister of Chhattisgarh, Mr. T. S. Singhdev, also initiated the process to formulate the P-PESA by conducting various consultation meetings in the tribal areas, asking suggestions from the tribal experts and organizations. Therefore, one can see that there are two groups involved in the formulation process of P-PESA; one group is working with the Governor of Chhattisgarh and the other is working with the Panchayati Raj Minister of Chhattisgarh.

The fundamental question that needs to be asked is that who has the authority to formulate P-PESA in the State? Is it the State Government or the Governor or the tribal organizations/experts? What should be the structure of the P-PESA? And what is the process of the formulation of P-PESA? According to Article 244(1), Fifth Schedule Areas has separate provisions for Administration and Control of Scheduled Areas and Scheduled Tribes. Section 5(2) of Part B of the Fifth Schedule says that "the Governor may make regulations for the peace and good governance of any area in a State which is for the time being a Scheduled Area." In this perspective, it seems that the Governor has the authority to make laws and regulations for Scheduled Areas including P-PESA. However, Section 5 of Part B of the Fifth Schedule says that "(1) Notwithstanding anything in this Constitution, the Governor may by public notification direct that any particular Act of Parliament or of the Legislature of the State shall not apply to a Scheduled Area

or any part thereof in the State subject to such exceptions and modifications as he may specify in the notification and any directions given under this sub-paragraph may be given so as to have retrospective effect." Based on this statement it is clear that the Governor has the power to repeal or allow any Act or rules made by the Central or State government or can make necessary amendments in it keeping in mind the integrity of the tribal territory. In this context, the Governor of Chhattisgarh has the power to either repeal central P-PESA, or make necessary modifications in it or formulate entirely a new law that could help in the smooth governance, administration, and control of Scheduled Areas in the State. Then what about the initiative taken by the State Legislature of Chhattisgarh in the formulation of P-PESA? Is it the right thing to do or is it legal or constitutional? One has to understand that even if the draft of 'Chhattisgarh PESA' is made by the State Legislature, it would ultimately go to the Governor to take the final call on the matter related to Scheduled Areas. Therefore, the Governor has the upper hand over the State Assembly on the Fifth Schedule Areas.

According to the central P-PESA 4 (a) "a State legislation on the Panchayats that may be made shall be in consonance with the customary law, social and religious practices and traditional management practices of community resources" and 4(o) "the State Legislature shall endeavor to follow the pattern of the Sixth Schedule to the Constitution while designing the administrative arrangements in the Panchayats at district levels in the Scheduled Areas." This means that the State Legislature should follow both the

structure of the Sixth Schedule and customary, social, religious, and traditional management practices of the tribal community while formulating PESA laws for Chhattisgarh. In that case, the customary laws of tribals do not have any provisions for elections. Tribals follow the selection process in choosing their leaders. In this process, the whole community assembles to select the suitable and eligible candidate to lead their community. In the same manner, any decisions related to land, territory, and resources are taken democratically by the whole community.

The Sixth schedule has the provision of Autonomous District Council and Regional Council. These councils have the power to make laws with respect to industries, infrastructure, education, agriculture, fisheries, water bodies, social security, health, irrigation, land, revenue, trade and commerce, markets, alienation

of land, protection of culture and traditions etcetera. The role of the State Legislature in these councils is negligible.

Therefore, if we try to incorporate both customary laws and pattern of the sixth schedule while designing Chhattisgarh PESA then the Village Council (Gram Sabha) will become the smallest unit, followed by Block Autonomous Council (BAC), followed by District Administrative Council (DAC) which will ultimately lead to Schedule Area Council (SAC). The members of the SAC should be given the status of Member of Legislative Assembly (MLA). Few selected members of the SAC shall be appointed to be the part of the Tribes Advisory Council (TAC) which will work directly with the Governor. In this sense, the schedule areas should have autonomous councils at various levels in which the members should be selected and not elected. One has to be also cautious about the fact to have the representation of all the tribal communities and

other communities in the council provided that at least 50% of the members should be from the tribal communities including women. Apart from designing PESA Act for the state, one has to also form 'Schedule Area Governance, Administration and Control Rules (SAGACR)' that will comprise of the rules and regulations to run a Scheduled area.

