



# CUHP CHRONICLE

The Mirror and Voice of the

**Central University of Himachal Pradesh**  
[Established under the Central Universities Act 2009]

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## Editor's Desk

Dear Reader

Warmth swoops the Dauladhar Ranges and the Kangra valley as days become sunny. The summer has set-in. Academic ventures at CUHP also get heated up in view of the approaching examinations. The truth that learning does not always need the confinement of four walls of the class rooms or labs is exemplified by the study tours taken up by various departments in April. Public lectures by eminent personalities from various fields like Shri Ashok Thakur, Secretary, MHRD,

Govt. of India; Justice R. S. Chauhan, Rajasthan High Court etc., gave a rare opportunity for the CUHP family to interact and get illuminated. Pearls of wisdom are formed in the whirlwind of brainstorming academic efforts. When the Schools and Departments become vibrant, our University will contribute to the treasure of enlightened knowledge. This dream is getting gradually materialized, witnessing to which is a joy in itself.

With best wishes,

*arvind agrawal*



Prof. Arvind Agrawal  
Chief Editor

## Hon'ble Mr. Justice Raghavendra S Chauhan: A Profile

Versatility is hallmark of persons who are a genus unto themselves. Hon'ble Mr. Justice Raghavendra S Chauhan is such a genius, who has left mark on fields that rarely converge. Schooled and graduated in the Unites States, got Bachelor Degrees in Fine Arts and History from Arcadia University, USA with Gold Medal and took LLB from Delhi University. Justice Chauhan got enrolled as advocate in 1983. Specialized in Criminal Law, Service Law, Constitutional Law etc., Advocate R S Chauhan was elevated to be

Judge at an early age of 45 in 2005.

Currently serving as Justice at the Rajasthan High Court, Jaipur Bench, Justice R S Chauhan's presence in the academic field related to Law is internationally well known and appreciated. He is the author of a number of journal articles and had served as editor-in-chief of *Rajasthan Criminal Cases* (1994 - 96). He also enjoys membership of various societies, academies and associations which are related to his field of exper-



Justice R. S. Chauhan

tise. Though overburdened with the duties of a High Court Judge, the Justice finds time to study and write about art and history. He is currently engrossed in the process of writing a scholarly book on Kangra Paintings.

*A beautiful university nestled amongst snow clad mountains. A cosmopolitan faculty, a small student population is a great blessing. The interactive session with the faculty and the students was an exhilarating experience! Please do keep up the great work.*

- Justice R.S. Chauhan

## Secretary, Higher Education, MHRD addresses Faculty and Research Scholars



Release of Prospectus for the Academic Session 2013-2014

*"It has been an eye opener for me seeing the way the university is unfolding itself in terms of the academic inputs and the framework being created here. The VC and his team of dedicated faculty is striving hard in achieving the vision of this Central University. I wish all my best wishes in the great endeavour of nation-building"*

**- Shri Ashok Thakur**  
Secretary Education,  
Govt. of India

Sh. Ashok Thakur, IAS, Secretary to the Government of India, Department of Higher Education, Ministry of Human Resource Development, New Delhi, addressed the faculty of the university in the Seminar Hall of the Temporary Academic Block of the University at Shahpur.

Addressing the gathering, he said that the quality of higher education should be improved and in the 12<sup>th</sup> Five Year Plan stress has been laid on highly trained faculty, use of ICTs and software in addition to monetary and infrastructural development.

"Faculty is the source or the kernel for providing higher education," he said. Stressing on the need to provide access to content, he said interconnectivity needs to be provided among various universities and institutions. Interacting with the faculties and research scholars in the campus about the ways to improve quality of higher education, he said that Rashtriya Uchchar Shiksha Abhiyan

(RUSA) as part of the 12<sup>th</sup> Five Year Plan will tackle the issue of contractual labour in the universities in the state and elsewhere through the RUSA programme.

"Presently funding of the state universities from the respective states is either stagnant or declining, which in turn force them to stick to practices like contractual employment and affiliation programmes. However, with RUSA, we are planning to address these issues which are affecting the quality of education in the country so much," he said.

While discussing with the faculty and research scholars about how to improve higher education in the country, he said, "Basic education should be improved to enhance higher education system".

Addressing the gathering, Prof. Furqan Qamar, Hon'ble Vice Chancellor, said that finding quality candidates for teaching jobs in higher education is very difficult. "For recruitment, we found that most of the candi-

dates who are technically eligible for the posts were extremely poor in their communication skills and conceptualisation abilities", he said. He also suggested that the Department of Higher Education may conduct mass training programme for improving the skills of the qualified candidates as part of raising the quality of higher education in the country.

Mr. Ashok Thakur also released the Prospectus of the University for the academic year 2013-14.

Ms Sarojini Ganju Thakur, Chairman of HP-Private Education Regulatory Committee and Pema Chonjor, Minister for Religion and Culture of Tibetan Government in Exile were also present in the function.

Pro Vice Chancellor, Prof. Yoginder S. Verma, Registrar, B. R. Dhiman, Prof Arvind Agrawal, Dean, School of Social Sciences and other Deans and Heads of the departments, faculty members and research scholars of the university were also present in the function.

## Educational Tour by the students of the Department of Physics and Astronomical Sciences

*Wonderful to be at the Central University of Himachal Pradesh. Congratulations to the VC & Faculty Members for your commitment & dedication.*

**- Kalon Pema Chinjor**  
Deptt. of Cultural & Religion,  
CTA, Dharamshala



The Group in front of IUAC

The students of the M.Sc. Physics (4<sup>th</sup> Semester) visited the Inter-University Accelerator Centre (IUAC) New-Delhi and Science City Jalandhar during a four day Education Tour program (17-04-2013 to 20-04-2013).

A group of seventeen (17) students was led by Dr. B.C. Chauhan, Associate Professor. Dr. Dalip Singh Verma, Assistant Professor and RD scholar Ms. Jyoti Bhardwaj also accompanied the group. The group visited IUAC on 18<sup>th</sup> April. A senior scientist Dr. Pankaj Baghel led the group to the

accelerator centre and gave details to the students about the construction, functioning, applications and future plans of the IUAC. It may be noted that IUAC is an accelerator facility instituted by the UGC for the Indian university students and teachers to do research in the frontier areas of Nuclear Physics, Material Science, Condensed Matter Physics and Medical Physics.

On the way back from New-Delhi, the students visited Science City at Jalandhar on 20<sup>th</sup> April 2013. The group visited

various attractions of Science City like, Flight Simulation, Laser Show, 3D Show Digital, Planetarium Show and Dinosaurs' Park etc.

Altogether, this tour enlightened the students with the latest updating in the respective fields and the international level facilities available. They certainly got a feeling of the phenomena studied in the classrooms. Overall the trip was highly beneficial for educational purpose and proved to be exhilarating, recharging and refreshing for all the students.

## 8th Academic Council & 11th Executive Council Meetings Held



**8th Academic Council Meeting in Progress**



**11th Executive Council Meeting being Chaired by the Hon'ble Vice Chancellor Prof. Furqan Qamar**

Eighth Meeting of the Academic Council of the University was held on 4<sup>th</sup> April 2013 at the India International Centre, New Delhi. The meeting of the Academic Council was followed by the 11<sup>th</sup> Meeting of the Executive Council. These two meetings were held back to back on the same day. The Academic Council, inter alia, considered and approved the Prospec-

tus for admission during the academic session 2013-14. The Executive Council, amongst other important agenda, approved the recommendation of the selection committee in education and also approved the engagement of Honorary and Adjunct Professors in select disciplines. These meetings of the Academic Council and Executive Council assume significance in the

sense that they were the last meetings of the first Academic Council and the first Executive Council which had been constituted by the Government of India. From now on ward the subsequent Academic Council and Executive Council shall be constituted as per Statutes that have been approved by the President of India in his capacity as the Visitor of the University.

