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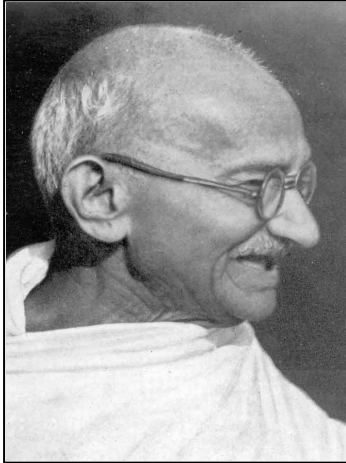
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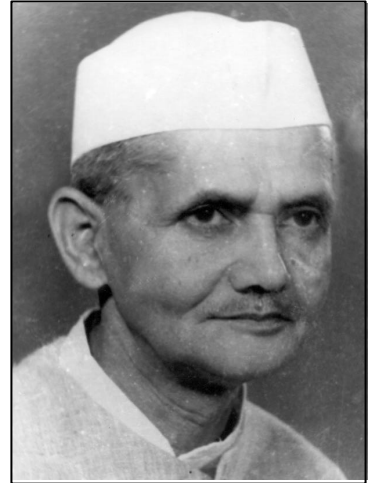
CONTENTS

Lord Sri Venkateswara of Seven Hills and Lord Sri Jagannath of Blue Hill	<i>Prof. A.V.P.R. Rao</i>	...	1
The Call of the Khandagiri Hills	<i>Sudarshan Das</i>	...	6
Good Governance		...	7
Speech Delivered by Shri Pradip Kumar Amat, Hon'ble Speaker, Odisha Legislative Assembly in the 58th Common Wealth Parliamentary Conference at Colombo, Srilanka from 10th to 15th September, 2012.		...	8
Goddess Batamangala (At the Gateway of Puri)	<i>Durgamadhab Dash</i>	...	10
Festivals, Rituals and Vesas of Goddess Samalesvari of Sambalpur	<i>Dr. P.K. Singh</i>	...	14
Antiquity of Durga Puja in Odisha	<i>Om Prakash</i>	...	21
Durga Temple at Kudapatna : A Study on Art and Architecture	<i>Dr. Ratnakar Mohapatra Kanhu Meher</i>	...	23
Gandhian Constructive Programmes : The Mantra of Socio-Economic Development	<i>Prabodh Kumar Rath</i>	...	29
Pandit Gopabandhu Das : The Maker of Modern Odisha	<i>Renubala Samantaray</i>	...	32
Mahatma Gandhi — The Editor & Journalist	<i>Souribandhu Kar</i>	...	35
Dishonest Prospers and Honest Suffers, Why ?	<i>K.C. Pattnaik</i>	...	38
Songs of Dawn and Dusk of "Bhakta Kabi" Madhusudan Rao	<i>Indrajeet Mohanty</i>	...	40
Need of Juvenile Justice (Care & Protection of Children) Act for Natural Disasters Victim Children	<i>Prof. Lokanath Suar</i>	...	44
Cyber Crime and the Police: Insinuations to the Police Commissionerate of Bhubaneswar and Cuttack	<i>Dr. Arpita Mitra</i>	...	52
Does Article 72 Transcend the Rule of Law?	<i>Prof. Narottam Gaan Nibedita Acharya</i>	...	58
Occupational Health Hazards and Safety Management for Industrial Workers	<i>Kumuda Bandhu Jadab</i>	...	64
Cirrhosis of Liver	<i>Prof. Umesh Ch. Patra</i>	...	70
Sufficing Nutraceutical Rich Multipurpose Leafy Vegetable on Earth : Moringa	<i>P. Saha, R. C. Jena, B. Sahoo K. Sahoo & A. Lenka</i>	...	72
Tragedy of Trafficking in Odia Women	<i>Mamatarani Subudhi</i>	...	81
Role of Ashram School in Tribal Education : A Study of a Block in Jharsuguda District	<i>Indira Garnaik Dr. Niranjan Barik</i>	...	85
Nay, Never Such A Death	<i>Nityananda Mohapatra Tr. Dr. Ramakanta Rout</i>	...	90
Mahatma Gandhi's Dreamt India	<i>Ankit Swain</i>	...	92
As I know Mahatma Gandhi	<i>Komal Pati</i>	...	94

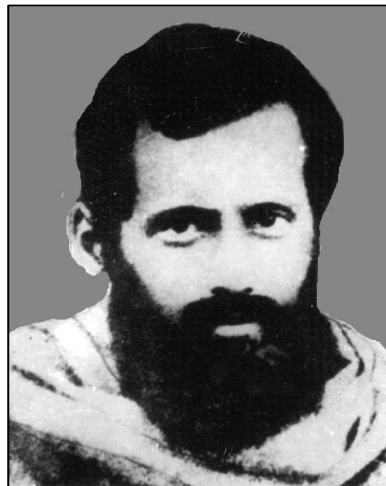
BIRTHDAY TRIBUTES



Mahatma Gandhi
2.10.1869 - 30.01.1948



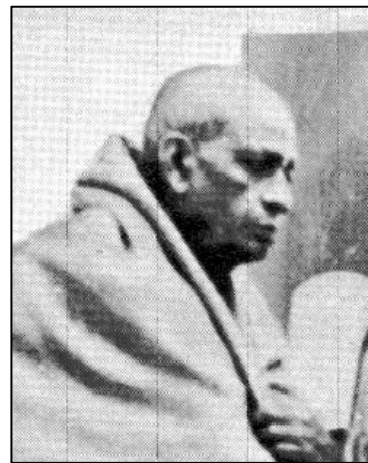
Lal Bahadur Shastri
02.10.1904 - 11.01.1966



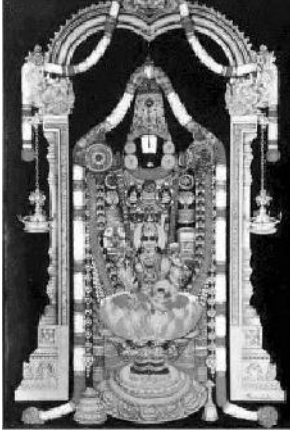
Utkalmani Gopabandhu Das
09.10.1877 - 17.06.1928



Jaya Prakash Narayan
11.10.1902 - 08.10.1979



Sardar Vallabhbhai Patel
31.10.1875 - 15.12.1950



Lord Sri Venkateswara of Seven Hills and Lord Sri Jagannath of Blue Hill



Prof. A.V.P.R. Rao

It is essential to point out that both presiding deities-Lord Sri Venkateswara of the seven hills at Thirupati (A.P.) and Lord Sri Jagannath at Puri (Orissa)-represent the same omnipotent and omnipresent Almighty who is,

*“Purnamadah Purna Midam
Purnat Purnam Udacyate
Purnasya Purnam Adaya
Purnam Evavasiyate.”*

(“The invisible is the infinite, the visible too is the infinite. Form the infinite, the visible universe of infinite extension has come out. The Infinite remains the same, even though the infinite universe has come out of it.”)

And

“Tad ejati tan najate tad dure tadvantike,
Tad anterasya sarvasya tadu sarvasyasya tahyatah.”

(It moves and it moves not. It is far away and it is very near. It is within all this and it is also outside all this.)

It is Upanishadic version of Almighty. He is changeless Chaitanya Shakti from which ever changing universe has come into existence.

Almost every Hindu, atleast in one of his innumerable births and rebirths, realizes and seeks salvation. This is ultimate Jnanam. In fact Upanishads mention the Almighty as Jnana

Purusha or Jnana Shakti. There is no second to this ultimate truth. Everything including you, is “Swarupa Bheda”, i.e. manifestation of the ultimate in different shapes. The waves of the sea are “Swarup Bheda” of sea water. The waves in motion contain the same salt water as the sea which is steady. The waves are bound to fall and merge into the sea. Another analogy is different gold ornaments-be it bangles, chain or ring etc. are all “Swarup Bheda” of the same gold. Goldsmith values only the gold in the ornaments, but not shape. This is Jnanam. He, who sees the same god in everything in this ephemeral world is fit for salvation.

But, however, duality (dwaitam) exists due to “Maya” which envelops this world. Bhagwadgita suggests “Bhakti” Marga (path of devotion) as one of the paths towards salvation to overcome Maya. In “Bhakti” you assume yourself to be different from Him. He is Lord and you are his devotee, seeking bliss. Bhakti is full of emotion (Bhavapurnam). The angle of perception of the same ultimate truth is deviated due to emotion of Bhakti. Hence worship differs depending on the degree of feeling intimacy with God, the method of worship and the customs that are observed in temples are different from one another. Thus the customs, the rituals, the observance of different Pujas, car festivals and



the idols at Jagannath Temple are unique and in no way similar to other Vaishnava temples. The customs at Jagannath Temple coined in one word, “Jagannath Culture”.

Jagannath culture is different. It is a blend of Aryan and non-Aryan culture. Primordial people realize the presence of ultimate by instinct, if not by the knowledge, gained by reading religious texts like Vedas and Upanishads. They are innocent and less materialistic when compared to urban people. They identify themselves with the Almighty. They offer food to god, if not with traditional orthodoxy.

One of the important aspects of Jagannath Culture is identifying Jagannath as incarnation of God with all characteristics of human being. Thus He is Purushotham.

The original idols were installed at Puri by the king, Indradyumna. According to the instructions of Lord Jagannath Himself in a dream, the king had sent one by name Vidyapati to the forests where the tribal head by name, Viswabasu was worshipping Neelamadhab in a secret place. (The entire story is not described due to lack of space).

The shape and placement of idols on a platform, known as “Ratna Simhasana” attracts Upanishadic interpretation of Ishwara. Lord Sri Jagannath is with his elder brother, Sri Balabhadra at his right and in between them is placed their sister, Sri Subhadra. Sri Subhadra has no hands at all, but one hand of each brother appears to be her own. Jagannath and Balabhadra have two hands each which are blunt without palm. None of the three idols has legs, but rests on the base of the wooden body.

Lord Sri Jagannath is not with his consort, Lakshmi, but with his sister, Subhadra. Again placement of the three idols is such that if a

devotee stands at the centre from a distance, he will see full view of Subhadra and half view of Jagannath and Balabhadra.

The structure of idol of Subhadra, its placement, and her sister relationship with Jagannath, suggest that Subhadra is considered to represent Maya. Maya, according to Upanishads, makes her presence with Ishwara at the same time. Thus Ishwara and Maya coexist and they are inseparable. But Maya has an end while Ishwara is infinite and hence He is “anadianantam”. Maya exists due to “avidya” or ignorance of Jeevatma. Maya disappears or vanishes if once jnanam is drawn on Jeeva. The fact that Subhadra has no hands and it is a small idol in comparison to other two suggests that she has no independent existence just like Maya. The whole Jagat is only due to projection of Maya. In this mundane world we meagerly see the presence of God in the form of Dharma, truth, love and humanity. This fact is suggested to the viewer as he can see half view of Jagannath and Bhalabhadra at a distance.

The Vedas say that God has created this universe. But Upanishads which came to us latter say that God has not created this world, but Trigunas, viz. Satvic, Rajasic and Tamasic are responsible for the emergence of this Jagat. The Vasanas (impressions) in the form of pair of opposites, such as good and bad, sweet and bitter, love and hatred which are experienced by jeeva in the previous births, make room in the sub-conscious. They with the help of ‘Chit’ (mind), take the shape of birth. Thus Malina (impure) Chaitania or in other words Chaitania, covered by “Avidya” (ignorance) is responsible for the birth of jeeva and entangle in the cycle of births and rebirths, taking sorrows and pleasures as true and indulge in bondage. If this Upanishadic interpretation is believed to be true, the fact that



the idols of Lord Sri Jagannath and Sri Balabhadra, having no full hands, but blunt ones, is very well justified. Literally God has no hand in your karmic births, but He helps to fulfill your desires.

Krishnavatara appears at the end of Dwapara Yuga. Even at that time, people have no complete faith on God. There is a story, regarding Sakshi Gopal temple near Puri. Two Brahmin friends, in their pilgrimage to Brindavan, made a vow before Sri Krishna, that if they would be blessed with a daughter and a son separately to each, their off springs would get married. After having blessed so, the Brahmin of the boy had not kept his word. So the father of the girl had gone to Sri Krishna at Brindavan with a request to come with him to the village as a witness. Sri Krishna had agreed to follow him but with a condition that Brahmin should not look back. The Brahmin, while walking, was hearing the sounds of anklets of Sri Krishna. When the Brahmin could not hear the sound after some time of his journey, he got suspicious and lost faith in the words of Sri Krishna and hence he looked back to verify whether Sri Krishna was following him. As Brahmin lost his faith, Sri Krishna, who was in fact following him, had stopped to follow and turned to black stone idol, now known as ‘Sakshi Gopal.’

In Kali Yuga, the faith in God is further deteriorated. Who is waiting for God until justice is done to him ? The growth of terrorism and Naxalism is an example. How many murderers are taking place every moment as a result of revenge ? Lord Sri Jagannath and his brother have no legs as you do not believe that they would come to your rescue, but to those devotees who have faith in Him. He is Chaitanya Shakti or pure conscious. Isavasa Upanishad says,

“Anejad ekam manaso javiyo
N’ ainad deva apnuvan purvam arsat
Tad dhavato’ nyam atayeti”

(Though He is unmoved and undivided, He is faster than the mind and reaches before the mind arrives. So He is beyond the grasp of mind. Mightier Devatas, including Devendra cannot get Him.”)

The fact that idols of Lord Sri Jagannath and others, being devoid of legs, is irrelevant and hence to have no legs is not impediment to come to your rescue, provided you are having faith in him.

The idol of Lord Sri Venkateswara of Tirumala is prepared from black stone in traditional human form with Bhudevi and Sridevi. His consort in Kaliyuga Avatara, Sri Padmavati Devi is not with him at Tirumala, but She is in down hills at Alamelu Mangapuram, near Tirupati.

It is said that people in Bhuloka were suffering by the bad influence of Kali, as a consequence of which injustice and false-hood ruling the world. Bhrugu Maharshi went to Vishnu Loka to request Lord Sri Vishnu to incarnate in this world to save dharma from the clutches of Kali. Lord Vishnu at that time, had happy moments with his consort, Lakshmi and did not notice the presence of Bhrugu Rishi. The Rishi got so much annoyed with Vishnu that he had kicked Him on the chest, saying that He, being the saviour and sustainer of the whole jagat, was merely spending time, while people in Bhuloka were suffering from bad influence of Kali. Lord Vishnu, instead of getting offended and annoyed with Rishi for having kicked him, prayed for pardon and enquired whether his tender feet got hurt. The Lord Vishnu promised to take incarnation in the name of Sri R. Venkateswara at Seven Hills Tirupati — Tirumala.



Again coming to Puri Jagannath, there are two unique celebrations, viz., Nabakalebara utsav and car festival. When two Ashada months come in a calendar year, old moola vigrahas (old idols) are replaced by newly made wooden idols (made from neem tree). After transferring powers (Shakti) from old ones to new ones by rituals, the old ones are buried in the burial ground, outside the temple premises, thus completely identifying the god with one among us, reiterating the fact that any from in the Jagat is subjected to birth and death. (Ja=birth, gat=passing away).

The annual car festival and preceding rituals are very unique to Jagannath Temple. Every year on "Jestha Purnima (full moon day in the month of Jestha) the three gods are given water bath intensely, as result the gods are declared ill. The temple will be closed for general public until dwitiya day of Ashada month. During these days, the gods are offered only pepper and other chera moolicas (roots of medicinal plants) but not regular anna bhoga (offerings of cooked rice).

On the dwitiya day of Ashada month newly painted original idols are taken out of the sanctum sanctorum for car festival by a special ritual, known as, 'Pahundiyaatra'.

No where in any Vaishnava temple, including Sri Venkateswara Temple of Seven Hills, original idols (Moola Vigrahas) are taken out of sanctum sanctorum for the car festival.

First Sudarshan Chakra in the form of a pillar is taken out and kept in the chariot of Subhadra. Then Sri Subhadra, being in small size and also to give respect to the female identity, she is carried with hands and placed in her chariot, Darpadalana. Sri Balabhadra and then Sri Jagannath are taken out. It is very pleasant and emotional scene when these idols are brought to chariots amidst the sounds of conches and metallic

discs while Pandas (temple priests) dance ecstatically. The idols are tied with thick ropes, held by some Pandas in front while some hold at the back. When the idols are dragged forward, they swing forward on their bases, simultaneously Pandas at the back, pull the ropes so that idols slide forward without being toppled. This is known as 'Pahundi Yatra'. What a wonderful sight it is! The gods move forward while swinging back and forth as if they are nodding their heads in tune with the mood of devotees.

The Bhakti of devotees, gathered in lakhs in Badadanda (the name of the location of temple) reaches crescendo. At this stage, the difference between the god and devotees vanishes in such a manner that they touch, embarrass and make gestures and talk very intimately as if to their beloveds in love, forgetting themselves totally.

At this stage the Bhakti leads to jnanam, though these two are different paths of realizing the ultimate.

Once Sri Rajagopalachari, the writer of several religious books for children, while making comment on "Bhaja Govindam" of Sri Adi Sankaracharya, says that the paths of bhakti and jnanam, though appear to be divergent, they converge into the same ultimate. Bhakti is a belief and bhavapurnam, transforming the mind with ultimate reality, while jnanam is totally logical and beyond it without any emotion, rather you will realize the ultimate in absolute silence.

After the Lords take their seats in their respective chariots in the car festival of Lord Sri Jagannath, an unique function, called "Chhera Pahanra" takes place. Raja of Puri (even now) who is deemed to be the first citizen of Utkal, considers himself as the first servant of Lord Sri Jagannath. Therefore he sweeps three chariots one by one with golden broomstick while



sanctified water is sprinkled amidst the Vedic chants.

This act of the king signifies that he is only a means (Nimithamatra) of serving the people in the name of God, thus leaving his ego and submitting himself to God in the path of Karmayoga. It is a suggestion to all who are at the helm of affairs in legislature, executive and judiciary wings of our governments to execute their work properly and perfectly in the name of God.

The chariots of Sri Balabhadra, Sri Subhadra and lastly Sri Jagannath are drawn by devotees to their birth place, (Gundicha Mandir) where they stay nine days and come back to their original temple in a return car festival.

In the temple of Lord Sri Venkateswara at seven hills, there are no parallel rituals. The moola vigrahas are never taken out of sanctum sanctorum in a car festival. Only utsav vigrahas (idols) are taken out to a single chariot which is not built every year. Venkateswara, in the name of Malayappa, enjoy the chariot riding. The idols return on the same day. In Brahmotsavam, each day Sri Malayappa rides on a specific vahanam, like Garuda vahanam, Adishesha vahanam etc., there is also no Chherapanhanra by the head of the state as in Puri. There is also no change of moola vigrahas as in Nabakalebera Utsav in Puri Jagannath Temple.

Further no devotee is allowed to touch Lord Venkateswara or in any South Indian Vaishnava temples. But the practice of allowing any devotee to go into sanctum sanctorum and touch the moola vigrahas at Jagannath temple in particular timings is prevailing.

In car festival also people are allowed to touch the original idols. This seems to be very odd practice especially to those who are acquainted with the orthodoxy of Ayappa temple

at Sabarimalai in Kerala State. Even women are not allowed to enter the temple to have darshan of Sri Ayyappa.

But everlasting reality is that there is nothing in this universe in which the Almighty is not present. According to Isavasya Upanishad,

“Om, Isavasyam idam servam yatkin ca jagatyam jagat”

(Whatever there is changeful in this ephemeral world — all must be enveloped by Ishwara).

There is nothing in this universe which does not possess Almighty. The body moves because of Him. If He is not there, this body is dead. So who is touching whom? This is Vedantic perception of God. But one thing, how to know that a particular devotee, whether reached the status of a “Seer” who is expected to be devoid of doership. (Katrutvabhava) and enjoyership (Bhokrutvabhava) and enjoys the status of a “Sakshibhuta (a mere witness). People with pseudo concepts are many in this world. He, who touches the idols of sanctum sanctorum must realize that he is not doing so physically, but with pure conscious where the mind is completely subdued when he really feels the touch of almighty.

At the end of the day, after discussing so much about God and practices in the temples, what counts is only the realization of humanity and love.

Since He is present everywhere (Omnipresent), it is essential to realize “the whole world is Swarupbheda of the same Almighty. So

“Service to humanity is service to God”

And

“Serve everybody and hurt nobody”

Prof. A.V.Pandu Ranga Rao, D/15, Middle Street, Balajinagar, Chromepet, Chennai-44.



The Call of the Khandagiri Hills

Sudarshan Das

The day has dawn
 In Khandagiri hills,
 The Hatigumpha, Ranigumpha
 And Ganesh Gumpha
 Enthralled with ecstasy,
 With smells of sweet fragrance,
 The unseen *veenas*
 Harped with sweet
anahat music,
 the chanting of AUM by
 thousands of Yogis
 beneath the hills
 in hidden caves,
 the revelations of sound
 in mid night hours
 when everything is calm and quiet
 can be listened
 by cherished Yogis
 who try to hear in
 inner divine ears.
 Devotee Yogis can see
 In their inner eyes,
 The beauty.
 The love of monkeys
 Under leadership Shree Hanumanji and what not !
 Only love can get
 The immortal love,
 The only road to interior pilgrimage
 The Kunjavana like Vatikas
 Resemble the “Shyamakunja”
 And “Nidhikunja” of Vrindavan.
 The Ganesha Gumpha
 Is the best centre of Yoga,

Where one can do Asana,
 Pranayams, Yogas and Meditation,
 To drink the nectar of immortality.
 Friends ! try to enter
 And enjoy in your pilgrimage;
 And what not available
 In the reminiscence of
 King Kharavel’s
 Creations !
 You can very well have the darshan
 Of your “Istha”
 If you try sincerely,
 Devotionally and
 Wholeheartedly
 You can be convinced
 Of the forecasting of
 Mahapurusha Sri Achyutananda
 The thirteen days fighting
 Will end Kaliyuga
 And Satya Yuga will
 Commence.
 Come up Yogis!
 Join the Army of Kalki Senani
 Under the leadership of
 Shree Jagannath
 Enjoy the peace and bliss
 And listen to the direction
 Of your inner heart
 To change the cancerous attitude
 Of the evil human minds and your own mind.
 And to plod on the right path.
 Jai Jagannath !

Sudarshan Das, Satya Sai Enclave, MIG-2 - 276, Khandagiri, Bhubaneswar – 751030



FULFILLING THE COMMITMENT OF SETTING OUT A REGIME OF GOOD GOVERNANCE IN IMPLEMENTING THE RTI ACT, 2005 IN ODISHA.

In a bid to effect transparency and accountability in the system of governance, the Government of Odisha in Information and Public Relations Department has sincerely implemented the Right to Information Act, 2005. To expedite the process of implementation, it has put in place a robust IT intervention in the form of RTI Central Monitoring Mechanism called ‘**Lok Soochana**’ available at www.rtiodisha.gov.in.

While studying this initiative, the World Bank has termed it as “**truly impressive**”. The Confederation of Indian Industries State Chapter has conferred best IT Award on this Technology Intervention.

It has also brought crowning glory to the State bagging **best website Award of eGov 2.0** as the most user friendly interface in the whole country. Prior to this distinction, this IT application has also been awarded in the **international e-India 2010 Conclave** held at Hyderabad. More particularly, these achievements made in the front of implementation of RTI in Odisha has been appreciated by the sitting Judge of **Hon’ble Supreme Court of India**.

In a significant development, this RTI Portal of Government of Odisha has won **the National Awards on e-Governance 2011-12** instituted by **DAR&PG, Govt. of India in the Best Government Portal Category**.

The Government of Odisha in the Nodal Department of Information & Public Relations has mooted an intensive information campaign to make aware the public on the utility of this Act and train the government machinery for effective implementation catering to the provisions as enshrined in the Section-26 of the RTI Act, 2005.

As a part of multi-pronged strategy, this RTI Campaign has been launched through print, electronic, visual and oral medium at State, District, Block and Panchayat level. Stress has been laid to create awareness among rural public involving PRI functionaries and civil societies. This initiative will be continued till the end of 12th Five Year Plan.

To make available citizen friendly services on RTI, attempts are being made to create an RTI Call Centre, Online and e-payments of RTI Applications, Project Management Unit (PMU) and make available services through Common Service Centres (CSCs) all over the State during the period of 12th Five Year Plan.



Speech Delivered by Shri Pradip Kumar Amat, Hon'ble Speaker, Odisha Legislative Assembly in the 58th Common Wealth Parliamentary Conference at Colombo, Srilanka from 10th to 15th September 2012.

Over the years, youth unemployment has stood as a formidable challenge before the planners and politicians across the world. Its virulence and magnitude has created great concern among the economists and intellectuals of the globe. Over a number of international seminars, summits and symposiums it has been debated and discussed how to get rid of the tentacles of this nagging challenge and provide adequate job opportunities to the budding youths of the developing and developed countries. Of course, unemployment is ubiquitous all over the world however the recent recession in the west has accelerated the malignancy of unemployment very significantly. Out of the global labour force of 3.3 billion, 200 million persons have been estimated to be fully unemployed. 75 million young people are jobless.

India is also in the stronghold of this menace and tackling youth unemployment has stood as a biggest challenge that the nation is facing today. Both in Rural and Urban India is in the clod grip of this monstrous menace. The number of Jobseekers registered with Employment Exchange as on 30.09.2011 was 401.02 lakh in rural urban areas taken together.

The Govt. of India has been making persistent effort to come out of this impasse by focusing on creation of productive employment at a faster pace to raise incomes of masses to bring about a general improvement of their living condition. The Job opportunities are created on account of growth in Gross Domestic Product (GDP) investment in infrastructure development, growth in exports etc. A number of employment generation programmes such as Prime Minister Employment Guarantee Programme (PMEGP), Swarna Jayanti Employment Generation Yojana (SGSY), National Rural Livelihood Mission, Swarna Jayanti Sahar Rozgar Yojana for the urban youth and the most striking and historic move enacted by the Govt. in recent years is the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA), which is perhaps the largest employment generating programme in the world ensuing a one-step ahead move towards generating the right to work in a country with a population over one billion. It aims at enhancing the livelihood security of people in rural areas by guaranteeing hundred days of wage employment in a financial year to a rural household who volunteer to do unskilled manual work.

Apart from this, the outstanding and ambitious five year plans of India, with the vision of faster, sustainable and inclusive growth focus on generation of productive employment at a faster pace. Much



emphasis has been given on opening and functioning of ITI's, so that training facilities can be available at door steps of youth residing in rural, hilly and inaccessible areas of the Country. The Members of Parliament Local Area Development Scheme (MPLAD) have also made noteworthy contributions for providing employment opportunities to the rural and urban youth.

In spite of all these, tackling this increasingly challenging phenomenon for both developing and developed countries in an era of recurrent global economic crisis is, in fact, a daunting task standing ahead. However, to get rid of this impasse the states may adhere to the following holistic measures from grassroot to global level.

1. Prime Importance should be on generation of sustainable livelihoods among disadvantaged populations especially in developing countries.
2. Improvement of the effectiveness of the non-formal training system to mediate the lateral potentials of young people into productive, social and economic activity be adhered to.
3. Self employment, entrepreneurship, school to work programmes and work based training should be promoted. Partnership to private sector needs to be strengthened. Cottage and small scale industries should be encouraged
4. Overhauling of the rigid economic policy of the nation states ensuring active policies to offer work or training to youth drifting into long term unemployment be made at a brisk pace.
5. Youth Employment Network, with integrated database of jobs, employers and available employees be set up in nation wide.

Thank you very much.



Goddess Batamangala

(At the Gateway of Puri)

Durgamadhab Dash

Jagannath Mahaprabhu is very compassionate to His devotees. He can't bear with anybody tormenting them in any manner or form. The Lord at the same time, is very clever. True, He is always behind His devotees but He is not so easily to be caught by them. The more they run closer to Him, the more He distances Himself away from their proximity. In the cosmic game, this is known as "His hide and seek pastime". His kingdom is however within the heart of a devotee. To commune with it, one has to go deep into silent adoration. But for that purpose, one has to have a simple heart like that of Vidura's consort on the path of devotion. He has to be honest, and virtuous at heart. This is what is known as impeccable devotion.

Nonetheless, His mercy is essential to get oneself freed from the bondage of delusion

which reigns supreme in one's material life. The mind experiencing myriad vicissitudes at last holds on to the rational conviction that to have "Moksha" in life, there has to be no life after death. Birth after birth through the womb of a mother is doubtless a painful experience in the material world. The goal of life being God-realization, this is possible only when one is freed from the bondage of birth and death in the cosmic process of evolution.



In *Devi Tatwa*, one can have the blessings of the Lord, only after the blessings of Devimata are achieved. Devimata is the replica of delusion. In the cosmic game of the Lord, Devimata is the first divine event of the creation. It is actually She Who incites the spirit of action in the Almighty Lord. God is omnipresent. So, in this sense, He is static by nature and devoid of action. He leaps into



action within only when He comes in contact with the activating force of Devimata in the process of the cosmic game. Maya is actually the activating force of the Goddess. It is both in the affirmative and the negative forms. The affirmative form of Maya is known as 'Vidyamaya'. Its negative form is known as 'Avidyamaya'. One gets the result of one's action in the manner the same is directed. This is the whole concept of Devi *Tatwa* in relation to worship of Devimata in life. Devi is always one. She is Kali. She is Mahalakshmi. She is also Maha Saraswati. She however assumes a name according to the nature of Her service. She is worshipped in a multitude of divine expressions. Batamangala near Puri is one such divine expression. She is a Vaishnabi Thakurani by nature. She is worshipped as the divine precursor of all-round happiness.

