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THE ABYSS OF RELIGIOUS EXTREMISM

Relevant for: Indian Society | Topic: Regionalism, Communalism & Secularism

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Police security at a damaged church in Jaranwala, Pakistan | Photo Credit: AFP

The horrific visuals of [burning churches in Faisalabad](#), Pakistan, that went viral last month reconfirmed the rapid descent of the country into the abyss of religious extremism. At last count, 21 churches, dozens of Christian homes, and hundreds of Bibles had been sacrilegiously torched.

This horrendous barbarity was allegedly perpetrated by the extremist group, Tehreek-e-Labbaik Pakistan (TLP) on the basis of the rumour that torn pages of the Koran with blasphemous words scribbled on them were found near a Christian colony. Shockingly, this disinformation was diffused through mosque speakers.

The situation was redeemed to some extent after several Pakistani clerics mustered the moral courage to condemn the violence. The chairman of the Pakistan Ulema Council Tahir Mahmood Ashrafi, in a televised press conference, apologised with folded hands to the Christian community.

He said, “We are ashamed; we seek forgiveness (hum sharminda hain; hum ma’afi ke talabgaar hain).” Another cleric, Mufti Taqi Usmani, called the burning of churches as “highly condemnable (intihaa’i qaabil-e-muzammat).”

Editorial | [In the name of god: On how dangerously sectarian Pakistan is](#)

The incoming Chief Justice of Pakistan, Justice Qazi Faez Isa, for his part, sent out a strong message to the biased judiciary of his country by personally distributing food packets to the Christians of the violence-hit Jaranwala tehsil in Faisalabad district. He put the onus on common Muslims to protect non-Muslims and their places of worship from the extremists.

In stark contrast, only a handful of Indian clerics came forward to condemn the church burning — Muhammad Rahmani of the Abul Kalam Azad Islamic Awakening Centre, Waris Mazhari, Abdul Khaliq Nadwi, and Mufti Athar Shamsi of the Kairana-based Al-Quran Academy.

Hardly any Muslim political party, “public intellectual”, or religious organisation barring the Jamat-e-Islami Hind denounced the anti-Christian violence. Their cold aloofness is unreasonable and callous because in 2017, the Jamiat Ulama-e-Hind (JUH) had reportedly displayed its humanitarianism by seeking permission from the Home Minister of India and the

Bangladesh government to carry relief material to the camps of Rohingya migrants in Cox's Bazar and even "build a colony for the Rohingya Muslims".

Therefore, it would be unfair and unIslamic if prominent Muslim organisations such as the JUH and All India Muslim Personal Law Board remain silent now on the anti-Christian violence in Pakistan. Their passivity has the potential to aggravate the distrust between Muslims and non-Muslims and would snatch away their moral right to champion the cause of Muslims in India.

In one of the most powerful statements in human history on justice, the Koran (in 4:135) categorically commands Muslims to be honest testifiers of truth and unswerving establishers of justice (*koonu qawwameena bil qist*) even if it goes against themselves, their parents, close relatives, or anybody irrespective of their social, relational or financial status (*wa lau ala anfusikum awil waalidayni wal aqrabeena in yakun ghaneeyan au faqeeran*).

And in the context of religious violence, the Koran warns (in 22:40) that if peace-loving people do not repel (*daf'u*) rampaging mobs, it would result in the destruction of monasteries, churches, synagogues and mosques in which god is commemorated in abundant measure (*lahuddimat sawaamiyu wa biya'un wa salawaatun wa masaajidu yuzkaru feeha usmullahi kaseeran*).

To paraphrase Scott Fitzgerald, if most Muslim societies find themselves wrecked on the shoals of intolerance it is because, over the centuries, supremacist theologians allowed the life-affirming teachings of the Koran to be overridden by sectarian edicts, thus inculcating a sense of negativity towards non-Muslims.

For instance, a fatwa issued by Saudi cleric Muhammad bin Salih al-Uthaimeen warns that "it is not permissible for anyone to believe that a religion other than Islam is permissible, that it is allowed for a person to worship by it... if he believes this, then the scholars have declared that he is a disbeliever, who is outside the pale of Islam" (Fatawa Arkan-ul-Islam, p.292).

The obdurate mindset behind such fatwas refuses to realise that freedom of religion is one of the fundamental doctrines of the Koran which (in 2:256) states that "there shall be no compulsion in religion" (*laa ikraaha fid deen*).

Caliph Umar put this injunction into practice when he assured the people of Jerusalem that their "churches will not be inhabited [by Muslims] and will not be destroyed. Neither they, nor the land on which they stand, nor their cross, nor their property will be damaged. They will not be forcibly converted" (The History of al-Tabari, Volume 12, translated by Yohanan Friedman, pp191-192).

Therefore, the few courageous Muslim clerics who condemned the attacks on Christians in Pakistan must realise that the Muslim world has reached a stage where mere condemnation of extremism is not enough. What is needed is a complete re-evaluation of Muslim theology to bring it in consonance with the humanitarianism of Islam's locus classicus — the Koran.

To begin with, hadiths and fatwas that violate the letter or spirit of the Koran should be questioned and disregarded on the basis of the axiom that humanly-authored books cannot countermand the book of God. There can be no better way of telling the world that extremism of the kind displayed by Pakistani mobs is not rooted in the Koran or the authentic teachings of the Prophet.

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IN A HISTORIC ACHIEVEMENT FOR GENDER EQUALITY, WOMEN EMPOWERMENT AND WOMEN-LED DEVELOPMENT, THE G20 NEW DELHI LEADERS' DECLARATION 2023 HAS INCORPORATED THE CHAIR'S STATEMENT WHICH WAS ADOPTED AT THE G20 MINISTERIAL CONFERENCE FOR WOMEN EMPOWERMENT IN GANDHINAGAR

Relevant for: Indian Society | Topic: Women Issues

G20, under the Indian Presidency, has been inspired by the vision of the Hon'ble Prime Minister, Narendra Modi, of an Amritkaal where Nari Shakti (the power of women) is celebrated in all spheres of the economy and society. Building on this vision, India's G20 Presidency has shifted the focus for the first time from women's development to women-led development.

In a historic achievement for gender equality, women empowerment and women-led development, the G20 New Delhi Leaders' Declaration 2023 has incorporated the Chair's Statement which was adopted at the G20 Ministerial Conference for Women Empowerment in Gandhinagar on 2nd - 4th August 2023.

The G20 New Delhi Leaders' Declaration 2023 focuses on 'Enhancing Economic and Social Empowerment', 'Bridging the Gender Digital Divide', 'Driving Gender Inclusive Climate Action' and 'Securing Women's Food Security, Nutrition and Well-Being'.

Most importantly, the Leaders of the G20 agreed to the creation of a Working Group on the empowerment of women to support the G20 Women's Ministerial which will convene its first meeting during the Brazilian G20 Presidency. This commitment by G20 Leaders is truly a reflection of the Hon'ble Prime Minister of India's consistent support for gender parity and gender equity which has helped G20 countries reach this milestone.

India's collective and unwavering dedication to championing 'Gender Equality and Empowering All Women and Girls' has now secured a firm place within the G20 New Delhi Leaders Declaration 2023. This would not have been possible without the active involvement and support of G20 leaders, delegates, speakers and representatives from G20 countries and guest countries viz. Argentina, Australia, Brazil, Canada, European Union, France, Germany, Indonesia, Italy, Japan, Mexico, Republic of Korea, Saudi Arabia, South Africa, Turkiye, United Kingdom, USA, Bangladesh, Mauritius, Netherlands, Nigeria, Singapore, Spain, Oman and UAE, through the course of the Indian Presidency, across the W20 engagement group, EMPOWER initiative and Ministerial Conference on Women Empowerment (MCWE).

