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## Social Issues

Date  
8/9/2020

Topics → Children issues - Child Labour, JJ Act,  
~~Posco~~, Globalisation - Effects on Indian Society  
POCSO

## # Types of Regionalism

1. Demand for state Autonomy
  2. Supra State Regionalism
  3. Inter state Regionalism
  4. Intra state Regionalism  
eg → Gorkha Land.
- eg. Mizo National front }  
Asom ~~Gana~~ Parishad.]

\* Asom Gana Parishad is example of Demand for state Autonomy.

\* Water dispute is example of inter state Regionalism

## # Separate Flag Issue

+ Flag Code of India Act 2002

→ Parliament has framed legislation regulating the hoisting of National flag.

(i) Emblems and Names (Prevention of Improper Use) Act 1950

(2)

## (ii) Prevention of Insults to National honour Act 1971

Even the flag code 2002 or Flag code of India 2002 does not prohibit a state from having a separate flag. Having a separate flag is not anti to national integration on the contrary, a separate flag would strengthen the federal structure by giving it a form of diversity with specific identity. Even the defence forces have got their own flags which they regularly use in their official functions.

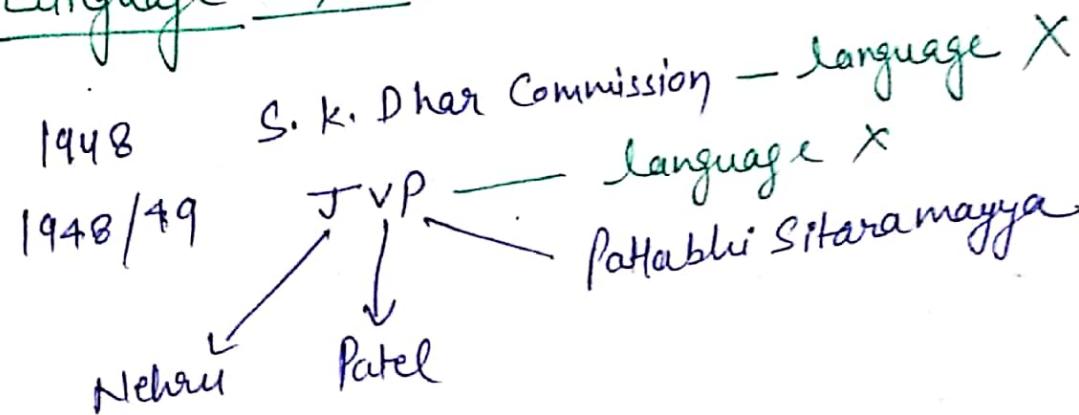
Note \* US having different flags for different states.

### Negative

Despite being a federal republic, India was conceived as Union of states, therefore these units can not aspire to have a distinct political symbol. That conflicts with national political symbols. The markers of cultural diversity are already given suitable representation. It would likely lead to sub-nationalism.

- This would weaken the idea of ~~unity~~ <sup>unity</sup>.
- It may lead to ~~secessionist~~ tendencies.
- It would give us another symbol to fight on.
- It may not reflect the aspiration of everyone.

### Language Issue



1952 - Potti Sriramulu  
 { He fasted for 52 to 53 days and die for  
 to setup a state on language bases.  
 Andhra Pradesh is the first state on the  
 basis of language?

1953 - fazl Ali Commission - 1955-

↳ state on the basis of language.

for  
 language Article 343 - 351

(4)

### S. K. Dhar Committee

language criteria can not be the criteria of the states

JVP Committee - language can not be criteria for the state.  
It did ~~accept~~ accept strong sentiments towards linguistic state.

Language can be the criteria provided administrative and Geographical convenience are kept in mind.

[ Munshi Ayngar formula - 1949  
Hindi is official language, English is official language for 15 years.]

[ Official language Act 1963, Amended in 1967 ]  
English to continue as official language  
Nehru had given assurance that English could not be substituted by Hindi, until the non-Hindi people desired for a change..

- Spoken by Maximum Number.
- A National language would bring more unity.

### Issues

- ⇒ Language is being thrust.
- ⇒ North Indian would be placed at an advantage over the others and that would be wrong.
- ⇒ Over enthusiasm would harm India.
- ⇒ Almost all the scientific knowledge is available in English.

### Example

Sinhalese was also being thrust on to the Tamilian.

Since 1948-1952 Urdu was made compulsory in Eastern Pakistan.

### Way forward / Solution.

- Voluntary Approach
- Enrich the language
- Create original content
- Promote other language also
- Respect diversity.

A Quintance with difference language and dialects  
Enriches the power and expression of an individual  
or society?

⑥ When attempts are made to make a language dominant over the other language, It would adversely affect the ~~creativity~~<sup>creativity</sup> and would destroy the linguistic heritage.

Saurashtra → the movement was initiated in the early 70's and the main focus was under development.

Vidarbha The state reorganisation commission

recommended the creation of Vidarbha state with Capital of Nagpur.