## CUHP condoles the sad demise of one of its students



**Mr. Ashish Kumar**

Department of Physics & Astronomical Science lost a bright student of M.Sc. II Semester Shri Ashish Kumar on 1-4-2013.

Mr. Ashish Kumar was seriously injured in a road accident on 30th March 2013 and was referred to PGI, Chandigarh. He was under treatment, but unfortu-

nately could not recover from the serious injuries and left for the heavenly aboard.

The students and faculty of the Department of Physics and Astronomical Science are under deep sorrow on the demise of this student. The CUHP family expressed heartfelt condolences on behalf of

all the teachers, students and members of the non-teaching staff by holding a condolence meeting at the TAB. Deeply grieved students and faculty members of the School of Physical & Materials Sciences paid their last respect to Mr. Ashish Kumar.

**CUHP CHRONICLE exhorts to all to use helmets on motorbikes.**

## Dept. of Social Work organises Public Lectures on 'Gender Sensitization' and 'The Indian Constitution'



Justice Chauhan taking questions from the audience

The Social Work Society of Department of Social Work organized Public Lectures on the topics '**Gender Sensitization**' and '**The Indian Constitution: The Panacea for Social Problems**' on April 25-26, 2013 delivered by eminent speaker Justice R. S. Chauhan, Sitting Judge, Rajasthan High Court, Jaipur. The inaugural lecture was chaired by Hon'ble Vice Chancellor, Prof. Furqan Qamar.

Justice Chauhan emphasized upon the awareness, sensitization and enlightenment of people where laws provide the basis to ensure gender justice. The speaker, an authority in matters concerning legal issues, delivered the lecture with passion and erudition. Taking instances from the treasure of his vast experience as a lawyer and

Judge, he clarified the complex legal concepts and practice issues. The Vice-Chancellor too laid emphasis on the gender sensitivity in our mental and social orientation. Prof. Arvind Agrawal, Dean, School of Social Sciences introduced the speaker.

Justice Chauhan also spoke on the role and importance of the Indian Constitution in finding solutions to the problems faced by the general public. The speaker highlighted the significance of the Constitution both as a legal and a social document. India, whose existence itself is pluralistic with regard to the languages spoken, cultures practiced, social norms adhered to; needs a strong 'grundnorm' – the Supreme Law – to keep its integrity as a nation. It is in

this regard that the Constitution becomes the ray of hope for the common Indian out there; to get access to justice, without the barriers and borders of any discriminating entities.

The lectures were attended by the Deans, Heads, faculty members and students from various Schools/ Departments who took active part in the deliberations during and at the end of the lectures.

At the end, vote of thanks was proposed by the Convener of the Social Work Society Mr. Shabab Ahmad, Asst. Professor. Ms. Ambreen Jamali, Asst. Professor, compered the public lecture.

## School of Earth and Environmental Sciences celebrates Earth Day



Earth Day Celebrations—Planting of Sapling in the Campus

School of Earth and Environmental Sciences (SoEES) at the Central University of Himachal Pradesh celebrated Earth Day 2013 on 22<sup>nd</sup> April 2013.

Inaugurating Earth Day celebrations, Prof A.K. Mahajan, Dean, School of Earth and Environmental Sciences, detailed on the importance and historical perspective of earth day since Senator Gaylord Nelson introduced the idea in 1970 to create environmental awareness among the public. "Earth Day" observance has become more important in the face of continuous degradation of the environment by anthropogenic activities", he said.

The inauguration was followed by the lead talk by Dr. Anupam Sharma, Associate Professor, SoEES, giving details of origin of Earth and its age. Talking on the occasion, Dr. Deepak Pant, Associate Professor, SoEES, stressed on the use of four dustbin culture in every house for a clean and green earth. Explaining the need to use separate dustbins for biodegradable waste, non biodegradable recycle, biodegradable recycle waste and Hazardous waste, he urged students to take it as a challenge to spread the awareness among the public. Prof.Furqan Qamar, Vice Chancellor

of CUHP was the Chief Guest at the valedictory function. He highlighted the importance of Earth Day and congratulated the students for their role in different events and distributed different prizes to students. The Students of School of Earth and Environmental Sciences (SoEES) took part in debate competitions on '**Use of Biotechnology and Save Earth**' as part of the celebrations. To celebrate Earth Day, the school had also organised Earth Quiz, Rangoli-making, Collage-making and Painting competitions on the theme "Save Earth".

## Public Lecture on Connecting Rural Areas to the Internet



Mr. Ginguld delivering the lecture

"Digital communication is now shifting its base from the urban settings to the rural" said Micheal Ginguld, Director, Strategy and Operations Rural Broadband and CEO of Airjaldi Networks, while delivering a Public Lecture organized by the Deptt. of Mass Communication and Electronic Media on "Connecting Rural Areas to the Internet through Wireless Communication Technologies" at Central University of Himachal Pradesh on 16<sup>th</sup> April 2013. Mr. Michael said that mobility, cloud computing, social entrepreneurship intelligence and social networking are the key drivers of wireless communication technologies in rural India. Interacting with the students he urged

that it is high time for the country, as there is huge investment in communication technology and this technology is now driving consumer income and demand.

While talking about the penetration of broadband in India, Michael told that the cost effective technological innovations have set in motion a third wave of digital capitalism and this new model of doing business with profit and social cause is now transforming the sensitivity of technology.

Mr. Michael emphasized that it is very important for the people who are working for the capacity building in communication technology sector that they

should understand how the technology is turning mature because of the twin forces –advancement in technology and globalization.

Giving the example of the initiatives taken by Airjaldi Networks in the Dhawaladhar range of hills he said that now the sleeping mountains are tweeting. The business of wireless technologies in this country is expanding very fast and the young students doing their courses in technology, management, communication, social sciences and humanities have ample scope to learn and practice the cost effective technological invention and innovation.

## World Book Day celebrated at CUHP



World Book Day being observed

As part of the celebration of the World Book Day, the School of Education at CUHP in association with National Book Trust (NBT) organised a workshop in the campus on 23<sup>rd</sup> April 2013. Delivering the keynote addressing at the workshop, Dr. Manas Ranjan Mahapatra, Editor and Head of National Centre for Children's Literature at National Book Trust, said that there is a declining interest among the book readers and loss of popularity of books poses a serious challenge in the face of growing new media forms and technologies. "Providing e-books and interactive books to

children will be the best way to promote reading habit among them", he said.

Interacting with the faculty and other participants in the workshop, he stressed on the need for teachers and parents to inculcate reading habit among the children.

Detailing on the efforts to promote reading habits, Dr. Mahapatra said, NBT is planning to promote more books in regional languages. Dr. Shekhar Sarkar, author, and coordinator of the Dharamshala Book Fair informed the gathering that NBT will be

organising a 6-day book fair at the Police Ground in Dharamshala from May 8<sup>th</sup> to 14<sup>th</sup>.

Dr. Arbind Kumar Jha, Dean of School of Education, Prof. I.V. Malhan, Dean of School of Mathematics, Computers and Information Science, Prof. Arvind Agrawal, Dean of School of Social Sciences, Dr. Rabindranath Manukonda, Dean of School of Journalism Mass Communication and New Media, faculty members and students attended the workshop. Dr. Manoj Kumar Saxena, Associate Professor in the School of Education proposed the Vote of Thanks.