The Ministry of Women & Child Development extends its congratulations to all members of Women 20 and G20 EMPOWER for the successful outcomes under their respective engagements which were duly reflected in their communiqués and which in turn, have found place in the 'G20 New Delhi Leaders Declaration 2023'. With its focus on women-led development, India's G20 Presidency became a torchbearer for progress for women empowerment worldwide, with six in-person international conferences and 86 virtual international meetings focusing on issues of gender equality. These include G20 EMPOWER and W20 meetings chaired by Dr. Sangita Reddy (Joint Managing Director- Apollo Hospitals

Group) and Dr. Sandhya Purecha (Sangeet Natak Akademi awardee) respectively. MWCD expresses appreciation for the efforts of State Governments, Central Ministries, NIFT, Knowledge Partners especially UN Women, FICCI, CII and others who partnered with the Ministry on the theme of Women led Development and in the organization of the various international events and exhibitions.

Local artisans, craftspersons, women in unconventional areas and women entrepreneurs who showcased their products, skills and services through exhibitions at in-person international conferences and panel discussions gave much of their valuable time and efforts, for which the Ministry of Women and Child Development expresses sincere appreciation.

Under the leadership and desire of Hon'ble Prime Minister Shri Narendra Modi to make G20 a People's Presidency, Jan Bhagidari or Citizen's engagement became a hallmark of India's G20 Presidency. MWCD applauds the enthusiastic engagement of over 300,000 citizens, who were engaged through Janbhagidari events ranging from walkathons to flash mobs. The events showcased Women-Led Development and women community leaders, artisans, Self Help Groups, SMEs, corporates, and business entities from various states played an active part to make India's G20 Presidency a truly people's event.

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HINDUS HAVE TO GIVE SANATANA DHARMA PROFUNDITY

Relevant for: Indian Society | Topic: Regionalism, Communalism & Secularism

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Tamil Nadu minister Udhayanidhi Stalin is welcomed by supporters at Paramakudi in Ramanathapuram district. | Photo Credit: PTI

Babasaheb Ambedkar's *Annihilation of Caste* contains hard-hitting critiques of Hinduism. He writes, "I have... no hesitation in saying that such a religion must be destroyed, and I say there is nothing irreligious in working for the destruction of such a religion." Was that a call to eliminate Hinduism? No. He was targeting the Hinduism that is practised thoughtlessly, controlled by a select group, and is casteist at its foundation because he also goes on to suggest ways in which Hinduism can be reformed.

Many from Brahminical castes believe that caste is a natural social order based on occupation and an inherent feature of Hinduism. The progressives among them call for an end to the violence perpetrated around caste, not caste itself. They tie themselves up in knots trying to explain the differences between *varna*, *jati*, and caste, while ignoring history and reality. To them, Ambedkar's words, read alongside his other frontal attacks on Hinduism, would have been, and remain, offensive.

How any strong criticism of a thought or idea is comprehended depends on the environment, place, time of utterance, and its interpretation. Some among those who are today accusing Tamil Nadu Minister Udhayanidhi Stalin of demanding the end of their belief system have been comfortably appropriating Ambedkar who once said, "I will not die as a person who calls himself a Hindu." Ambedkar did not mean that he was a believer at any point of time. But he was a member of Hinduism's ugly social order because of the accident of birth. Before he died, he gave up that membership.

The [expression 'Sanatana Dharma' today](#) is used as a synonym for Hinduism, its ritualistic and philosophical practices, and sometimes as an umbrella term that encompasses all the religious and spiritual traditions of pre-Islamic ancient India. These overarching usages are new. That these have been propagated mainly by Brahminical sections is also undeniable. Meanings are not constant; they are added, deleted, built upon, twisted, overturned. The import of a word also changes with place, time, context, and reason. This is true of Sanatana Dharma too. I grew up in a Brahmin home where most religious functions of the caste were conducted. I learned *shlokas* and verses from the Vedas and Upanishads. Stories from the Puranas and epics were part of my upbringing. I was not told that this faith was Sanatana Dharma. It was Hinduism to me. Some

would call it Brahminism, not Hinduism. That too would be accurate.

The term Sanatana Dharma was mainly used by seers and scholars at theological or spiritual lectures, or within deeply ritualistic circles. These individuals also mainly belonged to and catered to Brahminical sections. Pious non-Brahminical Tamils do not call themselves *sanatanis*. They worship Mariamman, Kamatchi, Siva, Muruga and other dieties and see themselves as part of the Hindu *madham* (faith or religion). So, the general usage of this term as a synonym for Hinduism is duplicitous.

Over the past century, and more so in the recent decades, Hindutva extremists have weaponised the term Sanatana Dharma. The meanings that they have given to this phrase is what has led to the pushback. Sanatana Dharma has not been used as a compassionate, welcoming, and introspective phrase. It is used to offend, or in a self-congratulatory manner to prove that it is better, older, and more sophisticated than every other way of believing. The words Sanatana Dharma and Hindutva have been coupled by the Hindu right wing. Many who spout these words carry out attacks on Muslims, Christians, and Dalits. But the blame does not lie only with the perpetrators of these specific crimes. Those who use political, religious, spiritual, and social platforms to instigate them must take responsibility. This kind of Sanatana Dharma is expressly a tool for discrimination.

There are those who defend this term who refuse to recognise their own casteist nature. RSS chief Mohan Bhagwat recently said, "There has been a history of social inequality in our society. We kept our own people backward based on a social system. Even when their life became akin to animals, we didn't bother. And this continued for at least 2,000 years. So as long as this discrimination exists, reservation must continue." But he speaks of caste discrimination only in relation to reservation. Where is the acknowledgement that caste is a living evil that needs to be annihilated? Every caste-privileged Hindu must recognise their own instilled 'casteness', and change. There are Hindu pontiffs and spiritual seekers who continue to justify *varna*. There is no critical examination of the texts or calling out of caste discrimination, which is established and propagated by textual and practical methods.

Many spiritual commentators address individuals with caste privilege, but never force them to recognise their own bigotry. Those who now claim that Sanatana Dharma encompasses all Hindus distance themselves from caste violence which originates from someone belonging to another caste. They do not accept any responsibility for the actions of their *sanatani* brethren.

Those desirous of protecting Sanatana Dharma must realise that people from within the Hindu faith have to work towards giving it profundity. As Ambedkar said, "Hindus must consider whether the time has not come for them to recognise that there is nothing fixed, nothing eternal, nothing *sanatan*; that everything is changing, that change is the law of life for individuals as well as for society." He was not referring to cosmetic changes, but demanding a philosophical churn.