It is difficult to imbibe the idea of the proposed PESA structure mentioned above because it gives autonomy and self-rule to the tribals in their territory which might unlikely cause a threat to the non-tribals residing in the fifth schedule areas. However, one has to also think about the diminishing identity of the tribals and the challenges they face to protect their land, territory, and resources. A middle path has to be explored which will come from the consultation with the various stakeholders residing in the scheduled areas of Chhattisgarh. All these things should be done democratically and peacefully. □

## FARMERS UPRISING

*Anthony Dias*

What is considered 'the largest protest in history' and which is being played out on the streets leading to the political Capital of India from 26 November, has resulted in an unusual churning. Indian democracy is again at the cross-roads and is being severely tested. Political parties are forced to take a clear stand. The 'sentinel on the *qui vive*' and protector of the Indian Constitution - the Supreme Court of India - is on trial. And it is as if all the so-called civil society members are being interrogated and challenged. This is clearly a moment of reckoning, a conscience call for each one of us.

Farmers, and those



dependent on farmlands, all over India are asking for the repeal of the three controversial farm laws which were rammed through Parliament without due process and with scant respect for democratic principles and norms. The farming

community knows that these laws are detrimental to their interests and to their existence. For over two months, the farmers are out on the roads braving the icy winds, the shenanigans of the government and the greed of the corporate world. In

the last two months, more than 70 farmers have died and there have also been instances of suicide. A suicide note left by a Sikh priest, who could no longer see the suffering of his people, said "injustice is indeed a sin; and to suffer injustice passively is also a sin". The farmers provide a good analysis of the laws and express their anguish at being labeled 'anti-nationals', khalistanis, naxals and so on. They spoke about their determination to fight for justice and dignity right till the end.

Several civil society members have visited the Delhi border areas where the farmers, including women farmers, landless labourers and children, eke out a precarious existence. Although there is enough supplies of essentials and food, the uncertainty and the stress of living on the streets is taking a toll.

These people long for support and solidarity, and compassion. It is heartening to note that several civil society members and organizations have organized relief and solidarity visits.

Observing and interacting with those fighting for their right to live a dignified life, we see genuine secularism, socialism, equality and fraternity – all Constitutional Values – being lived out and celebrated in the open streets. There is creativity, humor, tears and laughter, sharing from the heart and fellow-feeling. The gender discrimination is not seen. The women and children feel safe and cared for. The determination to agitate for their rights till the end peacefully is solid and inspirational.

If we fail the farmers, we will fail not only them but also those who are vulnerable and oppressed.

We will also fail democracy, the Indian constitution, the rule of law, the philosophy of peaceful protest popularized by Gandhiji. At the end of the day, we will fail our own conscience. We cannot afford this to happen. We will have ourselves to blame and future generations will not forgive us our lapses, inertia and immobilizing fear, some of which are more imaginary than real. We need to bear prophetic witness by engaging not only in relief of various kinds but also by doing advocacy on behalf of the farmers and with the farming community in general as the agrarian distress continues to rage and take its toll. The longer term task is to focus on Democracy. We need to strengthen democracy in every area of human endeavor. □

## THE CHANGING FACE OF INDIAN DEMOCRACY

Anjali Das

It is important to understand that electing the right leader can go a long way in setting the country on the path to excellence. Over the last 70 years, we have come a long way as a nation: from bullock carts to jeeps to airplanes to space to the Internet. Former US President Barack Obama famously said, "There's no such thing as a vote that doesn't matter." That's the beauty of democracy. However, Virtual Politics and Elections in the Digital Era are described as a "veritable primer on Indian politics".

