



754

Multi Disciplinary National Level ISBN Book

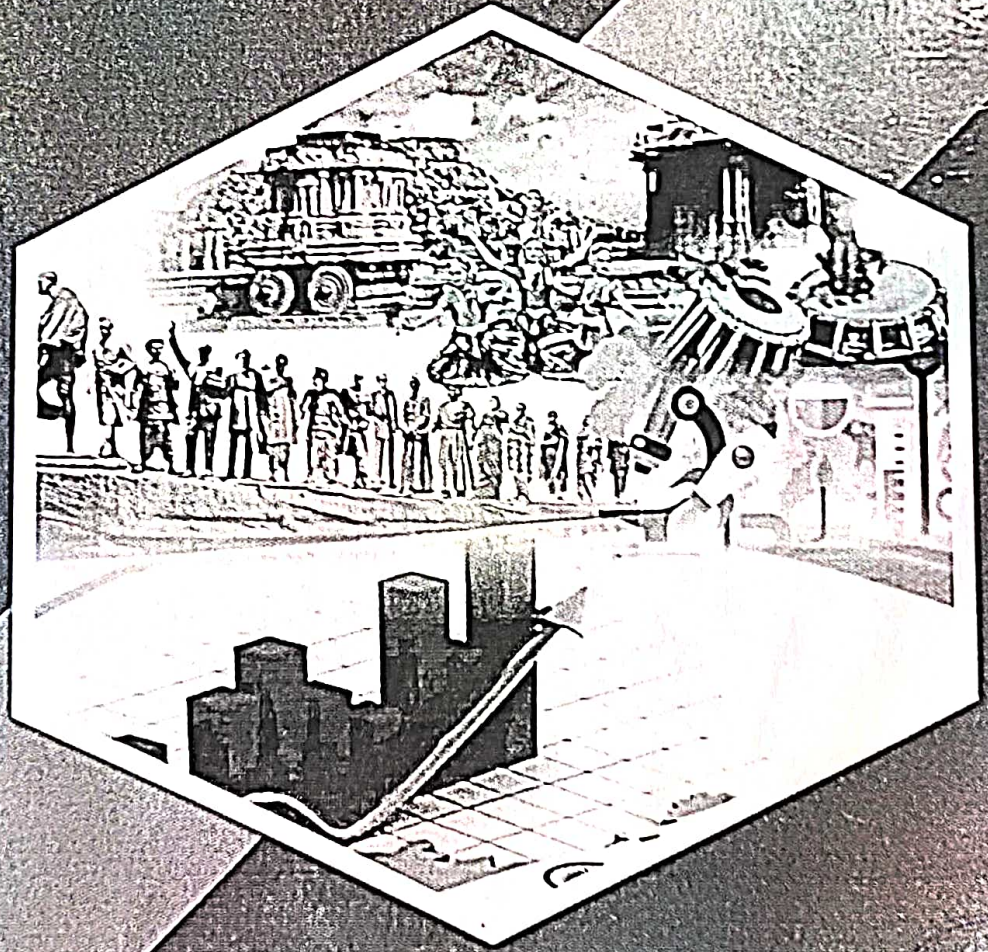
INDIAN CULTURAL TRANSITIONS (Since 12th Century)

ಭಾರತದ ಸಾಂಸ್ಕೃತಿಕ ಸ್ಥಿತ್ಯಂತರಗಳು

12ನೇ ಶತಮಾನದಿಂದ

Research Articles Edition - 2019

ಸಂಶೋಧನಾತ್ಮಕ ಪ್ರಬಂಧಗಳ ಸಂಕಲನ - 2019



Chief Editor

Dr. Muniraju M M.A., M.Phil., Ph.D., D.Litt(History)

Asst. Professor, Dept. of History

Govt. First Grade College, Mulbagal

Editor

K C Radhamma M.A., M.Phil.,

HOD of History

Govt. First Grade College, Bangarapet

Multi Disciplinary National Level ISBN Book on
INDIAN CULTURAL TRANSITIONS
(Since 12th Century)