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WOMEN'S RESERVATION BILL 2023 [THE CONSTITUTION (ONE HUNDRED TWENTY-EIGHTH AMENDMENT) BILL, 2023]

Relevant for: Indian Society | Topic: Women Issues

The 73rd and 74th Amendments passed in 1993, which introduced panchayats and municipalities in the Constitution, reserve one-third of seats for women in these bodies.^{[1],[2]} The Constitution also provides for reservation of seats in Lok Sabha and state legislative assemblies for Scheduled Castes (SCs) and Scheduled Tribes (STs) in proportion to their number in the population.^{[3],[4]} The Constitution does not provide for reservation of seats for women in the Lok Sabha and state legislative assemblies. Some members of the Constituent Assembly had opposed reserving seats for women in legislatures.^[5]

15% of the total members of the 17th Lok Sabha are women while in state legislative assemblies, women on average constitute 9% of the total members. In 2015, the Report on the Status of Women in India noted that the representation of women in state assemblies and Parliament continues to be dismal.^[6] It noted that decision making positions in political parties have negligible presence of women. It recommended reserving at least 50% seats for women in local bodies, state legislative assemblies, Parliament, ministerial levels, and all decision-making bodies of the government.⁶ The National Policy for the Empowerment of Women (2001) had stated that reservation will be considered in higher legislative bodies.^[7]

Bills amending the Constitution to reserve seats for women in Parliament and state legislative assemblies have been introduced in 1996, 1998, 1999, and 2008.^[8] The first three Bills lapsed with dissolution of their respective Lok Sabhas. The 2008 Bill was introduced in and passed by Rajya Sabha but it also lapsed with the dissolution of the 14th Lok Sabha. The 1996 Bill had been examined by a Joint Committee of Parliament, while the 2008 Bill was examined by the Standing Committee on Personnel, Public Grievances, Law and Justice. Both Committees agreed with the proposal to reserve seats for women. Some of the recommendations given by the Committees include: (i) considering reservation for women belonging to other backward classes at an appropriate time, (ii) providing reservation for a period of 15 years and reviewing it thereafter, and (iii) working out the modalities to reserve seats for women in Rajya Sabha and state legislative councils.^{8,[9]}

The Constitution (One Hundred and Twenty-Eighth Amendment) Bill, 2023 was introduced in Lok Sabha on September 19, 2023. The Bill seeks to reserve one-third of the total number of seats in Lok Sabha and state legislative assemblies for women.

Key features of the Bill

- **Reservation for women:** The Bill reserves, as nearly as may be, one-third of all seats for women in Lok Sabha, state legislative assemblies, and the Legislative Assembly of the National Capital Territory of Delhi. This will also apply to the seats reserved for SCs and STs in Lok Sabha and states legislatures.
- **Commencement of reservation:** The reservation will be effective after the census conducted after the commencement of this Bill has been published. Based on the census, delimitation will be undertaken to reserve seats for women. The reservation will be provided for a period of 15 years. However, it shall continue till such date as determined by a law made by Parliament.

■ Rotation of seats: Seats reserved for women will be rotated after each delimitation, as determined by a law made by Parliament.

Issues to Consider

The issue of reservation of seats for women in legislatures can be examined from three perspectives: (i) whether the policy of reservation for women can act as an effective instrument for their empowerment, (ii) whether alternate methods of increasing representation of women in legislatures are feasible, and (iii) whether there are any issues with the proposed method for reservation in the Bill. The analysis in this section is largely based on our earlier Brief published on the 2008 Bill.^[10]

Purpose of reservation

If a group is not represented proportionately in the political system, its ability to influence policy-making is limited.⁸ The Convention on the Elimination of All Forms of Discrimination Against Women provides that discrimination against women must be eliminated in political and public life.^[11] While India is a signatory to the Convention, discrimination in matters of representation of women in decision-making bodies has continued.⁸ The number of women MPs has increased from 5% in the first Lok Sabha to 15% in the 17th Lok Sabha; but the number continues to be quite low. A 2003 study about the effect of reservation for women in panchayats showed that women elected under the reservation policy invest more in the public goods closely linked to women's concerns.^[12] The Standing Committee on Personnel, Public Grievances, Law and Justice (2009) had noted that reservation of seats for women in local bodies has enabled them to make meaningful contributions.⁹ It also noted that concerns regarding women being proxies to men in local bodies have turned out to be baseless. The Inter-Parliamentary Union (2022) has noted that legislated quotas have been a decisive factor in women's representation.^[13]

Opponents of the reservation policy argue that separate constituencies for women would not only narrow their outlook but lead to perpetuation of unequal status because they would be seen as not competing on merit. For instance, in the Constituent Assembly, Renuka Ray argued against reserving seats for women: "When there is reservation of seats for women, the question of their consideration for general seats, however competent they may be, does not usually arise. We feel that women will get more chances if the consideration is of ability alone."⁵ Opponents also argue that reservation would not lead to political empowerment of women because larger issues of electoral reforms such as measures to check criminalisation of politics, internal democracy in political parties, and influence of black money have not been addressed.^[14]

Alternate methods of representation

Reservation of one-third of seats for women in Parliament would restrict the choice of voters in the reserved constituencies.¹⁴ Two alternatives have been suggested by some experts: reservation for candidates within political parties (as some countries do, see Table 1); and dual member constituencies where some constituencies shall have two candidates, one being a woman (see Table 2). Initially, India had multi-member constituencies which included an SC/ST member. A 1961 Act converted all constituencies into single member constituencies.^[15] The reasoning was that the constituencies were too large and SC/ST members felt that they would gain in importance in single-member reserved constituencies.^[16]

Table 1: Country data on political representation of women (as of September 2023)

Country	% of elected women	Quota in Parliament	Quota in political parties
---------	--------------------	---------------------	----------------------------

Sweden	46%	No	Yes
Norway	46%	No	Yes
South Africa	45%	No	Yes
Australia	38%	No	Yes
France	38%	No	Yes
Germany	35%	No	Yes
UK House of Commons	35%	No	Yes
Canada	31%	No	Yes
US House of Representatives	29%	No	No
US Senate	25%	No	No
Bangladesh	21%	Yes	No
Brazil	18%	No	Yes
Japan	10%	No	No

Note: In several countries, there is no law mandating quotas for women but some political parties reserve seats for women.

Sources: Inter-Parliamentary Union; PRS.

Table 2: Pros and cons of reservation in political parties and dual member constituencies[\[17\]](#)

	Advantages	Disadvantages
Political parties	<ul style="list-style-type: none"> ■ Provide more democratic choice to voters ■ Allow more flexibility to parties to choose candidates and constituencies depending on local political and social factors ■ Can nominate women from minority communities in areas where this will be an electoral advantage ■ Allow flexibility in the number of women in Parliament 	<ul style="list-style-type: none"> ■ No guarantee that a significant number of women would get elected ■ Political parties may assign women candidates to constituencies where they are weak ■ Might lead to resentment if a woman is accommodated to the disadvantage of a stronger male candidate
Dual-member constituencies	<ul style="list-style-type: none"> ■ Does not decrease the democratic choice for voters ■ Does not discriminate against male candidates ■ Might make it easier for members to nurture constituencies whose average size is about 2.5 million people 	<ul style="list-style-type: none"> ■ Sitting members may have to share their political base ■ Women may become secondary persons or add-ons ■ To fulfil criteria of 33% women, half of the seats need to be dual constituencies. This would increase the total number of MPs by 50%, which could make deliberation in Parliament more difficult

Sources: Compiled by PRS based on sources listed in endnotes in 14 and 17.

Rotating constituencies

The Bill states that reserved seats shall be allotted by rotation after every delimitation exercise. This implies rotation approximately every 10 years as after 2026 delimitation is mandated to take place after every census.[18] Rotation of reserved seats may reduce the incentive for MPs to work for their constituencies as they could be ineligible to seek re-election from that constituency.[19] A study by the Ministry of Panchayati Raj recommended that rotation of constituencies should be discontinued at the panchayat level because almost 85% women were first-timers and only 15% women could get re-elected because the seats they were elected from were de-reserved.