The poet sings "Re, the fatigued mind, walk along the path ahead of you that leads to the Grand Temple of Lord Jagannath. On the way comes Batamangala first. Then comes Atharanala. Then Badadanda, the Grand Road. Take its dust on your forehead and serve the Sadhus. Reach Siddheswar next. Have the divine stroke on your forehead from the sacred cane at the Singhdwar of the temple. And next enter the Temple climbing the 22 steps. Kaibalya is available on either side. And finally have the 'Darshan' of the Lord Who is called "Kalasrimukha" standing behind the Garuda Pillar".

These are the various parts of the pathway that lead one from Batamangala to the Grand Temple. The land of Lord Jagannath thus starts from Batamangala. The temple of the Goddess is situated by the side of the main road about 5 km before the temple of Lord Jagannath.

The devotee bound for the Grand Temple from Bhubaneswar stands for a while in front of Batamangala and offers sacred light (Alati) seeking her blessings.

There is a beautiful story in this regard. It is said that at the time of creation of the universe, Mother Batamangala had shown the path to Lord Brahma to have the Darshan of the Lord. It is the popular belief in this connection that Brahma had come into existence in the cosmic creation on a Tuesday in the month of Chaitra. At that point of time, he saw around him the vastness of an endless void and seeing that horrific syndrome, he became ruffled in mind. Maa Batamangala had appeared in front of Brahma at that particular point of time and shown him the path for further course of action. As a result of this, Lord Brahma had been able to see the bottom of the universe down below the navel of Lord Narayan and created the universe. Since Maa Batamangala had shown Brahma the way in the midst of his utter perplexities, she was known in the subsequent period of time as Batamangala in the land of Lord Jagannath. Batamangala however does not have any place in customary rituals of Lord Jagannath.

It is known to one and all that in the early days, when there was no proper road-communication to Puri, the devotees who were coming to this sacred land on pilgrimage, had to pass through several hardships and tribulations. There was a belief then that once they set out on their pilgrimage, there was no chance of their returning back to their respective homes. So in that way, their journey to Puri was considered as their last journey in life. In the context of that situation, it was popularly believed that whosoever died at Puri during their sacred pilgrimage was destined to go to heaven and attain "Moksha". This belief even continues today. For which reason, the old people even today prefer to spend their last part of life at Puri in the hope of getting Moksha after their death.

Purursottoma Kshetra is now well communicated in all respect. It is connected by



both rails and roads on all sides. Till 1811, there was virtually no road-communication to Puri. Orissa came under British control in 1803. In 1826, the then British chief chalked out a plan for construction of a Pucca road from Calcutta to St George Fortress. This was a massive development project. This was considered necessary for effective control over the areas included under British control. During the process of the aforesaid construction, a branch-road was provided on the highway at a point near Bhubaneswar which was later known as Jagannath Sadak. This was done in the interests of the pilgrims visiting Puri. On the request of the British Chief, the Moharaja of Calcutta, Sukhamaya Ray had contributed Rs.1.50 Lakh for this purpose. However prior to this road project, king Machya-kesari of Machya Dynasty who had ruled our place during the period from 975 AD to 995AD had got a bridge constructed at Atharanala which in the subsequent period of time maintained the continuity of the aforesaid branch-road upto Singhadwara, Puri.

It is further discernable from historical records that Bhanudev(1) of Ganga Dynasty who was the ruler of this place from 1264 to 1279 had developed the Banki Muhana area by filling up the intervening water courses and reduced the number of chariots from 6 to 3 during the sacred Car Festival. All these and other ancillary developments which had taken place from time to time had led to the overall development of the area around Batamangala and enhanced the importance of the place to a considerable extent.

Worship of Batamangala, during Chaitra month is found mention in the Sakti cult of Utkal Pradesh. It is stated here that Shree Rama by worshipping Sarbamangala, (also known as Mangala Chandrika, Mangala and so on) had killed Ravan and rescued Sita from Lanka.

Batamangala is a four armed Brahmashaktimai goddess. She looks youthful and immaculately graceful in Her elegant appearance like freshly bloomed flowers. Attired magnificently in different ornaments, She has three beautiful eyes. She is the symbol of peace and impeccable divinity. She is the conferrer of divine blessings on all devotees.

But Batamangala like Mangala of Kakatpur does not have any connection with the customary rituals of Jagannath Temple, Puri. Everybody is in know of the fact of that during Nabakalebar festival, the Sebayats of the temple in search of Neem wood for making the divine images first come to the temple of Mangala, Kakatpur. They fall prostrate before the deity for getting divine directions as regards the location of the sacred Neem trees. If within 3 days, no divine direction is forthcoming in dream, the Sebayats would next conduct a special worship before the goddess. It is believed in this connection that a flower at proper time would fall from the head of the deity during the special performance of the religious ritual and the falling of the flower would indicate the direction pertaining to the location of the Neem trees. The Sebayats would then proceed to these places in search of the trees for truncating their trunks.

Bata Mangala has a unique place in Shakti *Tatwa* of Utkal Pradesh. She is seated in the temple in lotus pose. She is slightly more than 2ft high. Of Her four hands, two hands downward are found loftily extended indicating a pose conferring harmonious blessings on Her devotees. The other two hands are noticeable in upward pose. The right upper hand holds a conch and the left upper hand a trident. The devotees get captivated noticing the enchanting deity adorned in different ornaments. The Panthei Osha, also known as Bata Osha as a popular religious ritual is intimately connected with Goddess of



Batamangala. This Puja is conducted by women at the bi-junction points of village-roads. At night, the women observing the ritual install a pasple and worship it as the symbol of Batamangala. They offer a peculiar type of sweetmeat known as Atakali to the deity.

The Puja is performed on all Tuesdays in month of Chaitra. It is known from Brahmapurana that on a Tuesday in the month of Chaitra, Lord Brahma had begun the creation of the universe. The bi-junction mode of worship is reflective of the concept of bewildering confusion. At a bi-junction point, it is but natural that one cannot offhand know which road of the two actually leads to one's proper destination. At the time of creation of the universe, Lord Brahma was on similarly the horns of several dilemmas. It is said in Brahmapurana that Maa Mangala at that time came to the rescue of Brahma and gave him proper direction after which of the creation of the universe could be possible.

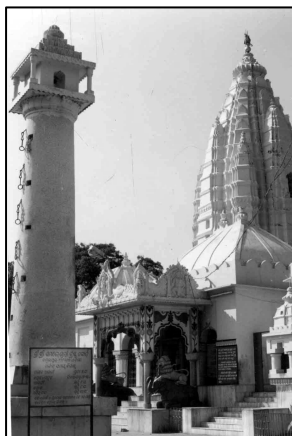
Considered from the significance of all these descriptions, Maa Mangala is thus described as a Goddess symbolic of a proper pathfinder in life. She is worshiped as a universal divine guide. She is also believed as the displayer of right and proper directions to all Her devotees. It is believed in some corners that worship of Batamangala is related to Adivasi culture. It pertains to a sort of non-Arian mode of worship which gained its force from a rural customary practice.

Batamangala Temple has thus got its own spiritual importance. Its existence at the entry-point of Puri is deemed as a displayer of righteous path to the pilgrims bound for Puri. The deity it is believed bestows blessings on the devotees before they enter the grand temple.

The temple of Batamangala is managed on the offerings of the pilgrims and normal passengers. The temple has no property of its own except its 8-decimal land on which the temple and all its premises have been constructed. This fact is discernable from the settlement records. We also get many other information about the past of the temple from the Sebayats who are the residents of Krupasagar-patna village now in Puri Municipality. The temple has a height of about 15ft from its basement, its entrance being about 4ft high. About 20 years back, the deity was being worshiped on a roadside land under the open sky as a local Goddess of Krupasagar-patna. Now however the position of the temple is totally different. The temple is well furnished from all sides. All the expenses of the temple are met out of public contributions.

It is seen over the period of the time that with the increase in the number of vehicles plying along Bhubaneswar-Puri road, the income of the temple has increased. Now the vehicles passing through this way usually halt in front of Batamangala temple. Sometimes the drivers and the passengers getting down offer Dipa and coins as divine offerings to the deity. They also take the vermilion of the deity on their foreheads and even apply the same on their vehicles. This is the famous temple of Batamangala on the way to Puri.

Durgamadhhab Dash, House No-138, Ananta Vihar, Phase-II, Pokhaript, Bhubaneswar.



Festivals, Rituals and Vesas of Goddess Samalesvari of Sambalpur

Dr. P.K. Singh

Goddess Samalesvari is worshipped as the presiding deity in most of the Sakta shrines of Western Odisha. She is worshipped in various forms and figures such as in the case of Samalesvari temple of Barpali and Sambalpur. She is worshipped as a large block of stone in the middle of which is a projection resembling the mouth of a cow; the extremity of this projection has a groove of a thread breath which is called the mouth. As discussed by N. Senapati and B. Mohanty¹, at both sides of the projection, there are depressions over which between gold leave is placed as a substitute for eye. According to some scholars², it is also described as a massive triangular rock with something like a penis protruding at the bottom, a unique image in the whole country, a rare relic of the *linga-yoni* worship. She does not correspond to any other deities of Hindu religion. However, in certain Samalesvari temples of Western Odisha, especially in the rural areas She is worshipped in the anthropomorphic form of

Goddess Durga under the *Semel* trees. For example at Bhatigaon under Barpali block of Bargarh district, icon of Mahisamarddini Durga is worshipped as Goddess Samalesvari. Also in case of Budhi Samalei of Suvarnapur, the presiding deity is a four-armed Durga. Thus Goddess Samalesvari is a popular deity in the length and breadth of Western Odisha.



Rituals

When the Chauhan kings of Patna State came to rule over Western Odisha, they tried to appease the local tribes by accepting their deity Samalei as their *Istadevi* (tutelary deity) and thereby manipulating their support for good governance. According to noted scholar F. Deo³, the Chauhan king Balaram Dev (1542 to 1556 A.D.) exulted the local tribal deity Samalei to state deity by accepting the foot prints of his ancestor, Ramai Dev, the first Chauhan king, adorned her with great veneration and respect. Therefore the Chauhan



kings made it as their state policy by accepting the local faiths and beliefs for the expansion of their territory. Since then Goddess Samalesvari occupies a very pivotal position in the religious and cultural life of the people of Western Odisha. Number of Samalesvari temples are dotted throughout the length and breadth of Western Odisha. In each and every temple dedicated to Goddess Samalesvari, festivals are observed in specific months of the year i.e., September and October are very common. In this discussion, specific study has been made with regard to festivals, rituals and *vesas* associated with the Goddess Samalesvari of Sambalpur. Since the time of Balaram Dev, the illustrious Chauhan king, Goddess Samalesvari became the tutelary deity of the king and the people of his kingdom. As described in Kosalananda Mahakavyam, Sambalpur grew luxuriously to a metropolis full of riches and free from fear and abounding in nature which came without efforts due to the blessings of Goddess Samalesvari. Sambalpur became the capital city of Chauhan kingdom as a landmark in the history and culture of Western Odishan people. The regular Puja and Seva to Goddess started which was gradually Sanskritized and Aryanised. As in the case of other Sakta temples of Western Odisha, tribal priests normally worship, but in Samalesvari temple of Sambalpur, Kshatriya priests are engaged for worship since the time of Balaram Dev.

Sambalpur was also popular as a seat of Tantric Buddhism from the early times. Even when Buddhism was about to decline in different parts of India, the new order Tantric Buddhism began to flourish under the princess Laxmikara, the sister of king Indrabhuti of Sambal in 8th century A.D. Perhaps the present *pitha* of Goddess Samaleswari owes its origin to this period. According to scholar S.S. Panda⁴, inside the sanctum of Samalei temple a pair of human foot

prints with two eight-petalled lotus rosette motifs on both the sides are carved on a stone panel, which is worshipped as Sital Mata. Such type of foot prints were worshipped by Siddhacharyas, which was common in the Buddhist Tantric School. Thus in the worship of Goddess Samalesvari there was very much influence of Tantricism.

According to Late Durga Prasad Ray⁵, the chief priest of Samalesvari temple of Sambalpur, Goddess Samalesvari is worshipped in Vaishnavi *mantra* i.e., *om hring shring Somalesvarje aing sring namah*. Vija Mantra: *Sring*. Gayatri Mantra: *Narayanai Bidmahe Somolesvarjei dhimahim tamodevi prochodayat*.

Dhyana: *Sindura Ranakanti hemavandana soundharya varan nidhi, ratnakalpa bibhusitam kuchanatham saleikarimanjarim, hasthe sulagadam sikhecha mukutam soudanmini sannibham, dhayardugabare virajitatare sri Somaladhisvarim*.

*Prarthana: Sidhi bhavatume Devi Tatprasadat krupamayee, lokamata Gopi rupa trahimam saranagata*⁶

Goddess Samalei is offered with both vegetarian and non-vegetarian foods. Thus the tribal deity worshipped by the aboriginals has become an idol of the Hindus in course of time. According to Pandit Gopinath Panigrahi,⁷ Samalei is no other than Goddess Asapuri of the Garhsambhar Chauhans. He has tried to prove the lunar origin of the Chauhans through the etymological significance of the word Samalai (*Soma*-crescent moon). A close look however reveals that Samalei is not a Hindu icon, no armed Durga. On the other hand as pointed out by noted scholar Prof. P.M. Nayak⁸ She has the form of a



caste vagina interpenetrated with the penis, which presupposes that the name is perhaps derived from the word Sambhalai suggestive of the ability to bear. This *linga-yoni* image reminds us to several centuries back to the Greeco-Roman days of phallic worship. This phallic image of Samalai is hardly concreted by our efforts to Aryanize and modernize and Hinduise this very primitive deity through improvization and visualization of an oval face with a protruding tongue with all her superimposed ornaments and garlands Goddess Samalai stands on a huge block of stone in the unmistakable shape of a vagina penetrated by a penis. Like Goddess Charchika of Banki, Biraja of Jajpur, Sarala of Jhankada, Chandi of Cuttack, Samlei of Sambalpur has made Sambalpur as an important Sakta Pitha of Odisha.

Festivals

Festivals are the occasions that reinforce the presence of Gods and Goddesses in the life of the individuals and community. Those are also moments for the people and to be a part of as old, yet still vibrant and living traditions⁹. Festivals are also full of enjoyment, when they coincide with agricultural events such as harvest like Nuakhai or Navarna celebrated in West Odisha during *Bhadra Sukla Paksha* every year. Webster's Dictionary defines the term festival as a day or time of religious or other celebration marked by feasting, ceremonies or their observances. Festival is celebrated by one religious or sub group, group, a tribe or a community with exceptions to few individuals. Rituals performed during festivals are common to one social group, a religious sect or a community. Food, sweets, fruits, nuts etc. prepared during the festivals are common to one social group, religious sect or a community. The celebration of such festivals and rituals associated with Sakta shrines of western Odisha are religious

in nature which reflects the culture of the people of the particular area or locality. Here discussion has been made with regard to some important Sakta festivals associated with Samalesvari temple of Sambalpur.

The major festivals associated with Samalesvari temple are Nuakhai, Mahalaya and Saradiya Vasantika Durga Puja. Every year with much pomp and luxury, Nuakhai *Bhetghat* is organized on Bhadrava Sukla Paksha inside the temple premises. People of Sambalpur region eat *Navarna* (new rice) only after it is offered to Goddess Samalesvari. Nua Khai is such a popular festival in western Odisha that on this occasion people exhibit their gratitude and thankfulness to the creator and Mother Goddess earth. This festival normally observed on the 5th day of Bhadrava Sukla Paksha when newly harvested rice is first offered to the presiding deity Samalesvari and other gods and goddesses and then they eat the new rice sitting together. Everybody wears new clothes, people clean their houses. Younger members of the family touch the feet of the elders in the neighbourhood and visit Samalesvari temple to pay homage to the deity. On this occasion various types of cultural events like music and dance, meeting, *akhada* are organized at the premises of the Samalesvari temple. Another important celebration associated with Goddess Samalesvari is Gundikhai on the day of full moon of *Phalguna*, the first crop of mangoes with char (a type of miniature sweet black berries) and new *Mahul* flower are first offered to Goddess Samalesvari and then members of the locality take those offerings. In the month of April on the occasion of Mahavisuva Samkranti, Hanuman Jayanti is celebrated inside the temple precinct. By worshipping Devi Durga, Sati Savitri got back her husband, Satyavan. To commemorate this event, Savitri Vrata is



celebrated in the month of May. In the month of June Samalesvari is worshipped as the protector against all dangers and in Her honour Vrata and Hera Panchami are observed. In the month of July, Chitau Amavasya and Sravanaviseka are performed in the temple. The other festivals are such¹⁰ as Sravanabhiseka, Ganesh Chaturthi

(August-September), Puajuntia Osha, Dipavali, Syama Puja, Maha Sarasvati Puja etc. are observed.

The following festivals are celebrated throughout the year in the Hindu calendar month which are as follows:

Jyestha Purnima	Jalasayi Utsav of Bhairava Baba
Sravana Purnima	Sravanabhiseka of Goddess Samalesvari
Bhadra Babha Krushnapaksha Astami	Ambika Puja
Bhadra Babha Suklapaksha Panchami	Nuakhai
Asvina Krushnapaksha Asthami	Beginning of Sohala Puja
Asvina Krushna Paksha Amavasya	Mahalaya, Dhavalamukhi Vesa or Ganga Darshana Vesa
Asvina Suklapaksha Pratipada	Saradiya Navaratri Puja and lighting of Jagara Dipa
Asvina Suklapaksha Saptami	Beginning of Triratri Manasika Jagara Dipa
Asvina Suklapaksha Astami	Mahastami, Sandhi Puja, Akhada in the temple compound, Khandadhua Sobhajatra
Asvina Suklapaksha Navami	Mahanavami, Akhada Parikrama
Asvina Suklapaksha Dasami	Vijaya Dasami, Ranajita Sobhajatra
Asvina Purnima	Flag ceremony
Kartika Krushnapaksha Amavasya	Syama Puja
Every Thursday of Margasira	Mahalaxmi Puja
Pausa Purnima	Pausyabhiseka
Magha Sukla Paksha Panchami	Mahasarasvati Puja
Magha Purnima	Purnahuti of Chabis Prahari Nama Jagna
Makara Samkranti	Purnahuti of three-day long Dipa Mahajagna
Phalgun Purnima	Dola Purnima, Gundi Khai
Chaitra Sukla Paksha Pratipada to Navami	Basantika Navaratri Puja and Lighting of Jagara Dipa
Pana Samkranti	Special Puja of Sitala Thakurani
Akshaya Tritiya	Sri Sri Samalesvari Bhajan Samaroha
Every Tuesday	Special Puja at Akhada Hanuman Temple.



Time Table in the Temple

Mangala arati at 5 A.M.

Bhoga and Pahada at 12 noon to 12.30 P.M.

Alati at 8 P.M.

Bhoga at 9 P.M.

Closing of the temple at 10 P.M.

(Some variations may be observed on Tuesdays and on specific festivals)

Vesas of Samalesvari

Vesa means costume, attire or dress. Another important aspect associated with Goddess Samalesvari is Her different *Vesas* on festive occasions of the year. Those *Vesas* can be discussed as follows:

Dhavalamukhi (Ganga Darshan) Vesa

On the day of Asvina Amavasya Mahalaya, Goddess Samalesvari is decorated with white colour instead of red. It is a popular belief that *Darshan* to Goddess during this *vesa* is as good as *darshan* to Goddess Ganga. According to legend of the *Mahabharata*, when Lord Krishna offered blessings to Bhishma, who was sleeping on the bed of arrows, told that Mahalaya *Sradha darshan* of Goddess Ganga leads to the *Mukti* or salvation of the departed soul. It is not possible for everyone to have Ganga *Darshan* on this auspicious day, therefore Goddess Samalesvari gave *darshan* to Her devotees and cure sins and sufferings. Since the time of Raja Balaram Dev (16th century A.D.) this *Vesa* is in practice till today. These *Vesas* are continued for two and half days.

Nava Durga Vesa

On the occasion of Durga Puja, in the month of October from the *Asvina Sukla Paksha Pratipada* till *Navami* (9th day) Goddess

Samalesvari dressed with Navadurga *Vesa* in every afternoon and She is offered with *Puja* by the devotees.

Sailaputri Vesa (Pratipada)

Sailaputri Vesa is narrated in the following *sloka*:

*Vande bacnhhita lavaya Chandra dhakruta sekharam
Vrusrudhham Suladharam sailaputri jasasvini*

Goddess Samalesvari is worshipped as Parvati, the daughter of Himalaya and known as Saila Putri. In this *Vesa* the Goddess holds trident and lotus in Her right and left hands respectively. Her head looks like crescent moon. Goddess offers blessings and fulfills the desire of the devotees.

Brahmacharini Vesa (Dvitiya)

This *vesa* is narrated in the following *sloka* :

*Dadhana varapadmavhya
Akshamala kamandalu
Devi prasidatu mayee
brahmacharini annuttama*

In the second day of the Navaratra (*Dvitiya Tithi*) Goddess Samalesvari is worshipped in Brahmacharini *Vesa*. As per the shapeless Brahma the second name of the deity is Brahmacharini i.e., Tapacharini and She holds rosary and *kamandalu* in Her right and left hands respectively.

Chandraghanta Vesa (Dvitiya)

This *vesa* is narrated in the following verse:

*Pindaka pravaraudha
chandakopaastrakairjuta
Prasadam tanute mahyam
chandraghantetivisruta*

Goddess Samalesvari is worshipped in the form of Chandraghanta on the second *tithi* of Navaratra. She is golden in colour and ten-armed with Her conventional weapons. She is seated



on Her mount lion and prepared for war. She removes all sins and sufferings of the devotees.

Kusmanda Vesa

This *vesa* is well narrated in the following verse:

*Sura sampurna kalanam
Rudhiraplutameba cha*

*Dadhana hastha padmavyam
kusmanda subhadasthu me*

The meaning of *kusmanda* is having multi meanings such as *ku* meaning ugly or bad, *usma* meaning multifarious world and *a* meaning originated from the womb. As Goddess Samalesvari holds three-fold living beings in Her womb and hence Her fourth nomenclature is Kusmanda. As She resides in the solar world Her glaze is just like the rays of the Sun. She is eight-armed and mounts on a lion. She holds *kamandalu*, bow, *bana*, lotus, full pot, a pot filled with nectar, wheel and goad and in Her eighth hand She holds a rosary. This *vesa* is worshipped on the fourth day of Navaratra.

Skandamata Vesa

This *vesa* is well narrated in the following verse:

*Simhasanagata nityam
padmasritakara dvaya*

*Subhadastu sada devi
skandamatab jasasvini*

The other name of Karttikeya is Skanda and he is the Commander-in-Chief of the Gods and Goddesses. Being the mother of Skanda the fifth name of Samalesvari is Skandamata. She is worshipped on the fifth day of Navaratra. In the image of Skandamata Lord Skanda sits on Her lap.

Katyayani Vesa

This *vesa* is well narrated in the following verse:

*Chandrahasktyalakara
sardula vara vahana*

*Katyayani subham dadyat
devi danava ghatini*

For fulfilling the needs of the Gods and Goddesses Mother Durga originated in the Ashram of Maharsi Katyayana. As the sage Katyayana adopted Devi Durga as his daughter Her sixth name is Katyayani. On the sixth day of the Navaratra, Goddess Samalesvari is worshipped in this *Vesa*. In this attire the glaze is comparable to gold. She is four-armed and holds swords, full-blown lotus, *Varada* and *Abhaya*.

Kalaratri Vesa (Saptami)

This *vesa* is well narrated in the following verse:

*Ekaveni japakarna
puranagna kharasthita*

*Lobmosthi kanaka varni
tailabhyakta saririni*

*Vama padollusalloha
lata kantaka bhusana*

*Vardhana mudhardhwaja krushna
kalaratrirbhayankari*

As the destroyer of the Universe, Goddess Samalesvari holds Kalaratri *vesa* on the seventh day of Navaratra. She is black in colour, Her hairs are open, necklace on the neck, her three eyes are just like the globe, flame is emanated from Her nose. Her mount is Ass. She is four armed and holds iron nail, sword, *varada* and *abhaya*. Despite her ferocious appearance She is considered as the bestower of boon. Hence Her other name is Subhankari.



Mahagouri Vesa (Astami)

This *vesa* is well narrated in the following verse:

*Svete vruse samarudga
svetambara dhara suchih
Mahagouri subham dadyan
mahadeva pramodada*

To kill the demons Sumbha and Nisumbha the white complexioned *Devi* Parvati changed Her colour to black and assumed the name Kali. Once again She assumed white complexion and hence Her other name is Mahagouri. In this *vesa* wears white cloth and attires. She is four armed and mounts on a Bull. She holds in Her four arms *dambaru*, *varada*, trident and *abhaya*. This is the calm posture of the Goddess.

Siddhidatri Vesa (Navami)

This *vesa* is well narrated in the following verse:

*Siddhagandharva jakhya dyo
asurairamareirapi
Sevyamana sada bhuyat
sidhita sidhidayini*

To fulfil all the desires of the devotees Her other name is Siddhidatri. The Goddess is worshipped in this *vesa* during Navaratri. Her four arms are adorned with lotus, conch, wheel and goad.

Rajarajesvari Vesa (Asvina Purnima)

The greatest *vesa* of the Goddess is Rajarajesvari *vesa*. The other names of this *vesa* are Rajarajesvari, Srividya, Mahatripura Sundari and Balapanchadasi. In Dasamavidya, Rajarajesvari *vesa* is placed in the fourth position. She is considered as the *Sakti* of Siva. She is five-faced and ten armed. She has four rupas like *sthula*, *sukhma*, *para* and *turiya*. She sits on

the lotus originated from the naval of Siva. Adi Sankaracharya used to worship Her in *Srividya* form. A new flag is unfurled on that day. Flowers like *ketaki*, *mandar* and *dahana* leaves are favourites of the Goddess. The Chauhan king Balaram Dev worshipped Her in pomp and grandeur after the establishment of the new capital at Sambalpur. Since that time these traditions are practised.

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Antiquity of Durga Puja in Odisha

Om Prakash

Various accounts exist which ascribe the origin of Durga Puja in the state of Odisha. All historical accounts agree on the influence from other regions although some mythological accounts describe an independent origin.

Durga Puja is a festival, which is observed for ten days. Odisha being the land of Lord of Universe Shree Jagannath, the land of sacred Hindu Kingdom, the land of Santha, (saint), Muni/Rusi (hermit) Raja and Maharaja, the royals of Odisha patronage annual *Sharodiyo Utsav* before the state's unification with Republic of India. The Durga Puja is celebrated in two different ways in Odisha. In *Shakti Peethas* (temples of Goddesses) the Durga Puja is observed with proper rituals for 3 to 16 days known as *Tridinatmaka* (3 days from Astami, Nabami and Vijayadashami), *Panchadinatmaka* (5 days from Sasthi, Saptami, Astami, Nabami and Vijayadashami), *Nabadinatmaka* (9 days from Ashwina Ditiyaa to Vijayadashami) *Shodadinatmaka* (16 days from Mulastami to Vijayadashami) by *Panchama Upachara* and



Shodasa Upachara, which starts from 7 days earlier to Mahalaya and ends on Vijayadashami known as Dussehra. Goddess Durga is also worshiped by devotees in different *Pandals* across the state. The *Pandals* are beautifully decorated decorative.

According to *Markandeya Purana* the King of *Chaitra/Chedi* dynasty Raja Suratha started rituals of Durga Puja during 300 BC. The *Chaitra* dynasty belongs to Kalinga (modern Odisha). Durga Puja has different names in different *Puranas* and *Sastras*. In *Devi Purana* and *Kalika Purana* it is named as *Vijaya Dashami*. It is named as *Maha Parbana* in *Devi Mahatmya* and *Dussehra* in *Markandeya Purana*.

The present form of worship of Durga with earthen idol in Odisha was started during the reign of Ganga King Chodaganga Dev in the 11th century at Puri. The earthen idol of Mahishamarddini Durga is known as *Gosani* and the Dussehra festival is known as *Gosani Yatra*. It is noteworthy that the co-worship of *Mahishamarddini Durga* with *Madhava* (Lord



Jagannath) is prevalent from 11th century, Eastern Ganga dynasty period, in Puri.

Before the concept of *Sarvajanin Durga Puja* started, it was being conducted by princely houses and the first such Puja being conducted anywhere in the world at the same venue and continuing till date is in Odisha. It is at Rameswarpur in Bhadrak district of the state, where it was started about four centuries ago by the *Mahashay* family who migrated in from *Kotarang* near Howrah as a part of *Todarmal's* famous survey of India during Emperor Akbar's rule.

Close view of Cuttack's Durga Puja

It is said that in the year 1512 to 1517 AD *Chaitanya Deva* had come to Cuttack, the capital of Gajapati Empire of Odisha and the then emperor of Odisha Gajapati Pratap Rudra Dev received him at *Gadagadia Ghata* situated near the river bank of *Mahanadi* very close to the kings palace popularly known as *Barabati* fort. In that year *Shree Chaitanya Deva* started Durga Puja at *Binod Bihari* temple presently known as *Balu Bazaar*. Further it is also believed that Netaji Subhas Chandra Bose, whose birthplace, is Cuttack had organized Durga puja with great pomp and show to organize youngsters in British India exactly like *Lokamanya Balgangadhar Tilak* had done it at Maharashtra (the Ganesh Utsav). The first recorded *Sarvajanin Durga Puja* in the state is said to have been in the year 1832 in the *Kazi Bazaar* area of Cuttack.