Gorkha Land → The demand for a separate administrative region has existed since 1907, where, when Hillman association of Darjeeling submitted a memorandum to Morley - Minto, Reforms committee.

The movement for a separate state of Gorkha land gained serious momentum during 1980.

Linguistic Homogeneity has not proven to be effective in keeping the states integrated.

Developmental factors appears to be the main demand for a new state. Smaller states means key-decisions will be taken closer to the ground.

Politics can be much more focused when the administrative area and population are of

Managed Proportion.

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Diversity is not only about language but economic and cultural diversity to Nizhalbha is different than the western maharashtra or Mumbai region.

Resources can not be efficiently allocated when there is so much of diversity since power structure so created will hijack them for their own end.

Unless there is substantially better governance,  
There is no guarantee and new political entity  
will lead to better economic development.

### Initiatives taken

- Constitution has provision of constituting new state, merging and division of states.
- 5th & 6th scheduled
- Panchayat Raj Institutions.
- Inter state Council
- Zonal Council
- NITI Aayog for cooperative federalism
- Ek Bharat Shrest Bharat.

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## Suggestive Measures

- Electoral Reform
- Daring aware with the regional imbalances
- Check on resolute political parties.
- Spread awareness and education
- Appeal through Mass Media
- Centre must not interfere in the internal affairs of state unless it is unavoidable in the National interest.

During National movement we find that regional aspirations were very strong among the people.  
eg: In Lucknow Session it was decided that the future of India is to develop a confederation where maximum autonomy would be given to different provinces.

Therefore, ~~Rises~~ rises of Indian state has always respected to the regional affinity, identity of people in Indian society. Regional interest and National interest coexisted, even during Nationalist movements. Small is beautiful but to small is divisive. If regionalism is device, disintegrative. If regionalism is negative we have to counter it. If regionalism is about pride, diversity, political participation, talking

Inclusiveness which strengthen the Indian Democracy  
we have to appreciate child.

Secularism A separation of state from religion.  
formation of India is secular. Indian secularism arose in context of deep religious diversity. Diversity of faith, spread of coexistence, accommodation, tolerance are essential features of Indian Society. Therefore secularism as practiced by ~~west~~ is different form of secularism as practiced in India.

# S.R. Bommai Committee

→ Secularism is basic structure 1949.

Article 51-A, (e), (f), (h)

Indian Secularism	West Secularism
1. All religions are treated equally.	1. Lack of interest / concern.
2. Special protection to religious minorities.	2. West does not go to this interest.
3. AID religious Institution	3. Does not aid any religious Institution
4. Personal laws are different.	4. Same laws for everyone.

(10)

5. Protects religious diversity | Does not talk about religious diversity.

### Questions

1. What is the bases of regionalism? Is it that unequal distribution of benefit of development on regional basis. Eventually promotes regionalism?  
~~substance~~ your answer.
2. Discuss between religiousness and communalism giving one example of how the former has got transformed in the latter in Independent India.

## Children Issues

### Protection of Children from Sexual offence Act 2012 (POCSO)

Crimes against minor increased more than 500% between 2006 and 2016. (sexual offence 800%). As per CRY (Child Rights & You) one child is sexually abused every 15 minutes in India.

UP - 15%.

MH - 14%.

MP - 13%.

#### Aggravated Penetrative Assault

- Minimum 20 year, death penalty also.
- If done by person who is in position of trust.
- Injurious to the sexual organ of child.
- Child become pregnant
- Communal or sectarian violence.

Bodava J. Village Girval

Hormone injection is given to girl child in these village, for maturing early.

#### Disha Act

Punishment within 21 day for the sexual offence.

(12)

added in 2019

If the child dies, committed during natural calamity or similar situation of violence.

### Aggravated Sexual Assualt

If given Hormonal or chemical substance to attain early sexual maturity.

Other provision : it is gender neutral law.

→ Consent of the child is irrelevant.

[In 2017 a survey was done by women & child development ministry with United Nation which reported that more than 50% of sexual offences are done on boys.]

- Reporting of the abuse is mandatory
- The statement to be recorded as spoken by the child in her residence or wherever she is comfortable, as far as practicable by a women police officers not below the rank of subinspector who is not wearing a uniform.
- During medical examination the child should be with parents or with the person whom the child trusts.

## # POCSO Rule 2020 ( Preventive in nature)

- ⇒ It talks about awareness generation ( Good touch / bad touch )
  - ⇒ Age appropriate curriculum
  - ⇒ ~~It is mando~~
  - ⇒ All the teachers and staff to have their background checks
- ( 89% of the cases are still pending in the court ).

## # Disha Act

Original name - "Andhra Pradesh Criminal law Amendment Act 2019"

It provides death penalty for Rapist.  
7 days for investigation, 14 days for trial.

## # Criminal law Amendment Act 2018

Capital punishment for Rape of under 12.

If it is rape - 20 Years punishment.

If it is gang rape - min<sup>n</sup> Death punishment.