Key changes between 2008 and 2023 Bills

The table below captures certain key changes between the 2008 Bill as passed by Rajya Sabha and the Bill introduced in 2023.

Table 3: Key changes between 2008 Bill and Bill introduced in 2023

	Bill introduced in 2008 as passed by Rajya Sabha	Bill introduced in 2023
Reservation in Lok Sabha	One-third of Lok Sabha seats in each state/UT to be reserved for women	One-third seats to be reserved for women
Rotation of Seats	Reserved seats to be rotated after every general election to Parliament/legislative assembly	Reserved seats to be rotated after every delimitation exercise

Sources: The Constitution (One Hundred and Eighth Amendment) Bill, 2008; The Constitution (One Hundred and Twenty-Eighth Amendment) Bill, 2023; PRS.

[1] Article 243D (3), The Constitution of India, <https://cdnbbsr.s3waas.gov.in/s380537a945c7aaa788ccfcdf1b99b5d8f/uploads/2023/05/2023050195.pdf>.

[2] Article 243T (3), The Constitution of India, <https://cdnbbsr.s3waas.gov.in/s380537a945c7aaa788ccfcdf1b99b5d8f/uploads/2023/05/2023050195.pdf>.

[3] Article 330, The Constitution of India, <https://cdnbbsr.s3waas.gov.in/s380537a945c7aaa788ccfcdf1b99b5d8f/uploads/2023/05/2023050195.pdf>.

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UNION HOME MINISTER AND MINISTER OF COOPERATION, SHRI AMIT SHAH PARTICIPATES IN THE DISCUSSION ON NARI SHAKTI VANDAN ADHINIYAM IN THE LOK SABHA TODAY

Relevant for: Indian Society | Topic: Women Issues

Union Home Minister and Minister of Cooperation, Shri Amit Shah participated in the discussion on Nari Shakti Vandan Adhiniyam in the Lok Sabha today. Participating in the discussion, Shri Amit Shah said that 19 September, 2023 will be written in golden letters in the history of the Indian Parliament because on this day the new Parliament started functioning on the occasion of Ganesh Chaturthi and the long-pending bill providing the right to reservation for women was introduced in the House. He said that he would like to thank Prime Minister Shri Narendra Modi from core of his heart that he has truly honoured the women power, which constitutes 50 percent of 140 crores population. Shri Shah said that with the passing of this constitutional amendment bill, one-third seats in the Lok Sabha and state assemblies will be reserved for women of the country. With the passing of this bill, the long continuing fight of women for their rights will end. He said that Prime Minister Shri Modi presented the concept of "Women-led Development" in front of the world in the recently held G-20 conference and with the passing of this bill, a new era will begin, because now the women of this country will not only become participants in policies but will also contribute in determining the policies.

Shri Amit Shah said that women empowerment may be a political agenda for some parties, but for the Government under the leadership of Prime Minister Shri Narendra Modi, women empowerment is an issue of recognition. He said that in 2014, after 30 years the people of the country decided to form a government with full majority under the leadership of Prime Minister Shri Narendra Modi. Under the leadership of Prime Modi, women's safety, respect and participation have been the breath and soul of the government. Shri Shah said that when Shri Narendra Modi became the Prime Minister of the country in 2014, there were 70 crore people in the country who did not have bank accounts in their homes. Shri Narendra Modi started Jan-Dhan Yojana and launched a campaign to open bank accounts, as a result of which 52 crore bank accounts were opened, out of which 70 percent bank accounts were opened in the name of women. He said that those people whose roots are connected to India will not make the mistake of calling women weak

Union Home Minister and Minister of Cooperation said that today women empowerment has taken place in the country and the money from all the schemes is going directly into the bank accounts of women. He said that the opposition party ruled this country for more than 5 decades, there were 11 crore families in the country who did not have toilets. Slogans were raised to eliminate poverty, but

no arrangements were made for the poor. He said that when there is no toilet in the house, the young daughter, sister and mother suffer the most. Prime Minister Shri Narendra Modi provided 11.72 Crores toilets within the first 5 years, due to which mothers, sisters and daughters were empowered. He said that 10 crore families of the country were forced to live in smoke, but Prime Minister Shri Narendra Modi has empowered women by providing free LPG connections to 10 crore houses. The government led by Prime Minister Shri Narendra Modi provided houses to more than 3 crore women in their names. Shri Shah said that there were 12 crore houses in the country where there was no drinking water, Shri Narendra Modi provided tap water to them. He added that Prime Minister Shri Narendra Modi provided 5 kg free food grains per person per month to 80 crore people of the country. Prime Minister Modi opened 3 crore 18 lakh SukanyaSamriddhi accounts, provided benefits to 3 crore women under MatruVandanYojana and provided approximately 26 weeks of maternity leave. Shri Shah said that today the number of women pilots worldwide is 5 percent whereas in India it is 15 percent, this is called empowerment.

Union Home Minister and Minister of Cooperation Minister said that women are more empowered than men and this bill will now ensure women's participation in decision and policy making. He said that the government led by Prime Minister Shri Narendra Modi has brought this bill to correct the errors in the social system, to increase the participation of women and to respect them. He said that today, we have an opportunity when this House can give a message to the world that the entire House is unanimous and united in fulfilling Prime Minister Shri Narendra Modi's vision of "Women-led Development".

Shri Amit Shah said that four attempts have been made by previous governments to bring Women's Reservation Bill. He said that the Women's Reservation Bill was first brought by the government led by Shri H.D. Deve Gowda in 1996, after which it was given to a committee headed by Seema Mukherjee. The committee also gave its report but that bill never reached this House. He said that after this, the Government led by Shri Atal Bihari Vajpayee brought this bill in 1998, but the opposition did not allow it to be introduced in the House. Shri Shah said that the government led by Shri Atal Bihari Vajpayee once again brought the bill but again discussion could not take place. He said the government led by Dr. Manmohan Singh again brought the amendment bill in the Rajya Sabha, where after being passed, this bill could not come in the Lok Sabha.

Union Home Minister requested all the members to come together to unanimously work to amend the Constitution and provide reservation to the women power through this new beginning. He said as per the current provision, the Modi government has given 33 percent reservation to women in all three categories of members going to be elected to Parliament – General (which includes OBC), Scheduled Caste and Scheduled Tribe. He said that provision for women's reservation has been made through Article 330 (A) and Article 332 (A) under this constitutional amendment. Along with this, one-third seats have been reserved for

women by giving vertical reservation in all three categories. Shri Shah said that the Delimitation Commission is a legal provision of an important body that determines the election process of our country and it is done by appointment but there are quasi judicial proceedings. He said that it is headed by a retired judge of the Supreme Court and it also has a representative of the Election Commission. Shri Shah said that the one-third seats to be reserved will be selected by the Delimitation Commission. The commission goes to every state and gives open hearings and decides the policy in a transparent manner. He said that the only objective behind bringing Delimitation Commission is to bring transparency. He added that there will be no delay in the formation of this commission, after the elections both census and delimitation will be done and soon the day will come when one-third of the women MPs will sit in this House and decide the future of the country.

Shri Amit Shah said that the Prime Minister of the country, Shri Narendra Modi has done the work of welfare of the backward class wholeheartedly. He said that in his first speech in 2014, Prime Minister Shri Narendra Modi had said that his government is the government of Dalits, Backward Classes, Tribals and women. Today, after providing houses, toilets, electricity, water, medicines, gas cylinders and food grains to 80 crore poor people of the country, Narendra Modi government has brought 33 percent reservation for women. He said that the opposition parties never made an OBC Prime Minister. Union Home Minister requested everyone to rise above party politics and support this bill.