A *Pandal* in Odisha is called "*Medho*". For many years, the most expensive installation was the *Chaandi Tarakasi Merrha* (*Chaandi Tarakasi* means pure Silver filigree ornaments) of *Choudhuri Bazaar*, *Alisha Bazaar*, *Kazi Bazaar*, *Buxi Bazaar*, *Daragha Bazaar*, *Balu Bazaar*, *Sankarpur*, *Shikharpur* area of Cuttack. The

ornamentation was done entirely in gold and silver. The bejeweled Devi in Cuttack's Durga Puja attracts huge congregation from all over the world.

A substantial increase in funding has led to the gold plating of the ornamentation. Now it is known as "*Suna Medho*" (*Suna* means Gold). A few other Pujas in Cuttack now have silver ornaments, too.

The Durga Puja festivities are also prominent in *Maa Katak Chandi* Temple. *Maa Cuttack Chandi* is the presiding deity of Cuttack. The goddess popularly called as *Maa Katak Chandi*, sits and rules on the heart of the ancient city. She is worshiped as *Bhuvaneswari*. *Maa Chandi* is worshipped in 16 incarnations (*Sodasha Abatara*) of Durga during the Puja. In Cuttack, people deeply devote *Maa Katak Chandi* as 'The Living Goddess'.

The grand *Pujas* are being celebrated country wide but particularly as special celebration in Odisha.

One reason for the wide acceptance of Durga Puja is the importance of *Maa Tarini*, who is considered one of the embodiments of *Shakti* in *Odia* culture. In addition, the state is close to Bengal and the people share a common socio-cultural history spanning millennia. Odisha is home to many important shrines dedicated to the Goddess; great festivities are organised there during *Durga Puja* and *Kali Puja*.

It is thus one of the prime festivals of Odisha as well. People in Odisha celebrate it on a large scale. The Goddess Durga is among the sacred Goddesses of Odisha. The celebrations are quite similar to the neighbouring state of West Bengal.



Durga temple at Kudapatna : A Study on Art and Architecture

Dr. Ratnakar Mohapatra
Kanhua Meher

Introduction

The Durga temple of Kudapatna is one of the important Sakta shrines of the Prachi Valley. It is located at the village Kudapatna in the Balipatna Block of the Khurda district. The temple is situated about 5 km from Niali on the left bank of the river Prachi.¹ It is built on the ruins of the earlier thatched temple. The original temple of Barabhuja Durga was a brick monument of the Prachi valley.² The local people say that the present temple has been repaired in 1980s by the co-operation of the villagers. So it is completely a renovated temple of that locality. The temple consists of two structures such as *vimana* and *jagamohana*. It is built in sand stones and bricks. This temple faces to east. Besides the main temple, two additional shrines are also erected inside the temple complex. They are viz; one is Bhabakundalesvara Siva and another shrine is of Lord Narasimha. The presence of Lord Siva and Lord Narasimha in the temple complex suggests that the temple site is a co-ordinating place of Saktism, Saivism and Vaishnavism. Really, the Prachi valley is affluent with Durga images all around. Durga images of two handed to twelve handed speak about the evolution of Durga cult in Odisha.³ These images are from the Pre-Gupta period to the 16th-17th century A.D. ⁴ Among all the extant Durga images of the Prachi valley, the twelve handed



image of Mahisamardhini Durga of Kudapatna is a unique image from the iconographical point of view.⁵ A modest attempt has been made in this article to highlight the detailed art and architecture of the Durga temple of Kudapatna.

Art and Architecture of the Temple

A. *Vimana* :

The *vimana* of the temple is a *pidha deula* and its height is about 25 feet from the surface of the temple complex.⁶ It has four fold divisions such as *pistha*, *bada*, *gandi* and *mastaka*. The *pistha* is about 2 feet high from the surface of the temple complex. The *bada* is *panchanga* type i.e. having five fold divisions such as *pabhaga*, *tala jangha*, *bandhana*,



upper *jangha* and *baranda*. All the component parts of the *bada* are devoid of sculptural embellishments.

The central niches of the three sides of the *bada* are housed with the *parsva devata* images of Maha-Vairabhi, Maha-Sarasvati and Narayani. All the side deities are housed in the *nisha garbhakas* (shrines), which are built in same designs and height. Each *nisha* shrine is *pidha* order and it is about 15 feet high from the surface of the temple complex. The local devotees

have housed these *parsva devatas* of the temple in 1990s. Maha-Vairabhi is the *parsva devata* of the southern side. The four armed image of Maha-Vairabhi is carved in *lalitasana* pose on the double petalled lotus pedestal. She displays *khadga* in upper right hand, *abhaya mudra* in lower right hand, *pana patra* in upper left hand and the lower left hand possesses a *chhinna mastaka*. The backside of the head of Devi Vairabhi is decorated with a *prabhamandala*, which is designed in full blown lotus

flower. The image Maha Vairabhi is made of chlorite stone. It measures 11 inches in width and 1 foot 5 inches in height respectively. Maha-Sarasvati is the *parsva devata* of the western side. The four armed image of Maha-Sarasvati is carved in *lalitasana* pose on the single petalled lotus pedestal. She displays a circular indistinct object in upper right hand, *abhaya mudra* with rosary in lower right hand, a full blown lotus in upper left hand and *varada mudra* with *lekhani* in lower left hand respectively. The backside of



the head of Devi Maha-Sarasvati is carved with a *prabhamandala*, which is designed by lotus petals. The image Maha- Sarasvati is made of chlorite stone. It measures 1 foot 5 inches in height and 11 inches in width. Goddess Narayani is the *parsva devata* of the northern side. The four armed image of Narayani is carved in *lalitasana* pose on the double petalled lotus pedestal. One of Her legs has kept on the pedestal and another leg is pendent. She holds lotus flower in upper right hand, lotus bud in lower right hand, *shankha* in upper left hand and *gada* in lower left hand respectively.

The backside of the head of Devi Narayani is carved with a *prabhamandala*, which is decorated with lotus petals. The image Narayani is made of chlorite stone. The image Narayani measures 1 foot 5 inches in height and 11 inches in width respectively. This Goddess is being worshipped by the local people as Maha-Kali. Here B.K. Ratha refers to an image of Ambika in the side niche of the temple.⁷ Now this Ambika image is not found preserved in the temple premises.

The *gandi* of the *vimana* is a pyramidal superstructure. It consists of two *potalas*, the lower and upper, which contain 4 and 3 *pidhas* respectively. Each *pidha* is decorated with *tankus* in all sides. The centre of the upper *pidha* of the lower *potala* is decorated with *pidha mastaka* designs in three sides except the front. A large sized *pidha mastaka* design is decorated at the centre of the front side *raha paga* of the *gandi*. *Deula Charini* figures and *dopichha* lions are



completely absent in their respective places above the *gandi*. The entire structure of the *vimana* is plastered with modern cement.

The *mastaka* of the *vimana* consists of *beki*, *ghanta*, above which there is another *beki*, *sila*, *khapuri*, *kalasa*, *ayudha* (*chakra*) and *dhvaja*. The sanctum preserves the large sized image of Goddess Durga as the presiding deity of the temple. The twelve armed image of Goddess Durga is carved in *ugra* posture on the plain pedestal. She is piercing into the neck of *Mahisasura* by a trident. Lion, the conventional mount of Goddess Durga is carved on the right of the pedestal. *Mahisasura*, the demon is depicted on the pedestal of the slab. The right side six hands of Goddess Durga display *khadga*, lotus, trident, *varada mudra*, an indistinct object and the backside hand is empty. The left side six hands hold shield, *gada*, bow, bell, snake and the backside hand is blank. The image Durga is made of chlorite stone. It measures 5 feet 5 inches in height and 2 feet 3 inches in width. This image is a unique sculpture of the Prachi Valley in the coastal-belt of Odisha. Observing the iconography of the presiding deity, Hansanatha Sahoo remarks that the image is an art of the Bhaumakara period.⁸ Another stone image of eight armed Goddess Durga is also found worshipped on the left side of the presiding deity. The eight armed image of Goddess Durga is carved in standing posture on the pedestal. This image is made of chlorite stone. The right side hands of Devi display *khadga*, trident, lotus or conch and *chakra* while the left side four hands hold rosary, bow, snake and one hand holds the hair of *Mahisasura*. Lion, the conventional mount of Devi is carved on the right of the pedestal. The *Mahisasura* figure is depicted on the pedestal. The image *astabhuja* Durga measures 3 feet 4 inches in height and 1 foot 10 inches in width. Observing this Durga image, H.N. Sahoo remarks

that the attributes of conch and *chakra* with the upper hands and the lower right hand holds a trident and the left hand drags the hair of the demon is known as Durga-Madhava.⁹ Besides, there is a brass image of Mahisamarddini Durga also found on the right side of the presiding deity. This image is considered as the *chalanti pratima* of the presiding deity. The image presiding deity is adorned with the *makara* headed arch supported by the pillar on each side. The presiding deity is installed on the *simhasana* of 2 feet high.

The sanctum has one doorway towards the *jagamohana* hall. Gaja-Lakshmi image is carved in *abhiseka* pose on the centre of the doorway lintel. *Navagrahas* are carved in standing posture on the architrave above the doorway lintel. They are depicted with as usual attributes in their hands. The right side base of the doorframe is inserted with a stone slab containing an image of Trivikrama.

In the right side doorway wall of the sanctum is inserted with an image of Ganesha. The four armed image of Ganesha is carved in dancing posture on the back of mouse. He displays broken tusk in upper right hand, rosary in lower right hand, a pot of *ladus* in upper left hand and *parashu* (hatchet) in lower left hand respectively. The image Ganesha is made of chlorite stone. The backside of the head of the deity is decorated with *prabhamandala*, which is designed with lotus petals. The image Ganesha measures 2 feet in height and 1 foot 2 inches in width. This image is built in the last quarter of the twentieth century. The left side doorway wall of the sanctum is fixed with an image of Karttikeya. The four armed image of Karttikeya is carved in standing posture on the double sectional pedestal. Peacock, the conventional mount of the deity is carved on the right of the pedestal. The lower part of the pedestal is decorated with lotus petals.



He displays trident in upper right hand, *abhaya mudra* in lower right hand, *sankha* in upper left hand and bow in lower left hand respectively. The backside of the head of deity is decorated with *prabhamandala*. The image Karttikeya is made of chlorite stone. It is about 2 feet in height.

B. Jagamohana :

The *jagamohana* of the temple is a flat roof structure and its height is about 13 feet from the surface of the temple complex. It has been built in 2008. The structure of the *jagamohana* has four open doorways, two on the southern side and one on each side of the east and north respectively.

Lion, the conventional mount of Goddess Durga is installed at the centre of the *jagamohana* hall. Inner walls of the *jagamohana* are completely plain and are recently covered with glazed tiles. Two lion figures are installed on both sides of the eastern doorway. They are acting as the *dvarapalas* of the temple.

Additional Shrines

Besides the main temple, there are two additional shrines also noticed inside the temple complex. They are the shrines of Bhabakundalesvara Siva and Lord Narasimha.

A. Shrine of Bhabakundalesvara :

In the north-east corner of the temple complex is occupied by a Saiva shrine, which is dedicated to Lord Bhabakundalesvara Siva. The shrine is a *pidha* order structure and it is about 18 feet high from the surface of the temple complex.

The central niches of the three sides of the *bada* of the additional shrine are housed with the *parsva devata* images of Ganesha, Karttikeya and Devi Parvati. Ganesha is the *parsva devata* of the southern side. The four armed image of

Ganesha is carved in *ardha paryanka* pose on the pedestal. He displays *parasu* in upper right hand, rosary in lower right hand, broken tusk in upper left hand and the lower left hand touches his belly. The backside of the head of deity is decorated with a *prabhamandala*. The image Ganesha is made of sand stone. The lower part of the pedestal is decorated with *kalasa*, *dhupadani*, etc. The image Ganesha measures 3 feet 5 inches in height and 1 foot 10 inches in width respectively. Karttikeya is the *parsva devata* of the eastern side. The two armed image of Karttikeya is carved in *lalitasana* pose on the pedestal. He holds dagger in right hand and the left hand lies on his secret organ. Peacock, the conventional mount of the deity is not found carved on the pedestal. The image Karttikeya is made of sand stone. It measures 3 feet in height and 1 foot 9 inches in width respectively. Devi Parvati is the *parsva devata* of the northern side. The four armed image of Devi Parvati is carved in standing posture on the double petalled lotus pedestal. The bottom part of the pedestal is decorated with scroll work. Lion, the conventional mount of Devi Parvati is carved on the right of the pedestal. Female *sakhi* figures are carved on both sides of Devi Parvati. She holds *nagapasa* in upper right hand, rosary in lower right hand, *ankusa* in upper left hand and stalk of a lotus flower in lower left hand respectively. The backside of the head of Devi Parvati is decorated with trefoil arch, *makara* head at the base and the *kirtimukha* motif at the apex. *Apsara* figure holding garland is depicted on both side top corners of the slab. The image Parvati measures 2 feet 6 inches in height and 1 foot 4 inches in width. It is made of chlorite stone. All the *parsva devatas* of the additional shrine are housed in the *pidha mundi* niches.

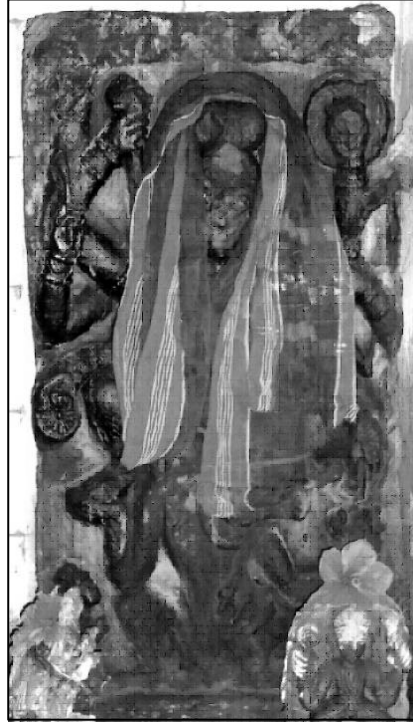
The *gandi* of the additional shrine is a pyramidal superstructure. The *mastaka* of the



shrine consists of *beki*, *ghanta*, *amalakasila*, *khopuri*, *kalasa*, *ayudha* (trident) and *dhvaja*.

The sanctum preserves the *Sivalingam* within the *Saktipitha* as the presiding deity of that shrine. The floor of the sanctum is about 10 feet below the surface of the temple complex. Masonry steps of the descending order are provided for approach towards the sanctum.

According to the local people, this shrine is earlier than the present (renovated) Durga temple of the complex. B. K. Ratha has mentioned that the Bhabakundalesvara shrine of the temple complex belongs to the twentieth century.¹⁰ On the basis of the iconographical features of the *parsva devatas* (of the shrine), the construction period of the Bhabakundalesvara shrine is earlier than the present renovated Durga temple of the site.



pedestal. He holds *chakra* in upper right hand, *shankha* in upper left hand. The lower two hands of the deity are engaged to take out the entrails of Hiranya Kashyapa, the demon. The backside of the head of deity is decorated with elongated

prabhamandala. The image Narasimha is made of chlorite stone. It is built in the last quarter of the 20th century. The doorway of the shrine is completely plain. The left side inner wall niche of the *jagamohana* is inserted with the *Dasavatara* panel of Lord Vishnu while the right side wall contains the *navagraha* panel are made in the same period of the presiding deity.

Recently, a *natamandapa* is being erected by the village community. Garuda, the conventional mount of the deity (Narasimha) is installed on the floor of the *natamandapa*. Mahavir Hanumana figures are installed

near the four gateways of the temple complex.

Boundary Wall :

The temple complex is enclosed by a boundary wall, which is 6 feet in height. It is made of modern bricks. The temple complex has four entrances, one on each cardinal direction of the boundary wall.

Date of the Temple

There is no authentic record with regard to the exact date of the original temple of *Barabhuja Mahisamarddini* Durga of Kudapatna. The local people say that before the present temple there was a thatched temple for

There is a *jagamohana* recently erected in front of the additional shrine. Three bull figures are installed on the open floor before the *jagamohana* hall. They are being considered as the *vahanas* of Lord Bhabakundalesvara Siva.

B. Shrine of Narasimha

There is another additional shrine recently erected in the south-west corner of the temple complex. It is a *pidha deula* and is about 20 feet in height. The sanctum of the shrine preserves the image of Narasimha as the presiding deity. The four armed image of Narasimha is carved in standing posture on the lotus petal designed



the Goddess Durga. Here Hansanatha Sahoo, one of the senior scholars of the Prachi Valley, is of the view that the architectural and sculptural representation brings back to 6th -7th century A.D.¹¹ Original brick temple of Goddess Durga was completely destroyed by nature. Thereafter, a thatched temple was rebuilt on the ruins of the earlier one for worship of Goddess Durga. B.K. Ratha mentions that the temple of *Barabhuja* Durga was built in the eighteenth century A.D.¹² The original (earlier) temple of *Barabhuja* Durga may be assignable to the later part of the Somavamsi period or early part of the Ganga period. The earlier thatched temple has been completely renovated in 1980's by the co-operation of the villagers.

Now the temple is being managed by the Panda family of that village.

Conclusion

Thus, it is known from the above discussion that the Durga temple of Kudapatna is an ancient Sakta shrine of the Prachi valley. The present Durga temple is erected on the earlier dilapidated thatched shrine of that site. The original side deities of the main temple are not found in the temple premises. The present *parvas devatas* of the temple are of the last quarter of the twentieth century. The iconographic feature of the presiding deity of the temple is a unique among all the extant Durga images of the Prachi valley. The additional shrine of Bhabakundalesvara inside the temple complex suggests that the original ruined temple of the Goddess Durga of the site must have been earlier than the present additional shrine of Lord Bhabakundalesvara. The presence of Narasimha shrine in the temple complex remind us that the site of the temple is a coordinating place of Saktism, Saivism and Vaishnavism. It indicates that during the medieval period the Sakta cult in the Prachi valley was closely associated with the

Saiva and Vaishnava faiths. From the religious point of view, the presiding deity (*Barabhuja* Durga) of the temple is well known in that locality. Considering the sacredness of the site, the Durga temple of Kudapatna can be regarded as one of the important Sakta shrines of the Prachi valley in Odisha.

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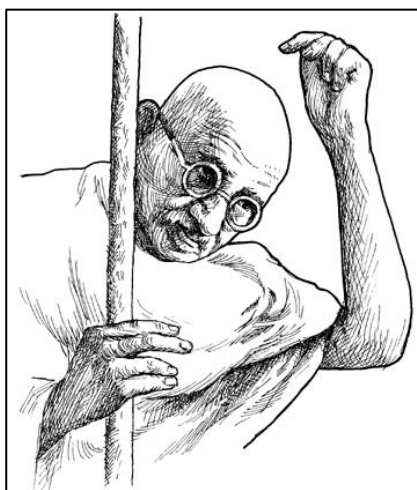
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Gandhian Constructive Programmes : The Mantra of Socio-Economic Development

Prabodh Kumar Rath

Mahatma Gandhi was not only a freedom fighter, but a socio-economic reformer also. He had before his vision a society which would provide for the essential needs to the common people. In his view India's greatest curse was poverty and hunger. To combat these two evils, Gandhiji evolved a programme by which the minimum needs of the society could be made available. This programme is called constructive programme. While *Hind Swaraj* gives the general outline of Gandhiji's political philosophy, the 'Constructive Programme' originally addressed to the members of the Indian National Congress. It discusses some of the concrete steps by which that philosophy may be implemented. According to Gandhiji every sound political philosophy ought to have its corresponding constructive programme, one that contributed to the betterment of the lives of members of civil society. The constructive programme may otherwise and more fittingly be called construction of *Purna Swaraj* or complete independence by truthful and non-violent means. It means the independence of every unit, be it the



humblest of the nation, without distinction of race, colour or creed.

Constructive work played an important role in the Gandhian strategy. It was primarily organized around promotion of *Khadi*, Spinning and Village industries, National education and Hindu-Muslim unity, struggle against Untouchability and social uplift of *Harijans* and boycott of foreign Cloth and Liquor. Above all it meant going to villages and identifying with villagers. Constructive work was symbolized by hundreds of *Ashrams* which came up all over the country, almost in the villages and in which social and political workers got practical training in *Khadi* and Yarn production and in work among lower castes and tribal people. It played a crucial role during the passive phase in filling the political space left vacant by the withdrawal of mass movements, while mass movements were sporadic, constructive work was to be carried on all the time. It provided an alternative of continuous and effective work. It had also the advantage of involving a large number of people. Parliamentary and intellectual



work could be done by relatively few, constructive work could involve millions.¹

Gandhiji put all his emphasis on the agrarian rather than industrial development. He thereby wanted to achieve the social and economic regeneration at the grass root level. Thus Gandhiji's constructive programme was that the poor must get food and cloths. The best way for that was to himself grow food and himself to make his own cloths. His constructive programme is geared towards village reconstruction.

Nearly 75 per cent of the Indians were engaged in agriculture. The agriculturist in India was without work for atleast three months in a year. The landless labourers whose number was ever on the increase would find work only in the sowing and reaping seasons. This unemployment and underemployment was the cause of Indian poverty. To combat this problem Gandhiji suggested revival of Swadeshi movement as it would resolve the problem of consumption and production and production would increase the quantum of employment. Gandhiji followed the programme of the revival of cottage and village industries for this purpose the All India Village Industries Board was formed.²

The constructive programme was devised to reform our national character. The first item of this reform was the removal of untouchability. Untouchability in our country, as the race and colour problems in the west rests upon the idea of the superiority of one section of people over another on account of their birth. Gandhiji setup an organization, the '*Harijan Sevak Sangh*' which was to work for the removal of all their disabilities.³ As a result of efforts made by Gandhiji untouchability has been abolished by law after independence.

Gandhiji was against all inequality to women. He severely criticized pernicious system

of child marriage. He was against *Purdah* system. He was a great critic of dowry system and also against heavy expenditure in connection with marriages. Gandhiji invited women of India to participate in the Satyagraha movement as they possess infinite patience and uncomplaining and silent suffering.

In the opinion of Gandhiji village economy cannot be complete without essential village industries, such as hard-grinding, hard pounding, soap-making, paper-making, match-making, tanning, oil pressing etc. *Khadi* to Gandhiji is the symbol of unity of Indian humanity of its economic freedom and equality. Moreover, *Khadi* mentality means decentralization of production and distribution of the necessities of life among the vast population of India, which was predominantly rural.

From the nineteen twenties until his death in 1948, Gandhiji gradually shifted the emphasis of his work from non-violent resistance to constructive schemes for the welfare of all. The constructive programme focused upon constructive ways of rebuilding a demoralized society. It sought to re-orient a servile nation habituated to sectional loyalties and social apathy towards a fearless community of mutual service and sacrifice in which every individual identified with others, especially the poor.

The constructive programme consists of several apparently unconnected independent activities. But they are connected within the context of creating evolution of new social order. Within the Indian context, this meant –

- ☛ Nurturing communal unity
- ☛ Abolishing untouchability
- ☛ Fostering adult education
- ☛ Systematic improvement of village
- ☛ Upliftment of the peasants



- ☛ Development of Non-violent labour unions
- ☛ Promotion of cottage and small scale industries
- ☛ Eradication of social evils.
- ☛ Prohibition of Alcohol.
- ☛ Promotion of *khadi*
- ☛ Promotion of Basic education
- ☛ Upliftment of women
- ☛ Promotion of education in health and hygiene
- ☛ Propagation of *Rastrabhasa*
- ☛ Treatment of lepers.⁴

Gandhiji devised his constructive programme and setup a number of constructive work organizations to work it out in order to knit together in a common bond of fellowship the millions and weave the pattern of non-violent conduct into their lives. According to Joan Bondurant, the constructive programme is a positive aspect of *Satyagraha* in action, and is the concomitant of resistance action”.⁴ Gandhiji described constructive programmes as the permanent part of the non-violent effort. From this effort is created the capacity to offer non-violent resistance called non-cooperation and civil disobedience. This work would raise the status of people and bring home to them the power of non-violent social change for the ending of exploitation.⁶

Moreover, for a variety of reasons, not all could go to jails, but constructive work was within the reach of any one who was desirous of contributing his mite to the cause of the country.⁷ The constructive workers were Gandhiji's steel frame. They were the arteries through which the leadership kept in touch with the rural people. One of the secretes of Gandhiji's uncanny political

instinct was his contact with the people through the constructive workers. Constructive workers were sturdy secularists and their work for Hindu-Muslim unity helped to unite the people. The uplift of *Harijans* and *Advasis* by constructive workers made them self-reliant and enabled some of them to join the freedom struggle and in the struggle for their own social-economic development.

The constructive programmes if carried out in the right direction, Gandhiji believed would result in the ideal Sarvodaya Samaj. Constructive work as planned by Gandhiji are something that every one can participate in. If all kinds of people actively participate in the constructive programme, then it will provide a common experience and be a symbol of democratic common endeavour, it will bridge the gap between the classes and the masses.⁸

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Pandit Gopabandhu Das : The Maker of Modern Odisha

Renubala Samantaray

Pandit Gopabandhu Das, the maker of modern Odisha was born on 9th October 1877 in a small village called Suando in Satyabadi Police Station in the District of Puri. Shrimati Swarnamayi Devi Mother of Gopabandhu was the third wife of his father, Shri Daitari Das who was a Muktar and a great devotee of Lord Krushna.⁽¹⁾ Gopabandhu lost his mother shortly after his birth and in many of his poems he made references to his mother about whom he had no recollection. Gopabandhu was actually brought up by his aunt Shrimati Kamala Devi who was a widow from a very early age.

Gopabandhu's father Daitari was eager to see Gopabandhu educated on the new western model, but he could not tear himself away from the old traditions. Gopabandhu on completion of his studies in the upper primary school was admitted to the middle vernacular school at Rupeleipur situated at a distance of five miles from his village.



Pandit Sadasiva Mishra of Bira Narasinghpur was the head Pandit of the Rupdeipur, middle vernacular School. On completion of his studies at Rupdeipur, Gopabandhu went over to Puri and joined the Puri zilla school. While at Puri he was introduced to Sri Rama Chandra Das, a Muktar of Puri, whose love for the country and for the distressed humanity had infected the young and impressionable Gopabandhu.

In the year 1899 Gopabandhu passed out of the Puri Zilla school and was admitted into the Ravenshaw College at Cuttack. Besides his studies Gopabandhu took keen and active interest in social service and debating societies. While in the college Gopabandhu in the company of his intimate friend late Brajasundar Das and Acharya Harihar Das used to go out to help and nurse the poor and sick in the town and collect funds for poor students of the college and render social service to the needy. His interest in



poetry and literature at this period was very deep and abiding⁽²⁾ Two or three of his publications contain poems. In 1902 Gopabandhu passed the F.A. Examination. That year saw the birth of Utkal Sammilani and at Berhampur the first session of the Utkal Sammilani was held which was attended by Gopabandhu.

Gopabandhu passed the B.A. Examination in 1904. Shortly before his examination Gopabandhu lost his only son in most tragic circumstances, when the son was lying seriously ill in a rented house at Puri. Gopabandhu was there by his side but at that time he received a report that some villages in the interior of the district had been flooded and immediate arrangement for relief should be made.

Gopabandhu went to Calcutta for his law studies. After appearing at the B.L. Examination, Gopabandhu was in Cuttack when he received the news of his success in the B.L. Examination and the death of his wife simultaneously.

At first he began his service career as the Headmaster at Nilagiri. In 1906, he left Nilagiri and set up his legal practice at Cuttack. Before Gopabandhu joined as Government Advocate at Baripada, he had his practice at Puri.

Love of motherland and literature (Odia) was his passion since his school days. While he was a student in the Ravenshaw College, he formed the Central Young Utkal Association with the help of his friend Braja Sundar Das. This Association sent batches of volunteers to render service to the flood affected people of Jajpur and Kendrapara areas in 1907.

Gopabandhu is the ever revered institution of the Odia nation, an ever flowing sacred stretch of water. His multifarious life can be judged from various point of view. He can be

characterized as a person devoted to public service, educationist, political worker, leader, poet, editor, orator, one who reveals in sacrifice, legislator, lawyer, organizer, social reformer, affectionate person with great feelings and his life represents a glorious character in the annals of the Odia nation. As a leader of the country Gopabandhu has given his well –thought out advice to the people of Odisha in the fields of social reforms, literature, culture, religion and politics etc. Gopabandhu was a member of the Old Bihar and Orissa Legislative Council for 4 years from 1917 to 1920, and during this period he steadfastly fought for the amalgamation of the Odia – speaking tracks lying scattered in the neighbouring provinces. He pressed for permanent flood control.⁽³⁾ and famine relief measures. He pleaded that people in the coastal areas should be given the right to manufacture salt free of duty for their own consumption. He wanted the Government to implement the principle of open-air education on the model of the Satyabadi School.

Pandit Gopabandhu was also a member of the Senate and Syndicate of the Patna University. He was a member of the Puri District Board⁽⁴⁾. Pandit Gopabandhu's efforts and anxiety for keeping alive Odia language and Odia culture in the outlying. Odia speaking area is not to be forgotten in Odisha. His presidential address in the annual conference of the Utkal Sammilani in 1919 at Cuttack is a historical document which even now sends a thrill through those who read it.⁽⁵⁾

Gopabandhu felt the necessity of newspapers and journals for ventilating people's grievances as well as for educating them. From 1913 to 1919, he was editing the newspaper "Asha" which had been started at Berhampur. Ganjam by Sasibhusan Rath. In 1915 he brought



out from the Satyabadi Press at Sakhigopal a monthly literary magazine entitled 'Satyabadi'. From this press in October 1919, he brought out a weekly newspaper entitled the 'Samaj'. Explaining the objectives of this paper, Gopabandhu pointed out, The 'Samaj' is published every week, on Saturday from the Satyabadi Press. The situation of the country is discussed in it. The Samaj was subsequently published from Puri and finally from Cuttack. It became a daily newspaper in 1930. The Samaj played a very important role in spreading national consciousness among the people of Odisha. It continues to play an important role in the public life of Odisha till today.