ಭಾರತದ ಸಾಂಸ್ಕೃತಿಕ ಸ್ಥಿತ್ಯಂತರಗಳು
(12ನೇ ಶತಮಾನದಿಂದ)

Research Articles Edition - 2019

ಸಂಶೋಧನಾತ್ಮಕ ಪ್ರಬಂಧಗಳ ಸಂಕಲನ - 2019

Chief Editor

Dr. Muniraju M M.A., M.Phil., Ph.D., D.Litt(History)
Asst. Professor, Dept. of History
Govt. First Grade College, Mulbagal

Editor

K C Radhamma M.A., M.Phil.,
HoD of History
Govt. First Grade College, Bangarapet



116. ಭಾರತದಲ್ಲಿ ಬಡತನ ಮತ್ತು ವಡಿತರ ವ್ಯವಸ್ಥೆ
ಡಾ. ಮೋಹನ್ ಕುಮಾರ್ ನಾಯಕ್ 294
117. Christianity and Empowered Womanhood In Indian Society
Saritha Kumari M 297
118. ಗೊಡ್ಡುಕಲ್ಲು ಆಫವಾ ಆಗು ಬೋಟುಕಲ್ಲಿನ ಐತಿಹಾಸಿಕ ಮತ್ತು ಸಾಂಪ್ರದಾಯಿಕ ಹಿನ್ನೆಲೆ: ಒಂದು ವಿಶ್ಲೇಷಣೆ
Thlmmakka.M 300
119. ಮಹಿಳಾ ಸಬಲೀಕರಣದ ಹೊಸ ಆಯಾಮಗಳು
Suchitra. C. 302
120. ಮಾನವ ನಿರ್ಮಿತ ವಿಪತ್ತುಗಳಲ್ಲಿ ಘನತ್ಯಾಜ್ಯದ ನಿರ್ವಹಣೆ- ವಿಶೇಷವಾಗಿ ಬೆಂಗಳೂರು ನಗರದ ಅಧ್ಯಯನ
ಶ್ರೀಮತಿ ಮಂಜುಳ ಎ ಮತ್ತು ಡಾ. ರಾಮಣ್ಣ ಪಿ 305
121. Current Issues In Intellectual Property Laws in India
Vani Y D. 307
122. WTO and Economic Growth
M.Ravikumar 309
123. Recent Trends in Shaping the Future of Investment Banking in India
Mano Ranjan H 311
124. ಬೆಳಗಾವಿ ಜಿಲ್ಲೆಯ ಬಿಜಾಪುರ ಆದಿಲ್‌ಶಾಹಿಗಳ ಧಾರ್ಮಿಕೇತರ ಕಟ್ಟಡಗಳು
ಡಾ.ಎಮ್.ಎನ್. ಬೆನ್ನೂರ 313
125. ಭಾರತದ ಸಮಕಾಲೀನ ಪಲ್ಲಟಗಳು
ಡಾ. ಅಮರೇಂದ್ರ ಶೆಟ್ಟಿ ಆರ್ ಮತ್ತು ಪ್ರೊ. ಹೆಚ್.ಎಸ್.ಹರ್ಷಕುಮಾರ್ 317
126. Tribal Empowerment And Human Rights Perspectives in India
Prof.Shivanna Naik and Dr. Tharanatha 319
127. Important Qualities of A Teacher And A Student on Indian Education
Shobha. 322
128. A Study on Crisis of oil Mills' in chithradurga district
Nagaveni C M 324
129. Vinayaka Damodara Savarkar - A Great Indian legend
Santhosh Kumar . C 327
130. ಅಪೇಕ್ಷೆಗಳ ನಿರೀಕ್ಷೆಯಲ್ಲಿ ಸರ್ಕಾರದಿಂದ ಉಪೇಕ್ಷಿಸಲ್ಪಟ್ಟ ಕ್ರೀಡಾ ತರಬೇತುದಾರ
ಸತೀಶ್ ಬಿ.ಪಿ. ಮತ್ತು ಡಾ. ಹೆಚ್.ಎನ್. ರಾಜೇಶ್ 329
131. ಬೃಹ ನಾಯಕ ದೈವವಾದ ಕೆಳದಿಯ ಅರಸ ಬಸವಪ್ಪ ನಾಯಕ
ಡಾ.ಲಕ್ಷ್ಮೀ ಜಿ ಪ್ರಸಾದ್ 331
132. 'ಶಿಡ್ಲಘಟ್ಟ ತಾಲ್ಲೂಕು' ಒಂದು ಐತಿಹಾಸಿಕ ಆವಲೋಕನ
ಡಾ. ವೆಂಕಟೇಶ್.ಟಿ.ಎಂ. 333
133. G.S.T: ಒಂದು ದೇಶ, ಒಂದು ತೆರಿಗೆ, ಸಮಗ್ರ ಸುಧಾರಣೆ.
ರತ್ನಮ್ಮ.ಆರ್ 335
134. Sati Tradition - Widow Burning in India: a Socio- Legal Examination
Vijayalakshmi 337
135. Impact of Globalization on Sustainable Indian Economy
Vijayakumar 340