Change is a characteristic of all societies – be they primitive or modern. When foreigners described India as a 'traditional' society, they insisted that it was a society that stuck to its traditions and refused to change. But the changes in Indian democracy lead to the loss of its earlier identity because of the replacement of a large number of structures by the new government. The masses feel more involved in politics and are articulating their own understanding

of what democracy means. With the decline of the Congress Party as an encompassing interest, embracing many different actually or potentially self-conscious groups of people, Indian politics has become more of a field of contestation over ethnic identities – often involving claims about dignity or self-respect as well as over resources – which has reinforced government failure. There is every indication, that the compulsions of politics will ensure that the BJP continues to trim its attempts to pursue the *Hindutva* agenda. But both '*banal Hindutva*' and its more extreme and violent forms are here to stay in the context of sharpened ethnic, religious identity in India today.

India today and its democracy is a scene of great change. But it is hard not to be struck as well by how much has not changed – perhaps above all by the enduring inequalities of Indian society, and by the continuing prevalence of

great poverty, in spite of such successful economic growth. In spite of years of affirmative action – of the Scheduled Castes and the Scheduled Tribes who together make up more than a quarter of the population, they continue to remain deeply disadvantaged, along with most women. Democracy in India has encouraged competition between social groups for advantage in access to state resources, rather than for the accountability of the state to citizens. As Metha says, *Politics is a struggle on the part of different groups for position, rather than for social transformation.*

There are few unique challenges to the democratic process in India brought about by its multi-ethnicity, culture, languages, religions and societal make up. While some of the issues are gradually being ironed out, some others are becoming further ingrained in the body politic of the nation and assuming a life and dimension of their own. In a mature democracy, elections are contested on issues of national importance and challenges

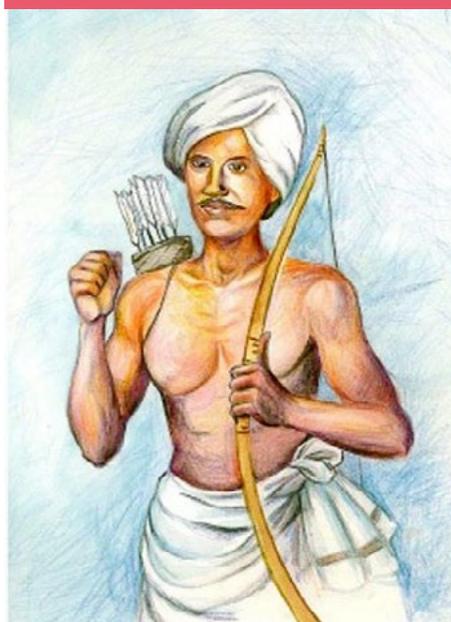
that people face on a daily basis, underpinned by the requirements to ensure the economic stability and prosperity of the nation. In the Indian context, both these factors are only of peripheral interest and the elections are almost always contested on narrow and sectarian issues. This bias has led to India not yet having developed a broadly accepted national identity of its own

that can be embraced by people across the entire country.

In colonial India the undemocratic and discriminatory administrative practice of British colonialism contrasted sharply with the vision of freedom which western theories of democracy espoused and which the western educated Indians read about. The scale of poverty and intensity of social

discrimination within India also led to deeper *questioning of the meaning of democracy*. Is democracy just about political freedom? Or is it also about economic freedom and social justice? Is it also about equal rights to all irrespective of caste, creed, race and gender? And if that is so how can such equality be realized in an unequal society? □

## INTERNATIONAL WEBINAR ON THE COMMEMORATION OF THE BIRTH ANNIVERSARY OF BIRSAMUNDA



### BIRSA MUNDA JAYANTI

November 15<sup>th</sup>, 2020; Sunday  
Time: 5:30 p.m. to 7:00 p.m. (I.S.T.)