RK/AY/ASH/AKS/AS

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PEOPLE COUNT: THE HINDU EDITORIAL ON THE CENSUS AND THE SHADOW OF POLITICS

Relevant for: Indian Society | Topic: Population And Associated Issues

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Census collects population data that is crucial to planning and development, and the exercise is rarely devoid of political intent or consequence. India has conducted the Census every 10 years since 1881, but in 2020, the [decennial exercise for the 2021 Census had to be postponed due to the COVID-19 pandemic](#). Restrictions related to the pandemic have ceased and the state machinery is ready to start the exercise anytime, but the BJP government at the Centre continues to withhold political clearance. On September 20, Home Minister Amit Shah told the Lok Sabha that the [Census will take place after the 2024 general election](#). That still avoids any clear mention of the date or year, allowing speculation about the government's intent. A possible reason why the Centre is eager to delay it until 2024 is the [clamour for enumeration of caste](#), a question that the BJP is trying to evade. A Census after 2026 will become the basis of the next delimitation of Lok Sabha seats, which will involve inter-State redistribution of representation. The BJP may have incentives to wait until then. In the last few years, [changes in the Citizenship Act](#), and conflict between some States and the Centre regarding the National Population Register (NPR), have further muddied the discussions on Census.

The proposed [33% reservation for women in Parliament and Assemblies](#) is linked to the next Census and [delimitation](#), which adds an additional import. The next one will also be [the first digital census](#) giving citizens an opportunity to "self-enumerate". During self-enumeration, Aadhaar or mobile number will be mandatorily collected. Around 30 lakh government officials including schoolteachers will be assigned as enumerators and each will be assigned the responsibility to collect details of about 650-800 people through both online and offline modes covering an estimated population of more than 140 crore. In normal course, completion of both the phases of the Census takes at least 11 months. Meanwhile, the quality and mechanism of population level data collection are evolving fast, thanks to technology. The [Registration of Births and Deaths \(Amendment\) Act, 2023](#) that will come into effect on October 1 will help a centralised population register, electoral register, Aadhaar, ration card, passport and driving licence databases. The centrally stored data will be updated real time without human interface leading to addition and deletion from electoral roll when an individual turns 18 and after death, respectively. Rather than trying to weaponise categorisation and counting of people, the government must take States and parties into confidence on all the issues around the Census.

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NASHA MUKT BHARAT ABHIYAAN (NMBA) - MOU SIGNED BETWEEN DEPARTMENT OF SOCIAL JUSTICE & EMPOWERMENT AND THE ALL WORLD GAYATRI PARIWAR

Relevant for: Indian Society | Topic: Social Movements

Substance use disorder is an issue which has the potential to adversely affect the social fabric of the country. Dependence to any substance not only affects the individual's health, but also disrupts their families and the whole society. Regular consumption of various psychoactive substances leads to dependence of the individual.



As per report of first comprehensive National Survey on Extent and Pattern of Substance Use in India conducted by Department of Social Justice & Empowerment through National Drug Dependence Treatment Centre (NDDTC), AIIMS, New Delhi, Alcohol is the most common psychoactive substance used by Indians followed by Cannabis and Opioids.



To curb the menace of drug demand, the Ministry of Social Justice and Empowerment (MoSJ&E), Government of India has been implementing National Action Plan for Drug Demand Reduction (NAPDDR), an umbrella scheme under which financial assistance is provided to State Governments/ Union Territories (UT) Administrations for Preventive Education and Awareness Generation, Capacity Building, Skill development, vocational training and livelihood support of ex-drug addicts etc.

Since 2020, the Ministry is implementing the ambitious Nasha Mukta Bharat Abhiyaan (NMBA) in all districts of the country with an aim to create awareness about ill effects of substance abuse among the youth, with special focus on higher education institutes, university campuses, schools and reaching out into the community and garnering community involvement and ownership of the Abhiyaan.

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NMBA is playing a crucial role to overcome from this addiction. Till now Nasha Mukta Bharat Abhiyaan (NMBA) through the various activities undertaken on-ground 11+ crore people reached out so far. 8,000 Master Volunteers have been selected and trained to lead the Abhiyaan activities in the identified districts. More than 3.36+ crore youth have actively participated in the activities of the Abhiyaan and spreading on-ground the message against substance abuse. The contribution of 2.24+ Crore women have also been vital in reaching out to a larger community through the Anganwadi & ASHA Workers, ANMs, Mahila Mandals & Women SHGs.

Technology and Social media have been effectively utilized to spread the message of the Abhiyaan online by creating handles on Facebook, Twitter & Instagram and sharing daily updates on them. An Android based mobile Application has been developed to capture the data of activities happening on ground on a real-time basis by the districts and master volunteers. This App has been placed on the Google Play Store. All the de-addiction facilities have been geo-tagged for ease of access by the public.

A special initiative under the NMBA is association of religious/ spiritual organizations for carrying out various activities under NMBA and to spread the message of NMBA under their banner. Taking a step in this direction, Department of Social Justice & Empowerment has signed an MoU with the All World Gayatri Pariwar for spreading the message of NMBA among the youth, women, students and the community. The MoU signing ceremony was held in Dr. Ambedkar International Centre, 15 Janpath, New Delhi on 22nd September, 2023 at 09:00 am in the presence of Dr. Virendra Kumar, HMSJE, Dr. Chinmay Pandya, All World Gayatri Pariwar, Senior officers of the Department and more than 500 members of All World Gayatri Pariwar.

Minister of Social Justice & Empowerment (HMSJE) talked about the efforts undertaken through the Nasha Mukta Bharat Abhiyaan in the country that have helped make this Abhiyaan a mass movement. The Minister informed the gathering about the special events like National Pledge Against Drug Abuse, NCC Interaction with the presence of Raksha Mantri that are regularly conducted to involve stakeholders in the campaign against drug use. Stressing the

importance of participation of spiritual organizations in this Abhiyaan, the Minister expressed his faith that this collaboration with the Gayatri Pariwar will go a long way to illuminate the lives of individuals and restrict them from moving towards the path of addiction and help in making a mentally, emotionally and physically strong society.



Dr. Chinmay Pandya, All World Gayatri Pariwar congratulated the Ministry of Social Justice and Empowerment for launching such a mass campaign against drugs. Through his experiences of working in this area, he stressed on the importance of a conducive familial and social environment that would help prevent as well as overcome substance use. Through the 5000 centers and 16+ Crore people connected with the All World Gayatri Pariwar, Dr. Pandya affirmed the participation in the Nasha Mukta Bharat Abhiyaan and contributing towards a Nasha Mukta Bharat.

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With the signing of this MoU, Department of Social Justice & Empowerment feels that implementation of NMBA will get a boost towards achieving the objective of drug sensitized India. Shri Saurabh Garg, Secretary for the Department of Social Justice & Empowerment attended and addressed the event.

MG/P/PD

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IT'S A LONG ROAD TO WOMEN'S EQUALITY

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Bihar BJP Mahila Morcha supporters light lamps a day after Parliament passed the women's reservation Bill, in Patna. | Photo Credit: ANI

After almost a decade of silence, the Modi government's sudden announcement took everyone by surprise: a Bill in favour of women's reservation, now renamed Nari Shakti Vandan Adhinyam (roughly, Statute Revering Women's Power), was to be presented in Parliament. It has since been passed in both Houses without much ado, with just two votes against it in the Lok Sabha.