In the field of social reform and removal of untouchability he did pioneering work. As early as in 1910-11 he introduced inter-dinning in the Satyabadi School Hostel and adopted a Harijan boy and got him educated in the said school and then in college at his own cost. Higher Caste and Scheduled Caste students were treated alike in the said institution.⁽⁶⁾

Gopabandhu dictated his last will regarding his family matters and the 'Samaj' on the 17th June afternoon and breathed his last at 7 o'clock in the evening of the same day. He was cremated in the Vakul Van near the Sakhigopal Temple.

Born in an orthodox Brahmin family, Gopabandhu started life with basic comprehension of classical values of Indian civilization. His knowledge of Sanskrit enabled him to appreciate the Indian cultural heritage.

Modern Odisha in all spheres bears the impress of Gopabandhu who literally dedicated

his life in the service of the poor, the distressed and the downtrodden and for the freedom of the country. He lives today in the hearts of the Odia people. They cherish his memory with love and affection. He was the uncrowned king of Odisha.

He strongly advocated for the national development. He was not parochial in his outlook rather a great nationalist on Indian soil. He was truly the jewels of Utkal and father of modern Odisha and a great Nationalist. Subash Chandra Bose had rightly called Gopabandhu Das as the 'Father of the National Movement in Orissa.' Similarly, Lala Lajpat Rai described him as "The Uncrowned king of Orissa" and Acharya Prafulla Chandra of Bengal had first described him as "Utkalmani or the Jewel of the Utkal."

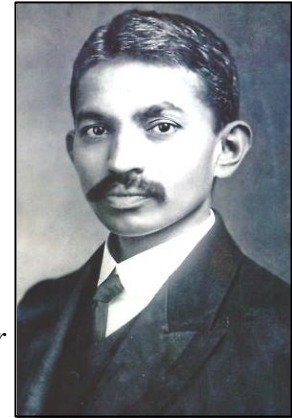
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Mahatma Gandhi : The Editor & Journalist



Souribandhu Kar

Lord Linlithgow, the Viceroy at New Delhi once said, “Gandhi is the biggest thing in India”.

Yes, Gandhi is unique.

He first came across a newspaper in London, when he went there to study law. He could hardly think at that time that he will be associated with the newspaper world throughout his life.

His first article was published in the issue of February 7, 1903 under the caption “Indian Vegetarian” in *The Vegetarian* the organ of Vegetarian Society. He contributed nine articles to this magazine depicting the diet, customs and festivals etc. of India.

South Africa where he was thrown in to the whirlpool of politics shaped him as a Journalist. In a letter to the Editor of the Times of India he wrote, “Publicity is our best and perhaps the only weapons of defence”.

In October 1899, the Boer war broke out. Gandhi participated in it with Indian volunteers to serve the sick and wounded. He shared his experience in the Bombay edition of Times of India.

To safeguard the Indian interest in South Africa, Gandhi thought of a weekly because he wanted publicity to arouse the public opinion among the Indians staying there.

He recorded later :

I believe that a struggle which chiefly relies upon internal strength cannot be wholly carried on without a newspaper — it is also my experience that we could not perhaps have educated the local Indian community, not kept Indians all over the world in touch with the course of events in South Africa in any other way, with the same ease and success as through the Indian opinion, which, therefore, was certainly a most useful and potent weapon in our struggle. Indian opinion was reflected in the publication on 4 June, 1903. The first editorial “ourselves” was written by Gandhi. The language was very simple and the content therein directly appealed the people.

He wrote, “We need offer no apology for making an appearance. The Indian community in South Africa is a recognized factor in the body politics, and a newspaper, voicing its feelings and specially devoted to its cause, would hardly be considered out of place : Indeed we think, it will supply a long felt want”.

The Indian opinion was the foolscap sized, three column journal started publishing South African Indian news and views. Through the columns of the Indian opinion, he was reproducing the biographies of great men and women of the World, to inspire his fellow countrymen.



Gandhiji was writing incessantly boosting upon the morale of civil register. He said, “during 10 years, that is until 1914, excepting the intervals of my enforced rest in prison, there was hardly an issue of Indian opinion without an article from me.”

The Satyagraha struggle continued till 1914 and it could not have successful without the Indian opinion. It awakened the Indians to their rights and privileges.

Gandhi started newspaper in India where his ideas-social, political or economic as well as the plan of action to achieve those, were published. The papers may be called as views paper. As he wrote, “newspaper, if otherwise well edited, can become a most powerful vehicle for transmitting pure ideas in a concise manner”.

Margarita Barns wrote in his book “the Indian Press” as such : “In India, from Raja Ram Mohan Ray to Keshab Chander Sen, Gokhale, Tilak, Feroze Shah Mehta, Dadabhai Naroji, Surendranath Banerjee, C.Y. Chintamani, M. K. Gandhi and Jawaharlal Nehru, there is a distinguished line of public men who have used, and are using, the press as a medium for the dissemination of their ideas of moral values.”

Gandhi arrived in India on January 9, 1913. Journalism did not establish as a profession. Advertisement was not playing that important part as of today. Gandhiji was not only connected with Indian opinion, he started contributing articles to other newspapers. In an article to Gujarati Daily, “Hindustan” his views on the newspaper is noteworthy.

He wrote, “In my humble opinion, it is wrong to use a newspaper as a means of earning a living. There are certain spheres of work, which are of such consequences and have such bearing on public welfare that to undertake them for earning one’s livelihood will defeat the primary aim behind them. When further, a newspaper is treated as a means of making profit, the result is

likely to be serious malpractices. It is not necessary to prove to those who have some experience of journalism that such malpractices do prevail on a large scale.

“Newspaper are meant primarily to educate people. They make the letter familiar with contemporary history. This is a work of no mean responsibility. It is a fact, however, that renders cannot always trust newspapers. Often, facts are found to be quite the opposite of what has been reported.

If newspapers realized that it was their duty to educate people, they could not but wait to check a report before publishing it. x x x the reporting of the speeches in Indian newspapers is generally defective. It is often observed that newspapers publish any matter that they have just to fill in space. x x x These newspapers cannot escape criticism merely because they save the people, on the whole, it would be seen that the existence of newspapers promotes good and evil in equal measure.”

Under the editorship of Gandhi an unregistered newspaper called the “Satyagrahi” was published from April 7, 1919 protesting against the Rowlatt Bill. Subsequently, a band of young Gujaratis started an English Weekly, Young India. The editorship of the Young India was offered to Gandhi, which he gladly accepted. The Gujarati monthly the “Navajivan”, under the same management, was also placed at his disposal. The Navajivan first appeared on October 7, 1919. The Young India was published after a day of the Navajivan.

While editing Navajiban he wrote, “The editing of Navajivan has been a perfect revelation to me. Whilest Young India has little more than 1200 subscribers, Navajivan has 12000. The number would leap to 20000, if it would but get printer to print that number. It shows that a vernacular newspaper is a felt want. I am proud to think that I have numerous readers among



farmers and workers. They make India The English journals touch but the fringe of the ocean of India's population."

On the demise of Lokamanya Tilak on August 1, 1920, Gandhi wrote an obituary in the Young India.

It reads, "A giant among men has fallen. The voice of the lion is hushed His patriotism was a passion with him. He knew no religion, but love of his Country His courage never failed him. His optimism was irrepressible In the battle of freedom, he gave no quarter and asked for more."

Gandhi was not only a journalist par excellence, as an editor he used to advise other editors and journalists. He gave advice to his son Manilal, who was editing the Indian opinion that "The editor has to be patient and seek for the truth only".

After his release in April 1924, he wrote a series of articles in the Young India giving details of his prison life. When friends asked him to take a few months rest, he said, "editorial job would be for him rather a kind of mental recreation than a task". He was writing on all subjects not merely politics.

He believed in the liberty of the Press, when the Bombay Chronicle had to pay a fine for a defamation suit, Gandhi wrote an article in Young India, "Below the Belt". He wrote on August 7, 1924 : "The Press Law is gone only to be replaced by new activities under the law of Sedition and libel"

The next paper Gandhi associated was "Harijan". The paper Harijan first appeared on February 11, 1933. Shri R. V. Shastry was editor. Explaining the term "Harijan", Gandhi wrote, "It is not a name of my own coining. Some years ago, several "untouchable" correspondents complained that I used the word "asprishya" in the pages of the Navajivan. "Asprishya" means literary untouchables. I then invited them to suggest a better name and one of the untouchable

correspondents suggested the adoption of the name "Harijan", on the strength of its having been used by the first poet saint of Gujarat."

Why Gandhi has taken up journalism and editorial ? Gandhi wrote in the Young India of July 2, 1925. "I have taken the journalism not for its sake but merely as an aid to what I have conceived to be my mission in life." So he was convinced that the aim of journalism was service.

Gandhi was not only a journalist, editor but a great writer. No one has used the staff of words on a massive scale than Gandhi. The uniqueness of Gandhi is beyond all questions, and is deliberate and at the same time fundamentally effortless merging of himself with the people of India, in the modern Indian context, amazing.

Let us conclude with the great homage paid by no other than one of the great creators Rabindranath Tagore, once said about him.

"He (Gandhi) stopped at the thresholds of the huts of the thousands of the dispossessed, dressed like one of their own. He spoke to them in their own language, whereas living truth at last, and not quotations from books. For this reason the "Mahatma" the name given to him by the people of India, is his real name, who else has felt like him that all Indians are his own flesh and blood? In direct contact with truth, the crushed forces of the soul rise again, when love came to the door of India that door was opened wide. At Gandhi's call India blossomed forth to new greatness, just as once before in earlier times, when Buddha proclaimed the truth of fellow- feeling and comparison among all living creatures."

As Mr. Louis Fischer commented, "He was an editor leading his readers to the righteous path. He was "Bapu" or father of all. He did not like to be called "Mahatma" and with his frank sincerity declared the mission of his life."

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Dishonest Prospers and Honest Suffers, Why ?

K.C. Pattnaik

Our present life is in continuation of many earlier lives. What we are to-day is the resultant of deeds performed in earlier lives and those performed in the present life. Those who have done meritorious & credit-worthy acts in their earlier lives are rewarded by birth with good health, wealthy homes, good connections and resources etc. The stock of good deed is carried over to the present life. It is on a/c of such credit balance in their favour which neutralise the effects of all deeds or indulgence in sensuous pleasure by them in their present life. Once the stock of good deeds is exhausted, they are thrown into terrible sufferings. This is like a Bank transaction. Suppose you have deposited Rs.10 lakh in your bank account & you can go on withdrawing @ Rs.10,000/- every month for eight years and the bank will gladly honour every withdrawals. But if you have a credit balance of only Rs.5000/-, the Bank will refuse to pay if you attempt to withdraw Rs.10,000/-.

The case of those people who are suffering even though they are leading an honest life can be compared to those having nil balance in their account due to careless withdrawal without application of mind. Till the balance is swilled by depositing further no withdrawals will be permissible. The people who are suffering will have to suffer till their stock of misdeeds are exhausted.

Whatever joy we are enjoying go to decrease the stock of good deeds in our account. On the contrary, whatever sorrow or sufferings we bear go to reduce the accumulated stock of our sins.

The reward of good deeds is always joy, happiness and those of wicked is tragedies, sorrow, grief etc. However, the time in which the fruit of action matures varies in different cases. In some cases it may be after several lives. Let us take an example of agriculture. There are certain cash crops harvested only once in a year. Mango plantation will not bear fruit less than ten to fifteen years. Therefore we should not be surprised that whatever suffering or prosperity we are having today is the result of vice/virtues done in the past and the same are producing results.

Nature follows very strict laws. The sun is never dark, the Moon is never hot. Fire is never cold and so on and so forth. Virtuous acts result in happiness and sinful acts in grief and misery. Persons are suffering or prospering only on account of their earlier deeds. God recreates His creatures in position high or low in accordance with the merits and demerits earned by them in their previous lives.

Many times we have learnt that a particular dacoit or a terrorist who was responsible for hundred or two hundred murders was shot dead in police encounter. Now the question arises why he was not killed earlier? The reason is that on account of merits of earlier lives he could not have been eliminated till he committed crimes in the present life exceeding his stock of merits. One of the most wicked persons like Ravana, Kansha etc, were not killed till they have committed sins on large scale. In some cases the wicked and cruel are saved to some extent



by the virtuous deeds of their parents and wives etc.

The point that our present conditions is the result of the deeds performed in the earlier lives and those done in the present life. By our present deeds we are shaping our future. It is only the result of deeds performed in earlier lives and thereof the present life. Our present actions play an important role in molding our future. It is therefore necessary that a person should stick to his duty however inconvenient it may be because by performing one's duty a man does not incur sin. But ignoring it he / she incurs sin which makes his / her life dark in future. Nobody should remain under the impression that whatever has no happen will happen, and so why he should discharge duties involving bodily risky trouble and expenditure. Whatever has to happen will happen but the Performer with the allotted duties will improve and brighten his / her future. If the wife or child of someone falls ill it is duty to get him / her treated according to the best of his ability and resources, even if he is unable to save him / her on the other hand a person discharging his duties with sincerity carves for himself the bright future even if the result of his sincere efforts were disappointing. One can only act to his / her ability, sincerity & honesty without attachment leaving the results to the Almighty (According to Bhagabad Gita).

Generally, we judge the prosperity of a person from his outward glamour without deep insight in his / her inner life. A person rolling in riches having magnificent buildings, owning fleet of cars, appearing prosperous may be having no peace of mind and highly discomforted from the side of his children, own ill health, legal suits, labour problems in the Factory/ apprehension of raids etc. On the contrary, a man appearing poor and un-prosperous may have no worries and enjoying a lot of peace and tranquility. So generally we see the material prosperity and ignore these sufferings.

Some wicked person indulging in heinous crimes remain unpunished for some time and are

even considered prosperous and powerful leading luxurious lives. But really they pass a very agitated life full of fears and anxieties. Their illegal acts remain unpunished only temporarily. They meet terrible end. The crimes committed may remain unpunished even by the Govt. but never remain undetected and unpunished by the Almighty sooner or latter in this life or in future lives. Punishment will have to be undergone by the culprit and there is no escape from it. Sometimes punishment is delayed due to influence of well-wishers and Guru.

It is not necessary that a human being after death may be born again as a human being. After death some souls enter the wombs to have an organic body, others take the inanimate form viz. plants, birds, stone, etc., according to their work, knowledge and deeds performed during their lifetime. Persons acting without fore-thought and heedlessness giving pain and suffering to others for their own selfish motives or even thrown to hells (Infernal) regions to undergo terrible sufferings and tortures there which has been inscribed vide ("Kathopanishad"; Chapter-II V.7.Gita Chapter-XIV,XV,XVI, 19,20 & Isopanishad; Chapter-III). The future is carved out in the present which should be utilized intelligently and well so that we may reap a better time in future.

It should be remembered that unethical, immoral acts are bound to bring misery, grief, pain, whereas good deeds are bound to improve here and here after the doer. Therefore, the call is to avoid criminal waste of present chances and do inspired activities to ensure bright future.

- i) An illumined soul always dwells in God though engaged in all sorts of activities.
- ii) Attractions and repulsions are two most formidable enemies of a man/woman to retard his/her progress on the path of spirituality.

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Songs of Dawn and Dusk of “Bhakta Kabi” Madhusudan Rao

Indrajeet Mohanty

Madhusudan Rao was one of the most prolific and elegant writers, of Odia poetry of the Late 19th and Early 20th Centuries. His writings are adorned with purity, beauty and have an undercurrent of devotion to the Almighty. One cannot forget his magnificent poem “Padma” (Lotus) which is so chaste and natural that one feels the Lotus swaying in the breeze, in the Lake, right in front of us. In fact one almost gets the fragrance of the Lotus and feel of the tepid morning Sun. If he has been compared with Tennyson and Wordsworth for his allegories of nature, he is also a painter like Thomas Gray, who uses a pen as a brush to paint pictures. Madhusudan Rao’s poems are, finally a gift to the Creator, the Divine Master, Who controls the Universe. This is a reflection of his Brahma Samajist outlook. His poems, like that of his compatriot, Kabibara Radhanath Ray, are framed in pure, modest, simple and decent Odia. Fakir Mohan Senapati, the first real Odia novelist, says of Madhusudan



“..... distressed Odia Language will for ever be indebted to Madhusudan”.

The poet was born in 1853 on January 19th (Shree Panchami) at Puri. His Grand-father was Marhathi Offices, before the British occupation, and his father, Bhagiratha Rao brought him up as he lost his mother, Ambika Devi, at the tender age of five. He was a brilliant student, who made Puri Zilla School proud. During his career as a student in Cuttack, he be-friended Pyarimohan Pradhan and became a devout Brahma Samajist. As a school teacher at Balasore he encountered the great Fakir Mohan Senapati and in Cuttack was a student of Radhanath Ray. All there interactions created in his, already illuminated, mind more resplendence. This brilliance effused out in monthlies like “Utkaladarpan” from Balasore, “Sikshabandhu” from Cuttack etc. His ‘Chandamala’ became popular in every home in Odisha, whilst many of his works were greatly



appreciated in Calcutta. His poems on the various seasons was often compared with Rabindra Nath Tagore's seasonal songs. Madhusudan Rao died in 1921 on December 18th.

Madhusudan Rao has penned two sets of poems, on the Dawn (Prabhat) and Dusk (Sandhya). One set is for children written in his 'Sisugita' (Songs for Children) while the other is a component of his "Chandamala" (the garland of Rhymes). Both are beautifully written, evocative of nature's pageant at Sunrise and Sunset. Treatment of movement, colour and sound perception is simple and modest. The language restricted and pure. Here is Madhusudan at his best, using the pen as a brush, words as colour and paints a picture before us, with the divine power as the director.

Below are the translations of the four poems, from original Odia.

(A) From Sisugita (Songs for Children)

୧. ଶିଶୁ ଗୀତ

ପ୍ରଭାତ

ପାହିଲା ଅନ୍ଧାର ରଜନୀ, ଉଠ ଉଠ ବାଳକେ,
ନବୀନ ପ୍ରଭାତ ସମୟ, ଏବେ ଗାଅ ପୁଲକେ ।
ଦଶ ଦିଗ ଦେଖ ଉଜ୍ଜ୍ୱଳ ପାଇ ରବି କିରଣ,
ଫୁଲ ଫୁଟିଅଛି କାନନେ, ଧୀରେ ବହେ ପବନ ।
ଥିଲେ ଅଚେତନ ନିଦ୍ରାରେ ସର୍ବେ ଧରଣୀବାସୀ,
କି ମନ୍ତ୍ର ପଢ଼ିଲା ପ୍ରଭାତ କେଉଁ ଦେଶରୁ ଆସି ।
ନବପ୍ରାଣ ଲଭି କ୍ଷଣକେ ଜାଗି ଉଠିଲେ ସର୍ବେ,
ଆକାଶ ପୃଥିବୀ ପୂରିଲା ମହା-ଆନନ୍ଦ ରବେ ।
ବିହଙ୍ଗେ ଗାଇଲେ ସଙ୍ଗୀତ, ଆହା କି ମନୋହର,
ସେ ଗୀତ ଶ୍ରବଣେ ହୃଦୟ ନାଚିଉଠେ ମୋହର ।
ବିହଙ୍ଗ ସଙ୍ଗତେ ବାଳକେ, ଗାଅ ଆନନ୍ଦ ମନେ,
ହୃଦୟେ ସୁମରି ଜଗତ-ପିତା ସୃଷ୍ଟି-କାରଣେ ।

1. Prabhat (Dawn)

The darkness of the Night ends, Children awake,
It's the time of a new morn, in a delightful song, partake.

Look ! the ten quarters, with the Sun's ray, are glowing,
Flowers are blooming, a gentle breeze is blowing.

The earthlings were rapped in unconscious slumber,
Coming from where ? The Dawn brought what magic wonder ?

Infusing new life, in a moment, it awoke the Earth,
Sky and Earth fills with sounds of great mirth.

Birds are singing, songs so charming,
My heart begins to dance, with the songs, on hearing.

With the birds, Children sing in happy chorus,
In your hearts remember the Creator, Father of the Universe".

୨. ସନ୍ଧ୍ୟା

ପଶ୍ଚିମ ଦିଗରେ ବୁଡ଼ଇ ରବି,
ଆହା କି ସୁନ୍ଦର ଲୋହିତ ଛବି ।

ପଶ୍ଚିମ ଆକାଶ ସିନ୍ଦୂରମୟ,
ଦେଖିଲେ ପ୍ରଫୁଲ୍ଲ ହୁଏ ହୃଦୟ ।

କ୍ରମେ ଅନ୍ଧକାର ଆସଇ ଘୋଟି,
ଉଇଁଲେଣି ତାରା ଗୋଟିକି ଗୋଟି ।

ତରା ସାରି ପକ୍ଷୀ ଆକାଶେ ଉଡ଼ି,
ବସାକୁ ଆନନ୍ଦେ ଗଲେ ବାହୁଡ଼ି ।

ହଳକାମ ସାରି କୃଷକମାନେ,
ଫେରିଯାଉଛନ୍ତି ଦିବାବସାନେ ।

ବାଳକେ ଆସିଲେ ପାଠଶାଳାରୁ,
ହସହସ ମୁଖ ଦିଶେ ସୁତାରୁ ।

ଲଗାଇଲେ ସଞ୍ଜଦୀପ ଘରଣୀ,
ଅନ୍ଧକାରେ ବୁଡ଼ିଗଲା ଧରଣୀ ।

2. Sandhya (Dusk)

The Sun sets in the western direction,
Oh ! what a beautiful picturesque Crimson.

The western sky is of Vermilion hue,
My heart fills with joy, when I this do view.



Gradually darkness makes its descent,
The stars, one by one, make their advent.

Birds flying in the sky, finishing their grazing,
With mirth retreat to their nestling.

The farmers, after finishing their ploughing,
Are returning in the evening.

The children return from school,
Their smiling faces looking beautiful.

The housewives, the evening lamps light,
The world drenches in the darkness of the night.

(B) From Chandamala (The Garland of Rhymes)

ପ୍ରଭାତ :

(ନଟବାଣୀ ବୃତ୍ତ)

ଚନ୍ଦ୍ରଦିଗ ଘୋଡ଼ିଥିଲା ଅନ୍ଧକାର,
ନୀରବ ନିଶ୍ଚଳ ଥିଲା ଏ ସଂସାର ।

ଧରଣୀକୋଳରେ ଜୀବଜନ୍ତୁଗଣ,
ନିଦ୍ରାମାୟାବଳେ ଥିଲେ ଅଚେତନ ।

ପୂର୍ବ ଆକାଶରେ ବିରାଜିଲା ଜ୍ୟୋତି,
କ୍ଷଣକେ ଜାଗିଲା ସର୍ବ ବସୁମତୀ ।

ବିହଙ୍ଗନାଦରେ ପୂରିଲା ଜଗତ,
ଆକାଶ ସାଗର କାନନ ପର୍ବତ ।

କୋଇଲି ଦୟାଳୁ କଜଳପାତର
କାକଳିକୁ ବହିଆଣାଇ ସମୀର ।

କାଆ କାଆ ରାବେ ଘରେ ଘରେ ରାଇ,
କୁଆଏ ବୁଲନ୍ତି ଜଗତ ଜଗାଇ ।

ଚାହୁଁ ଚାହୁଁ ରବି ଉଇଁଲା ଗଗନେ,
ଜୀବର ଚକ୍ର ପଡ଼ିଲା ଭୁବନେ ।

ନବପ୍ରାଣ ଲଭି ଧାଇଁଲେ ସରବେ,
ଯେ ଯାହା କାର୍ଯ୍ୟରେ ଗମିଲେ ମାନବେ ।

କୃଷକ ବିଲକୁ ଯାଉଛି ବହନ,
ଗୋଠକୁ ଗଉଡ଼ ନେଉଛି ଗୋଧନ ।

ହର୍ଷେ ଶିଶୁଗଣ ପୋଥି ଧରି ହାତେ,
ଚାଟଶାଳୀ ଯାନ୍ତି ଆନନ୍ଦେ ପ୍ରଭାତେ ।

ସୁନ୍ଦର କମଳ ଫୁଟି ସରୋବରେ,
ଧୀରେ ଦୋହଲଇ ବାୟୁ ପରଶରେ ।

ନାନା ଜାତି ଫୁଲ ଫୁଟିଛି କାନନେ,
ଭ୍ରମଇ ଭ୍ରମର ଆନନ୍ଦିତ ମନେ ।

ଶିଶିରର ବିନ୍ଦୁ ମୁକୁତା ପରାଏ,
ପୁଷ୍ପେ ପତ୍ରେ ଆହା କେଡ଼େ ଶୋଭାପାଏ ।

ବାଳକ ବାଳିକା ଧରିଣ ଚାହୁଁଡ଼ି,
ଫୁଲ ତୋଳୁଛନ୍ତି ଦଉଡ଼ି ଦଉଡ଼ି ।

ଏକାକେ ବାଳକେ ଜାଗି ଆନନ୍ଦରେ,
ସୁମର ହୃଦୟେ ଜଗତ-ଜଗ୍ଣରେ ।

ତାଙ୍କରି କୃପାରୁ ପାଇଲ ପ୍ରଭାତ,
ଭକ୍ତିଭରେ ତାଙ୍କୁ କର ପ୍ରଣିପାତ ।

1. Prabhat (Dawn)

There was darkness all around,
With silent stillness the Earth did abound.

On Earth's lap, all its inhabitant,
Were under sleep's illusion, quiescent.

In the Eastern Sky, the glow adverts
Awakening the universe, in moments.

With the twittering of birds, the world does fill,
Pervading sky, ocean, garden and hill.

The notes of the merciful, wagtail to the nightangle,
Are being dispersed by a breeze, so gentle.

The crowing of the raven is heard from every home,
Who, to arouse the world, do everywhere roam.

In a twinkle of an eye, the Sun rises in heaven,
There is the stirring of life on Earth, all over again.

Everybody hastens, rejuvenated with new life,
To go to each one's daily strife.

Carrying his plough, to the field, goes the farmer,
The cowherd is guiding the cattle to the pasture.

Children holding books in their hands, happily,
Are going to school, in the morn, joyfully.

The delightful lotus blooms in the lake,
Slowly rocking in the mild wind's wake.



In the garden, flowers bloom, in various hues,
The bumble bee drones with an euphoric muse.

Dew glisten like pearls, beautifully set,
On the leaves of the many floret.

Boys and girls holding flower baskets,
Are plucking flowers running to the thickets.

At this time children, with, joy, arise,
The 'Lord of the Universe', in your minds, memorize.

Due to His mercy, you have got this dawn,
Prostrate before Him, with all devotion.

୨. ସନ୍ଧ୍ୟା (ରାଗ-ବସନ୍ତ)

ଅସ୍ତ ହେଲେ ଦିନମଣି ହେଲା ଦିନ ଶେଷ,
ଆସଇ ରଜନୀରାଣୀ ଧରି କଳା ବେଶ ।

ସନ୍ଧ୍ୟା ହେଲା ସନ୍ଧ୍ୟା ହେଲା ବୋଲି ପକ୍ଷୀଗଣ
ରାବ ଦେଇ ଯେତେ ବାସେ କରନ୍ତି ଗମନ ।

ଧୂଳି ଉଡ଼ାଇଣ ଦାଣ୍ଡେ କରି ହମ୍ପା ରଡ଼ି,
ଯାଉଛନ୍ତି ଗୋରୁପଲ ଗୋଠରୁ ବାହୁଡ଼ି ।

ହଳକାମ ସାରି ଚଷା ମହାଆନନ୍ଦରେ
ନାନା ରଙ୍ଗେ ଗୀତ ଗାଇ ବାହୁଡ଼ଇ ଘରେ ।

ଚାହୁଁ ଚାହୁଁ ଅନ୍ଧକାର ଘୋଟଇ ଗଗନ,
ଆବରଇ ଜଳ, ଛଳ, ପର୍ବତ, କାନନ ।

ରତ୍ନଦୀପାବଳୀ ପ୍ରାୟେ ତାରା କୋଟି କୋଟି
ଜଳୁଛନ୍ତି ଆକାଶରେ ହୋଇ ଗୋଟି ଗୋଟି ।

ଭାଙ୍ଗିଯାଇଅଛି ଏବେ ଦିବସ ଗହଳ,
ନାହିଁ ଆଉ ଏ ଭୁବନେ ଜୀବନଚହଳ ।

ଦିନ-ଶ୍ରମ ଅନ୍ତେ ବସି ନିଜ ନିଜ ଘରେ,
ବିଶ୍ରାମ ଲୋଡ଼ନ୍ତି ସର୍ବେ ଆକ୍ରମ ଅନ୍ତରେ ।

ଧୀରେ ଆସୁଅଛି ନିଦ୍ରା, ନରନାରୀଗଣ
ତାହାର ପରଶେ ଏବେ ମୁଦିବେ ନୟନ ।

ଦିନ ଅନ୍ତେ ରାତି ଆସେ ଯାହାଙ୍କ ବିଧାନେ,
ସୁମର ସେ ବିଧାତାଙ୍କୁ ଆହେ ଶିଶୁମାନେ ।

କରଯୋଡ଼ି କର ଏବେ ସନ୍ଧ୍ୟାର ବନ୍ଦନ,
ବୋଲ, ଧନ୍ୟ ଧନ୍ୟ ପ୍ରଭୁ ଭୁବନକାରଣ ।

2. Sandhya (Dusk)

The day has come to an end, the Sun has retired,
The nocturnal queen has come, in black, attired.