YouTube link:-  
<https://youtu.be/SgvCzmF3hes>



**Walter Kandulna**  
Freelancer working for Tribal Sustainable Economic Development



**Dr. Chetankumar Bhimrao Mesram**  
Central Organizer, All India Adivasi Employees Federation



**Ashok Choudhary**  
Secretary General of 'Adivasi Ekta Parishad' and 'Adivasi Samanvay Manch', Bharat



**Madam Anusuiya Uikey**  
Honourable Governor of Chhattisgarh



**Phoolman Choudhary**  
Member of United Nations Permanent Forum on Indigenous Issues

Organised by India Indigenous Peoples, आदिवासी समन्वय मंच भारत एवं समस्त आदिवासी समुदाय/संगठन

A virtual webinar was organised on the eve of the birth anniversary of the legendary tribal martyr 'Birsa Munda' by the Department of Tribal Studies in collaboration with India Indigenous People, and Adivasi Samanvay Manch Bharat on 15th November 2020 from 5.30 p.m. till 7.00 p.m. The Chief Guest of the event was Honorable Governor of Chhattisgarh, Ms Anusuiya Uikey and Guest of Honour was Mr. Phoolman Chaudhary, Member UN Permanent Forum on Indigenous Issues (UNPFII). The other speakers for this event were Mr. Ashok Chaudhary, Secretary-General, Adivasi Ekta Parishad, Mr. Walter Kandulna, Tribal intellectual from Jharkhand, and

Dr. Chetankumar Bhimrao Mesram, Central Organizer, All India Adivasi Employees Federation. Tribals from abroad and across India attended the webinar. In her inaugural speech, Ms. Anusuiya Uikey congratulated the organizers for taking the initiative to commemorate the birth anniversary of Birsa Munda. She explained about the charismatic leadership and the struggles Birsa Munda had gone through while fighting against the British for the land, forest, and identity of tribals in Khoonti district of Jharkhand (then Chotanagpur belt). She emphasized that unless the awakened and educated tribal leaders from the community come in the forefront to empower, train,

educate, and direct the tribal society, tribal communities will remain in the dark. Mr. Phoolman in his speech emphasized that Birsa Munda the legend is the role model for all indigenous communities in the world in protecting land, water, forest, natural resources, identity, and rights of indigenous peoples. He asked on behalf of the UNPFII that the member states of United Nations should ratify the ILO 169 convention and recalled the previous recommendations that the intergovernmental commission on Human Rights of the Association of South East Asian Nations (ASEAN) should recognize the human rights of indigenous peoples and establish

the working group of indigenous peoples. The forum urged ASEAN to establish a Human Rights Commission and Working Group of Indigenous Peoples. Mr. Walter Kandulna explained the provisions of the Chotanagpur Tenancy Act (CNT) 1908 and how it was relevant in today's context. Dr. Chetankumar Bhimrao Mesram in his speech told about the contemporary challenges that the tribal employees face during

jobs and the legal instrument they could use to get justice. Mr. Ashok Chaudhary was the last speaker for the webinar and he spoke on the values of Birsa Munda in the contemporary world. He told that the current structure of governance for development was established to bring welfare to humanity, but it was doing just the opposite. Instead of welfare and development, these institutions and projects were

weakening democracy, degrading the environment, depleting nature, eradicating forests, etcetera. When Birsa saw all these in his times then he called for 'Ulgulaan'. Mr. Ashok added that the biggest challenge in today's time is to imbibe the values and thoughts of Birsa in our behavior. The program concluded with a vote of thanks by Mr. Roshan Ekka. □

Anabel Benjamin Bara



## NATIONAL WEBINAR ON THE 131<sup>ST</sup> DEATH ANNIVERSARY OF TANTAYA MAMA BHIL



A national virtual webinar on the eve of the 131st death anniversary of the legendary tribal hero Tantaya Mama Bhil was organized by the India Indigenous Peoples in collaboration with Indian Social Institute, New Delhi, Adivasi Samanway Manch Bharat, and Adivasi Ekta Parishad on 4th December 2020 from 7.00 p.m. to 8.30 p.m. The main speakers for the session were Mr. Gajanand Brahmane, Mr. Jaisingh Bariya, and Dr. Sumitra Vaskale. The moderators of the program were Mrs. Hemlata Katara and Mr. S.S. Markam.