While voting in its favour, Opposition groups have rightly pointed out that the Bill has been presented late in the day, and that too with various conditionalities attached, which make actual implementation vague. There is no question of its playing a direct role in the 2024 general elections. Some even wonder whether arrangements for implementation will be in place by 2029. Thus, the future of women's reservations remains uncertain even though it is now the law. How do we take stock of this turn of events? One way is to revisit the history of the issue, which spans a century of campaigns over women's rights.

The possibility of women entering political life took shape in the early 20th century when the colonial state responded to Indian nationalism in the form of political devolution, by offering Indians a greater role in governance through various means of nomination, reservation, and election. It was in this context that the first women's organisations were born. They sought to take forward agendas of social reform by expanding women's voting rights as well as by standing for elections. Women leaders, though, took different positions. While some did not want any form of reservation, others believed that structural disadvantages such as lack of economic autonomy, dependency, and the constraints of marriage laws meant that women required reservations to ensure that the 'women's point of view' was represented in legislatures. These were also the years when the rights of the depressed classes, the Dravidian movement, and the fears of Muslims of turning into a minority were occupying public space, all of which had significant implications for women's groups. Women's organisations not only opposed the idea of separate electorates for different groups in the name of women's unity, but came to be persuaded after 1930 (and especially after the Poona Pact) to drop their demand for any special treatment in the form of nominations or reservations. 'Equality and no privileges' and 'a fair field and no favour' were common slogans. Differing views were sought to be suppressed, even at the cost of loss of membership, especially for Muslim women.

Not enough is known about a subsequent critical time in this history, namely the years of

preparation for the Constitution. No voices were raised in favour of reservations for women. No change in attitude was visible until the 1970s and the shocking findings of the 1974 'Towards Equality' report of the Committee on the Status of Women in India, which declared that women were turning into a minority. However, even this committee opposed by a majority vote the idea that political reservations for women were needed to counter the appallingly low presence of women in electoral politics. The rebirth of the women's movement in the late 1970s and '80s, which for the first time saw political campaigns on issues such as custodial rape and dowry deaths, also did not express concern over the absence of women in State Assemblies or Parliament.

It is only in the 1990s that a change in orientation was visible, though opinions differed then too. While there was general agreement for the need to revive moribund village panchayats with one-third reservations for women, few groups came out openly in favour of the 1996 women's reservation Bill proposing a similar quota at the State and national levels. Equally noteworthy was the form of opposition. The Samajwadi Party and the Rashtriya Janata Dal demanded a sub-quota for women from Other Backward Classes (OBC), stating that a blanket reservation for women would disproportionately favour upper caste women. The call for sub-quotas for OBC women and Muslim women did not find many backers. Even in 2010, when the Bill was passed in the Rajya Sabha, there was little appreciation of the complex forms that patriarchal exclusion takes. While there was growing support for women's reservations as an idea, questions such as the electoral disadvantages of OBC women pitted against upper caste women did not find resonance.

Today, we are in the strange situation where everyone is in favour of women's reservations, as though patriarchy has disappeared. The ruling party seems to believe that it has successfully domesticated women's issues. It sees this Bill "revering woman power" as just another welfare scheme rather than a historic law allowing women to participate in the shaping of state policy. We must be vigilant against this mood of self-congratulation. It is imperative that the reservations policy for women recognises the multiple and unequal forms that patriarchy takes in excluding women from public life. It is equally important to guard against the idea that the mere presence of women in electoral politics will translate into women's equality and freedom. Given the current ideological climate, the new law is not an achievement but a challenge. The long waiting period before it takes effect should be a time for re-examining our ideas and beliefs about how the electoral presence of women might translate into a more egalitarian and less hate-filled ethos.

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FROM WOMEN'S RESERVATION TO GENDER EQUALITY

Relevant for: Indian Society | Topic: Women Issues

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September 28, 2023 02:12 am | Updated 02:12 am IST

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Rajya Sabha members vote on the women's reservation bill. | Photo Credit: ANI

Last week, [Parliament passed the women's reservation Bill](#), which provides one-third reservation for women in the Lok Sabha and Legislative Assemblies. Data from the Inter-Parliamentary Union show that the share of women in Parliament in India is around 15%. India ranks 141 out of 193 countries on this count. Even Pakistan, South Africa, and Kenya have a higher share of women representatives. Over the last 27 years, there have been several efforts to introduce the women's reservation Bill in Parliament. Such efforts faced opposition from different quarters. That there is a strong moral imperative to increase women's representation is beyond debate. The smooth passage of this law shows consensus around this issue.

Reservation for women in elections to the local bodies in India has resulted in increasing their participation in governance. Research by Tanya Jakimow of the University of New South Wales and Niraja Gopal Jayal shows that, contrary to popular belief, elected women representatives have over time asserted their presence in spite of interference from male family members. A similar outcome may also be seen in higher elected bodies.

However, implementation of the present law is contingent on the conduct of the next Census and the subsequent delimitation exercise. Census and delimitation are not purely administrative eventualities. There has been a freeze on delimitation since 1976 in order to provide a level-playing field for States to contain population growth. The southern States have been more successful in reducing population growth through a series of measures focused around women empowerment. It is now well understood that higher education among girls, increased female labour force participation, and greater financial autonomy among women directly correlate with lower fertility rates. Ironically, States which have improved indicators around women empowerment would now stand to lose seats to Parliament if a delimitation exercise is held.

Another central issue revolves around the legality of the contingency clause itself. Whether a law, let alone a constitutional amendment, can be contingent upon an uncertain future event requires determination by the constitutional courts. It is strange that a much-needed and near-unanimous legislative reform is now inextricably tied to another future law which may not be dealt with until after the next general elections to the Lok Sabha.

In spite of the law, and its laudable intent, the ultimate game changer lies in changing societal

approach to gender roles. Representation of women to elected bodies must necessarily be seen in the larger context of female labour force participation in India, which is abysmal by any standards. Real and substantive gender justice will only be achieved when there is an equitable and fair sharing of household chores and domestic responsibilities, which are all aspects of unpaid labour.

Recent research from the Ministry of Statistics and Programme Implementation's Time Use Survey (2019) shows that for 97 minutes spent daily by men on unpaid domestic services for household members, women spend 299 minutes. Women spend 134 minutes on average daily on unpaid care-giving services for household members as compared to the 76 minutes spent by men. It is clear that women bear a disproportionate burden of household responsibilities. This is a result of a patriarchal societal mindset, which will need to change if women are to fully and effectively participate in the labour force, let alone hold the highest elected representative positions. In this context, government programmes which recognise unpaid labour done by women within households, such as the Magalir Urimai Thogai in Tamil Nadu, are designed to recognise and address the vast gulf in unpaid household labour.

The Urimai Thogai scheme is a monthly cash transfer programme. It is devised not as a largesse but as an obligation to women who carry a disproportionate burden in the household. While Tamil Nadu has already a greater number of women in the active labour force in comparison with the rest of the country, this scheme, along with free bus passes for women, is expected to drive numbers up over the next two decades.

Nevertheless, when the proportion of women in higher elected bodies increases in accordance with the present law, questions still remain with regard to building capacity for first-time representatives. Initiatives in other countries offer an interesting case study on sustaining women in the political arena. EMILYs List in the U.S. has been providing campaign guidance, mentorship and building capacity for women as they enter politics. Active for nearly four decades, EMILYs List has helped elect 201 members of Congress (equivalent to the House of the People) and 20 Governors (similar to Chief Minister).