Evening has come ! it has come ! is the avians' clarion,
As they fly back to their nests, each alone.

Raising the dust on the road and mooing,
The cattle, to their sheds, are returning.

The farmer, all happy, after a days ploughing,
Is returning home joyfully singing.

In a twinkle of an eye, the sky darkens,
Enveloping, water, land, hills and gardens.

Stars, like crores of golden lamps, burning,
One by one, in the sky are twinkling.

Gatherings and crowds of the day have now broken,
In this world there is no living sound to harken.

Sitting in each one's home after the day's labour,
Everyone desirous of repose, they harbor.

Sleep is coming in a pace so languid,
Leading humanity to close its eye lid.

After day, comes night, by Divine Amity,
Oh ! Children, please count the name of this Almighty.

Folding your palms, sing the evening hymn,
Saying, "Creator of the Universe", Praise Him, Praise Him.

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Need of Juvenile Justice (Care & Protection of Children) Act for Natural Disasters Victim Children

Prof. Lokanath Suar

Abstract

Our Constitution has several provisions including clause (3) of article 15, clause (e) and (f) of article 39, articles 45 and 47 which impose on the state a primary responsibility of ensuring that all the needs of children are met and that their basic human rights are fully protected. But it is seen that during occurrence of any Natural Calamities, the children become prey to the helpless situation, lose their all support systems, from our society. It is the duty of the state as the *parens patriae* to apply the legal support system of Juvenile Justice (care and protection of children) Act to save the future of helpless, dependent, natural disaster victimized children, from the ruined conditions, to keep the future of our nation safe and better.

Introduction:

Children are the flower of a nation who needs social care, protection, affection, and facilities. A little hurt will ruin the future of the nation. Children need special protection because of their age, physique and mental illness. In Olden age every home was a child care home. Every home protected their child, every child cared for, looked after educated and made to live as a proud citizen of the country. Those were the days now petrified in the myths, folklores, and songs of the past.

When people started living low shrouded with mixture of ignorance, deprivation and subjugation every home suffered and children suffered most. Independent India inherited with its glorious past capabilities of decades and servitude and the responsibility to lit dark abyss of future. And who represented the future? Children who along go into it, live smoothen and stream roil the rough roads, through which the country has to march ahead.

Children are being considered as the supremely important national assets and the future of the country depends on the welfare and wellbeing of its children. Constitution of India has conformed sweeping power on the Govt. to make special provisions for the children and take appropriate measures for their wellbeing. A direction is also given to the Govt. under D.P.S.P, of the constitution to see that the tender age of the children should not be abused and children should be given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and the childhood and youth should be protected against exploitation against moral and material abandonment.

During natural disasters children become worse affected due to dependent nature. They become helpless and live in hopeless and despair condition.



Constitutional Aspect:-

The framer of our Constitution also kept in mind the children welfare as supreme and had laid down special provisions for the care of children. Article 15 (3) enables the State to make special provisions for women and children. Article 24 of the Constitution provides that “No child below the age of 14 shall be employed to work in any factory or mine or any hazardous employment. Clause (e) of the Constitution of Article 39 says that “the health and strength of workers men and women and the tender age of children are abused and that citizens are not forced by economic necessity to enter avocation unsuited to their age and strength”. Clause (f) of the Article 39 provides that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment. In 1974 the Govt. of India adopted the national policy for the welfare of children. The resolution constituted a Children Board on 20th November 1959, the U.N made declaration of the Right of the Child”. The declaration mentions, inter alia, that “the child shall enjoy special protection and shall be given opportunities and facilities by law and other means to enable him to develop physically, mentally, morally, spiritually and socially in a normal manner and condition of freedom and dignity. The resolution proclaims that “mankind owes to the child the best, it has to give.”

The U.N.O declared the year 1979 to be the International year of the child. The pressing problems of juvenile delinquent in developed and developing countries attracted the attention of the United Nations.

In India the surveys of status reveal that there are more than 300 central and state

enactments on the subject of marriage regulatory, guardianship, maintenance and labour welfare etc. the first foundation in the field of welfare of child was put by moving the Reformatory Schools Act 1987 which treated the juvenile delinquent differently. The second attempt was the introduction of the Bombay Children Act 1928. During the end of 19th century 29 B of Cr.P.C. 1898 came into force and introduced a special judicial procedure in criminal cases in respect of child offenders. The new Cr.P.C also contains the somewhat similar provisions for the trial accused. The children Act 1960 was enacted for care, protection, maintenance, welfare, training, education and rehabilitation of neglected delinquent juvenile. To reform the condition of child and for the welfare of children, the Apex Court of India directed for the initiation of Uniform Code throughout the entire territories of India. Then the Parliament passed the bill and enacted the Act for the welfare of children. The act is called as the Juvenile Justice Act 1986.

The Apex Court of India held in a case *Hussainara Khatoon V. Home Secretary State of Bihar* AIR,1979 SC 1360 that the right to speedy trial is a fundamental right implicit in Article 21 of the Constitution with the above said point of view, it may be indicated some of the observations of the SC in the case of *Vikram Deo Tomar V. State of Bihar*, 1988 PLJR 93. Conjointly it will be better to quote the language of Hon’ble Supreme Court thus:-

“India is a welfare state governed by a Constitution which holds the pride of place in the heart of its citizens. It lays special emphasis on the protection and wellbeing of the weaker sections of social status on the basis of constitutional guarantees spelled out in its provisions”.

It shows a particular regard for women and children and notwithstanding the pervasive



ethos of the doctrine of equality in contemplates special provisions being made for them by law. We live in an age when this court has demonstrated while interpreting Article 25 of the Constitution that every person is entitled to a quality of life consistent with his human personality. We are fully endorsing the cherished view expressed by the Hon'ble S.C. These neglected Juvenile must be given proper care required under the Juvenile Act, as stated in the case H.B.Singh Arsi V. State of Bihar 1991(1)CRIMES,535.

It is significant that Article 39 relates to "Directive Principles" of State Policy under part IV of the constitution. Article 29 particularizes certain objectives clause (e) of Article 39 and Clause (f) of the said Article 39 has certain relevant objectives. One of the objectives under the clause (e) of Article 39 is that the state should, in particular direct its policy towards security that the tender age of children are not abused. Under clause (f) one of the objectives is that childhood and youth are protected against exploitation and against moral and material abandonment. These objectives reflect the great anxiety of the Constitution makers to protect and safeguard the interest and welfare of the children of our country. The Govt. of India has also in pursuance of these Constitutional clause (e) and (f) of Article 39 evolved a national policy for the welfare of the children stated in a case, Vishal Jeet V. Union of India. 1990(3)SCC318.

It is also the settled legal provisions that only when the provisions of the statute are not clear preamble can be looked to find out the real object of an enactment, it was stated in the Muniswar Dutt Pandey V. Ranjeet Tiwari 1997,UP.LB.E.C 199. The settled principles required to be kept in view while interpreting the statutory provisions enacted for the

protection of public at large and not only the individuals alone.

It was held by the S.C in Gaurav Jain V. Union of India AIR 1997 SC3021 that every child who is found to be neglected juvenile should be dealt by the board and should be brought within the protective umbrella of the juvenilia home. The court also observed that neglected juvenile should be interpreted broadly which is an important function for the purpose of identifying the groups of children who need care and attention and protection for rehabilitation. Now it is clear that the definition of child in need of care and protection is an ample designation encompassing children found begging in streets, those who have suffered physical or sexual abuse and those who are believed to be at high risk of being abused in the future, virtually all streets children, natural disaster victims children fall into this category.

Need of this Act:

The Juvenile Justice (care and protection of children) Act 2000 took a broader view and came out with protectionary measures for juvenile in conflict with law and "child in need of care and protection" instead of the two types of children as provided in the earlier Act. This Act was further amended in 2006 to make it more vibrant to protect the rights of the children at large.

Although juvenile in conflict with Law to a larger extent is similar with the delinquent juvenile, the provisions for the children in need of care and protection are very broad and cover wide ranging aspects of neglect which the children are facing and hence are drawn into this category. A child in need of care and protection means a child

i. who is found without any home or settled place or abode and without any ostensible means of subsistence.



- ii. who resides with a person (whether a guardian of the child or not) and such person.
 - (a) has threatened to kill or injure the child and there is a reasonable likelihood.
 - (b) has killed, abused or neglected some other child or children and there is a reasonable likelihood of the child in question being killed, abused or neglected by that person.
- iii. who is mentally or physically challenged or ill children or children suffering from terminal diseases or incurable diseases having no one to support or look after.
- iv. who has a parent or guardian and such parent or guardian is unfit or incapacitated to exercise control over the child.
- v. who does not have parent and no one is willing to take care of or whose parents have abandoned him or who is missing and run away child and whose parents cannot be found after reasonable inquiry.
- vi. who is being or likely to be grossly abused, tortured or exploited for the purpose of sexual abuse or illegal acts.
- vii. who is found vulnerable and is likely to be inducted into drug abuse or trafficking.
- viii. who is being or is likely to be abused for unconscionable gains.
- ix. who is victim of any armed conflict, civil commotion or natural calamity [(Sec-2 (d)]

The Act purports to mean a juvenile or a child a person who has not completed eighteenth year of age, Sec-2 (k). The Act envisages the constitution of 'Juvenile Justice Boards' or 'Child Welfare Committees' for every district or group of districts to exercise powers and discharge duties as conferred and imposed by the Act in relation to juveniles in conflict with law and the children in need of care and protection respectively.

The Board and Committee are to function as a Bench of Magistrates and enjoy the powers as conferred by the Cr.P.C. The Child Welfare Committee has been empowered to have power to deal exclusively with all proceedings under this Act relating to children in need of care and protection respectively [sec6(1)] and [31(2)].

The committee shall final authority to dispose of cases as for the care, protection, treatment, development and rehabilitation of the children as well as to provide for their basic needs and protection of human rights. [sec31 (1)].

This Act also provides for punishment for any person who has been found to be cruel towards a juvenile. [sec23]; employs a juvenile for begging [sec24] or whoever gives, to any juvenile, or the child any intoxicating liquor in a public place or narcotic drug or psychotropic substance or exploits or process ostensibly a juvenile or child for the purpose of any hazardous employment.

As regards the children in need of care and protection, such children may be produced before the child welfare committee by one of the following persons.

- (i) Any police officer or special juvenile police unit or a designated police officer.
- (ii) Any public servant
- (iii) Children, a registered voluntary organization or by such other voluntary organization or an agency as may be recognized by the State Government.
- (iv) Any social worker or a public authorized by the State Government.
- (v) By the child himself

After receiving the report, inquiry will be conducted either by the committee or the



police officer and order may be passed for sending the child to the children's home for speedy inquiry and after completion of the inquiry, if the committee is satisfied that the said child has no family or ostensible support, it may allow the child to remain in children's home or shelter home till suitable rehabilitation is found for him, or till the child attains the age of eighteen years [sec33].

This Act also envisages the establishment of children's home by the State Govt. itself or in association with the voluntary organizations in every district or a group of districts as the case may be for the reception of child in need of care and protection during the pendency of any inquiry and subsequently for their care, treatment, education, training, development and rehabilitation [sec34].

The State Govt. may also by rules made under the Act, provide for the management of children's homes including the standard and nature of the services to be provided by them and the circumstances and manner under which the certification of a children's home or reorganization to a voluntary organization may be granted or withdrawn.

Besides, the State Govt. may be recognized, reputed and capable voluntary organizations and provide them assistance to set up and administer as many shelter homes for juveniles or children as the case may be [sec37]. Mainly the shelter homes will be required to function as the drop in centers for children who have been brought to such homes by the reference of the committee. The prime objective of such children and shelter homes is to restore and protect the child and they shall take necessary steps for the restoration of and protection to a child deprived of his family environment temporarily or permanently [sec39]. In *Sheela Barse V. Union of India*, the

S.C again declared the admission of non-criminal, mentally ill children and adults to jail, illegal and unconstitutional.

Protection Measures:

Sec 40 of the J.J. Act envisages for the rehabilitation and social reintegration of the children and as per the provision of the act such a process should begin during the stay of the child in the children's home or the shelter home which shall be carried out alternatively as per Sec 39. Restoration of and protection to a child shall be the prime objective of any children's home or shelter home. The children's home or shelter home, as the case may be, shall take such steps as are considered necessary for the restoration of and protection to a child deprived of his family environment temporarily or permanently where such child is under the care protection of a children's home or a shelter home, as the case may be. The committee shall have the powers to restore any child in need of care and protection to his parent, guardian, fit person, or fit institution as the case may be, and give them suitable directions. For this purposes restoration of child means restoration to (a) parents, (b) adopted parents, (c) Foster parents, (d) guardians, (e) fit person, (f) fit institution.

1. Adoption (Sec 41);
2. Foster care (Sec 42);
3. Sponsorship Programme (Sec 43);
4. Sending the child to an after care organization (Sec 44);
5. Linkages and Co-ordination (Sec 45).

1. Adoption

As regards adoption Act clearly states that it is the primary responsibility of the family to provide care protection to the children. The Juvenile Justice Board is empowered to give



the children in adoption taking into consideration various guidelines issued by the State Govt. relating to adoption and also the board can carry out investigations as are required for giving children in adoption as per the guidelines framed by the State Governments. [sec 41 (5)]. The children's homes or the institution for orphans run by the State Govt. shall be recognized as adoption agencies both for security and placement of such children for adoption and a child can be offered for adoption only when,

- (i) two members of the child welfare committee declare the child legally free for replacement in case of abandoned children;
- (ii) two month period for reconsideration by the parent lapses in case of surrendered children; and
- (iii) the child who is capable of understanding and expressing has consent gives consent to that effect. [sec41(5)] .Then only the board may allow a child to give in adoption.
 - a) To a single parent (irrespective of marital status); or
 - b) To parents to adopt a child of same sex irrespective of the number of living biological sons or daughters. [Sec 41(6)]. The Bombay High Court in Robert Heijkamp and another V. Bal Anand World Children Welfare Trust, India (Mumbai) AIR 2008(NOC)1054 Bom, held that child of mentally ill person would be deemed to be abandoned within the meaning of sec41 and it may be declared to be fit for being given in adoption.
 - c) Childless couples.

2. Foster care

It may be used for temporary placement of those infants who are ultimately to be given from adoption and in such situation the child

may be placed in another family for a short or extended period of time, depending upon the circumstances where the child's own parent usually visit regularly and eventually after the rehabilitation, where the children may return to their own homes [sec42].

3. Sponsorship programme:

The sponsorship programme may provide supplementary support to families to children's homes and to special homes to meet medical, nutritional, educational and other needs of the children with a view to improving their quality of life. In both the above cases the Govt. of the concerned States are employed to make rules for the purpose of carrying out the foster care programmes and various schemes of sponsorship of children, such as individual to individual sponsorship, group or community sponsorship. (Sec 43).

4. Sending the child to an after care organization

For furthering objective for rehabilitation and social reintegration of children and to look after their care, the State Govt. may

- i. establish or recognize after care organization and provide for their functions,
- ii. prepare a scheme of aftercare programme to be allowed by such organization for the purpose of taking care of juvenile or children after they leave the special homes, children's homes and for the purpose of enabling them to lead an honest, industrious and useful life,
- iii. provide for the preparation or submission of a report by the probation officer or any other officer appointed by that Govt. in respect of each juvenile or the child prior to this discharge from a special home, children's



home regarding the necessity and nature of after care of such juvenile or of a child, period of such aftercare, supervision thereof and submission of a report on the progress of each juvenile or the child by the concerned officer.

iv. provide for the standards and the nature of services to be maintained by such aftercare organization and

v. provide for such other matters as may be necessary for the purpose of carrying out the scheme of aftercare programme for the juvenile or the child (sec 44).

Further this act also provides for certain other welfare measures that can be taken for wellbeing and rehabilitation of juvenile such as releasing them and placing them under the guidance of their parents or authorized guardians for their education, training for some useful trade or look after him for rehabilitation and seeking the contribution of parents for their maintenance, certain of fund by the Govt. establishment of central / state, District and City Advisory Boards for advising the Govt. for their care and rehabilitation etc. the juvenile Justice (care and protection of Children) Act amended 2006 finally calls upon the central Govt. to remove all such difficulties which may arise while giving effect to the provisions of this act.

The State Govt. may rule to ensure effective linkage between various governmental, corporate and other community agencies for facilitating the rehabilitation and social reintegration of the child (Sec 45). There are a very few cases reported in relation to neglected children and most of the issues relating to nature of the committee and its proceeding. Such as the right to a lawyer, burden of proof, standard of proof, standard of proof remain unaddressed. The proceedings before the committee continue to be conducted without a lawyer. The definition of deprivation

of liberty under the UN Rules II (6) for protection of juveniles and child deprived liberty reads: "The deprivation of liberty means any form of detention or imprisonment or the placement of a person in a public or private custodial setting. From which this person is not permitted to leave at will, by order of any judicial administrative or other public authority".

It is clear from this definition that children kept in children homes pursuant to the order of the committee fall squarely in this definition as they cannot leave the home at will. All those children should have a right to legal counsel. The Indian Constitution in Article 22 (1) recognizes the right to a lawyer in case of deprivation of liberty for all. All children are entitled to free Legal aid U/S 12 (c) of the legal Services Authority Act also. The Child Right Convention and the Beijing Rules direct that children should be provided with legal representation against deprivation of liberty. However no provision made for providing lawyer in the proceedings before the Child Welfare Committee.

The argument is that the CWC is a welfare body and the proceedings before it are welfare and not judicial proceedings and hence, there is no need for a lawyer. But the reality is that they remain deprived of their liberty without legal assistance and their fundamental rights are thereby violated. The Commission for Protection of Child Rights Act 2005, in short CPCRC Act has been enacted with two objects, one, to establish commission for child protection at the national and state level and second to establish children courts to expeditiously deal with case of offences against children. Pursuant to the coming into force of the CPCRC Act, the National Commission for Protection of Children Rights has been long established. But State Commission of



Protection of Child Rights has not been established in most cases. There is also no establishment of children courts under it. There are certain sections like 48, 50, 56, 57, 58, 59, 62 and 62 Act under miscellaneous provisions of the Juvenile Justice (Care and Protection of Children) Act 2006. Those said sections protect the rights and interest of the natural disaster victim's children.

Conclusion:

From the above analysis, it is clear that the Advocates, NGOs and Judges should apply this law properly and correctly while dealing with J.J (care & protection) Act 2006 to protect the delicate life of natural disasters victim children. The Govt. appears to lack interest in implementation of the provisions in the letter and spirit to achieve the objectives behind the Act focused by the constitutional in and objective. The sovereignty lies with we the people of the India and the juvenile or child is the future of the nation. The Rule of law prevails. In order to discharge the responsibility the State and its instrumentalities and authorities must take the positive view on the matter to protect the juveniles or children of Natural Disasters Victim to construct a healthy and talented India by eradicating evils in society after occurrence of any natural calamities. Juvenile Justice Act is based on two philosophical objectives – Parens Patriae and individual treatment. The Parens Patriae doctrine allows the court to conduct the proceedings principally to determine what should be done in the based interest of the child and not as trials to determine criminal guilt and give sentence. The individualized treatment doctrine views the disposition decision in view to inherently rehabilitate. It seeks to prescribe a treatment programme fitting the needs, personality, physiological develop and social circumstances of a youth.

To mete out justice is a grave and critical responsibility and it becomes graver when the person in question is a juvenile. The Juvenile Justice (Care & Protection) of Children Act 2006 was passed promising to usher in a new era of Juvenile Justice, keeping in mind various international instruments ratified by the Government of India. However the Act has paid mere lip – service to many issues which required immediate attention. Not merely a legislative, but a multipronged approach of logistic support by the State and a sensitized system are needed to deal with the problems of juveniles to fulfill the objectives of law.

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Cyber Crime and the Police: Insinuations to the Police Commissionerate of Bhubaneswar and Cuttack

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Information and Communication Technologies (ICTs) are progressively being adopted in Police work with the aim of nurturing greater accountability and a contrivance to check cyber crime. The knowhow about cybercrime is also inadequate among a significant section of the officers. The training programmes on cyber crime and its detection is only made available to a selected few, while the rest remain in darkness. As the number of victims of cybercrimes is increasing day by day, the policemen (even at the root level) must be aware and conscious of the nuances of cybercrime so that they can capably guide the people and counter the menace. In this regard the present paper seeks to address the predicament of cyber crime and provide suggestions to the Police Commissionerate of Bhubaneswar and Cuttack to check the peril.

Keywords: ICTs, cybercrime, information society, ecrimes.

Introduction

Today's Police is expected to provide multi-dimensional service to the people in a proactive way. This entails that they are to be equipped in the best possible way to establish them as a people friendly police force. To provide the best of services it has been found that the police force has failed to come out of its cocoon and most of the officers remain unpragmatic and uneasy towards the recent developments. ICTs are providing multifaceted array of tasks not only to the masses but also to the police. In addition to this, the abuses of ICTs have also challenged the police to a newer form of crime – cyber crime. The paper is an attempt to delve into the infrastructure and technical skills that the Police of Bhubaneswar and Cuttack should offer to the people to combat cyber crime.

Information and Communication Technologies, Cyber Crime and the Police

In recent decades, countries like the United States, Japan and most European nations have become information societies, where information workers are more numerous than such occupational categories as farmers, industrial workers and service hands. Information workers are those individuals whose main job responsibilities are to gather process or to distribute information or to produce information technologies like telecommunication equipments that are used by other information workers. India has more information workers than Japan, and about the same number as United States. These millions of information workers are mostly urban and educated, living a lifestyle similar to information workers in Silicon Valley, Tokyo or London (Singhal and Rogers 2001:17). New



communication technologies such as satellites, cable television, wireless telephony, the internet and computers are bringing about noticeable changes in the Indian society. Information and Communication Technologies (ICTs) include hardware equipment, organizational structures and social values by which individuals collect, process and exchange information. (ibid: 30). Information Technologies can be used to plan, coordinate, and execute operations. Using the Internet for communication can increase speed of mobilization and allow more dialogue between members, which enhances the organizations flexibility since tactics can be adjusted more frequently. Individuals with a common agenda and goals can form subgroups, meet at a target location, conduct terrorist operations, and then readily terminate their relationships and redisperse (Zanini & Edwards 2001:36).

On the one hand, the introduction of ICTs has generally facilitated services in public administration, urban and rural administration, and urban and rural development transport sectors and has benefited the quality of life for citizens especially in medicine and health, education, environment, and agriculture (Rao 1998:171-215). As the population of this virtual community expands there is a considerable rise in the incidents of cybercrime and abuses of computer technology (Marstrand 1984: 9-12; Moore 1995:1-9). To quote Castells: "Crime is as old as humankind. But global crime, the networking of powerful criminal organizations, and their associates, in shared activities throughout the planet, is a new phenomena that profoundly affects international and national economies, politics, security and ultimately societies at large" (Castells 1999:166).

The wildfire spread of cybernetics, in the form of satellites, videocassettes, narrow casting, niche identification, cluster targeting, extra

intelligent networks, simulation have become the facets of this civilization. Along with its overwhelming advantages it has entailed a major area of challenge for the law enforcement agencies in the 21st century- cyber crime variously known as computer crimes, ecrimes etc. "Cyber crimes-harmful acts committed from against a computer network – differ from most terrestrial crimes in four ways. They are easy to learn how to commit; they require less resources relative to the potential damage caused; they can be committed in a jurisdiction without being physically present in it and they are often not clearly illegal" (Grabosky, 1998).

Classification of cyber crimes

Cyber crimes can be of the following nine types: (a) Theft of telecommunications services, (b) Communications in furtherance of criminal conspiracies, (c) Telecommunications piracy, (d) Dissemination of offensive materials, (e) Electronic money laundering and tax evasion, (f) Electronic vandalism, terrorism and extortion, (g) Sales and investment fraud, (h) Illegal interception of telecommunications and (i) Electronic funds transfer fraud (See <http://www.crime.hku.hk/cybercrime.htm> visited on 12.8.2012). Furthermore, they can also be classified as the following:

(1) **Denial of service attacks:** It is an attack on a web server with false requests for pages. The server spends so much time trying to process these requests that it cannot respond to legitimate requests and may crash.

(2) **Viruses, worms, trojans and other forms of malicious code:** Malicious code is a general term for programs that, when executed, would cause undesirable results on a system; Computer viruses are computer programs that can replicate themselves and harm the computer systems on a



network without the knowledge of the system users. Viruses spread to other computers through network file system, through the network, Internet or by the means of removable devices like USB drives and CDs. Computer viruses are after all, forms of malicious codes written with an aim to harm a computer system and destroy information. Writing computer viruses is a criminal activity as virus infections can crash computer systems, thereby destroying great amounts of critical data.

(3) **Unauthorised Entry** : The activity of breaking into a computer system to gain an unauthorized access is known as hacking. The act of defeating the security capabilities of a computer system in order to obtain an illegal access to the information stored on the computer system is called hacking. The unauthorized revelation of passwords with intent to gain an unauthorized access to the private communication of an organization of a user is one of the widely known computer crimes. Another highly dangerous computer crime is the hacking of IP addresses in order to transact with a false identity, thus remaining anonymous while carrying out the criminal activities.

(4) **Information Tampering**: Intruding into and damaging information stored in different storage devices of the computer.

(5) **Cyber stalking**: The use of communication technology, mainly the Internet, to torture other individuals is known as cyberstalking. False accusations, transmission of threats and damage to data and equipment fall under the class of cyberstalking activities. Cyberstalkers often target the users by means of chat rooms, online forums and social networking websites to gather user information and harass the users on the basis of the information gathered. Obscene emails, abusive phone calls and other such serious effects of cyberstalking have made it a type of computer crime.

(6) **Spamming** : Sending unsolicited bulk email.

(7) **Mouse-trapping** : Clicking the browser's back button with the mouse does not lead out of the unwanted site but only to the viewing of further unwanted pages eg. pornography. To escape the user may need to close the browser or even restart the operating system.

(8) **Phreaking** : Breaking into the telephone network illegally to tap phone lines;

(9) **Computer Damage**: Injuring the hardware of the computer.

(10) **Phishing**: The act of attempting to acquire sensitive information like usernames, passwords and credit card details by disguising as a trustworthy source. Phishing is carried out through emails or by luring the users to enter personal information through fake websites. Criminals often use websites that have a look and feel of some popular website, which makes the users feel safe to enter their details there.

(11) **Identity Theft**: This is one of the most serious frauds as it involves stealing money and obtaining other benefits through the use of a false identity. It is the act of pretending to be someone else by using someone else's identity as one's own. Financial identity theft involves the use of a false identity to obtain goods and services and a commercial identity theft is the using of someone else's business name or credit card details for commercial purposes. Identity cloning is the use of another user's information to pose as a false user. Illegal migration, terrorism and blackmail are often made possible by means of identity theft. (See B. Etter, "Critical Issues in High-Tech Crime", available at <http://www.acpr.gov.au/pdf/Presentations/apmedec02.pdf> visited on 14.4.2010 and <http://www.buzzle.com/articles/types-of-computer-crimes.html> visited on 13.8.2012.)



Cyber Crime and Law Enforcement

The development of new technology invites the establishment of new institutions to supervise policing, and value driven design may enable new legal procedures that are better equipped to hold policing accountable. The new policing aims to prevent and pre-empt crime rather than to prosecute it. By predicting when, how, and by whom a crime will be committed, it aims to enable efficient intervention. Law enforcement has recognized in virtual space a toolkit of restraints on criminal behavior. These restraints include law, technological features, network typology, and the social construction of particular uses of computers. Again, the line between private and public law enforcement is blurring as private parties monitor the public flow of information and secure essential information junctions. The third parties including conduits, service providers, information gatekeepers, traffic routers, tool suppliers, and payment systems play on the digital crime scene and heavily regulate them (Kozlovski 2007: 108-114).

Today in its brawl against cyber crime the law enforcement agencies face a number of challenges: First, procedural resistance hinder law enforcements's ability to find and indict criminals operating online. Second, laws defining computer offences and the legal apparatus needed to probe criminals using the internet, cannot match up with the fast scientific and societal developments. Finally, there is a dearth of well trained, well equipped investigators and prosecutors to detect high tech crime. To counteract these emergent cyber threats, the role of the police in India should be redefined and the force should be professionalized to perform its tasks in cyber space through various organizational and structural changes in order to re-institutionalise the existing occupational culture, which is the main

impediment of the force in combating cybercrimes (Thomas 2002:999). However the police alone cannot maintain their domain or jurisdiction over cyberspace nor can they fully exercise cybercrime patrolling. The success of fighting cybercrimes depends on the support that it gets from the legal systems and the cooperation of community and the users of new technologies in cyberspace.