## Students & Faculty Visit IHBT



IHBT members and CUHP faculty in the meeting

As part of MoU signed between Central University of Himachal and Institute of Himalayan Bio-resource Technology (IHBT); Prof A.K. Mahajan, Dean, School of Life Sciences, CUHP accompanied by five faculty members viz. Dr Mushtaq Ahmed, Dr Yusuf Akhtar, Dr Vikram Singh, Dr P. Aparoy, Mr S.K. Verma and students belonging to MSc & RD programme visited the IHBT on 15<sup>th</sup> April 2013.

A team of scientists led by Dr Anil Soon and Dr Arvind Gulati, Senior Scientists of the IHBT warmly welcomed the Dean and the faculty of CUHP. The students visited

different research laboratories to know about the research activities going on in the Institute.

Eight presentations were made, four each by the faculty members of the University and the Scientists of the IHBT covering broad areas of common research interest including Molecular Biology, Drug Discovery, Metabolic Engineering, Mathematical Modelling, System Biology, Biotechnology, Bio-informatics, Biotechnology, Computational Genomics and Microbial Technology.

Dr Arvind Gulati the Scientist in-

charge of the Institute desired to work out modalities for extension of Lab facilities available in the Institute to the Research Scholars of the University as part of the MoU signed between the IHBT and the CUHP. Prof Mahajan, Dean, School of Life Sciences, CUHP agreed with the same. It was decided that collaborative research projects in the areas of common interest be submitted to the funding agencies for pursuing future interdisciplinary strategic activities in the field of Science and Technology.

## School of Business and Management Studies organizes Industrial Visit



Students of SBMS at Hero Cycles

An industrial visit was organized by the Training & Placement Cell of School of Business and Management Studies from 17th April to 20th April 2013.

The visit was specially designed for the students of MBA, Semester II, to provide them an insight into the real world. CUHP believes that theoretical knowledge is best when coupled with the

self evident truths, i.e. practical experience. Mere classroom teaching cannot create wholesome managers. Hence, the aim of the visit was to bridge the gap between the existing theoretical knowledge and the application part.

The industrial tour was strategically scheduled so that the regular classroom teaching of the

students did not get affected. The beginning of the tour was flagged off by the Pro-Vice Chancellor, Prof. Yoginder S. Verma from TAB. All the students accompanied by two faculty members visited different companies like: Janus Packaging (Baddi), Coca Cola (Baddi), Hero Cycles and Vardhman (Ludhiana) Mother Dairy (Delhi) and Rave India( Gurgaon).

## HIMSPARK'13—Rising Towards Peak



**SPARKS FLYING  
DURING HIMSPARK'13**

Himspark'13, a National Level Management Fest was organized by the Management Society on 5<sup>th</sup> & 6<sup>th</sup> April, 2013 with much fan fare. In his inaugural speech Chief Guest of the day, Prof. Yoginder S. Verma, Pro VC, CUHP spoke on the importance and relevance of the Fest which provides hands-on exposure to the students who have learnt about the theory of management in their classrooms. He said that such events enable the students to showcase their managerial, professional and creative skills. Presiding over the function, Dr. Sanjeev Gupta, Head of Department (Accounting & Finance) appreciated about the whole-hearted efforts put in by the students to make this fest a grand success. Welcoming the participants who had come from distant places, Dr. Aditi Sharma, Convenor, welcomed the dignitaries and the participants and wished them good luck. Dr. Bhagwan Singh, Head of Department (Marketing & Supply Chain Management) thanked the University authorities for extending their full support to the fest.

More than 250 students from Panjab University, Chandigarh, Himachal Pradesh University, Shimla, Sri Mata Vaishno Devi University, Katra, Sri Sai University, Palampur and Government College, Una, Government College Dharmshala, NIFT Kangra, Gian Jyoti, Centum Learning Dharmshala, Anna Malai University participated in more than 30 events organized in the campus with enthusiasm and vigour.

On 5<sup>th</sup> April, the events organized included—Sales person, Talk Show, Finance related Case Study, Slogan Writing, Collage-making, *pehchaan kaun*, Photography, Ad-Mad show, Business Plan, Marketing Madness, General Case Study, Prelim of Best Manager, Spell Bee, Chaos Theory, GK Quiz and Financial Quiz. The events tested the communication skills, situation handling, brainstorming, creativity, thinking ability etc. of the participants.

Rock Band “**TRIKAAL SHASTRA**” performed in the campus and enthralled students with their rocking performance.

On 6<sup>th</sup> April, 2013 the finals of Best Manager, Spell Bee, Chaos Theory, GK quiz competition, and Financial Quiz were held. Some additional events like Sudoku, Quantomania, Flip-back and T-shirt painting competition were also held concurrently.

Management Society also organised ‘Skoolmate’ for special participants from schools (Rainbow International School, Adhunik Public School, New Era School etc.), in which students of different schools participated in Quantomania, Sudoku, Painting, Debate and Declamation Contest. Different stalls of food and games were also displayed by students of CUHP in the open arena which were the part of Sales Mandi competition.

Amongst the winners Ms.Komal Rawal of NIFT (Kangra) attained 1<sup>st</sup> rank in salesperson position. In talk show Ankit Bhardwaj, Ankit Mahajan, Sahil, Akash of CUHP bagged the 1<sup>st</sup> position. In financial case study Akash Mahajan and Yanvir Kaur of SMVDU grasped 1<sup>st</sup> position. In Role Play, Abha, Munish, Vishal, Abhinav, Medhavi, Vipul, Manisha of HPU seized 1<sup>st</sup> position. In *Pehchaan Kaun* event Kuljinder Singh, Manish Garg of CUHP lapped up 1<sup>st</sup> position. In photography Raghav Manocha of CUHP acquired 1<sup>st</sup> position,

In Ad-mad show Raghav Gupta and his team members of SMVDU won 1<sup>st</sup> position. In general case study Abha & team of HPU (Shimla) obtained 1<sup>st</sup> position and Meena & team of SMVDU got 2<sup>nd</sup> position. In Marketing Madness; Varsha and Team of SMVDU got 1<sup>st</sup> position, Sachin of HPU (Shimla) attained 2<sup>nd</sup> position.

Provost and Dean Student Welfare, Prof. H R Sharam, Proctor, Dr. Roshanlal Sharma; Prof. I. V. Malhan, Dean of Library Science, Dr. Sanjeev Gupta, Head of Accounting & Finance, Dr. Bhagwan Singh, Head of Marketing and Supply Chain Management and faculty members of different schools were also present in the valedictory session.

The function concluded with vote of thanks proposed by Dr Sanjeev Gupta. He concluded that memories of HimSpark-13 will remain alive in the hearts of all. Dr Gupta thanked all the participants, students, guests staff and faculty members for their presence and contribution to make HIMSPARK'13 a grand success.

HIMSPARK'13 was given adequate media coverage by FM on AIR, Dharamshala and newspapers.

## Media Society organises a Workshop on “News Writing and Reporting Techniques”



Dr. Sudhakar Addressing the Participants in the Workshop



The Media Society of the School of Journalism, Mass Communication & New Media at CUHP organised a workshop on “News Writing and Reporting Techniques” on 06<sup>th</sup> April 2013. Dr. P. J. Sudhakar, Additional Director General (News), All India Radio, New Delhi, was the resource person for the workshop and delivered lectures on the main theme with a focus on RTI Act, Media and Constitution, Media Ethics, Media and Human Rights and Trends in Media. Pro-Vice Chancellor Prof. Yoginder S. Verma, while inaugurat-

ing the workshop, said: “While reporting, media should be careful about the ethical issues, truth and objectivity”.

Talking on the provisions for press freedom in the Indian Constitution, Dr. Sudhakar said that Right to Information Act is the strongest weapon with journalists and common people in India to maintain a vibrant democracy.