Data | [Women Reservation Bill: In 20 States & UTs less than 10% MLAs are female](#)

Regardless of whether political parties actively groom women leaders, it is now the duty of the governments to build capacity and ensure that the reservation model leads to successful outcomes. The role of the National Commission for Women and the Parliamentary Committee on Empowerment of Women need to be significantly revised to ensure that the women reservation law does not stay a symbolic gesture. Similarly, the recognition of unpaid labour and equitable sharing of household duties will ultimately dictate whether substantive reform in gender equality is achieved.

Manuraj Shunmugasundaram is DMK spokesperson and Advocate, Madras High Court

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INDIA AGEING, ELDERLY TO MAKE UP 20% OF POPULATION BY 2050: UNFPA REPORT

Relevant for: Indian Society | Topic: Population And Associated Issues

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September 27, 2023 08:39 pm | Updated September 28, 2023 08:12 am IST - New Delhi

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United Nations Population Fund, India's 2023 India Ageing Report projected that the population of people aged 80+ years will grow at a rate of around 279% between 2022 and 2050 with a "predominance of widowed and highly dependent very old women". File | Photo Credit: The Hindu

With the decadal growth rate of the elderly population of India currently estimated to be at 41%, and the percentage of elderly population in the country projected to double to over 20% of total population by 2050, the United Nations Population Fund, India (UNFPA) in its 2023 India Ageing Report has said that by 2046 it is likely that elderly population will have surpassed the population of children (aged 0 to 15 years) in the country.

More than 40% of the elderly in India are in the poorest wealth quintile, with about 18.7% of them living without an income, the report said, adding that such levels of poverty may affect their quality of life and healthcare utilisation.

The report, unveiled by the Secretary, Social Justice, Saurabh Garg and UNFPA India Representative, Andrea M. Wojnar on Wednesday in Delhi, projected that the population of people aged 80+ years will grow at a rate of around 279% between 2022 and 2050 with a "predominance of widowed and highly dependent very old women" - a finding in line with the pattern across several nations.

The data showed that women, on average, had higher life expectancy at the age of 60 and at the 80, when compared to men — with variations across States and Union Territories.

For instance, in Himachal Pradesh and Kerala, women at 60 years have a life expectancy of 23 and 22 years, respectively, which is four years greater than men at 60 years in these States — as compared to the national average differential of only 1.5 years, the report said.

Life expectancy of women at 60 years is greater than 20 years in States such as Rajasthan, Haryana, Gujarat, Uttarakhand, Kerala, Himachal Pradesh, and the Union Territory of Jammu & Kashmir, raising concerns about their social and economic well-being, the report said.

Further, the sex ratio (females per 1,000 males) among the elderly has been climbing steadily since 1991, with the ratio in the general population stagnating. Between 2011 and 2021, the

ratio increased in India as a whole and across all regions, barring the Union Territories and western India.

In the northeast and the east, while the sex ratio of the elderly increased, it remained below 1,000 in both years, indicating that men still outnumber the women in these regions even at 60-plus years.

This, however, is not true for the other regions (which has a bearing on the country's average). "A case in point is central India, where the sex ratio went from 973 in 2011 to 1,053 in 2021, implying that the women caught up with and outperformed the men in survival after 60 years over the decade," the report said.

"Poverty is inherently gendered in old age when older women are more likely to be widowed, living alone, with no income and with fewer assets of their own, and fully dependent on family for support," the report said, pointing out that the major challenges facing India's ageing population are the feminisation and ruralisation of this older population and that policies must be designed to suit their specific needs.

The report noted that there was a significant inter-State variation in absolute levels and growth (and hence, share) of the elderly population as well, reflecting the different stages and pace of demographic transition across States.

Most States in the southern region and select northern States such as Himachal Pradesh and Punjab reported a higher share of the elderly population than the national average in 2021, a gap that is expected to widen by 2036, the report said.

While States reporting higher fertility rates and lagging in demographic transition, including Bihar and Uttar Pradesh, expect to see an increase in the share of the elderly population between 2021 and 2036, the level will remain lower than the Indian average, the report said. Compared with southern and western India, central and northeastern regions have the younger group of States as indicated by the ageing index.

"In the southern region, the old-age dependency ratio (elderly people per 100 people between 15 and 59 years) was higher than the national average at around 20 as is true of western India at 17. Overall, Union Territories (13) and the north-eastern region (13) reflected lower old age dependency ratios," it said.

The report also reviewed the response of the government and state authorities to the needs of elderly people during the Covid-19 pandemic based on experiences of older people. It said that while most said they received state aid, this was not enough; that there were no accessible public healthcare facilities; and that nobody except NGOs or CBOs (community-based organisations) helped them. In light of this, the report called for a special focus on older persons in disaster-preparedness plans that are formulated henceforth.

The report added that there is a lack of credible data on various issues related to the elderly in India and more could be done by including questions on relevant and emerging issues related to older persons in the upcoming data collection exercises of the National Sample Survey, the National Family Health Survey, and the Census of India, respectively.

The UNFPA report suggested that the government must work on increasing awareness about schemes for older persons, bring all Old Age Homes under regulatory purview and focus on facilitating in-situ ageing to the extent possible.

Mr. Garg called the report, prepared a “valuable roadmap”, while Ms. Wojnar said it will become an important resource for scholars, policymakers, program managers, and all stakeholders involved in elder care.

The report used data from the 2011 Census, the 2017-18 Longitudinal Ageing Survey in India (LASI) conducted by the Health Ministry, population projections of the Government of India and the World Population Projection 2022 report, among other sources.

Among other suggestions, the report called for the government to encourage the creation and running of elderly self-help groups, and stressed the importance of having elderly people live in multigenerational households. The report also suggested that the government should encourage *in situ* (at home) ageing as much as possible by creating short-term care facilities like creches or day-care facilities, citing better care when elderly people live with their respective families.

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CARING FOR THE OLD: THE HINDU EDITORIAL ON THE UNITED NATIONS POPULATION FUND'S INDIA AGEING REPORT 2023

Relevant for: Indian Society | Topic: Population And Associated Issues

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September 29, 2023 12:10 am | Updated 08:21 am IST

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A good part of the world's population is growing older, and India mirrors this trend as well. The reality, according to the [United Nations Population Fund's India Ageing Report 2023](#), is that the population above 60 years will [double from 10.5% or 14.9 crore \(as on July 1, 2022\) to 20.8% or 34.7 crore by 2050](#). With one in five individuals set to be a senior citizen, there will be implications for health, economy, and society. In Kerala and West Bengal for instance, there is a growing population of the elderly who live alone as children migrate for better opportunities. With life expectancy increasing, thanks to better ways to fight disease, and decreasing fertility rates in many countries, including India, there are challenges in nurturing an expanding elderly population. Within this macro phenomenon, there are myriad other data of importance. For instance, women elderly citizens outnumber their male counterparts. At 60 years, a person in India may expect to live another 18.3 years, which is higher in the case of women at 19 years compared to men at 17.5 years. If women in India, where labour force participation is low at 24%, do not have economic and social security, they will become more vulnerable in old age.