Tantaya Bhil or Tantaya Mama was considered a bandit by the

British colonial rule. He was born in a Bhil tribal family in district Khandwa, Madhya Pradesh, around 1840. He waged a war against the exploitation and oppression of the fundamental rights of the rural tribal people by the British rule during 1878-1889. In their speeches, the speakers told that even today, Tantya Bhil is worshiped in many tribal houses. It is said that Tantya Bhil knew the language of all the animals and was considered a deity. Tribal people still say that Tantya Bhil had superhuman power. He used to conduct village council meetings at the same time in 1700 villages with the help of

these powers. Due to these powers, Tantya Bhil could not get caught by even 2000 British soldiers. He would loot the rich people and distribute the wealth among the poor and that is why he is also known as the 'Robinhood.' He was caught because one of his followers deceived him. He was hanged to death in 1890.

The program was concluded and summarized by Mr. Nakhtaram Bhil, National President Adivasi Samanway Manch, Bharat followed by a vote of thanks by Dr. Anabel Benjamin Bara. □

Anabel Benjamin Bara

## 2<sup>ND</sup> HASHIYE KI AWAZ KATHA SAMMAN 2019-2020

The 2<sup>nd</sup> Hashiye Ki Awaz Katha Samman 2019-2020 programme was organized by Integrated Social Initiatives and Department of Tribal Studies, Indian Social Institute, New Delhi, on 27 November 2020 on a virtual platform. The jury selected

two stories one "Ekta Mein Bal" by Jai Prakash Valmiki from Rajasthan and another "Hu" by Vinod Kumar from Jharkhand as the best stories from among those twelve stories that were published in the "Hashiye ki Awaz" in the year 2019. The jury for

Hashiye ki Awaz Katha Samman 2019 was constituted by Sanjay Kundan, independent writer and poet, Prof. Kahakshan Ehsan Saad, Jamia Millia Islamia, and Dr. Anita Minj from the University of Delhi.

Dayamani Barla, popularly

called 'Iron Lady of Jharkhand,' shared her personal experience on the topic "*Fasiwadi daur mein vanchit samaj ke lekhan ka mahatva*" (The importance of literature of marginalised societies in the context of fascist regime). In her speech, she said that about a decade ago the voices from the weaker sections were given some space in the media but today it has become next to impossible to make our voices heard. It is because media has become a slave to the Corporates and Capitalists. She added media alone is not guilty but the successive governments have also sidelined the tribals, dalits and minorities. The fight for our history, culture, identity, water, forest, land and our legal rights has to be strengthened



and then only we can save our lives and livelihood. The next speaker was Madhusudan Anand, the Editor of Naya Gyanodaya. He spoke on '*Vartman daur mein subaltern sahitya ka mahatva*' (the importance of Subaltern literature in the today's context). In his speech he

underlined that the Dalit literatures are produced in a variety of ways like the mainstream literatures. He congratulated both the writers whose stories won the award. At the end the jury members and also the winners addressed the gathering on the virtual platform. □

## NATIONAL VIGIL FOR THE CONSTITUTION



The National Vigil for the Constitution and Human Rights Defenders was celebrated at Indian Social Institute on the occasion of National Constitution Day on 26th November. During National Vigil, the main speakers were Mr. Sanjay Hegde, Senior Advocate of the Supreme Court of India, and Ms. Tehmina Arora, Director of Alliance Defending Freedom (ADF-India). They stressed on the need to uphold the values of the Constitution as the framers of this foundational document of the

country proposed a vision where every citizen is guaranteed justice, equality, liberty and the promotion of fraternity assuring the dignity of every individual. Earlier, in his welcome address, Fr. Paul D'Souza SJ highlighted the importance of the spreading the values of the Constitution as it had been framed by all sections of society including Fr. Jerome D'Souza SJ, who founded the Indian Social Institute in 1951. He lamented that the vision of the founding fathers of the nation articulated in the Preamble of the