Some Insinuations to the Police Commissionerate of Bhubaneswar and Cuttack

1. A Cyber Crime Cell/Police Station should be developed to handle cases dealing with computer offences.
2. A Cyber Forensic Laboratory with all updated technologies should be endorsed to detect computer crimes.
3. A team of specially trained officers expert in detecting cybercrimes should be reared in the model of 'Cybercops' of Andhra Pradesh Police. A special group of officers must be skilled in collection, storage, and, retrieval of digital evidence. Laboratory and skill development to maintain digital evidence is a need of the time.
4. The Police Commissionerate should take initiatives to have information about the recent new police technologies that are being used by police in Bangalore, Mumbai, Delhi, Chennai and Kolkata with special emphasis to cyber crimes. They should also take note of police organizations in developed countries. This will help them to keep pace with new challenges of policing and establish itself as a high tech police force.
5. The local police stations (20 police districts each for Bhubaneswar and Cuttack) should keep a vigil on the cyber cafes of their respective localities. It should be ensured that



no one will be allowed to use the cyber café without valid proof of identity. The time limit for surfing in the cyber cafes should also be restricted. Recently the State Government of Odisha has made cyber café registration mandatory. The order ensures that apart from asking for valid identity proof, the cyber cafes will maintain a record of the visitors and also prohibit surfing of websites containing pornography, obscenity, terrorism and other objectionable materials. ('*Cyber café Registration Mandatory*', The Sunday Express, 19th August, 2012, p.4)

6. The website of the Police Commissionerate of Bhubaneswar and Cuttack should provide information to the city dwellers about the precautionary measures that should be taken to check cyber crimes. Awareness among the public about rising e crimes should be made by the city police through the website, advertisements and sensitization programmes in educational institutions.
7. The Contact Number of police personnel dealing in Cyber Crime should also be mentioned in the official website.
8. The new generation policemen should be trained in the application of ICTs in police work to help them to carry forward the legacy of the police organization successfully. Policemen who are new entrants must be imparted training in ICTs at the inception of training programme to enable them to understand its importance in police work. In addition to this will reduce the inhibitions in using computerized technologies. They will also be sensitized about the abuses of computer technologies.
9. All complaints of cyber crimes should be given importance. Special directions should be given to local police stations so that they can properly guide the people if they come with complaints of cyber crimes.
10. The Crime Statistics of the cities of Bhubaneswar and Cuttack does not show any data on cyber offences. This should be included as a separate category in the list and should not be merged with other traditional forms of crime. (See <http://bhubaneswarcuttackpolice.gov.in/crimestatistics.php> visited on 5.8.2012.)
11. Awareness programmes should be carried out to sensitize police officers about the Information Technology Act, 2000/2008.
12. Since the number of educational institutions is increasing in Bhubaneswar and Cuttack with a regular flow of students from all over India, the Police Commissionerate should be extra vigilant and sensible towards the youth. Since the offenders and victims of cyber crime are mostly the young generation the police should take a constructive and reformatory approach while dealing with them.
13. Sensitization programmes on cyber crimes should be organized by the Police Commissionerate in educational institutions to spread awareness about computer abuse among students. Students should also be updated about the provisions of the Information Technology Act, 2000/ 2008.
14. Community Policing Programmes should also be initiated to check cyber offences. The people's participation can be of great help in combating cyber crime.
15. The Police Commissionerate needs to provide access to technologies especially wireless handsets, computers, internet, and mobile telephones to all ranks of policemen to make them adept in handling ICTs.



Conclusion

The Police Commissionerate of Bhubaneswar and Cuttack has to match steps with other capital cities like Hyderabad, Bangalore, Mumbai, Delhi and Kolkata in so far as protection against cyber crime is concerned. The police of the twin cities has to initiate noteworthy measures to combat computer crimes. The abuses of ICTs is on the rise and with so many educational and industrial developments going on, it is the need of the hour to develop a more proactive safety measure to check the peril. Since the victims as well as the offenders of cyber crime are mainly the younger generation it is important that they should be adequately sensitised about the legal directions against cyber crime. With the recent regulations on cyber cafes the police officer not below the rank of an inspector has to be assigned the responsibility to check or inspect cyber cafes and computer resource or network established at any time to comply with the Technology (Guidelines for Cyber Cafes) Rules, 2011 as issued by the Ministry of Information Technology. In this regard the Police Commissionerate can play a notable role. More so, the police officers including those working at the grass root especially in the local police stations if adequately informed can be active in combating cybercrime. The insinuations to the Police Commissionerate have come with the hope that if implemented can make the police of the twin cities more high tech and agile in combating cyber crime.

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Does Article 72 Transcend the Rule of Law ?

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With evidences of Presidents of India having pardoned many cases meted out death sentences in the past even of the outgoing President Pratiba Patil having pardoned as many as 30 persons who have been given death sentences lying in the stacks of judicial history of India, the question crops up in the mind whether this act is in accordance with the nuances of natural justice and rule of law? When an accused is handed out death sentences it means he/she has gone through a rigorous integrated judicial process based on well verified and substantiated evidences. It is ultimately the Supreme Court of India, the highest seat of Indian judiciary after taking into proper account of all judgments of the High Courts and lower courts weighed properly against the nuances of natural justice, rule of law, procedure established by law with applicability of human values in the context of contemporary development, changes and cultural ethos pronounces the final verdict. This said does not mean that the Indian judiciary is adorned with the attributes of infallibility but it can be assumed that the Indian judiciary has adorable records of being above the vulnerabilities and human frailties which the common individuals and politicians suffer from.

But the provisions of Indian Constitution empower the President of India to cast pronouncements on judgments of the Supreme

Court of India in cases where death sentences have been given to the accused by taking recourse to pardon, reprieve, respite, remission and commutation on the advice of council of ministers headed by the Prime Minister. The will of the political prevails over the will of the reasoned and constitutionally ordained with a long period of legal weighing and judicial gestation premised on facts and evidences. Being the highest court of appeal this uncontested power of Indian President is beyond the judicial review. Given the nature and characteristics of Indian politics where money, crimes and heinous activities not ethics, morality and honesty are the maxims of the day, to assume that the council of ministers and politicians are above the board and always take stringent stands on issues of morality, transparency, probity in public life is highly preposterous. The brutal and naked fact is that Indian body polity is scam stained. Since it is the very proclivity of political people to be guided always by their narrow political interests, it is not always that the advice the council of ministers will tender to Indian President regarding the exercise the power of pardon under Article 72 of the Indian Constitution will always be premised on considerable reasonability, non-political denominations and seasoned sagacity emblematic of Indian judicial system. Hard criminals having the record of killing



many innocent children, women and men and widely condemned terrorists are to be mercied upon, where as the bereaved, suffering families and depraved people and society striving earnestly for justice remain neglected, overlooked and condemned to the vicissitudes of prevailing capricious political whims, myopic vision and petty political interests. That according to the Indian Constitution the President appoints the judges and the Parliament moves the impeachment motion against the judges does not imply that the judicial pronouncements are subordinate to political judgments. To argue that the President, the Council of Ministers and the Parliament represents the “We the People of India” is very much debatable keeping in view the prevalence of minority percentage of votes secured in the elections over the majority percentage excluded from the political mainstream. If the disclosure of assets and property of politicians, MPs, MLAs and Ministers is any indication then Indian democracy is masterminded by a very few dominant richest people of the country. What about the will of the marginalized and excluded majority poor so carelessly and willfully neglected, undermined and overlooked during these last six decades?

In this background is it justifiable to hold that to rationalize this provision in conformity with prevailing constitutional straightjackets in the world is one indication of our being christened as fulfilling the requirements of what a democracy is or likes to be? If the answer to this nagging question is in the negative, then abrogation of this article will in no way denude Indian democracy of its pith and marrow. Argumentation for its perpetual continuance in no way will enrich Indian democracy and its values and promote natural and social justice. Insistence on perpetuation of this provision then can ignite the debate on whether President’s mercy power is subjected to judicial review.

With the working class militancy and success story of communism in former Soviet Union during the 20th Century the advocacy of the concept of possessive individualistic nature of state lost its strength and gave rise to a debate on transforming this laissez faire state into a concept of Welfare State with a view to stemming the exodus of working class into the fold of communism. With the upcoming of Welfare state there has been a vast and inevitable increase in the relationship between the parts and functionaries of the state. With globalization and the ubiquitous acceptance of western liberal market order the individual human life has been subject to myriad interference. For example, the very right to life and liberty under Article 21 of Indian Constitution has opened the floodgates for varied progressive judicial interpretation in cases where there have been executive lapses and excesses and legislative negligence and inaction. In order to prevent the concentration of power in one organ the governmental power was basically divided into (i) the Legislature (ii) the Executive and (iii) the Judiciary with the logic and rationale of Montesquieu and Locke’s theory of Separation of Power. Accordingly the legislature cannot exercise executive or judicial power, the executive cannot exercise legislative or judicial power and the judiciary cannot exercise legislative or executive powers of the government. Strict adherence to the theory of separation and compartmentalization of power would not make the wheels of state move and bring it to an alarmingly standstill. As Frankfurter J. says “Enforcement of rigid conception of separation of power would make modern government impossible.” This non enforcement has now laid down to a hectic situation where the three machineries of the state are now trying to overpower each other. The question put forward



here i.e. Can President's power of Pardon be subjected to Judicial Review is also an outcome of the tug of war between the three branches.

It is argued that if this power to pardon of President is subjected to judicial review it would be a clear cut encroachment of the judiciary in the executive and the separation of power is defeated. Whether Judicial Review disturbs the real spirit behind the concept of Pardon? Whether grounds be reviewed or decisions as a whole should be reviewed? Let us examine these questions in this article.

Generally the punishment dealt herewith is that of the capital punishment. When an act done by a person is penalized by the capital punishment the question arises whether the mercy pleading should be entertained, whether it is moral because generally such punishment in Indian prospective is only given in rarest of the rare cases. The defense given behind is that while every crime is an outrage that is deeply destructive of social and moral fabric, punishment can never undo the harm that has been suffered by the victims and the community. Therefore mercy pleading should be entertained and granted it is argued.

The British crown was given the power to pardon. But in India there is democracy. According to the Article 52 of the Constitution of India, the President is the Executive Head of the Union of India. Under Article 72 of the Indian Constitution the Indian President is empowered to grant pardon, he can reprieve, respite or remit the punishment. The Art 72 states:

The President shall have the power to grant pardons, reprieves, respites or remission of punishment or to suspend remit or commute the sentence of any persons convicted of any offence-

(a) in all cases where the punishment or sentence is by a court martial;

(b) in all cases where the punishment or sentence is for an offence against any law relating to a matter to which the executive power of the Union extends;

(c) in all cases where the sentence is a sentence of death.

(2) Nothing in sub-clause (a) of clause (1) shall affect the power conferred by law on any officer of the Armed Forces of the Union to suspend, remit or commute a sentence passed by a Court Martial.

(3) Nothing in sub-clause (c) of clause (1) shall affect the power to suspend remit or commute a sentence of death exercisable by the Governor of a State under any law for the time being in force.

By the virtue of this Article the president can grant pardon but the materialistic fact is that whether such power is an absolute one because the word "Shall" in clause (1) of the Article is ambiguous. Apart from it was also held that this power of pardon shall be exercised by the President on the advice of Council of Ministers.

The World Scenario

According to the Article II Section 2 of the U.S. Constitution the President can grant pardon except in the cases of impeachment. Unlike Indian President the American President has the absolute power; such power cannot be questioned or blocked by the court or the Congress. In case of misuse the only act which could be done is call for impeachment of the President. Thus there is no question of any judicial review.

Pakistan

Recently the question of granting of Pardon was in limelight in Sarabhjit's Case. By the virtue of the Article 45 of the Pakistan's



Constitution the President has an absolute power to grant pardon, reprieve, respite & remit, suspend or commute any sentence passed by any court, tribunal or authority. The power cannot be questioned.

France, Germany and Russia

The power of pardon and act of clemency are granted by President of France who has the sole discretion and power is non questionable and absolute.

A German President has pardoning power which he can transfer to someone else such as chancellor or the minister of Justice. An absolute power of pardon is given to the Russian President through the Art 84 of the constitution. Thus it could be easily seen that wherever the power of pardon is given to the President, it is absolute then question arises that why the framers of Indian Constitution didn't arm the president with an absolute power to pardon.

As discussed above the pardoning power of the President is not an absolute one but is governed by the advice of the Council of Ministers. Now we should think about what would have been the real issue in the mind of the framers of the Constitution for not imparting the President an absolute power. One thing should be made clear first that the framers were of the view that there should be a capital punishment and such capital punishment shall be pardoned on grounds of morality after a mercy pleading by the President, it could be said that the framers just wanted to put a check on the power as if the power would have been an absolute; it could be possible that a soft hearted President would pardon most of the mercy pleaders, for this it was the council of ministers who had to restrain the President by making his decision a bounded one. Thus the framers had the perception that the misuse of the power would be guarded by the

Council of Ministers, they had a good faith on them but today the time has changed, whenever a government comes into existence the Council of Ministers appointed are generally having an absolute power and as Lord Acton has said "Power tends to corrupt and absolute power corrupts absolutely", the absolute power had encrypted a layer of corruption and due to it a danger of misuse of power always looms large which can only be checked by judiciary.

Judicial Review

According to the Merriam Webster Dictionary of Law "Judicial Review is the power of a court to review the action of public sector bodies in terms of their constitutionality in some jurisdiction, it is also possible to review the constitutionality of law itself. Judicial review in an independent judiciary is the cardinal feature as enshrined in the Constitution. Judicial review in India can be broadly divided into judicial review of legislative action, judicial review of judicial decisions and judicial review of administrative action. The court in its exercise of its power of judicial review would zealously guard the human rights, fundamental rights and the citizens rights of life and liberty as also many non-statutory powers of governmental bodies as regards their control over property and assets of various kinds, which could be expended on building, hospitals, roads and the like, or overseas aid, or compensating victims of crime.

The question which arises here is that whether the judicial review has any limit. In **Syed T.A. Haqshbandi v State of J&K** the Supreme Court observed that:

"Judicial review is permissible only to the extent of finding whether the process in reaching the decision has been observed correctly and not the decision itself, as such. Critical or independent analysis or appraisal of the materials by the court



exercising powers of judicial review unlike the case of an appellate court would neither be permissible nor conducive to the interests of either the officer concerned or the system and institutions. Grievances must be sufficiently substantiated to have firm or concrete basis on properly established facts and further proved to be well justified in law for being countenanced by the court in exercise of its powers of judicial review. Unless the exercise of power is shown to violate any other provision of the Constitution of India or any of the statutory rules, the same cannot be challenged by making it a justiciable issue before the court”.

Pardoning power and Judicial Review

Recently the pardoning power of governor was put under judicial review in the case of **Epuru Sudhakar & Anr. Vs Govt. of A.P. & Ors**. Before discussing the factual situations of the case let us revert back to some of the old cases.

In **Kuljeet Singh Vs Lt. Governor of Delhi** it was held that the President’s Power

Under Article 72 will be examined on the facts and circumstances of each case the court has retained the power of judicial review even on a matter which has been vested by the Constitution solely in the Executive.

But the major case in which the concept of judicial review of the President power on grounds of its merit was that of **Kehar Singh Vs. Union of India**. In this case Supreme Court held that “It seems to us that there is sufficient indication in the terms of Article 72 and in the history of the power enshrined in that provision as well as existing case law, and specific guidelines need not be spelt out. Indeed, it may not be possible to lay down any precise, clearly defined and sufficiently channelised guidelines, for we must

remember that the power under Article 72 is of the widest amplitude, can contemplate a myriad kinds and categories of cases with facts and situations varying from case to case, in which the merits and reasons of State may be profoundly assisted by prevailing occasion and passing time. And it is of great significance that the function itself enjoys high status in the constitutional scheme. The order of the President cannot be subjected to judicial review on its merit”

In **Epuru Sudhakar Case** the immunity of the pardoning power of governor from judicial review came up. Supreme Court set aside a decision of then Andhra Pradesh Governor Sushil Kumar Shinde, remitting the sentence of a Congress activist who faced ten years in prison in connection with the killing of two persons including a TDP activist, the SC bench of Justices S H Kapadia and Ajit Pasayat warned that the exercise of the power would be tested by the court against the maintenance of Rule of Law. “Rule of Law is the basis for evaluation of all decisions (by the court)... That rule cannot be compromised on the grounds of political expediency. To go by such considerations would be subversive of the fundamental principles of the Rule of Law and it would amount to setting a dangerous precedent,” the Bench warned.

Justice Kapadia, while concurring with the main ruling delivered by Justice Pasayat, sought to remind “exercise of executive clemency is a matter of discretion and yet subject to certain standards. It is not a matter of privilege. It is a matter of performance of official duty... the power of executive clemency is not only for the benefit of the convict, but while exercising such a power the President or the Governor as the case may be, has to keep in mind the effect of his decision on the family of the victims, the society as a whole and the precedent it sets for the future.” “An undue exercise of this power is to be deplored.



Considerations of religion, caste or political loyalty are fraught with discrimination,” he said. Thus this judgment reiterated the settled position of law that exercise or non-exercise of the pardoning power by the President or Governor would not be immune from judicial review.

Conclusion

The biggest question which could be laid down against the conception of Judicial Review of the power is that, a person pleads for mercy when all the doors of judiciary closes for him, in that case if President grants pardon on some moral and humanitarian ground whether in that case if judicial review is done then how come a judiciary would close its eyes from the previous judgments which it has given right from the lower courts against the pleader. It is more or less clear that it would revoke the pardon and would revert back to its final decision. As per my view the judiciary when given a chance to review a pardon should not go by the legal circumstances but it should deal with the moral values.

Questions are now arising on several clemency decisions given by various US Presidents. Amongst which most of them are given by Bill Clinton. Bill Clinton granted about 395 pardons during his presidency amongst which 140 were issued on his final day in his office. It could be clearly seen that pardon power could be misused for political expediency. Recently a House Judiciary Committee which was hearing into the decision to commute the sentence of former White House aide I. Lewis “Scooter” Libby has said that it would review all the previous pardon given by various Presidents.

Thus when the President’s absolute power to grant a pardon can be brought under judicial review then why cannot the power granted to Indian President be reviewed. Justice P.N. Bhagwati in **National Textiles Workers Union Vs. P.R.Ramakrishnan** said “Law cannot stand

still; it must change with the changing social concepts and values. Law constantly be on the move adapting itself to the fast-changing society and not lag behind”. Thus it is the need of the hour that judiciary should prevail and pardoning power should be subjected to judicial review, if it is done so the judiciary would definitely stand up to the precepts of Rule of Law and natural justice without being tempted into the caprice and expediency of politicians. If political expediency becomes the ground of justifying adorning the head of the political executive with the power of pardon which is absolute, then who will act against or bridle the executive and legislative excesses? To see that the President and Council of Ministers headed by the Prime Minister exercise this power with a sagacity that is reminiscent of the venerated precepts of Rule of Law and natural justice without being sensitized to the slightest to the vagaries of political whims and caprices the imperatives of an active judiciary to be always on guard are certainly the healthy signs of a matured democracy. Averse to reviewing this power of pardon of President implies showing a short shrift to the unmitigated agony and the ordeal of the families of the victims and the society which do expect an exemplary punishment so that its moral foundation is not warped. To bring an end to all these controversies what remains the most pragmatic option is either to abrogate Article 72 or accept the human rights activists demands for abolition of death sentence from the constitution. The question remains whether we are more apologetic of the criminals doings and the punishment there upon than with the agonized and bereaved families and the society striving for justice and the consequences of abolition of capital punishment on the moral and ethical foundation of the society.

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Occupational Health Hazards and Safety Management for Industrial Workers

Kumuda Bandhu Jadab

The new technological inventions in present days have changed the human life and brought a significant change in the standard of living of every individual from prince to pariah in the society. Thus life without technology is highly unthinkable in the contemporary world and rapid industrialization is the outcome of such need of the mankind. At the same time industrialization has brought in its wake many problems like industrial accidents and other occupational health related issues of the workers working in the industries. Despite of a plethora of legislations at national level² and International level and various safety mechanisms³ and devices are suggested and standard of work environment are advised, at many times it is found that by breach of safety norms there is rise in consequences such as accident, dangerous occurrence, occupational disease apart from emergency and disaster in various industries. Such consequences effect for about 70 percent of adult men and up to 60 percent of adult women throughout the world, estimated 40 million adults are finally effected or loss their life in the industrial sector⁴. Such incidents create a moral pressure among the user of such goods produced. Now a days the consumers in advanced countries are feeling guilty of the matter that they are enjoying the sweat and blood of the persons working for their enjoyment. And the workers are forced to work in an unsafe working

condition only for their subsistence. This leads to a situation that the real benefit of industrialization is although available to the purchaser but not reaching to the persons responsible for its production. Thus, it creates a disparity and discontentment among the later group. This can be eliminated by taking greater care and better planning in the managerial level of the industrial establishments. The present paper is an attempt to verify the concept of occupational safety and health hazards for the industrial workers, Occupational Health and Safety Management Systems provided by international level and suggests measures to eliminate accident and other occupational health related issues.

Occupational safety and health

Occupational Safety and Health⁵ (OSH) is a **cross-disciplinary** area concerned with protecting the **safety, health** and **welfare** of people engaged in **work or employment**. The goal of occupational safety and health programmes is to foster a safe and healthy work environment. As secondary effects, OSH may also protect co-workers, family members, employers, customers, suppliers, nearby communities, and other members of the public who are impacted by the workplace environment as well as reduce medical care, sick leave and disability benefit costs. OSH may involve interactions among many subject



areas, including occupational medicine, occupational (or industrial) hygiene, public health, safety engineering / industrial engineering, chemistry, health physics and ergonomics. The International Labour Organization (ILO) and the World Health Organization (WHO) have shared a common definition of occupational health, i.e. "Occupational health should aim at: the promotion and maintenance of the highest degree of physical, mental and social well-being of workers in all occupations; the prevention amongst workers of departures from health caused by their working conditions; the protection of workers in their employment from risks resulting from factors adverse to health; the placing and maintenance of the workers in an occupational environment adapted to his physiological and psychological capabilities; and, to summarize, the adaptation of work to man and of each man to his job"⁶. The main focus in occupational health is on three different objectives: (i) the maintenance and promotion of workers' health and working capacity; (ii) the improvement of working environment and work to become conducive to safety and health and (iii) development of work organizations and working cultures in a direction which supports health and safety at work and in doing so also promotes a positive social climate and smooth operation and may enhance productivity of the undertakings. The concept of working culture is intended in this context to mean a reflection of the essential value systems adopted by the undertaking concerned. Such a culture is reflected in practice in the managerial systems, personnel policy, principles for participation, training policies and quality management of the undertaking."⁷

Three reasons for occupational safety and health are (1) Duty of reasonable care; unacceptability of putting health and safety of people at risk; society's attitude to moral

obligations; making the moral case to senior management.(2) The preventive (enforcement), punitive (through criminal sanctions), and compensatory effects of law. (3) Direct and indirect costs associated with incidents and/or unhealthy workplaces and their impact on the organization (includes insured and un-insured costs).

Hazard the terminology used in OSH varies between countries, but generally speaking: A **hazard** is something that can cause harm if not controlled. The outcome is the harm that results from an uncontrolled hazard. A **risk** is a combination of the probability that a particular outcome will occur and the severity of the harm involved. Thus, "Hazard", "risk" and "outcome" are used in other fields to describe e.g. environmental damage, or damage to equipment. However, in the context of OSH, "harm" generally describes the direct or indirect degradation, temporary or permanent, of the physical, mental, or social well-being of workers.

Occupational Health Hazards

Occupational health hazards refer to the potential risks to health and safety for those who work outside the home. According to the World Health Organization, this represents about 70 percent of adult men and up to 60 percent of adult women throughout the world. In addition, an estimated additional 40 million adults enter the global workforce each year⁸. Of course, the specific occupational health hazards faced by this large and growing number of people depend on the region and its economic standing.

However, the following are some of the most common occupational health hazards faced by workers worldwide. Topping the list of occupational health hazards internationally are structural failures and mechanical accidents. This includes structures vulnerable to adverse weather



conditions, moving and/or unprotected parts of machinery, or general equipment failure. These occupational health hazards exist fairly equally in developed and undeveloped countries, regardless of industry. One of the most common work-related injuries to occur globally is the development of musculoskeletal disorders caused by heavy lifting and performing tasks that require repetitive motions. These occupational health hazards are also responsible for the most incidents of disability claims, whether temporary, long-term, or permanent. Muscle injuries due to physical stress most often occur in occupations such as construction and farming, while repetitive motion injuries are most often sustained in environments related to services that typically involve heavy typing and data entry. Also grouped into this category of occupational health hazards are ergonomically poor working conditions and equipment. Hearing loss is another hazard encountered by those who work in industries such as construction and manufacturing. In fact, hearing loss ranks with mechanical hazards in terms of being one of the most common occupational health hazards in both developed and developing countries. Typically, hearing loss occurs over time from chronic exposure to noisy machinery without the use of earmuffs designed to protecting hearing. Even long-term exposure to vibrations can contribute to hearing loss. Exposure to chemicals and other biological agents account for one of the most common and most harmful of occupational health hazards that effect several industries. The health risks from these hazards include liver damage, cancer, and reproductive disorders from chronic exposure to pesticides, heavy metals, and corrosive substances. Health care workers are at particular risk for contacting diseases such as HIV/AIDS, tuberculosis, and hepatitis B and hepatitis C. Others, such as those who work in agriculture, are at increased risk of

infections caused by fungi and parasites. Other groups are impacted by a high incidence of skin and respiratory disorders due to exposure to allergens, such as mold, bacteria, and organic dusts.

Occupational health and safety management in international level

The International Labour Organization (ILO) : published a standard ILO-OSH 2001⁹, which is similar to OHSAS 18001. The system is based on five steps Policy, Organizing, Planning & Implementation, Evaluation, and Action for improvement. This is supported by auditing with an emphasis on continuous improvement. The ILO management system was created to assist employers to keep pace with rapidly shifting and competitive industrial environments. The ILO recognizes that national legislation is essential, but sometimes insufficient on its own to address the challenges faced by industry, and therefore elected to ensure free and open distribution of administrative tools in the form of occupational health and safety management system guidance for everyone. This open access forum is intended to provide the tools for industry to create safe and healthy working environments and foster positive safety cultures within the organizations.¹⁰

OHSAS 18000 is an international occupational health and safety management system specification. It comprises two parts, 18001 and 18002 and embraces a number of other publications. OHSAS 18000 is the internationally recognized assessment specification for occupational health and safety management systems. It was developed by a selection of leading trade bodies, international standards and certification bodies to address a gap where no third-party certifiable international standard exists. This internationally recognized specification for occupational health and safety



management system operates on the basis of policy, planning, implementation and operation, checking and corrective action, management review, and continual improvement.

Mechanism to identify safety and health hazards

Hazards, risks, outcomes are interlinked and having cause and effect relationship. For example, repetitively carrying out **manual handling** of heavy objects is a hazard. The outcome could be a **musculoskeletal disorder** or an acute back or joint injury. The risk can be expressed numerically as 0.5 or 50/50 chance of the outcome occurring during a year, or in relative terms “high/medium/low”, or with a multi-dimensional classification scheme like situation-specific risks. Therefore for the safety management there should be Hazard Assessment and Risk Assessment before taking any precautions.

Hazard Assessment

Hazard analysis or hazard assessment is a process in which individual hazards of the workplace are identified, assessed and controlled/eliminated as close to source (location of the hazard) as reasonable and possible. As technology, resources, social expectation or regulatory requirements change, hazard analysis focuses controls more closely toward the source of the hazard. Thus hazard control is a dynamic programme of prevention. Hazard-based programmes also have the advantage of not assigning or implying - there are “acceptable risks” in the workplace. A hazard-based programme may not be able to eliminate all risks, but neither does it accept “satisfactory” — but still risky—outcomes. And as those who calculate and manage the risk are usually managers while those exposed to the risks are a different group, workers, a hazard-based approach can by-pass conflict inherent in a risk-based approach.

Risk assessment

Modern occupational safety and health legislation usually demands that a **risk assessment** be carried out prior to making an intervention. It should be kept in mind that risk management requires risk to be managed to a level which is as low as is reasonably practical. Therefore the assessment should be to – 1. Identify the hazards; 2. Identify all affected by the hazard; 3. Evaluate the risk and 4. Identify and prioritize appropriate control measures.

The calculation of risk is based on the likelihood or **probability** of the harm being realized and the severity of the consequences. This can be expressed mathematically as a **quantitative** assessment (by assigning low, medium and high likelihood and severity with integers and multiplying them to obtain a **risk factor**), or qualitatively as a description of the circumstances by which the harm could arise.

The assessment should be recorded and reviewed periodically whenever there is a significant change to work practices. The assessment should include practical recommendations to control the risk. Once recommended controls are implemented, the risk should be re-calculated to determine if it has been lowered to an acceptable level. Generally speaking, newly introduced controls should lower risk by one level, i.e., from high to medium or from medium to low. Thus the risk of the occupational health hazard can be controlled if cannot be zeroed by a sincere and effective managerial effort for the hazard and risk management, but it is found for various reasons the management of the industrial unit are not taking effective measure to curb the potential risk areas causing danger to the workmen . Further the Government is also not ensuring that the industries are maintained the safety norms and standards as per law.



Conclusion

Occupational health and safety now has an impact on every worker, in every work place, and those charged with managing health and safety are having more and more tasks added to their portfolio. The most significant responsibility is environmental protection. The skills required to manage occupational health and safety are compatible with environmental protection, which is why these responsibilities are so often bolted onto the workplace health and safety professional.

On an international scale, the World Health Organization (WHO) and the International Labour Organization (ILO) have begun focusing attention on the labour environments in developing nations with projects such as **Healthy Cities**.¹¹ This focus is well-placed, as many developing countries are caught in a trap: They have fewer resources to invest in OSH, yet because of this, they must also suffer from increased costs of work-related illnesses and accidents.

Suggestions:-

To overcome from such a position every factory or establishment should make a safety audit of the factory's safety and health system and formulate an action plan to eliminate accident and other occupational health related issues. This can be done by:-

- Making internal safety audit and external safety audit at a regular interval preferably once in a year.
- Verify the compliance of standards with the prescribed standards.
- Identify plant conditions and operating procedures that could lead to accidents.
- Maintenance of plant and operating system that can cause accident.

- Educating the personnel working in hazardous area about the prospective hazards and about the safety mechanisms that can help them in dangerous situation.

Such steps can be helpful to mitigate- the number of accidents .

The safety Audit system should also be concerned about the following things to mitigate occupational health hazard:-

- Concerned about the products, by products , the raw materials used and the chemicals used in the factory or establishment and its effect on the work environment.
- The type of occupational health problems faced by the workers of the establishment.
- The amount of heat and toxic materials emitted by the establishment.
- Identify the areas potential of occupational diseases.
- A regular Health check-up of the working persons for the occupational diseases.