“Journalists should have a thorough knowledge about the provisions in the law, so that they can ensure that the rights of the media and common man are

not violated”, he said.

Dr. Rabindranath Manukonda, Dean, School of Journalism, Mass Communication and New Media, Mr. Hari Krishnan B, Assistant Professor and students from the School were present on the occasion. Dr. Archana Katoch, Assistant Professor, Department of Journalism and Creative Writing proposed the vote of thanks.

Dr. P. J. Sudhakar is a multifaceted personality who joined the Civil Services in 1987 and entered the Indian Information Service.

## Students Council & Central Purchase Committee Meetings Held

*“Live as if you were to die tomorrow. Learn as if you were to live forever.”*

— Mahatma Gandhi

*“The real test of a true democracy is the ability of even an insignificant minority to find its identity under the Constitution”.*

— Hon’ble Supreme Court of India as quoted by Justice Chauhan

A Students Council Meeting was held on 27<sup>th</sup> April to discuss the various problems & issues of students in the University and deliberate on the important guidelines for the council members.

The Vice Chancellor, Prof. Furqan Qamar, Pro VC Prof. Yoginder S. Verma, Proctor Dr. Roshan Lal Sharma, Provost Prof. H.R. Sharma along with different elected members of the student council were present in the meeting. The meeting was chaired the Vice Chancellor. Students

discussed on various problems related to food supplied by the Canteen, Language lab, Placement Cell and many more. Vice Chancellor assured the group for effective and quick solutions to the problems presented. This was the very first meeting of the Students Council.

On 30<sup>th</sup> April Deans of various schools of CUHP met to re-examine the tenders received from various suppliers for the supply and installation of various equipments meant for the establishment of a Media

Production lab for the School of Journalism, Mass Communication and New Media and also for the establishment of another Environment Science Lab for the School of Earth and Environment Science.

These labs are very important for imparting practical knowledge and developing professional skills in handling various equipment for the fulfillment of professional roles and for undertaking advanced research along with regular teaching.

## Parisamvad—An Initiative by the Department of Hindi



Parisamvad in Progress

On 17 April 2013, Department of Hindi, organized a symposium centred around the 'Interrelation between Literature and Cinema'. Professor Furqan Qamar, Hon'ble V.C., graced the occasion as the Guest of Honour. Apart from the Pro VC Professor Y.S.Verma, some distinguished scholars in the fields of literature and cinema were also invited during the event. Mr Chandra Kant, Assistant Professor, Hindi, compered the event. Dr. Sayema Bano formally welcomed the august gathering and introduced the topic of the discussion.

Key speaker of the day, Professor Om Awasti (formerly of GNDU Amritsar) touched the depths of the issue while speaking about the interrelationship between the two spheres of knowledge, i.e. literature and cinema. He also threw new light on the creation, purpose and inspiration of literature, and its contribu-

tion to the present world. He insisted upon the significance of cinema not only in the context of Hindi literature but also in that of World literature. Second speaker, Dr Pradeep Nair, Head, Dept. of Mass Communication and Electronic Media gave his views on the technicalities and autonomy of cinema and emphasized its deep-rooted relationship with literature as an art.

Dr Roshan Lal Sharma, Head of Dept., floated his ideas on the moral responsibility of literature and limitations of cinema in contemporary times. The Hindi Officer of the university, Mr. Sanjay Singh presented his viewpoint on the presentation of literature through cinema with suitable examples from Hindi cinema and literature. Prof. Yoginder S. Verma appreciated the meaningful effort of the department and also contributed to the discussion with his views on the issue. Professor

Arvind Agrawal highlighted the condition and direction of literature and cinema in this poststructuralist era.

Prof. Furqan Qamar, in his presidential address, congratulated the department for its first university event, and presented his original thoughts on the importance and need of the interaction between cinema and literature with the help from his life experiences. He also emphasized the requirement of the use of ICT in the analysis of literature and cinema. Teachers, researchers and students from various departments of the varsity participated enthusiastically during the open session which worked as the icing on the cake as far as the success of the event is concerned. The researchers of the Department, namely Poonam, Asha, Ravi and Asha Sharma played an important role in the successful organization of the symposium.

## Department of Economics & Public Policy organizes Study Tour



Faculty & Students of the Dept. of Economics a& Public Policy at Kinnuar

The Department of Economics and Public Policy undertook four days educational-cum-excursion trip to district Kinnuar of Himachal Pradesh during 18 April to 21 April 2013. Kinnuar district is about 500 KM from Kangra. Total 17 students and 6 faculty members joined in the trip.

The aim of the trip was to familiarize the students with the working of rural economy in

the hilly areas. The visiting team enjoyed the tranquil beauty of the mountains. Dr. Sanjeev Sharma, Scientist, Sangla Agricultural Research Unit of CSK Agriculture University, Palampur, interacted with the students, and gave information about the agriculture crops and techniques used for cultivation in hilly areas. The students also had a tour to Nathpa Jhakri Hydro-Power

Project and learned about the power generation and distribution from the experts.

The students visited the Chitkul (the last inhabited village near the Indo-Tibet border), Reckong Peo and Kalpa as a part of trip. In its way back, the trip halted at Shimla for about 3 hours, and students and faculty members had a walk around mall road.

## School of Business and Management Studies organizes placement event

"First they ignore you, then they laugh at you, then they fight you, then you win."

**Mahatma Gandhi**

The Training and Placement Cell of School of Business and Management Studies organized a placement programme on April 10 & 13, 2013.

The visiting companies were BetaSoft Systems Pvt. Ltd. and Genpact. As part of Education Social Responsibility; Training and placement cell of School of

Business and management studies provided an opportunity to the students of colleges in the neighbourhood to participate in the drive. Following students got selected: Ms. Aditi Sharma, Ms. Poonam Thakur, Ms. Swati Chopra, Ms. Monika Kashyap, Ms. Divya Kaushal, Ms. Alka Lalhall, Ms. Akanksha Awasthi, Mr.

Akash Aggarwal, Mr. Aditya Singh, Mr. Ankur Sarswat, Ms. Shweta Kapoor, Mr. Shwetang Dwivedi, Ms. Richa Bhadwal, Mr. Raghav Manocha, Ms. Shikha Sharma, Ms. Isha Dogra, Ms. Shilpa Gurung, Ms. Shallu Thakur, Mr. Barun Uttam, Mr. Ritish Soni, Mr. Ankit Mahajan and Ms. Garima.



## LECTURE OF JUSTICE R. S. CHAUHAN

### **Gender Issues: The Laws and the Social Realities**

Lecture delivered at the Central University of Himachal Pradesh, Dharamshala

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Esteemed Vice Chancellor, Prof. Furqan Qamar

All learned Deans and Heads

My dear Friend and Host Prof. Agrawal

&

Faculty members & dear Students

It is, indeed, a pleasure to be transported from the cloistered courts to the vast expanses of snow covered mountains and flowing streams of Himachal Pradesh. I am certainly indebted to the Central University of Himachal Pradesh for inviting me for sharing my thoughts with this august house. Generally, Judges do not make good speakers, as we tend to speak through our judgments. But I do hope you will find this lecture useful in some ways.

The topic, "Gender Issues: The Laws & the Social Realities" is a pertinent topic for many reasons: firstly, with the socio-economic progress of the country, gender issues have come to the forefront. Secondly, we can feel the gap between the laws dealing with the gender issues and the reality of our society. Thirdly, although we see the dichotomy, we fail to understand the reasons for the disharmony between the two. Fourthly, we have to seek means to bridge this schism. For a nation cannot have a schizophrenic existence. Hence, this topic has to be debated and discussed publically.