Constitution remains an unfulfilled dream for millions of citizens. In particular, those who have worked hard for decades to ensure that the Constitutional rights of citizens become a lived reality are being branded as anti-nationals and are languishing in jails as they have been charged with terror cases. The programme included the release of a video on Fr. Stan Swamy and the singing of songs such as "Abide with Me" and "We shall Overcome". The programme concluded with a candle light march. □ **Denzil Fernandes**

# 40 YEARS OF JRS



Commemorating 40 years of accompaniment, advocacy, and service of JRS worldwide, JRS South Asia organised a photo exhibition on the theme '40 Years of Accompaniment' on November 16, 2020 at the Indian Social Institute. There were around 120 participants, including representatives from Chin and Afghan refugee community. Fr. Jerome Stanislaus D'Souza SJ, President, Jesuit Conference of South Asia, graced the occasion and inaugurated the photo exhibition and gave a hope-giving message with an assurance of his unfailing accompaniment with the marginalized communities. He said that the tiny seed sown by Fr Arrupe 40 years ago has become a mighty tree today by giving shades of hope for the refugees. He congratulated and wished JRS to be a blessing to refugees all around the world.

Fr. Denzil Fernandes SJ, Executive Director of Indian Social Institute, welcomed the gathering and gave a brief background of the close collaboration with JRS through the impact assessment study of Afghan mission and a study on Chin Refugees in Delhi. During the event JRS released the booklet "Testimonies of Hope" based on its Impact Assessment of Jesuit Mission Outreach in Afghanistan. Fr. Paul D'Souza SJ, Head of the Department of Dalit Studies highlighted the nature of the testimonies in the booklet. He emphasised on the significant impact JRS has made in the lives of Internally Displaced persons in Afghanistan to bring hope back in a war-torn country. A video with the theme 'Down the Decades' displayed the journey of 40 years of its accompaniment in South Asia. Fr. Louie Albert SJ, the Regional Director

for JRS South Asia, highlighted the need for greater advocacy as the number of forcibly displaced persons are on the increase. He stressed on the need to collaborate with academia, civil society organizations, and international human rights groups to amplify the needs of refugees for sustainable and dignified settlement. Then, Afghan and Chin refugees shared the influence of JRS interventions in their lives. A scintillating cultural performance of children from Chin and Afghan communities enthralled the gathering. JRS 40 years commemoration was a time of expressing gratitude to the people who have journeyed along with refugees over the years and help others understand the mission of JRS to promote the ministry of Fr Pedro Arrupe of "being with rather than doing for". ▣ Louie Albert

**“Injustice anywhere is a threat to justice everywhere.” – Martin Luther King Jr.**

# INTERNATIONAL MIGRANTS DAY 2020

The International Migrants Day was celebrated online through a Webinar on 18th December, 2020. A video on Migrants prepared by Jesuit Conference of India-Conference Development Office (JCI-CDO) was played to set the context. Dr. Siji Chacko, Director of JCI-CDO, welcomed the audience by sharing the works of Jesuits and collaborators involved in the work of migrants for almost two decades. He said that the plight of the migrant workers, who have largely remained invisible in the trajectory of the so-called mainstream development, has been brought to light during the global pandemic COVID-19. Prof. Agnelo Menezes, Economist and former principal of St. Xavier's College, Mumbai moderated the session. He stressed on the need to help the migrants fight for their rights. On this occasion, Fr. Stanislaus D'Souza, SJ, President of Jesuit Conference of South Asia announced the launch of Migrant Facilitation Network (MFN), a helpdesk for distress migrants. He said

that International Migrants Day celebrates an individual's rights to overcome adversity and to live a better life. He recalled that Jesuits had collaborated with various

us on our apathy of migrants and migrant workers and forced us to acknowledge how important they are in our lives. She also highlighted the suffering of migrant women and children during the pandemic. Mr. Rajiv Khandelwal, Executive Director Aajeevika Bureau, pointed out that the work done by migrants is informal with no formal contract, which results in insecurity and vulnerability as they get little support from local authorities and hardly have any legal recourse. He suggested several policy measures to address the problems faced by migrants in urban centres. Mr. Shabari Nair, Labour Migration, Specialist ILO, referred to the UN Convention on the Rights of Migrant Workers 1990 and said that India has not ratified the Convention. He said that there are 18 million Indian migrants in different parts of the world and 3 million of them were brought back to India as part of the