Finally it can be stated that the sincerity in the managerial level of the industries to take effective steps to mitigate the health hazards of the workmen can definitely be helpful to curb the occupational health hazard among the workmen and they also can enjoy the industrialization.

A 2007 Factsheet from the European Agency for Safety and Health at Worksites :

Countries with less developed OSH systems spend a far higher percentage of GDP on work-related injury and illness — taking resources away from more productive activities. [...] The ILO estimates that work-related illness and accidents cost up to 10 % of GDP in Latin



America, compared with just 2.6 % to 3.8 % in the EU.

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Hon'ble Chief Minister Shri Naveen Patnaik laying foundation stone of Urban Tribal Hostel at Ghatikia on 30.09.2012



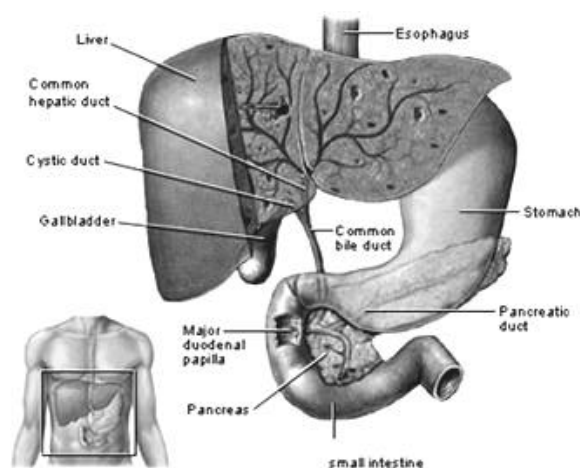
Cirrhosis of Liver

Prof. Umesh Chandra Patra

Liver in human body is said to be a chemical laboratory, which performs many important functions, like production of bile, cholesterol and numerous enzymes along with storage of vitamins and minerals. It also destroys harmful substances and detoxifies drugs chemicals and toxins from bacterial infections. Many of the metabolic functions of the body occur primarily in the liver including the metabolism of cholesterol and the conversion of proteins and fats into glucose.

Cirrhosis of liver is characterized by a significant loss of cells. It is one of the most serious hepatic diseases in which the liver gradually contracts in size becoming hard and lethargic. Subsequently, the liver becomes virtually unfit for the biochemical functions and degenerates leading to liver failure and death.

Symptoms : Many people with mild Cirrhosis have no symptoms and appear to be well for years. However, in the early stage, it is marked by weakness, poor appetite, weight loss and frequent attacks of gas and indigestion, with occasional vomiting. Malnutrition normally results from a poor appetite and the impaired absorption of fats and fat soluble vitamins caused by the reduced production of bile salts. In the advanced stage, the patient develops a low grade fever, foul breath, jaundiced skin and distended veins in the abdomen. Reddish hair like markings, resembling



small spiders, may appear on the face, neck, arms and trunk. The abdomen becomes bloated, the mind gets clouded and there may be considerable bleeding from the stomach. Occasionally, the person may cough up or vomit large amounts of blood. High blood pressure is often associated with the disease. In some cases, kidney may also fail. Due to improper functioning of the liver, toxins build up in the blood, which can hurt the brain too. People with Cirrhosis are also more likely to get liver cancer.

Causes : Almost any chronic liver disease can lead to Cirrhosis. Excessive use of alcohol over a long period is the most potent cause of Cirrhosis of the liver. Poor nutrition can be another causative factor in the development of Cirrhosis, particularly



among the children. Other causes of Cirrhosis are excessive intake of highly seasoned food, toxins, metabolic deposits, habitual taking of quinine for a prolonged period in tropical climate, prolonged drug treatments, infection and diabetes. It may also result from a highly toxic condition of the system in general. In fact anything that continually overburdens the liver cells and leads to their final break down can be a contributing cause of Cirrhosis.

Remedies : Cirrhosis of the liver is irreversible but treatment of the underlying disease can stop the progression. Termination of alcohol intake is a must of it. Similarly, discontinuation of hepatotoxic drugs or removal of environmental toxins will stop progression. Chronic alcohol abusers often need treatment with vitamins, especially thiamin, to correct the deficiencies that may have resulted from chronic alcohol abuse. The treatment of Cirrhosis includes withdrawing toxic agents such as alcohol, receiving proper nutrition including supplement vitamins, and treating complications as they arise. Liver transplantation may help a person with advanced Cirrhosis.

Proper diet and vitamin B complex are considered essential for regenerating liver cells. In the early stages of Cirrhosis, a diet rich in high quality protein is necessary. The best proteins for liver patients are obtained from goat's milk, homemade cottage cheese, sprouted seeds and

grains and raw nuts, especially almonds. Vegetables such as beets, squashes, bitter gourd, tomato, carrot, radish and papaya are also useful in this condition with spinach juice or cucumber and beet juice, has been found beneficial in the treatment of Cirrhosis of liver. Fats should be restricted as their excessive intake may mar the patient's appetite and lead to gastro intestinal disturbances. In the later stage of the disease, high protein intake should be curtailed because of possible protein intoxication. Here, the diet should be rich in carbohydrates and intake of protein should be kept to the minimum to prevent protein deficiency.

The use of salt should be restricted. The patient should also avoid all chemical additives in food. The morning dry friction bath should form a regular daily feature of the treatment. Fresh air and sunbaths are also beneficial. The black seeds of papaya have been found beneficial in the treatment of Cirrhosis of the liver, caused by alcoholism and malnutrition. The liver cells have amazing regenerative power and all possible steps are necessary to enhance and stimulate this power through natural methods.

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Sufficing Nutraceutical Rich Multipurpose Leafy Vegetable on Earth : Moringa

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Plants are gifts of God described mainly as grains, fruits and vegetables form mankind's basic foodstuffs, and have been domesticated for millennia. Leafy vegetables, also called potherbs, greens, vegetable greens, leafy greens or salad greens, are plant leaves eaten as a vegetable. Nearly one thousand species of plants with edible leaves are known. The leafy vegetables are said to tone up the energy and vigour in human being. Though leafy vegetables are low in calories and fat but high in dietary fibre, iron, Phosphorous calcium and magnesium content and very high in phytochemicals such as vitamin (A, B, C, K), carotenoids, lutein, folate, magnesium. It has been found that the person who consumes less amount of vegetables suffer from malnutrition, which in turn hampers the immune system. Several chemical compounds from leafy vegetables having therapeutic effect against several ailments have been identified, especially antioxidants and bioflavonoid which protect the body from free radicals. It could potentially prevent chronic disease due to their antioxidant content. But, broadly reporting leafy vegetables should form a regular component in our day to day diet to suffice the vital protective nutrients that are required for healthy living. In India, leafy vegetables are greatly preferred by the countrymen, either cooked to different

delicacies or sometimes adorn the table in the form of fresh salads. Leaf vegetables most often come from short-lived herbaceous plants (lettuce and spinach). Woody plants whose leaves can be eaten as leaf vegetables include *Moringa*, *Adansonia*, *Aralia*, *Morus*, and *Toona* species.

Sajana' or 'miracle tree', is one of the most popular trees in the villages of India is an important member of the family *Moringaceae* and belongs to genus *Moringa*. The name '*Moringa*' derived from the Tamil word *murunggai* or the Malayalam word *muringa*. The family *Moringaceae* includes near about 13 species but among them *Moringa oleifera Lam.*, a multipurpose tree native to the foothills of the Himalayas in northwestern India is the most popularly cultivated one. It is believed to have originated in the semi-arid habitats from North Africa to Southeast Asia (Mabberley et al 1997). It is commonly found from sea level to 1,400 m on recent alluvial land or near riverbeds and streams. It grows at elevations from sea level to 1400 m. Due to high water content and fibre, it aids in digestion and utilization of more concentrated food in human diet. Ample of the plant is edible by humans or by farm animals, besides leaves; the flowers of *sajana* are also very tasty. It is an indigenous vegetable, gained its importance due to nutraceutical value and is

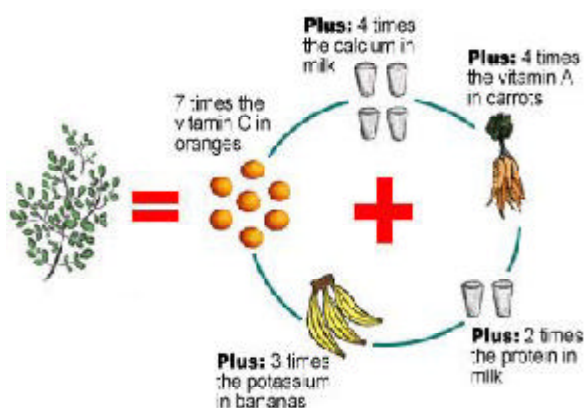


Fig. 1 Comparison of nutrient content of *moringa* leaf with other foods (Source: moringa.yolasite.com)

considered as indispensable plant for health management. The leaves demonstrated all

essential amino acids (Table 1) and are rich in protein, vitamin A, vitamin B, vitamin C and minerals (Janick et al 2008).

Researchers at the Asian Vegetable Research and Development Center (AVRDC) demonstrated that leaves of *Moringa* species contained high levels of nutrients and antioxidants. They also observed that boiled *moringa* leaves or leaf powder provided at least three times more bio-available iron than raw leaves. Boiling also enhanced antioxidant activity of the leaves. Experiments at the University of Baroda, India demonstrated that cooking leaves with oil helps retain beta carotene and enhances the conversion of beta carotene to vitamin A in our body.

Table 1: Nutraceutical value of *Moringa* on different tissues

Plant Parts	Nutraceutical significance
Leaves	Rich in protein (arginine: 0.38 g; histidine: 0.14; lysine: 0.32; tyrosine: 0.10g; phenylalanine: 0.29g; methionine: 0.11; cysteine: 0.13; threonine: 0.25; leucine: 0.46; isoleucine: 0.28 and valine: 0.35.), carotene, iron and ascorbic acid. contain magnesium: 24 mg; potassium: 259 mg;
Flower	Copper: 0.62mg; sulphur: 137 mg; chlorine: 423 mg; oxalic acid : 101 mg ; and phytin P:44mg, lysine is found in the flowers,
Pods	Rich in amino acid (alanine, arginine, glycine, serine, threonine, valine, glutamic acid and aspartic acid) and lysine. Sucrose also occurs in the fruit.
Seed	benzylisothiocyanate derivative and benzoisothiocyanate
Stem	hydroxymellein, vanillin, octacosanoic acid, beta-sitosterol and betasitostenone, reported for the first time from a plant species
Stem Bark	white crystalline alkaloid, two resins, an inorganic acid and mucilage (gum)
Root	Anthomine and pterygospermine (an antibiotic). The root yields a very pungent essential oil, which is offensive in odour.
Root bark	moringinine and spirochine along with benzylamine and glucotropacoline



The seeds of *sajana* fruits can be used like green peas in different places. Ancient Indian literature makes mention of *Moringa* as an interesting plant due to its widespread use in agriculture, medicine and industry. India is the largest producer of *Moringa* with an annual production varies from 1.1 to 1.3 million tonnes of tender fruits from an area of 38,000 ha. Among the states, Andhra Pradesh leads in both area and production (15,665 ha) followed by Karnataka (10,280 ha) and Tamil Nadu (7,408 ha). Tamil Nadu is the pioneering state and it has varied genotypes from diversified geographical areas, as well as introductions from Sri Lanka. (Sing, 2011)



Fig. 2. *Moringa* tree, A) Full grown *moringa*

Uses of *Moringa*

The *Moringa* tree has probably been the most popular plant in ECHO's seed bank of underutilized tropical crops. It affords extreme



Fig. 2. *Moringa* tree, B) Fruit and Flower bearing *moringa*

nourishment to the human body. It appears to have a tremendous potential for improvement of the humans in particular and the society in general. Besides the leaves and containing an edible fruit, this tree has many everyday uses. The seed extracted oils are also used as lubricant in the watch and computer manufacturing industry. India's ayurvedic medicine uses every part of the *Moringa* tree and considers it one of the most valuable and useful plants. Around the world every part of this tree has been used effectively against varying ailments. Its uses are as unique as the names it is known by, such as clarifier tree, horseradish tree and drumstick tree (referring to the large drumstick shaped pods) and in East Africa it is called "mother's best friend". There are literally hundreds of uses for this tree.

1. Dietary use: It is an important vegetable crop and the whole plant of *Moringa* can be used to serve the mankind in several ways.

Table 2: Dietary value of *Moringa*

Part	Dietary use
Leaves and foliage	Eaten as fresh, cooked and stored as dried powder for many months without



refrigeration and without loss of nutritional value.

Flowers and pods	Excellent vegetable.
Seeds	Used as green peas and extraction of oil from seeds is very equal to olive oil and this can be used to cook a variety of dishes.

2. Pharmaceutical use: Medicinal property of *Moringa* is a well-known fact. The stem bark, root bark, fruit, flowers, leaves, seeds and gum are all economically viable parts widely used in Indian folk medicine. It is a vital component in Ayurveda, Siddha, Unani and Indian medicine systems. Researchers based on the phytochemical studies demonstrated the various parts of the plant are very effective against hypertension and high cholesterol. The leaves act as perfect tonic for strengthening maintenance of skeletal system, purification of bloodstream in our body and also very important role in periods of pregnancy, post-delivery complications and lactation, while its antibacterial, antifungal and antioxidant properties are already well known to practitioners of both traditional and modern medicine.

Table 3: Pharmaceutical properties of *Moringa* on different plant parts

Part	Pharmacological properties
Leaves	Anti-ulcer, hyperthyroidism, anti-diabetic, hypolipidemic, anti-helminthic, anti-oxidant, hypo-cholesterolemic, hepatoprotective, antifungal, antibacterial, nutritional supplement etc.
Foliage	Lactation enhancer
Flowers	Anti-arthritis
Pods and seeds	Hypotensive
Seeds	Analgesic, anti-spasmodic, diuretic, anti-allergic, anti-bacterial, larvicidal, anti-viral
Seed kernels	Anti-asthmatic, anti-inflammatory
Bark	Anti-urolithiatic
Root	Analgesic, anti-convulsive, anti-nociceptive, anti-inflammatory, anti-cancer, Anti-urolithiatic

Table 4: Some very beneficial *Moringa* based commercial health care product

Product	Company	Details
<i>Moringa zinga oleifera</i>	American <i>Moringa</i> leaf Capsule Company	Pure leaf powder capsules without filters
<i>Moringa pharm</i>	-	Organic <i>Moringa</i> leaf capsules. Energy and health supplement
<i>Moringa</i> capsules	-	Energy and health supplement
<i>Moringa</i> seeds	Veg India Exports	Seed cakes (for water purification)
<i>Moringa</i> leaf powder	<i>Moringa</i> Export	Energy and health supplement



Moringa fruit powder

Moringa capsules

Moringa dry leaves

Moringa Tea

<i>Moringa</i> Tea	Local Product	Nourishing beverage
Miracle malunggay	Local Product	100% pure <i>Moringa</i> leaf. Food supplement
Pooga monga <i>moringa</i> energy capsule	Local Product	Energy and health supplement
Pooga monga <i>moringa</i> Tea	Local Product	Nourishing beverage
Pooga monga (health drink)	Local Product	Health drink
Zija Smart drink	Local Product	Mixture of pomegranate: <i>Moringa</i> : aloe health drink

3. Cosmetic use: Sajana seeds are immensely valuable in the cosmetic industry. *Moringa* oil is among the most desired oils in the formulation of skin care products (Soap), **anti-aging and wrinkle reduction products**, increase the health and strength of the **hair and scalp** and cosmetics. Besides this, the oil contains 38-40% colourless and an odourless non-volatile substance that is never perishable and therefore it is very beneficial for production of expensive and natural perfumes and fragrances.

4. Organic water purifier: The cake obtained after extracting the oil from the seed is used as the organic water purifier in the pond, well and in different water bodies as a complementary to Aluminium, sulphate or alum used as a conventional chemical coagulant. It can be also used for the purification of vegetable oil, depositing juice (Sugarcane) and beer. The doses required for water treatment did not exceed 250 mg/l (Table 5).

Table 5: Dosage of the coagulant

Raw water turbidity NTU	Dose range mg/l
<50	10-50
50-150	30-100
>150	50-200

5. Agricultural use: Researchers at Proyecto BIOMASA, an agricultural research programme located in Nicaragua, demonstrated that *Moringa* can be used as a foliar spray to increase plant growth and as a green manure to improve soil fertility. They also observed that leaf extract contains a plant growth hormone, leaf juice spray effectively increasing yields by 25-30 % for nearly any crop: onions, bell pepper, soya, maize, sorghum, coffee, tea, chili, melon etc.

Package of practices for *Moringa* cultivation

Moringa is fast growing, drought tolerant and easily adapted to varied ecosystems and



farming systems. There are two types of *sajana* (Annual and Perennial) available in Indian continent.

Soil: For the cultivation of this vegetable, it does not require well fertilized soil, so it has the potential to be grown in the dry areas of Odisha like Rayagada, Jeypore, Sunabeda etc. It can be grown in a wide range of soil and climatic condition except heavy clay soil.

Propagation: It is propagated either by stem cuttings (limb cutting) or by seed. In perennial types, limb cuttings 100-150cm in length with a diameter of 14-16 cm are planted *in situ* during the rainy season. For annual crops the seedlings are raised from the seed in the polythene which is helpful for better crop stand and also there is a provision for gap filling in the main field if the seedlings die due to any unforeseen reason.

Seed treatment: Treatment of the seeds with Azospirillum cultures at the rate of 100 g per 625 g of seeds before sowing resulted in early germination, and increased seedling vigour, growth and yield.

Seed percentage: The seed requirement per hectare is 625g. When planted in single rows along with irrigation channels, a spacing of 2m is sufficient.

Planting: In the main field is dugged with 60×60 cm pit which is filled with FYM and soil and then the selected cutting of the stem or the seedlings are planted. For the perennial crop the plant to plant distance will be 4.5m and the row to row distance will be 3.0 m. While planting, one-third of the cutting should be kept inside the pit. Under moderate clay situations, watering should be done just to optimum levels to avoid root rot. For the annuals spacing will be maintained 2.5×2.5m. One

month before planting, each pit should be filled with 10 kg FYM, 100g urea, 100 g SSP and 50 g MOP and after one and half month after planting application of 100 g additional urea in each pit helps in increasing both crop growth and production, giving a plant population of 1600 plants/ha. In addition to that fertilisers should be applied at the time of pinching (75 days after sowing) at the rate of 44 : 16 : 30 g NPK/ tree and Nitrogen @ 44g / tree must be applied as top dressing at first flowering (150-160 days after sowing) stage (Suthanrapandian *et al.*, 1989).

Plant population: It may vary with the spacing, but generally plant population of 1600 plants/ha is suitable if standard spacing is followed.

Season: The limb cuttings are planted in the pits during the months of June to August. The monsoon rains during the period facilitate easy rooting and further growth. The seeds of annual *moringa* may be directly dibbled in the pit to ensure accelerated and faster growth of the seedlings. The best suited season for sowing the seeds is September under Southern Indian conditions. The time of sowing has to be strictly adhered to because the flowering phase should not coincide with monsoon seasons, which results in heavy flower shedding.

Irrigation: Growing *moringa* plants may not require watering except during hot weather when they may be irrigated once a week. Annual *moringa* responds well to irrigation and the yield can be doubled (vegetable *moringa* fruit) by drip irrigation as compared to rain-fed crops, Drip irrigation at the rate of 4 lit/day can enhance yields by 57 per cent as compared to rain-fed crop (Rajakrishnamoorthy *et al.*, 1994).

After care: Pinching and earthing up are the two practices which should be followed for *sajana*. Pinching the terminal bud on the central leader



stem is necessary when it attains a height of 75cm (two months after sowing). This will promote the growth of many lateral branches and reduce the height of the tree. In addition, pinching also reduces the damage due to heavy wind and makes harvesting much easier. Vijayakumar *et al.* (2000) It is found that early pinching of growing tips carried out 60 days after sowing is better than pinching 90 days after sowing for obtaining a higher yield. Sometimes, due to heavy rain or wind there is a possibility of breaking the tree so, earthing up of the soil at the base of the tree is useful to give it the strength. Vijayakumar *et al.* (2000) reported that Spraying of GA₃ @ 20 ppm on 90th day of sowing increased all the pod characters, such as length, specific gravity, number of seeds, flesh content and pulp, more than untreated check.

Yield and Production: Generally, six to nine months after planting flowering started and there are some varieties which give production for two to three times but this kind of varieties are not popularly cultivated in Odisha. For perennial crops, fruits yields are generally low during the first two years (80-90fruit/year), but from the third year onwards a single tree yield increase gradually 500-600 fruit/tree/ year up to the fourth and fifth years. The pods are harvested mainly between March and June. A second crop is normally harvested from September to October.

Post-harvest care: After harvesting the plant crop is cut keeping 1.5-2m from the soil then from that cut portion new branches come out that bear flowers and fruits. In annual *moringa*, when the harvest is in, the trees are cut down to a height of one metre above ground level for ratooning. These ratoon plants develop new shoots and start bearing four or five months after ratooning. Three ratooning operations are recommended during the

production cycle, after each harvest is over. During each ratooning operation, the plants are supplied with the recommended level of N, P and K nutrients along with 20-35 kg of FYM. Perennial types are also pollarded back to a height of 0.3-0.45m from ground level during October November, followed by manuring with organic matter (25kg) and the recommended input of fertilizers.

Ecotype and Cultivar: At least 20 commercially cultivable varieties of *Moringa* are available throughout India. Tamil Nadu Agricultural University have succeeded in developing two promising, high yielding, annual seed- propagated *Moringa* types PKM-1 (Selection) and PKM-2 (MP 31 X MP 28), Dhanraj (dwarf type) which has revolutionised the *Moringa* industry in the country.

KAU released one drumstick variety named Anupama. Besides that, some high-yielding land races are also cultivated in Tamil Nadu and Andhra Pradesh namely Jaffna Melanor, Saragva, Chavakacheri, Chemmurungai, Pal Murungai, Puna Murungai, Kodaikal Murungai and Saragvi etc.(mainly identified by the farmer's in a particular region) but whether these varieties are suitable in Odisha condition or not need to be further studied. Some varieties namely, KM 1, GKVK 1,2,3, KDM 1, Konkan Ruchira, Rohit 1 are known to be developed by the public sector, In India, more than 60,000 farmers are engaged in commercial cultivation of *Moringa* as it is a highly remunerative crop. The small farmers get a handsome amount of benefit from *Moringa* cultivation. Though several varieties are present in India but cultivation, improvement and outstanding new varietal production found in Odisha is inadequate. In Odisha only PKM 1 and PKM 2 is cultivated predominantly.



Cost of cultivation: Plant density 1,600 plant/ha

1st year cost of cultivation – Rs. 1,03,200=00

2nd year cost of cultivation – Rs. 96,900=00

3rd year cost of cultivation – Rs. 95,000=00

Yield in 1st year 10 kg/plant i.e 16,000 kg/ha

Yield in 2nd year 15kg/plant i.e 24,000 kg/ha

Yield in 3rd year 15 kg/plant i.e 24,000 kg/ha

Income in 1st year@ Rs.35=00/kg i.e 5,60,000
(Net benefit = Rs. 4,56,800)

Income in 2nd year@ Rs.35=00/kg i.e 8,40,000
(Net benefit = Rs. 7,43,100)

Income in 3rd year@ Rs.35=00/kg i.e 8,40,000
(Net benefit = Rs. 7,45,100)

Diseases and Pest: The main reason for which the people does not like to keep *sajana* in their kitchen garden is due to the attack of most important pest i.e. caterpillar. This insect is the voracious feeder of the bark and leaves that damage the plant internally and the insects are seen throughout the dwelling. Moreover, due to the attack of stem borer *Diaxenopsis apomecynoides* sometimes it reduces the normal growth of the fruits as well as the market price. Developing fruits are damaged by the fruit fly *Gitona distigmata*. The budworm *Noordia moringae* and the scale insects *Diaspidotus sp.*, *Aphis craccibora* and *Ceroplastode cajani*.

No major disease in India has been reported as affecting the economies of the crop. However, in severely waterlogged condition *Diplodia* root rot and damping off can occur, from annual *Moringa* at the seedling stages. A new disease has been reported from Maharashtra caused by *Drechslera haraiensis* where the maturity Pods showed extensive rot. The disease

symptoms are observed all over the surface of the pods, more conspicuously at the stigmatic end as well as on green pods. Recently researchers reported a new wilt disease caused by *Fusarium oxysporum fsp moringae*.

Problems encounters for large scale cultivation:

- Unavailability of suitable high-yielding variety under Odisha condition.
- Farmers do not pay due attention to this remunerative crop due to their ignorance which ultimately leads reduction in the yield.
- Use of unsuitable pruning methods for ratoon crop management.
- The commercial crop requires irrigation during summer and windy seasons when the water table is at its lowest.
- There is no such appropriate control measure available to combat fruit fly and caterpillar attacks.
- Packing systems are poor (uncovered bundles or in gunnies).
- Lack of co-operative marketing systems.
- Seasonal glut necessitates cold storage facilities.

Future Scope of cultivation for the small and marginal farmers:

- It does not require much attention and labour, only the family members can deal with the various operations as time requires.
- It can be cultivated with the suitable intercropping along with the other vegetable crops.
- *Moringa* requires minimum amount of manures and fertilizers as well as irrigation facilities for its commercial cultivation.



- If small farmers cultivate *Moringa* in less than one hectare of land, then their produce can easily be marketed in local market with a profitable price as it always has a medium to high demand depending upon the festival or occasion.
- As all the parts of *sajana* can be used in different purpose, so farmers can fetch some extra money by selling the products other than the fruits.
- Pruned materials can be effectively recycled for supplying pulp and paper industries, which is an additional advantage for small farmers.
- It also provides a good alternative of protective foods for the poor farmers and their family.

Though India harbours a lot varietal wealth but unfortunately, information on exhaustive research mainly based on conservation, cultivation, improvement and outstanding new varietal production found not only in India but also in Odisha is inadequate. The present report is, therefore, emphasized mainly on the tremendous potential for improvement of the human beings in particular and the society in general, easy cultivation and handsome benefits to initiate more cultivation. *Moringa*, having a good potential to be cultivated throughout Odisha, particularly in the dry land area where there is a scarcity of water, it can be grown successfully. Here, we have discussed about the cultivation aspect and its different uses and focused on its potential to grow as a remunerative by the small and marginal farmers. During our study, we have concentrated on the problems that farmers face for its commercial cultivation that has been also pointed out in this article. These problems can

only be overcome by the sincere effort of the scientists and the active farmers as well, and then only "Sajana" will become popular to the farmers and its commercial cultivation will get its unpaid attention.

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Tragedy of Trafficking in Odia Women

Mamatarani Subudhi

Yet another half an hour for the bus to arrive. The village is in its dawn slumber. The people those have to go to the town gather at the village end bus stop. This is the only bus going to town. Amari, a young girl of twenty is also waiting the bus. She is the third daughter, out of five daughters of a drunkard father and a daily labourer mother. She is the daughter of this dust, but other three girls waiting with her are from nearby villages. All are ready for the same destination. Along with other people, two middle aged men are walking restlessly in a distance. Both are talking with each other that, after this bus journey they have to take another bus for Bhubaneswar and from there, they can travel by train. Everything is to be done very secretly and carefully. Amari's grandmother, mother and few neighbouring siblings are standing and sobbing silently by pressing clothes on own mouths. They are staring Amari with tear brimming eyes. The solitude is speaking only ! The atmosphere is warm like a bridal farewell. But Amari is silent, speechless as well as tearless.

The bus approaches. The grandmother burst out into crying ... "You may or mayn't return, but I am sure no more I can see you !" Amari for the last time looked at her grandmother's face and closed her eyes. The bus starts moving.

Amari is married ?

Amari is sold out ?

Amari is trafficked !

This is the usual story of many of the poor girls of Odisha. In Technical language, this is called women trafficking. For last twenty years, this has become a trend and near about 48 thousand women are being trafficked in last ten years from rural Odisha. Young girls or women are being sent away from their flora and fauna to an alien place in search of livelihood. An Odia synonym of daughter is 'Duhita' - which means, a girl is good for both sides parental and in-laws side. But today a girl is treated as a curse. She has no place in the society, if she hails from a poor, uneducated background. Normally, the women from poor and backward social hierarchy are more vulnerable to this trend. Our rich cultural heritage advocates that where women are worshipped there resides the God. Women are considered as honour of society and Lakshmi of family. She cradles the generation inside her womb. Thus woman is a carrier of culture. Then why this insulting business of women like cattle ? The answer is many faced.

The causes of women trafficking is deep rooted. Firstly, the socio-economic condition of our society is responsible for this inhuman trend. Poverty makes man helpless. As a hungry man can do anything, likewise a poor man can



compromise with his conscience. The poorness has a multi-dimension effect. No parent wants to send away own daughter in pleasure; because our social system is such that, children are considered as old age asset of parents. The sons are treated as essential and immediate as in old age parents stay with sons. But daughters are considered as elegant and emotional asset because, daughters become more caring and sympathetic towards own parents than the son and daughter-in-law. But the cruel hand of poverty forces them to send the daughter with trafficker. The second, but most immediate cause of trafficking is dowry system of our society. It is the social responsibility of parents to do the daughter's marriage. But the cancer like dowry system has crippled them. Neither the poor parents dare to afford the dowry market and buy a bride-groom nor they can keep the daughter at home. Thus marriage becomes a mirage for a poor girl ! Our society consider an unmarried daughter a family's failure, a stigma. So the family becomes blamed and tries to get rid of the daughter as soon as possible. Old people say that, daughters are like 'ghee', if kept for a long day would spoil and stink ! So the parent of a daughter is almost compelled to marry the daughter wherever possible, but if that is not possible then send her with traffickers. Thus family men save their social position. And afterward, if any wrong happens, they would say, it was the girl's luck !