This paper is divided into six parts: Initially, we shall ask what the gender issues are. Then, we shall deal with the role of law in a society. We will then consider the relevant Constitutional provisions and other relevant laws which encompass these gender issues. We will also look at some of the landmark judgments of the Hon'ble Supreme Court which have dealt with these gender issues. We will examine the reasons for the dichotomy. Lastly, we will explore the possible solutions for resolving this conflict between the laws and the social realities.

According to the 2011 Census, women form 48.5% of the Indian population. The political, social and

economic rights of the women demarcate the arena of gender issues: such rights range from right to life, to right to property, from right to education to right to equal opportunity, from right to marry to right to divorce, from right to maintenance to right to protection from domestic violence. Since these issues are related to a large portion of the population, they are inter-related to the development of the nation. Thus, these issues do not merely raise questions of Constitutional law, but more importantly are related to social mobility, of political participation of individuals, and of economic development of the country. Hence, these issues are fundamental to the overall growth of the nation. The issues tax the mind of judges and jurist, and engage the imagination of the policy makers and leaders of the country.

Since these issues erupt quite often in the legal arena, the Law deals with these issues quite extensively. But the first question is what the role of law is? Is the law meant to merely preserve the cultural values and the social strata of a nation? Or it is meant to lead the society through new terrains, and to a new destination? Does it merely control the human behaviour so that people can live in peace and harmony? Or it prods them towards certain ideal state of affairs? Does culture determine the limits of law? Or the law expands the cultural horizon and thereby transforms the culture of a county? These questions are not only limited to jurisprudence, but also enter the field of sociology of law.

The founding fathers of our country were acutely aware of the limits of our feudal past, of our feudal culture. They were desperately trying to liberate us from our feudal outlook and to give us a modern vision. Simultaneously, the members of the constituent Assembly were conscious of the immense contribution made by women in our freedom struggle. In fact, some of the lady members of the Assembly had led the freedom struggle in their own right. The women in the assembly were intelligent, articulate and full of modern vision. Thus, it is not surprising that the Preamble of the Constitution begins with the words, "We the people of India". The Preamble, called the key to the Constitution, unfolds the dreams of the people: Justice—social, economic and Political, Equality of status and opportunity, Lib-

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erty of thought, expression, and of faith, and lastly of fraternity and respect for the individual.” The Constitution, thus, envisages an egalitarian society. Therefore, the role of the law, under the Constitution, is not to preserve the status quo, but to peacefully usher in a new age—an Age of Equality and freedom and justice; an age where each individual—be they men or women—would recognize their utmost potential. Hence, the role of law is not a passive one, but a pro-active one.

Keeping in mind the Constitutional mandate, specific provisions of the constitution prescribe certain freedoms, bestow certain rights—both fundamental and civil—and empower women in certain spheres. The constitution guarantees both equal protection of law and equality before the law. While prohibiting discrimination on the ground of sex, it permits the legislature to enact special laws in favour of women. It also guarantees equal opportunity in public employment. It protects the fundamental freedom of thought and speech, of expression and of faith.

The Directive Principles for State Policy, on the other hand, impose a duty on the state to secure equal rights for adequate means of livelihood for both men and women (Art. 39 (a)); for ensuring equal pay for equal work for both men and women (Art. 39 (d)); in order to secure justice for women, they further provide for legal aid both for men and women (Art. 39 A); the State shall also secure just and humane conditions of work and provide maternity relief (Art. 42); the State shall also endeavor to promote with special care the educational and economic interest of the weaker sections of the people and to protect them from social injustice and from all forms of exploitation (Art. 46); worried about the health of people, Art. 47 imposes a duty upon the State to raise the level of nutrition and the standard of living of its people. Certain provisions also bestow the right to participate in the decision making process by getting involved in the political process: Art. 243 D (3) reserves one-third of the seats in the *panchayat* for women; Art. 243 D (4) further reserves one-third of the chairpersonship in the *panchayat* for women; similarly, Art. 243 T (3) reserves one-third of the seats in the Municipality for women. Likewise, Art. 243 T (4) permits the legislature to reserve chairpersonship of municipalities in such manner as by law provide. In short, these Constitutional provisions aim at improving the social standing, the political involvement and the eco-

nomic empowerment of the women.

Like rivers flowing from the Himalayas, different laws flow from the Constitution. In order to protect the life of a girl fetus the Pre-conception and Pre-natal Diagnosis Act and the Medical Termination of Pregnancy Act, 1971 exist. In order to prevent early marriage of girls, the Prohibition of Child Marriage Act, 2006 exists. The Hindu Marriage Act bestows right to divorce, the right to maintenance and the right to alimony; The Protection of Women from Domestic Violence Act, 2005 tries to insulate women from domestic violence; The Hindu Succession Act, 1956 bestows the right to succeed to the property of the husband; a recent amendment in 2005 in the said Act permits the daughter to claim equal share in the ancestral property of her father. The Equal Remuneration Act 1976, the Factories Act 1986, The Maternity Benefit Act, 1961 cater to the economic needs of the women. In criminal law, there are special provisions for women: law against outraging the modesty of a woman, law against rape, law for maintenance, law against cruelty, law against dowry death. In order to strengthen the hands of the prosecution, certain presumptions have also been enacted: presumption in the case of rape, presumption in a case of dowry death. To prevent the degradation of the image of womanhood, the Indecent Representation of Women (Prohibition) Act, 1986 was brought on the statute books. In order to dissuade people from forcing women to commit sati, the Commission of Sati (Prevention) Act, 1987 was enacted. Thus, the laws try to create a fire-wall around the women in order to protect and promote their interests and rights.

The Constitution and the Laws have bestowed a new role upon the judiciary. The judiciary is no longer confined to the traditional role of settling disputes between individuals, or of just punishing the offenders. The Constitution expects the judiciary to protect the rights of the people, and to peacefully transform the society from a feudal one to an egalitarian one. In its new role, the judiciary has both protected the rights of women and as opened new vistas for them. Every day gender issues crop up in the courtrooms across the country. From the moufils courts, the issues reach the pinnacle at the Hon'ble Supreme

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Court. The Apex Court has dealt with complex gender issues:

Alarmed at the high rate of sex-selection and the systematic feticide of girl child, the Parliament had enacted the Pre-Conception and Pre-conception and Prenatal Diagnostic Techniques (Prohibition of Sex Selection) Act in 1994. But for almost a decade both the central government and the State governments failed to implement the Act. Thus, in the case of **Centre for Enquiry into Health and Allied Themes (CEHAT) v Union of India [(2003) 8 SCC 398]**, the Apex Court observed as under:

*It is an admitted fact that in the Indian society, discrimination against the girl child still prevails, maybe because of prevailing uncontrolled dowry system despite the Dowry Prohibition Act, as there is no change in the mindset or also because of insufficient education and/or tradition of women being confined to household activities. Sex selection/sex determination further adds to this adversity. It is also known that a number of persons condemn discrimination against women in all its forms, and agree to pursue by appropriate means, a policy of eliminating discrimination against women, still however, we are not in a position to change the mental set-up which favours a male child against a female. Advanced technology is increasingly used for removal of foetus (may or may not be seen as commission of murder) but it certainly affects the sex ratio. The misuse of modern science and technology by preventing the birth of a girl child by sex determination before birth and thereafter abortion is evident from the 2001 Census figures which reveal greater decline in sex ratio in the 0-6 age group in States like Haryana, Punjab, Maharashtra and Gujarat, which are economically better off.*

Since the Central and the State governments were not implementing the Act properly, the Apex Court issued certain guidelines for its implementation. But despite the guidelines, the problem of female feticide is still unabated.