There are also significant inter-State variations. Most States in the south reported a higher share of the elderly population than the national average in 2021, a gap that is expected to widen by 2036. While States with higher fertility rates, such as Bihar and Uttar Pradesh, expect to see an increase in the share of the elderly population too by 2036, the level will remain lower than the Indian average. Overall, more than two-fifths of the elderly are in the poorest wealth quintile — ranging from 5% in Punjab to 47% in Chhattisgarh; also, 18.7% of the elderly do not have any income. A high proportion of the rural population is among the elderly and often economically deprived. To meet the challenges, physical and mental health, basic needs of food and shelter, income security, and social care, a 'whole-of-society' approach is required. Geriatric care must be fine-tuned to their unique health-care needs. There are several schemes targeting the elderly but many are unaware of them or find it too cumbersome to sign up. The National Policy on Older Persons, 1999 and the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 lay down the care of the elderly but to ensure that senior citizens live in dignity, public and private policies must provide a more supportive environment.

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A MILESTONE IN HINDU MARRIAGE REFORM IN INDIA

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September 29, 2023 12:16 am | Updated 02:05 am IST

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A self respect marriage, in Tiruchi in Tamil Nadu, in 1941. | Photo Credit: SPECIAL ARRANGEMENT

Nearly 56 years after the enactment of the Hindu Marriage (Tamil Nadu Amendment) Act 1967, young Illavarasan, from Tamil Nadu, never thought that his Suyamariyathai marriage that was performed and validated under this Act could be invalidated and criminalised by the same Madras High Court which, in 1953, in Chidambaram Chettiar vs Deivanai Achi, had declared such marriages to be null and void since they did not follow the Hindu marriage rituals.

Of course, the ground on which resistance to Suyamariyathai thirumanam (marriage) came up is different today than it was in 1953 when Madras did not have a law to support such radically reformed no-ritual marriages among Hindus. On August 28, 1953, quoting Manusmriti, the judges observed that solemnisation by a priest and Saptapadi was required for a lawful Hindu marriage, and declared that self-respect marriages among professed Hindus were invalid: they were not in conformity with marriages recognised under Hindu Law, and the children born were not legitimate under the law.

In another case, in 1958, when Rajathi, who had a self-respect marriage with Chelliah, sought court intervention for restitution of conjugal rights, a district court in Tiruchi denied her the right on the ground that her marriage was invalid under the Hindu Marriage Act, 1955. Instead, the court castigated the self-respect movement for the plight of young women in such 'illegal' marriages, which, in the judiciary's view, had led to the denial of their conjugal rights. These interpretations were aimed at discrediting reformed marriages, which were typically inter-caste weddings performed with the objective of protecting women's rights and promoting ideals of companionate marriage. These judgments led the judiciary and Brahminic Hindus to demean the self-respect marriage practice, labelling women in such marriages as concubines and children born as illegitimate. They revealed how some in the judiciary mobilised commonly held hegemonic ideals of Hindu marriage practices to counter Dravidian notions of alternative non-Brahminic marriage practices.

One of the important claims of the self-respect movement was that all forms of customary and traditional Hindu marriages, mainly the Brahminical ones, upheld caste supremacy and the patriarchal rights of men. The movement advocated that a man and a woman should enter a dissoluble contract to form a conjugal relationship without conforming to any religious practices. Further, in the context of widely practised bigamy among Hindu men, the movement advocated the civil registration of all marriages and upheld women's rights to dissolve the marriage,

remarry, and claim their rights in property. The court, on the other hand, by denying the validity of self-respect marriage, denied Rajathi her conjugal rights. Subsequently, in 1969, after the Hindu Marriage Amendment Act in 1967 which legalised the Suyamariyathai thirumanam, Rajathi successfully claimed the restitution of her conjugal rights after a new trial.

The making of this legislation meant a protracted struggle for the Dravidian movement in the Madras Presidency and also at the all-India level at a time when the Hindu Code Bill was drafted. In 1944, when the Hindu Law Committee headed by B.N. Rau was gathering evidence across presidencies to draft the Hindu Code Bill, the memorandums and oral evidence submitted by the leaders and activists of the Self-Respect movement demanded not just a few piecemeal changes to Hindu law but also for women's legal rights over all other concerns of Hindus in general.

Kunjitham Gurusamy of the Self-Respect movement argued that the definition of the 'Hindu' was not comprehensive enough to include all those who did not profess the religion, and that non-religious marriages needed to be recognised under the new Hindu code. Unfortunately, the Rau Committee report of 1947 did not acknowledge these demands. It recognised and affirmed the legal status of Virasaiva, Brahma Samaj, Arya Samaj and Prarthana Samaj marriages; thus the Hindu Marriage Act 1955 granted legal status only to these reformed marriages.

Clause 7 of the Hindu Marriage Act of 1955 gave importance to 'Hindu' rites and ceremonies including the Saptapadi and recognised only customary rites and ceremonies such as thali tying, and not the non-ritualistic and anti-Purohit Hindu contractual weddings. The unanimous response of Parliament and the judiciary was that self-respect marriages should be registered under the Special Marriage Act, 1954. This Act was passed in Parliament without giving much thought to the property rights of couples in civil marriage, which meant separation from the Hindu joint family and denial of rights over ancestral property.

In the case of Chidambaram Chettiar vs Deivanai Achi, the Madras High Court suggested to the Congress party-led Madras legislature that it take the initiative to legitimise self-respect marriages and protect the property rights of Hindus who had adopted non-religious marriage practices. In 1953, the Madras government decided to introduce the 'Hindu Non-Conformist Marriage Registration Bill, 1954', but despite it being taken up for consideration, was withdrawn and even rejected by the same government on the ground that the Special Marriage Act 1954 would cover the provisions for self-respect marriages.

In 1959, S.M. Annamalai of the Dravida Munnetra Kazhagam (DMK) introduced the 'Madras Suyamariyathai Marriage Validation Bill' to legalise self-respect marriages with retrospective effect. It was opposed by Congress legislators while the CPI and the Praja Socialist Party remained neutral, leading to the defeat of the Bill. The DMK's introduction of the Bill in 1965 by S. Madhavan aimed to recognise self-respect marriages under Hindu law and validate them as valid Hindu marriages. The DMK argued that the invalidation of these marriages had negative consequences for the wife. By seeking legal recognition for self-respect marriages under Hindu law, the DMK aimed to give women the legal right to seek divorce, or redress in the case of bigamy. But the Bill went nowhere. When the DMK won the election in 1967, the Bill was introduced as Section 7 A, The Hindu Marriage (Tamil Nadu Amendment) Act 1967. This Act, other than validating all non-ritual Hindu marriages, questioned the Brahminic interpretations of Hindu marriage.

This amendment was radical enough to trouble the Union government (more so in recent years) as much as the judiciary, which was evident in the way they were either rejecting the validity of the amendment or by interpreting the amended Act in such a manner that would discourage non-ritual, consensual inter-caste marriages.

Two examples highlight this. In 2017, the Union Ministry for Social Justice and Empowerment which was rewarding/awarding inter-caste couples refused to recognise the Section 7 Act and rejected applications from Tamil Nadu on the ground that these marriages were not registered under the Hindu Marriage Act, 1955. The Madurai Bench of the Madras High Court had to enlighten the obstinate Union Ministry on the validity of the legislation.

Last month, the Supreme Court of India had to remind the Madras High Court on the validity of Suyamarithai marriage in Tamil Nadu as they are performed without any religious practices and without any public ceremony, but through a declaration of marriage in the presence of relatives, friends, and other persons. However, one must remember that the cumulative effect of legal reforms for women in Tamil Nadu had a far-reaching impact in the various adjudications of the Madras High Court which held far more radical perspectives on gender rights in marriage than any other court in India as in a verdict that related to the registration of a transgender wedding under the Hindu Marriage Act.

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