And thirdly, the mostly practical cause of this trend is the lack of knowledge or awareness. These victims of trafficking are not educated or exposed to different developmental programmes of the government. Today, the government is shielding a girl from her mother's womb as a female foetus up to her full flourished womanhood. But the rural uneducated women are not aware of these facilities and become easy prey to traffickers. Such girls only dream of marriage as

an end of life, if it couldn't be materialized for any reason, they feel frustrated and assume own self as a dry leaf before the fortune's west wind. They lose their firmness, determination. In the meantime, the village level broker of this trafficking network meets the girl's parent and gives hope of employment and marriage. The worried but innocent parents agree with the proposal as they assume it as a ray of hope. By accepting these offers they can safeguard their social image and leave the daughter in hand of her destiny. The broker gives some money in advance and assures a lump sum amount on departure. Thus the family is scapegoated and a girl's fate is finalized. Then a date is fixed, the broker comes, pays the rest amount of money and takes the girl like the bridegroom never to return.

Once the woman leaves her native, she is under the captivity of the broker. The woman loses her identity and like a puppet she goes on obeying the broker. No more she is treated as human being. Like slaves, she is sold out to other brokers. In Odisha, mostly women are trafficked to Uttar Pradesh, Jhansi, Mumbai and Delhi.

The fields of work of these women are not equal. They are employed in different fields of life. Their future is determined by the type of broker who entraps them. The broker and their network will determine how and where they will be employed. In context of their field of work these women can be divided into different categories. Firstly, the most painful and pathetic of all is the work of sex-workers. As we know that, those simple and simpering women of rural background come for employment. They are not exposed to the job of sex-worker. They think this is an immoral job. While entering into this job, they die mentally and spiritually many times. To prepare them as sex workers, they are sexually exploited by middlemen on the way. As they have



no way to return, no other choice to protect own self, they unwillingly and forcefully enter into this heinous job. Sex trafficking victims are generally found in dire consequences. They lead a nasty humiliating life. They become prostitutes - realizing the society's sexual urges. Sometimes after few years these women are seen affected by deadly AIDS and die a dog's death.

The second category is the women who are trafficked for forced marriage purpose. There are some places where girl child ratio is declining in comparison to boys because of girl child foeticide. In some cases, the marriage becomes a peculiar marriage. The man whom the woman marries, sometimes have his own full flourished families. But they marry the trafficking woman as a guard-cum-servant of their framings. Because they think, wives are cheaper than servants. Again in some cases, the man who marries is an inactive or disabled person who is not able to support own self. So he marries woman who will earn for him. And the third category is the work of house-keeper or maid servants. These group of women work in rich people's houses and stay as a slave in modern age. Sometimes, these women are prey to sexual violence or domestic violence. After all whatever they do, almost none of them able to return to own native. These trafficking girls or women are sometimes used by human organ transplantation racket. But mostly young boys are preferred for this purpose than girls. And some times they are used for cross border narcotic business.

Trafficking of human being is not a new thing. It is an offence against humanity. This is the trade of people for the purpose of reproductive slavery, commercial sexual exploitation, forced labourer or a modern day form slavery as Wikipedia. The free Encyclopedia says, "The United Nations Office on Drug and Crime

(UNODC) explains this as Human trafficking is a Crime against humanity. It involves an act of recruiting, transporting, transferring, harbouring or receiving a person through use of force, coercion or other means, for the purpose of exploiting them. Every year thousand of men, women and children fall into the hands of traffickers in their own countries and abroad. Every country in the world is affected by trafficking, whether as a country against transit or destination for victims. UNODC as guardian of the United Nations Convention against Transnational Organized Crime (UNTOC) and the protocols thereto, assists states in their efforts to implement the 'Protocol to prevent' suppress and punish Trafficking in persons especially women and children trafficking in persons protocol. This was adopted by 'United Nations in Palermo, Italy in 2000 and there an international legal agreement attached to the United Nations "Convention against Transnational Organized Crime". The trafficking protocol is one of the three protocols adopted to supplement the convention.

Article 3, paragraph (a) of protocol to prevent, suppress and punish trafficking in person's defines; Trafficking in persons as the recruitment, transportation, harbouring or receipt of persons by means of the threat or use of force or other forms of coercion of abduction, of fraud, of deception of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation. Exploitation shall include at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

On this meaning of trafficking, it has three constituent elements.



1. The Act (what is done) - Recruitment, transportation, transfer, harbouring or receipt of persons.
2. The means (How it is done) - Threat or use of force, coercion, abduction, fraud, deception, abuse of power or vulnerability or giving payments or benefits to a person in control of the victim.
3. The purpose (why it is done) - For the purpose of exploitation which includes exploiting the prostitution of others sexual exploitation, forced labour, slavery or similar practices and removal of organs.

The UNODC offers practical help to state is drafting laws and creating comprehensive national anti-trafficking strategies. Apart from this, it also assists with resources to implement them states receive specialize assistance including the development of local capacity and expertise as well as practical tools to encourage cross border cooperation in investigations and prosecutions.

In view of the global concern about the trafficking, the government of India prohibits some forms of trafficking for commercial sexual exploitation through the Immoral trafficking Prevention Act (ITPA). The prescribed penalty under ITPA ranges from seven year to life imprisonment. Section 366(A) and 372 of Indian Penal Code prohibit kidnapping and selling minors into prostitution respectively for awarding a maximum of ten years imprisonment and fine for this crime. State Government regularly conduct campaign through their welfare departments along with police raid on brothels and sex rackets. Section 8 of the ITPA permits the arrest of women in prostitution.

Worried over increase of women and children trafficking the Government of Odisha framed comprehensive policy to prevent the crime. 'Anti-Human Trafficking Units (AHTUs) are to be set up at Cuttack, Bhubaneswar, Rourkela and Berhampur. Each unit will be headed by DSP rank officers, one inspector and two sub inspectors and six constables will be part of this unit. This unit will look into the trafficking of women and children in respective regions. Other Departments such as Labour Department and Panchayati Raj Department help the Women and Child Development Department to end this crime. These Departments will identify vulnerable areas from where women are trafficking from weak financial background, prone to trafficking would impart training to make themselves economically sound. The Chief Secretary of the State will be heading the state level committee to check trafficking. Then the District Collectors of different districts are asked to look after the rehabilitation of rescued women and children.

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Role of Ashram School in Tribal Education : A Study of a Block in Jharsuguda District

*Indira Garnaik
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Education among tribal is given highest priority for the simple reason that it is key to socio-economic development of the tribal. Education enables them to perform their role to be useful citizen in democracy. Development of the state lies with the development of the backward people who are socio-economically disadvantaged and educationally backward in relation to total population. Education is the cornerstone of development. How much education is successful is evident from the literacy rate. As per 2001 census, literacy rate among tribal population records 37.37% in Odisha as against 47.1% in India, out of which male literacy constitute 23.37% of tribal population.

Literacy of Scheduled Tribe in Odisha

Year	Percentage of literacy		Tribal disparity
	Total	STs	
1961	21.66	7.36	14.30
1971	26.18	9.46	16.72
1981	34.23	13.96	20.27
1991	49.09	22.31	26.78
2001	63.08	37.37	25.71

Source: 2001 census report

The tribal disparity in literacy rate steadily increased from 1961 to 1991 and a marginal decrease was found out in 2001. The pace of improvement in the literacy rate has been very slow as compared to the relatively faster pace of improvement in the literacy rate of general caste. The above disparities need to be bridged. Over the years, various strategies and educational institutions have been increased in tribal areas to strengthen the educational lease of the tribal. One of such measure is the opening of a number of Ashram Schools in tribal areas. These schools are enriched with residential facilities and incentive programmes which are provided under five year plan by the ST and SC Development Department of the State Government operating since 1984-86. These are residential middle schools which function like the general schools in a highly systematic structured framework. It has been established in the Tribal Sub Plan areas. Tribal children have been provided free boarding and lodging facilities in the Ashram Schools. This scheme was originally a centrally sponsored scheme and now operated by the State Government.



The purpose of the Ashram School is to bring about the total development of tribal children with an emphasis on vocational education which can train them to stand on their own legs and become idealistic and selfless independent citizens of the nation. As the schools are residential, it can reduce the incidence of student's absenteeism in school, improve the standard of education at the primary level and reduce the burden of their parents from incurring expenditure on their children's education. Different facilities like school building, playground, and free kitchen, gender teaching material, furniture, dress, books and economic resources have been provided to motivate the tribal children and their parents towards education. Again, by staying in the Ashram School during the crucial years of schooling from five to sixteen years, they will definitely continue their study in the school without dropping from the midway. Above all, an effective socialization can grow among tribal children which will ensure better level of educational attainment among them. Ashram Schools are specially designed to suit children of tribal background to attain better education. Generally Ashram Schools provide education from class I to class VII or class IV or V in certain area.

Objectives of the study:

- a) To investigate the socio-economic background of the students
- b) To evaluate the facilities of Ashram School
- c) To evaluate the performance of students
- d) To evaluate the educational aspirations of the students in the Ashram School.

The problem to be studied:

The researcher has somehow expressed her dissatisfaction about the educational progress of tribal in the Ashram School. A large amount of money has been spent under different five year plans under the head of special education for tribal. A separate department is working for their social security and welfare but these programmes could not make much headway. How far these Ashram Schools are successful to uplift the tribal children? Whether the purpose of education for tribal gets solved by the Ashram Schools? Whether Vocational training is properly provided to them? And so on. In order to answer these questions a systematic investigation is done by the researcher to evaluate the Ashram Schools and suggest some points which will assist Government administrators to get an idea for the successful establishment of these schools and thereby actions can be taken for further programmes.

Strategy of investigation:

The researcher visited about all Ashram Schools in a block of Jharsuguda District, communicated with the teachers, collect data from the headmaster, collect a representative sample of 100 students from different Ashram Schools.

The study was conducted in a block out of the five blocks of Jharsuguda District which comes under the Tribal Sub Plan area. Tribal population in this block constitute 40% of the total population, majority of them reside in rural areas. There is a network of 11 Ashram Schools in this block till today. The beneficiaries of Ashram School include children of Scheduled Caste, Scheduled Tribe, and OBC & General category.



The following table shows the ST beneficiaries of Ashram School:

Name of the School	Class-I		Class-II		Class-III		Class-IV		Class-V		Class-VI		Class-VII		Class-VIII		Total	
	ST		ST		ST		ST		ST		ST		ST		ST		ST	
	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls
Bajari A.S	6	3	2	12	2	17	2	15	2	6	2	20	3	10	-	-	19	82
Kudaloi A.S.	4	4	3	8	3	8	6	14	2	20	6	16	2	24	8	17	34	111
Grindola A.S.	10	5	9	7	11	12	8	29	6	19	0	24	0	16	0	15	44	121
Jorabaga A.S.	9	7	3	3	6	1	9	12	7	7	0	0	0	0	0	0	34	30
Attabira A.S.	2	7	1	6	4	13	2	9	3	13	0	18	0	17	0	0	12	101
Pandari A.S.	2	6	1	8	0	9	2	12	1	16	2	17	0	24	2	21	10	113
Remanda A.S.	3	4	0	3	0	4	3	11	4	12	2	25	6	24	0	0	18	83
Gudiali A.S.	2	4	2	4	1	7	2	13	0	10	0	7	0	3	0	0	7	47
Piplikani A.S.	0	2	1	2	0	8	1	11	0	8	0	15	0	17	1	15	3	78
Chhualiberna A.S.	5	17	7	8	13	15	20	16	33	10	59	31	40	28	0	0	177	125
Dalgaon A.S.	9	2	5	11	6	9	11	15	17	17	43	22	34	12	0	0	125	88

(The report is collected from the Chairman of the Block.)

Ashram School definitely uplifts the poor & deprived tribal children as tribal children are very poor and their parents can not just afford to send their children to school. Sending their children to school is a matter of economics for them which may dislocate their traditional pattern of division of labor. Poverty is a major contributing factor for their educational backwardness. It has been observed that parents of more than 60% children of the Ashram Schools are labourers, 20% are farmers, 10% are employees in the coal mines or Government Servant. Ashram Schools have evolved to cater the socio economic and

educational needs of the tribal children by providing free boarding and lodging facilities. But an assessment of the children's educational expenditure other than fooding and lodging also include expenditure on purchase of note books, reference books and stationeries, dresses for student, money for better treatment in private hospital and traveling from home to school and back to home by the students during holidays and vacation, private tuition fees for various causes like celebration of *puja* and picnic etc. These put economic pressures on parents though these are incidental expenses as viewed by some parents.



The researcher tried to evaluate the dropout rate of tribal children from class wise student's enrollment.

Class	I	II	III	IV	V	VI	VII	Total Ashram Schools
No. of ST stud- ents	113	101	149	223	213	309	260	11

It has been observed that the number of tribal children enrolled is less in number in lower classes and in the higher classes like class V, VI and VII student's enrollment is more. The highest enrollment in class VI is due to the outside students entering in class VI directly with very poor standard. The number of student's decreases in higher class VII. When they entered into high schools they are identified with very poor results. Very few students have secured somehow pass marks in high school examinations.

Some suggestions:

- 1) The existing weaknesses of the Ashram Schools should be promptly tackled by provisions like timely payment of stipend and timely supply of reading and writing materials as per requirement may be ensured, vacancies in teaching and clerical posts should be filled up immediately, infrastructure including library facilities, computer, playground, provision of water, electricity, toilet, cot have to be provided and properly maintained.
- 2) Supplemental, remedial classes and special coaching classes for poor students, involvement of subject expert's technical guidance should be promoted.

- 3) Educational provision through vocational education is needed to be strengthened. Vocational craft oriented education, education on games, sports; agriculture must be imparted to the students. Specially weak students may be promoted in that respect. Vocational training will instill confidence among students and their parents.
- 4) Provision of resource support and capacity building is a major pre-requisite in educational institutions. Maximum exposure to the tribal children can give them opportunity to excel in their skills.
- 5) Massive parental education through adult education can generate awareness and love for education among the tribal.
- 6) Talented tribal children should be identified and nurtured in the field they are interested. Tribal children are very brave and fearless. They should be given spiritual instruction, meditation in the school. Physical exercise, physical training should be imparted regularly so that they can be promoted to join Indian Army and Police and can serve the nation.
- 7) They will be promoted in games and sports they can do better. The researcher found out one tribal boy is excellent in archery without training in the Ashram school. If he will be given proper training he can be a national / international level player like Dilip Tirkey of Sundergarh district.
- 8) As the name "Ashram" suggests a powerful symbol throughout Hindu society where the Hindu Kings entered in 'Gurukul' to learn the art of warfare with education, the modern Ashram school should be



maintained in this way in a natural surrounding by giving value best education to create brave, faithful jawan 'Hero' for future whose potentialities can be best utilized for the nation. They will be the valuable human resources of our country.

- 9) Teachers should motivate the tribal students in education in school and conduct regular examination, review of examination results, career counseling of students, select the weak students and give them special care to uplift in educational sphere.
- 10) Primary education and proper evaluation of primary students is essential to get them admitted to the high school. Otherwise they will find it difficult to cope up with the high school syllabus.
- 11) Teachers and students should be made free from hostel management and concentrate more on studies and extra coaching and remedial classes.

Above all, firm determination with dedication of the teachers, government and community can make the Ashram school a role model like 'Shantiniketan' which can give sight to the educationally impaired, backward tribal children and empower the tribal to look at their problem in civil societies.

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Nay, Never Such A Death

*Original Poem - Nityananda Mohapatra
Translation - Dr. Ramakanta Rout*

I see there the belly and back equally thin in hunger
But the body fattens gathering ample flesh there
The last breath of life struggles in trembling ribs there
Here the feast of wine and woman in the perfumed parlour
There burn hundred lamps with the fuel of hunger
The varied coloured lights richly decorated here
The poor lives worth a mere penny there
But lives are measured in pearls and gems here
There the flesh and blood eaten up by fever, thirst and hunger
All along the lust of luxury and liquor are here
There the temple of Konark breaks down, uncared for
But here the God less pompous palaces glitter
There with the hungry crowd the Death procession is on
Here the Time's Virus tatters heart -flower-vase and torn.

Life lives there amid ailment, hunger and thirst
But here the coward Death to enter does hesitate
I, ere crossing the Bar, lie in the cross - road of Twos
I prefer rather that Death, nay never this, never this

[Indian Poetry - 1954 -55]

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Mahatma Gandhi's Dreamt India

Ankit Swain

Introduction

"Generations to come will scarcely believe that such a man as this in flesh and blood walked upon this earth."

These golden words by the great scientist, Albert Einstein referred to the only Mahatma on the earth - Mahatma Gandhi. If philosophy is wisdom then Mahatma Gandhi was our foremost philosopher. He had the wisdom of Socrates, the humility of St. Francis of Assisi, the mass appeal of Lenin, the saintliness of ancient Indian Rishis and above all the profound love of Buddha our Motherland India has given birth to a million of brave hearts and sacred minds who have relentlessly laid down their efforts and sacrificed their needs for the call of her. Mahatma Gandhi's name remains atop of this glorious pyramid. Mahatma Gandhi was considered as the father of Indian independence movement. While in India his obvious virtue, simplistic lifestyle endeared him to the people. Mahatma Gandhi was the epitome of humanism on this earth. Mahatma Gandhi had the dream of an ideal India - his dreams of India where he described India a nation, where all people irrespective of caste, creed, gender etc. will peacefully co-exist together.

Constituting India into a Gandhian Republic

After our Independence India was constituted into a "secular, democratic republic." By the 42nd Constitutional amendment of 1975, India was further constituted into a sovereign, socialist secular democratic republic. But it is a matter of shame rather than fame that the thinking which was written in our preamble and the Constitution remains elusive till today.

Mahatma Gandhi was once saying that "We should wipe away tears from every eye." We should be messengers of peace for our country and we should work and die for our country. Gandhiji's these ideas were constituted into a small idea and philosophy named "Gandhian Republic."

Some of the objectives or approach of the Gandhian republic are listed below :-

- (i) The administration of the state or nation should be decentralised and each district must have equal and every autonomy.
- (ii) The elections at every step should be the sole responsibility of the Election Commission. The Vigilance should look after the legislative, executive and judiciary affairs.
- (iii) The Election Commission, the Vigilance, the Legislative, the Executive and the Judiciary and a Free Press should be the pillars of the democracy.
- (iv) The economic policy should be in such a way that it should support the holistic development of the people of India and should be distributed equally among the society for its upliftment.

Mahatma Gandhi wanted to see India among the top countries of the world. After the Independence, Gandhi came out of the Indian National Congress (INC) and advised it to be social



service organisation working for the upliftment of the people. He even drafted a Constitution for the Lok Sevak Sangh. But the ever-hungry politicians were hungry for power in such a way that they did not pay heed to his advice and neglected it.

Gandhiji dreamt of such an India where every category of people - the rich and the poor, the Brahmins and the Shudras should live life together. There should be no discrimination in any sphere. Every people of India should feel it as their country. He dreamt of an India where there should be no political instability, no gender contradiction, every woman could walk freely in the midnight, no business of intoxicating drugs and drinks etc. He was in a view of an India which would be the centre of attraction of each community on earth.

Gandhi's Ideas on a Good Nation

Gandhi wanted a stabilised nation. Some of his approach for a good India were as follows :

JUSTICE; Social, economic and political

LIBERTY; of thought, expression, ideas and belief

EQUALITY; of status and opportunity and to promote among them all

FRATERNITY; of dignity of an individual and the integrity of the nation or the country.

Gandhi promulgated the ideas of Ahimsa (non-violence) and Satyagraha (fight for truth). Some of his ideas regarding these were :

- (i) Never hurt anyone.
- (ii) Be kind to your enemy.
- (iii) Do not tend to violence.
- (iv) Never be angry on your opponent, rather accept his anger.
- (v) Be sympathetic on the sufferings of your opponent.

Thus, for making the dreamt India of Mahatma Gandhi, there is no need of any drastic change in the constitution, rather only few amendments need to be made in it.

Conclusion :

"There should be complete harmony in the thought, word and deed of any human being and then only a country will function well."

This is what Gandhi once wrote in his "Young India" which shows how he was cared for the holistic development of the nation. He gave the world the precious values of Ahimsa and Satyagraha. Gandhi was truly a fountainhead of inspiration in the country. He fought for freedom and liberty of individual. According to him, "the greatest freedom should be occupied by the fraternity and humility." In India, there should be no violence, discrimination, no instability - only then can be realised the true dreams of Mahatma Gandhi and a Gandhian nation full of values and virtues can be established.



As I know Mahatma Gandhi

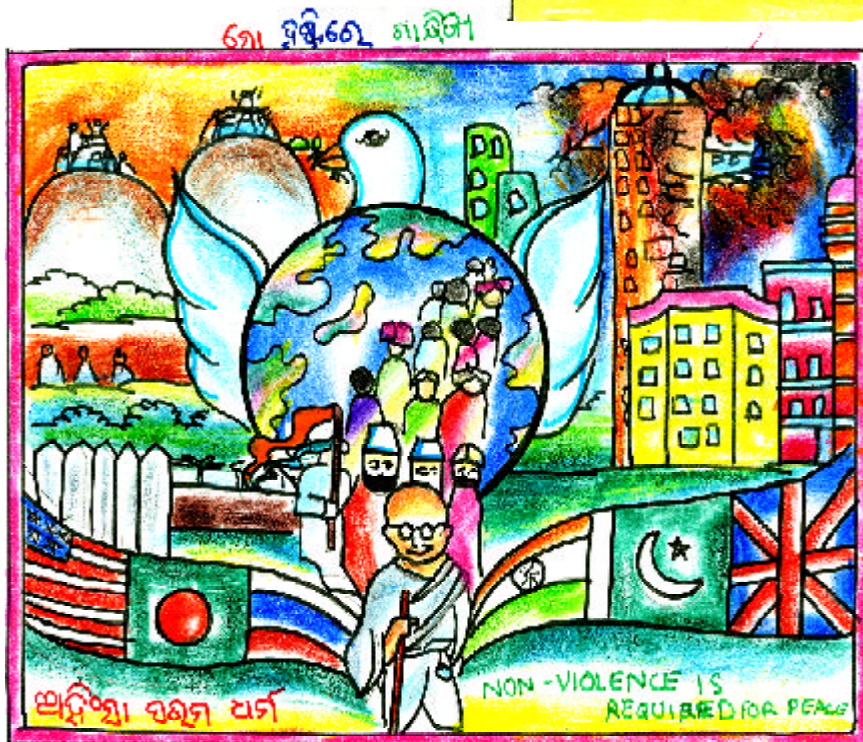
Komal Pati

‘Mohandas Karamchand Gandhi’ popularly known as ‘Mahatma Gandhi’ was born on 2nd October 1869 in Porbandar, Gujarat. His father was advisor of the local king of Rajkot where he did his schooling. His father died before he could finish his studies. He at the age of thirteen married Kasturba. Later in 1888 he sailed to England and decided to pursue the Degree in Law and left his son and wife in India. It was in South Africa where he first coined the word Satyagraha when he was the head of Indian community in South Africa. Gandhiji returned to India in early 1915 and never left the country but only for a short trip in 1931 he went to England. Gandhiji didn’t know India so well, on the advice of his political teacher Gokhale he explored India. After the disturbance in ‘Panjab’ i.e. the Jallianawalla Bagh massacre he wrote a letter to the head of Punjab community and entered the freedom struggle. On March 12, 1930 he and some of his followers set up a march to Dandi. They reached there in April and Gandhiji picked up a lump of natural salt showing a hundreds and thousands of more people to break the British law of monopoly on production and sale of salt. Gandhiji over the next few years struggled for the Hindu-Muslim relationship in India. The British created misunderstanding between these two communities and this led to violence and bloodshed. He took up fasts whenever there was a Hindu-Muslim riot. Gandhiji always followed the path of truth and non-violence which helped him to make India free from British rule. During all these rallies, assemblage and fasts he was many times imprisoned and hundreds of people who were his followers were also imprisoned. When Gandhiji and Kasturba came to live in a palace of Pune after a few months Kasturba died. This was a great blow to Gandhiji and he was shocked. He always believed not to speak bad, not to talk bad and not to hear bad. These three things were shown by three monkeys which he kept at the entrance of Sabarmati Ashram so that whoever comes inside will see the statues first. He always did his own work by himself. He even spun the thread by a Charkha and wore the dress made out of it which he advised all to do. He took a rally and spread the words that not to use the foreign goods and foreign clothes. Many British properties were set on fire by thousands of his followers. He soon made the last call for Independence of India and said everyone to sacrifice their lives, if necessary for the freedom struggle. He coined the phrase ‘Do or Die’ for the people and also said the British to leave India as quickly as possible. When the time of Independence came on 15th August 1947 he was nowhere to be seen in the Capital but Nehru and the others who were present saluted him as the architect of Independent India and the father of our nation – The last few months of his life was spent in Delhi. On 30th January 1948 at 10 minutes past 5 o’clock he went to the garden where the prayers were to be held. This was the place where Nathuram Godse assassinated him. This was a terrible thunderstorm for the whole country and all the political leaders.

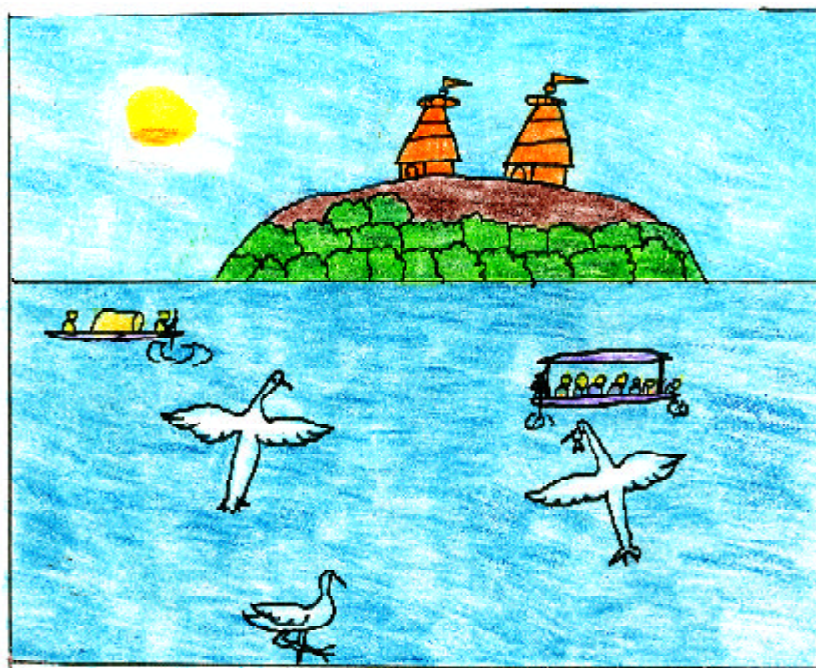
Komal Pati, Class - VI, D.A.V. Public School, Unit-8, Bhubaneswar
1st position in Jr. Group Essay Competition.



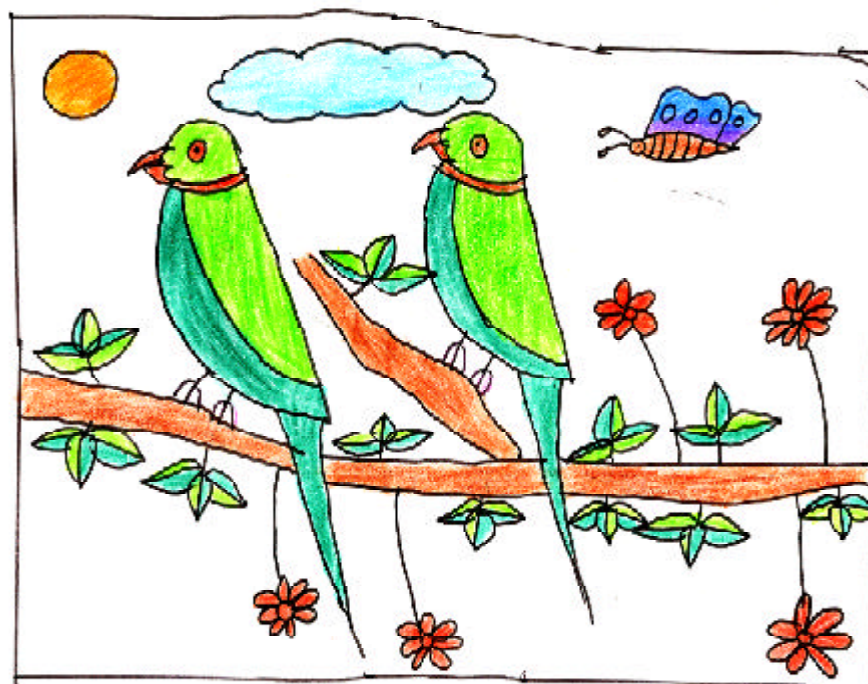
Adrija Bhuyan, Std. III, 'A',
St. Joseph's Girls' High
School stood 1st in the
drawing competition in
junior group.



Jyotishman
Mohanty, Std. IV,
D.A.V. Public
School, Unit-VIII,
Bhubaneswar stood
1st in drawing
competition in
junior group.



Sarthak Sarangi, Class-I, B.J.E.M. School - I, Bhubaneswar stood 1st in drawing competition in sub-junior group.



Muskan Pani, Class-I, 'A', St. Xavier's High School, Khandagiri, Bhubaneswar stood 1st in drawing competition in sub-junior group.