In the case of **Air India v Nergesh Meerza & Ors. [(1981) 4 SCC 335]**, the issue that arose was whether Air India and Indian Airlines were justified in terminating the service of an airhostess on the ground that she became pregnant after her marriage? The Apex Court opined:

*But the provision according to which the services of Air Hostesses would stand terminated on first pregnancy is not only manifestly unreasonable and arbitrary but con-*

*tains the quality of unfairness and exhibits naked despotism and is, therefore, clearly violative of Article 14 of the constitution. It amounts to compelling the Hostesses not to have any children and thus interfere with and divert the ordinary course of human nature. By making pregnancy a bar to continuance in service of an Air Hostess the Corporation seems to have made an individualized approach to a woman's physical capacity to continue her employment even after pregnancy which undoubtedly is a most unreasonable approach. The termination of the services of a hostess under such circumstances is not only a callous and cruel act but an open insult to Indian womanhood. It is extremely detestable, abhorrent to the notions of a civilized society and grossly unethical in disregard of all human values. Pregnancy is not a disability but one of the natural consequences of marriage and is an immutable characteristic of married life. Any distinction, therefore, made on the ground of pregnancy cannot but be held to be extremely arbitrary.*

According to Section 6 (a) of the Hindu Minor and Guardianship Act and according to Section 19 (b) of the Guardian and Wards Act, the natural guardian of a minor is the father. According to these laws, the mother becomes the guardian "after" the father. In the case of **Githa Hariharan v Reserve Bank of India [(1999) 2 SCCC 228]** the constitutional validity of both these provisions of law were challenged. The legal issue was whether a mother could be relegated to an inferior position and denied the guardianship of a minor in case the husband was alive or not? Naturally, the interpretation of the words "after the father" was in question. Does the word "after" mean "after the life-time of the father", or does it mean "in the absence of the father"? The Apex Court held that in order to maintain the constitutionality of the provisions, the word "after" would have to be interpreted to mean "in the absence of the father" and not to mean "after the life time of the father". Thus, even if the father were alive, but in case he had stopped taking interest in the affairs and interest of the minor, then the mother would be treated as the "guardian" of the minor child. Thus, the right of guardianship which seemed to be denied to women on a plain reading of the law, was interpreted in such a way as to be-

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stow the said right on women.

Marriage, maintenance and domestic violence raise the largest number of gender issues. The Hindu Marriage Act does not provide for divorce on the ground of irretrievable breakdown of marriage. Yet, the Hon'ble Supreme Court is aware of the fact that often the marriage breaks down to a point of no return. Ever since 1985 the Apex Court has been advising the Parliament to make the irretrievable breakdown of marriage as a valid ground of marriage [Ref to **Jorden Diegdeh v S. S. Chopra (1985) 3 SCC 62**]. The Parliament is yet to amend the Hindu Marriage Act. But in the case of **V. Bhagat v D. Bhagat [(1997) 1 SCC 337]** one of the grounds for granting the divorce was the fact that the marriage had broken down irretrievably. This trend was followed till 2008. But now there is a difference of opinion between different Benches of the Apex Court on the issue whether this is a valid ground for divorce or not.

Maintenance available to a Muslim woman has raised a ticklish issue before the Hon'ble Supreme Court. Of course in the case of **Mohd. Ahmed Khan v Shah Bano Begum [(1985) 2 SCC 556]** the Apex Court had held that a Muslim woman was entitled to claim maintenance under the general law of the land, namely under Section 125 Cr. P. C. But the said ruling created some heat and dust in the country. Consequently, the Parliament enacted the Muslim Women (Protection of Rights on Divorce) Act, 1986. The Act limited the right of a Muslim woman to claim maintenance only to the *Iddat* period, that is only to three menstrual cycles after divorce. After this period she was to be maintained either by her relatives, or by the Wakf Board. Obviously, this created a great financial problem for the divorced women of the minority community who found themselves devoid of any maintenance.

The Constitutional validity of the Act was challenged before the Apex Court in the case of **Daniel Latifi v Union of India [(2001) 7 SCC 740]**. The Hon'ble Supreme Court had to find a way out of the impasse. One of the schools of interpretation of law is called "Constitutional feminism." It interprets the constitution from a feminist perspective. Catharine Mackinnon, an American feminist scholar, has argued that efforts to treat gender as a question of difference are misguided and that gender should be understood to be a matter of domination and subordination. Thus, the court had to interpret the law in terms of 'domination and subordination'. The Court had to inter-

pret the words, "a reasonable and fair provision and maintenance to be made and paid to her within the period of 'iddat' by her former husband". The Court first separated the words, "provision" and "maintenance" and saw them as two different entities. Secondly, it held that the words, "within" referred to the time period in which the provision and maintenance has to be made. The word "within" did not mean that the maintenance and provision are to be restricted to the period of 'iddat'. Thirdly, the Act was seen as applicable only to divorced Muslim women, and not to those who are deserted by, or separated from their husband. Fourthly, the Court stated that, "*A Muslim husband is liable to make reasonable and fair provision for the future of the divorced wife which obviously includes her maintenance as well. Such a reasonable and fair provision extending beyond the iddat period must be made by the husband within the iddat period...Liability of a Muslim husband to his divorced wife...to pay maintenance is not confined to the iddat period.*" Hence, the Muslim husband is now legally bound to provide for the wife even after the 'iddat' period. The case of Daniel Latifi has been followed in **Sabra Shamim v Maqsood Ansari [(2004) 9 SCC 616]** and in the case of **Iqbal Bano v State of U.P. [(2007) 6 SCC 785]**. In these cases, the Apex Court has creatively interpreted the law in order to improve the pitiable condition of divorced Muslim women.

Another problem faced by the Muslim women is the problem of "triple talaq". The moment a Muslim woman asserts her right to maintenance, the husband pleads in his reply, called the written statement, that he had divorced her by pronouncing the word 'talaq' thrice. He further contends that the divorce is effective from the date of filing of the reply, if not from the date he allegedly pronounced the 'triple talaq'. Since she is divorced, she is not entitled to seek maintenance beyond the period of 'iddat'. Thus, the law seemed to have provided him with an easy escape route. Such a situation, too, played havoc with the lives of Muslim women. In the case of **Samim Ara v State of U.P. and Anos. [(2002) 7 SCC 518]**, the Apex Court dealt with the concept of 'triple talaq' in extenso. The Court concluded that the 'talaq' must be for a reasonable cause. It must be preceded by an attempt at reconciliation be-

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tween the husband and the wife by two arbiters, one chosen by the wife, from her family and the other by the husband from his. Moreover, the Court held, "mere plea taken in the written statement of a divorce having been pronounced sometime in the past cannot by itself be treated as effectuating talaq on the date of delivery of the copy of the written statement to the wife". The husband has to adduce evidence and prove the pronouncement of 'talaq'. If he fails to prove the plea raised in the written statement, the plea ought to have been treated as failed. Thus, a burden of proof has been hoisted on the husband. The escape route is now constricted.

Not only in arena of substantive law, but also in the area of procedural law, the Hon'ble Supreme Court has interpreted the law in favor of women. It has ensured "fairness in the process of arrest, interrogation, custodial detention and detention in protective homes. The requirement of female police officer to arrest and search women, the need to arrest and interrogate women only during day hours, separation of female prisoners from male prisoners and fair conditions in protective homes so as to be conducive for dignity of women" have been laid down.