Vande Bharat Mission during the pandemic. He pointed out to the 10 principles of the Global Compact on Migration as a guideline to help and support migrants in the future. **Anil Kumar**

## New booklets on Legal Education Series (Order your copies at : [publication@isidelhi.org.in](mailto:publication@isidelhi.org.in))

<p>LEGAL EDUCATION SERIES NO.39</p> <p><b>WHAT IS FIR?</b></p> <p>JOY KARAYAMPURAM ADVOCATE</p> <p>INDIAN SOCIAL INSTITUTE NEW DELHI 110003</p>	<p>LEGAL EDUCATION SERIES NO.80</p> <p><b>THE MENTAL HEALTHCARE ACT, 2017</b></p> <p>DR. ALANA GOLMEI</p> <p>INDIAN SOCIAL INSTITUTE NEW DELHI 110003</p>	<p>LEGAL EDUCATION SERIES NO.88</p> <p><b>DISASTER MANAGEMENT ACT 2005</b></p> <p>TRESA PAUL ADVOCATE</p> <p>INDIAN SOCIAL INSTITUTE NEW DELHI 110003</p>	<p>LEGAL EDUCATION SERIES NO.74</p> <p><b>THE RIGHT TO INFORMATION ACT, 2005</b> (as amended by The Right to Information (Amendment) Act, 2019)</p> <p>JESSY KURIAN ADVOCATE</p> <p>Revised by SHALU NIGAM ADVOCATE</p> <p>INDIAN SOCIAL INSTITUTE NEW DELHI 110003</p>	<p>LEGAL EDUCATION SERIES NO.24</p> <p><b>THE PROTECTION OF WOMEN FROM DOMESTIC VIOLENCE ACT, 2005</b></p> <p>SEEMA DURRANY</p> <p>Revised by DR. ALANA GOLMEI</p> <p>INDIAN SOCIAL INSTITUTE NEW DELHI 110003</p>	<p>LEGAL EDUCATION SERIES NO.89</p> <p><b>THE ARBITRATION AND CONCILIATION ACT, 1996</b></p> <p>ALANA GOLMEI</p> <p>INDIAN SOCIAL INSTITUTE NEW DELHI 110003</p>
---	---	---	---	--	--

## ANNUAL CHRISTMAS STAFF GET TOGETHER 2020



### "Let us celebrate Christmas with Fr. Stan Swamy, SJ"

The Staff Forum Committee organized the Annual Christmas Staff Get-together 2020 on December 23rd, 2020 in the third floor auditorium at 2.30 pm. The theme of the get-together was "Let us celebrate Christmas with Fr. Stan Swamy". This programme was attended by the staff of Indian Social Institute, CDO, SJES and JRS by strictly following the social distancing norms. The Staff Forum Committee Secretary, Ms. Satya Srinivasan, welcomed the gathering formally and took this opportunity to express her gratitude on behalf of the entire staff members and their respective families to all the Jesuit Management for the generosity, kindness and valuable support they