The Protection of Women from Domestic Violence Act does not cover just violence against a wife, but extends its protective cover to also those persons who live in "domestic relationship" but without a valid marriage. Thus, it covers the cases of live-in partner or second wife. The Act provides for payment of maintenance even to live-in partner or second wife. But Section 125 Cr. P.C. provides for payment of maintenance only to a lawful wedded wife or to a wife who has been divorced. In 2011, in the case of **Chanmuniya v Virendra Kumar Singh Kushwaha [(2011) 1 SCC 141]** an issue as has arisen before the Hon'ble Supreme Court whether the definition of 'wife' in Section 125 Cr. P. C. should be extended to a live-in partner or not? For, the Domestic Violence of Act does recognize the existence of a live-in partner. The issue has been referred to a Larger Bench of the Apex Court.

With regard to protection under the Domestic Violence Act, one of the issues is whether the said Act covers cases of domestic violence which had occurred prior to the coming of the Act in force? In the case of **V.D. Bhanot v Savita Bhanot [(2012) 3 SCC 183]**, the Apex Court has held that even if the acts of violence had occurred prior to the Act coming into force, or even if the couple had ceased to

live together prior to 26-10-2006, the date when the Act came into force, even then the Act would be applicable to the women.

More and more women are entering the job market. But are working places safe for them? The case of **Vishaka v State of Rajasthan [(1997) 6 SCC 241]** highlighted the need for law for preventing sexual harassment of women at the working place. Since there was no law on this issue, in the case of Vishaka the Hon'ble Supreme Court issued guidelines. Surprisingly, despite the lapse of sixteen years, after the issuance of the guidelines, the Parliament is yet to enact a law for this mischief in our society. Recently, in the case of **Medha Kotwal Lele v Union of India [(2013) 1 SCC 297]** the Apex Court has again emphasized the need for setting up Complaints Committee at all levels of taluka, district and state to inquire into allegations of sexual harassment. In case the States do not establish such Committees, then the women are directed to approach the High Court with their complaints. Moreover, it has directed that the Standing Orders be amendment so as to bring sexual harassment within its scope. It has also directed the Bar Council of India to ensure that there is Complaints Committee in each Bar Association. Hence, the Apex Court is still trying to make the working place a safe haven for the women.

Similarly, in the case of **Vishal Jeet v. Union of India [(1990) 3 SCC 318]** the Hon'ble Supreme Court was seized with the issue of child prostitution, with sexual workers and their rehabilitation. Since the law is inadequate about the rehabilitation of sexual workers, again the Apex Court issued guidelines as under: take appropriate and speedy action under the existing laws for eradicating child prostitution; set up a separate Advisory Committee. The Advisory Committee shall suggest measures to be taken in eradicating the child prostitution, and about the social welfare programmes to be implemented for the care, protection, treatment, development and rehabilitation of the young fallen victims namely the children and girls rescued either from the brothel houses or from the vices of prostitution.

The law with regard to rape has undergone a sea change. Prior to 1973, it was believed that the

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rape victim is an accomplice in the crime. Her testimony was suspect. Therefore, the courts looked for corroboration of her testimony. However, after 1973, the new view is that the woman is a victim of the crime. In the case of **Vishnu v State of Maharashtra [(2006) 1 SCC 283]** the Hon'ble Supreme Court observed that, "In the traditional non-permissive bounds of society of India, no girl or woman of self-respect and dignity would depose falsely, implicating somebody of ravishing her chastity by sacrificing and jeopardising her future prospect of getting married with a suitable match. Not only would she be sacrificing her future prospect of getting married and having family life, but also would invite the wrath of being ostracised and cast out from the society she belongs to and also from her family circle." Moreover, the law no longer requires that the Prosecutrix's testimony should find corroboration from some independent evidence. As long as she is a trustworthy witness, as long as there is a ring of truth in her testimony, her testimony can be relied upon for convicting the accused.

In the case of **Delhi Domestic Working Women's Forum v. Union of India, [(1995) 1 SCC 14]**, the Apex Court has laid down the guidelines for dealing with rape victims: Legal assistance has to be provided to the victim both in the police station and in the court. The same Advocate should continue to represent the victim in the court who has assisted her in the Police Station; the anonymity of the victim should be maintained at all times; compensation should be paid to the victim both by the court and by the Criminal Injuries Compensation Board. Although these guidelines have been issued, yet they have not been implemented in most of the States.

Despite the best efforts of the laws, and of the courts, the condition of women in India continues to be pitiable. Female feticide and infanticide continues. Surprisingly, female feticide has increased with the affluence of the society. The largest numbers of feticide occur in cities like Delhi and Bangalore. One study estimates that the number of "missing woman" in India is as large as the population of Canada. Due to the "missing woman", the male to female ration in the Indian population is 940 female per 1000 males. Similarly, according to the National Crime Record Bureau statistics for 2011, there were 24,206 rape cases in India. Although West Bengal, U.P. and Rajasthan top in rape cases, the maximum number of rape from cities are reported from Delhi and Bangalore. According to

the World Health Report in India, there is rape committed every 54 minutes. Most of the rapes are committed either by family members or by family friends or family acquaintances. Surprisingly, despite the Child Marriage Restrain Act, 40% of the girls in rural India are married below the legal age for marriage. In jobs, 90% of the female labour works in the unorganized sector. Therefore, they are denied the benefit of labour welfare laws and schemes. The female literacy rate is itself an eye-opener. The National Literacy rate is 74.04%; the literacy rate for men is 82.14% for men, but only 65.14% for women. Rajasthan has the lowest literacy rate for women at 52.7%, lower than Bihar and Jharkhand. The lack of literacy leads to oppression and exploitation of the women. If the literacy rate is so poor, the legal literacy rate is dismal. In such a scenario one wonders about the obstacles on the road to gender equality in our country.

The world over people has argued that a better rule of law improves the status of women. Or economic prosperity improves the condition of women in society. However, recent studies have questioned these premises. There is no dearth of rule of law in India, yet the position of women has deteriorated during the decade India showed economic progress. Thus, neither the rule of law, nor economic progress of the nation is a prescription for improving the status of women. The question is then what ails woman empowerment? Culture is the main culprit. Culturally and socially we continue to live in a feudal past. For the Hindus, girls are unwanted burden; for the Muslims, women by themselves are a symbol of evil. Thus, both the communities shun the girls. If a girl were born, they are neglected both educationally and medically; they are neither educated, nor given any self-esteem. They are married off at an early age; prevented from going into the job market. In short, they are cloistered, clustered, cribbed, cabined and confined. We continue to follow Manu's philosophy that a girl has to live under the command of her father, under the dictates of her husband, and under the care of her son when she becomes a widow. Although we have brought about a political revolution, and economic revolution, a judicial revolution, but the social revolution is yet to be ushered in.

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Reformation in the social thinking is the need of the hour. Like the reformers of 19<sup>th</sup> Century, India again needs a new set of reformers. But unfortunately, the religious leaders who have a mass following tend to be orthodox in their thinking, and status-quoantist. Instead of riding the society of its evil practices, they continue to harp on traditional role of the women. The same thinking is reflected in the caste panchayats or Khaps. If a woman marries within the same gotra, or marries outside her caste, she is hounded and condemned and at times killed. Thus, these caste panchayat justify honor killing in the name of 'Indian culture'. We need a set of new voices to counter the fundamentalist view of life.

Education of the people in general and especially of women is another route for us to take. The more educated the women, the more aware they are of their rights and duties, of their interest and liabilities. They are more in position to take their own decision both inside and outside the home. In fact, according to studies in Brazil, the more the women are educated, the better it is for population control. For, then the women decide the number of children and the interval of having children. Moreover, education gives them the chance for better job. Thus, it leads to the economic empowerment of the women. Besides literacy, legal literacy needs to be stressed. Most of the women are unaware of their fundamental and civil rights. They are unaware of how to access justice and the judicial system. Their knowledge in this area needs to improve.