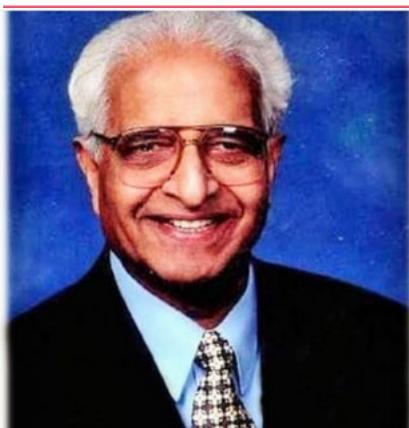
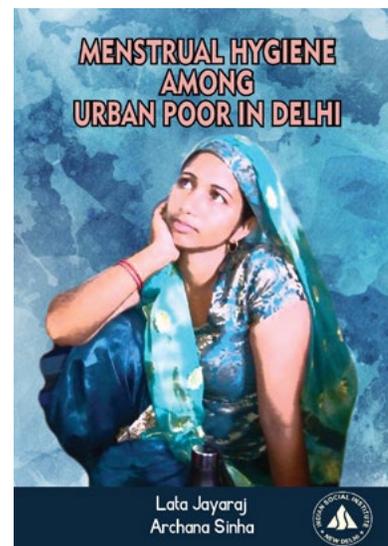
extended during the lockdown. She especially thanked them for the timely disbursement of salaries to the staff during home quarantine. She requested all the staff members to show their gratitude by giving a standing ovation to the Jesuit fathers. The programme started with the Christmas message and greetings by the Executive Director, Fr. Denzil Fernandes. He mentioned that the purpose of this Christmas get-together was to show our solidarity with Fr. Stan Swamy. He said that though the pandemic had curtailed the Christmas celebrations this year yet he expressed his happiness and thanked the Almighty for the opportunity to come together to celebrate Christmas. He wished the entire staff an abundance of joy, good health, contentment, harmony

and peace. The significance of the festival was explained through the screening a short documentary on the **Birth of the Jesus Christ** prepared by Mr. Ruben Minj. After the film show, there was sharing by some staff members of different departments on their experiences of Christmas. Most of the sharing was witty and entertaining. In order to ring in the Christmas spirit, we joined the singing of melodious carol songs both in English and Hindi. The entire hall was filled with a pleasant and a happy atmosphere of Christmas. The joy and excitement of the gathering knew no bounds when Santa Claus made a grand entry. Santa Claus distributed toffees to the gathering. The next segment of the programme was titled **Christmas Dhamaka**, a dance programme on a Bollywood song which was a surprise and fun for the entire gathering. Christmas is also a time for sharing gifts. This time Jesuit fathers distributed coffee mugs with Fr. Stan Swamy's photo, which was unveiled by senior staff members Ms. Geetha Vairavel and Mr. T.V. Anthony, to all the staff members. The programme concluded with a vote of thanks followed by light refreshments served in the cafeteria. □

Satya Srinivasan



Menstruation is a normal biological process, a phenomenon unique to girls and a key sign of reproductive health, but in many cultures it is surrounded by taboos and myths. This taboo and myth is due to the lack of awareness, which has a lot to do with social and cultural issues and lack of access to menstrual products. There is a need to improve the level of education and awareness, as urban women are as clueless and shy as rural women. Ignorance and shyness is a common factor noticed – as one hour FGD have often went on to 3 or 4 hours interaction as women and young adolescents have many questions. Though the myth around menstruation is enormous, and lately the period conversation is catching up positively and widely; and people want to explore on menstrual hygiene management, but still there is a long way to go, and this can start from school. This book studies the attitudes of men and women in urban Delhi towards menstruation. It is hoped that this book will be a good resource for better menstrual hygiene management in India. ☐



**The Management and Staff of Indian Social Institute deeply mourn the sad demise of the former Director (1965-1975) of the Institute, Fr. Anthony A. D'Souza, SJ (1926-2021).**

BOOK POST

## SUBALTERNS

*If undelivered, please return to:*

Indian Social Institute  
10 Institutional Area  
Lodi Road, New Delhi-110 003

*Editor:* Dr. Denzil Fernandes, *Layouts & Design:* Ruben Minj  
*Published by:* Indian Social Institute, 10 Institutional Area, Lodi Road, New Delhi-110 003  
*Phones:* 49534000/49534132 *Telefax:* (011) 2469-0660/49534101 *Website:* www.isidelhi.org.in and  
*Printed at:* Bosco Society for Printing & Graphic Training, Jamia Nagar, Okhla Road, New Delhi-110 025