Media plays a big role in generating the image of womanhood in a nation. The media is playing a positive role in raising gender issues, but it needs to highlight the achievements of women in different fields. The mass media covers the women achievers of the commercial world, of the cinema world, of the political worlds. But they do not talk about the ordinary women who have accomplished extra-ordinary achievements. But it is these women who are the role models for the people at large.

The economic policies and the government schemes meant specifically for the women need to be strengthened. But instead of giving them monetary benefits, their skills need to be honed in and developed. Since a large number of women work in the un-organized sector, their economic rights need to be guaranteed. Their economic productivity needs to be encouraged, and their out-put needs to find new markets. Small scale industries

which are run by women need to be protected and promoted. Without economic empowerment of women, gender equality would continue to be a mirage.

Women in India are victims of legal pluralism. Legal pluralism exists when the society recognizes different sources of law, and gives validity to different institutions dispensing justice. In such societies, everyday transactions such as marriage, inheritance and land exchanges fall into the jurisdiction of entities ranging from the state to customary and religious authorities applying a variety of rules: State laws, customary laws, religious laws, and local norms. So in a case of divorce, the caste panchayat and the Family courts compete with each other for granting divorce. In case of rape, while the Mulla issues his edicts, the criminal court takes its course. In the case of honor killing the judiciary and the Khaps are poles apart in dealing with the issue of murder. The ambiguities, the confusion and at times the outright conflict generated by legal pluralism needs to be created out of the system.

The government must also play its role in eradicating the gender inequality. Many a times some protective laws are self-defeating. There are laws which prevent women from working in 'dangerous industries'. But this hampers the right of the women to seek jobs. There are certain rules which prevent the women from working late at night. But such rules also prevent the women from taking up a job of her choice. Muslim Women (Protection of Rights on Divorce) Act claims to 'protect' the rights of women, but for a long time it had jeopardized their economic condition until the Apex Court gave a creative interpretation to the Act. Thus, before enacting any law the legislature needs to think of the ramification of the laws.

Gender-neutral laws, although appear to be unbiased, but they may impact disproportionately on women if they do not take into account the existing inequality in the society. For example a complicated investment procedure may discourage women from investing and from having access to the economic boom the country is enjoying. Discriminatory laws in the areas of family and marriage impact women's economic opportunities. Although not di-

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rectly dealing with economic fields, they can strip women of property rights, such as through provisions that provide for unequal inheritance rights, power over property vesting in the husband.

Considering the fact that more and more women are beginning to enter the job market, their physical and emotional safety at the work place needs to be guaranteed. Thus, the Parliament needs to deal with the issue of sexual harassment at the working place. Despite the repeated reminders by the Hon'ble Supreme Court, the Parliament is yet to tackle this malicious problem.

Immobility and geographical constraints also prevent the women from having an easy access to the administration, to the courts. Unless there is decentralization of the courts to the village level, the women would find it hard to travel and have access to the courts. These two obstacles prevent women from having access to justice.

Lack of resources also prevents women from having access to the courts. The lawyer's fees, the court fees, the elaborate procedure, the prolonged trials, the endless adjournments discourage the women from going to the courts. Thus, a support system needs to be created. Although now we do have the Legal Service Authority in every state and its representatives in every taluka, we need to generate other support systems. For example, Complaint Committees in case of sexual harassment in working place, such as probationer officers in case of domestic violence, and legal or para-legal support in case of rape or molestation.

The improvement of judicial infrastructure is a dire necessity. While the government announces the creation of special courts for rape, family courts for dealing with personal laws, it does not provide sufficient infrastructure. The end result is that we have courts on paper, but not in reality—give the example of Bhilwara. The infrastructures are so poor that the privacy and the safety of the victim cannot even be guaranteed.

Gender sensitization of the judiciary is over-due. The judicial officers still continue to harbor traditional views in family matters, in case of domestic violence, in cases of rape. They continue to see women not as individuals but as an appendage to men, as a means of man's survival and living. They see the duties a woman is supposed to perform. But they do not see the rights given to her by the laws. This gender blind spot has to be removed.

If the Constitutional dream of gender equality is to be realized, if our country should move towards an egalitarian society, if dreams of 'We the people' are to be concretized, we need multi-prong strategies to tackle gender issues. The task is never easy. But it is a mission we cannot fail to achieve. For the future of our nation, of our society and of our people depends on this herculean task.

I am certainly grateful to the Central University of Himachal Pradesh in general, and to the Vice-Chancellor, Prof. Furqan Qamar and Prof. Arvind Agrawal in particular for giving me this opportunity to share my thoughts. I am also indebted to all of you for giving me such a patient hearing.

*Thank you very much.*

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*Central University of Himachal Pradesh (CUHP) was established under the Central Universities Act 2009 enacted by the Parliament of India. The University became functional from 20th January 2010 with Professor Furqan Qamar assuming the charge as the first and founder Vice Chancellor of the University*

*Standing for Inclusive Access and Excellence in Higher Education, it is a multidisciplinary university. The Vision document of the University provides for seventeen different schools with five to six Departments and two to three Centres in each school. Of these eleven Schools and eighteen Departments and two Centres have been made functional*

*The University has adopted comprehensive choice based credit system which mandates students to accumulate at least 30 percent credits from departments other than those in which they major. This makes all programmes of studies inter-disciplinary and all students study in an interdisciplinary environment. All programmes of studies are based on semester system and the University follows comprehensive continuous internal assessment and Grading System*

*The University is to have its headquarter in Dharamshala and two distinct campuses located in Dharamshala and Dehra, both in the picturesque Kangra District of Himachal Pradesh. The land for both the campuses have been identified and allotted to the University and proposal for FCA clearance is at the advanced stages of progress. Following which, the land is likely to be transferred to the University and construction of permanent campuses shall begin.*

*In the Interim, the university has commenced its academic activities from the Temporary Academic Block (TAB) located at Shahpur in the Kangra District. The Headquarter of the University is located at Camp Office at Dharamshala.*

## Shri Ashok Thakur: A Profile

Shri Ashok Thakur got selected for the Indian Administrative Service in 1977 and was posted as SDM in Lal Bahadur Shastri National Academy of Administration, Mussorie, in 1979. He has served in various Departments under the Government of Himachal Pradesh, some of them being Land Revenue Management, Industries, Environment and Forests, Consumer Affairs, Food and Public Distribution, Transport, Personnel, Energy, Tourism, Urban Development, Youth Affairs and Sports, Culture, Home, and Social Justice & Empowerment. When deputed at the Centre, he served at the Lal Bahadur Shastri National Academy of Administration and later in the Ministry of Rural Development.

On 28th May 2008, he joined Department of Higher Education, Ministry of Human Resource Development, as Additional Secretary, and is in charge of Technical Education Bureau. He is a member of Board of Governors of various technical and management institutions such as IIM Lucknow and IIT Kanpur. He is also the Vice-Chairman of Kendriya Vidyalaya Sangathan.

He obtained Post-Graduate Degrees in History and Public Administration. He also holds a PG diploma in Tibetan Studies. Shri Ashok Thakur was born in the year 1954 in Himachal Pradesh, India. He did his Post-Graduate Degree in History from Panjab University, Chandigarh in the year 1975. He was awarded Diploma in International Economic Relations from International Institute of Public Administration, Paris, in the year 1984-85. He has also been an alumni of Kennedy School of Government and also IDS Sussex University, where he did programmes on Infrastructure Development in Market Economy and Poverty Reduction, respectively. In May 2008, he joined the Department of Higher Education, Ministry of Human Resource Development, incharge of Technical Education. He took over as Secretary, Higher Education, on May 25, 2012 and is overall in-charge of the Department in India.