-on the rights of indigenous people

On September 13, 2007, the general assembly adopted a landmark declaration on right of indigenous peoples.

Main provisions of the declaration are as follows:

1. Indigenous have the right to the full and effective enjoyment of all human rights.
2. Free and equal to all other individuals and peoples in dignity and rights.
3. Right of self-determination their political status and freely pursue their economic, social and cultural development.
4. The right to maintain and strengthen their distinct political, economic, social and cultural characteristics, as well as their legal systems.
5. Right to Nationality. And Collective right to live in peace and security as distinct people.
6. Right to belong to an indigenous community or nation. In accordance with the traditions and customs of the community or nation concerned.
7. Indigenous people shall not be forcibly removed from their lands and territories.
8. Right to practice and revitalize their culture traditions and customs.
9. Right to have the dignity and diversity of their culture, traditions, histories and aspirations.
10. Right to enjoy full all rights established under international labour law and international labour legislation.
11. Right to determine and develop priorities and strategies for exercising their right to development.
12. Right to the conservation restoration and protection of the total environment and the productive capacity of their lands, territories and resources.
13. Collective right to determine the responsibilities of individuals to their communities.

Human right Violations and tribal issues

Indigenous people added a 'fourth generation' of indigenous rights, which will protect their rights to political self-determination and control over socio-economic development. The end of the boundary of fundamental rights marks the beginning of the demise of human rights. Fundamental rights enumerated from article 14 to 32 in part III of the Indian constitution, whenever violated seeks help of human rights for enforcement. Human rights are usually framed as the right of individual in the relation to the state. The political authority charge with bringing justice on the violation of human rights. Apart from political authorities, cases of violation of human rights had emerged, where violators were the non-tribal groups residing in the tribal vicinity. One famous example is of the Bhojpas of Uttaranchal who co-reside with the Panjabi communities. Obviously, there is the fear of globalization when the forces act upon the tribal and other vulnerable groups. Human rights are a powerful tool for development provided for the aborigines. The duty of human rights is to protect the life of the people, particularly the aborigines. In Indian context the caste dominance is very particular such as the dominant castes are often the perpetrators of violation of human rights. The Tribals always escape from dehumanizing people. It is essential to protect the tribal rights.

The Human rights connection with Tribal I P Rs

As victims of environmental degradation or inappropriate development, indigenous people find their human rights and fundamental freedoms ignored or violation at almost every turn. To date, the special relationship indigenous people have with their land and the environment has yet to be recognized by a human right instrument of the United Nations. Nor has indigenous knowledge found a place in the emerging international law concerning the environment. One of the challenges in dealing with intellectual and cultural property rights is in balancing two distinct ideas of how they should be handled. One view, subscribed to by many indigenous peoples, holds that indigenous peoples themselves must protect their traditions, ideas, innovations and objects, and that only self-protection will guarantee the preservation of their property and adequate compensation for its use.

Human Rights & Tribal social Justice under Indian constitution

Indian constitution defines the rights and privileges of tribal groups in India. They can be divided into two categories: (1) frontier tribes, and (2) non-frontier tribes. The tribal policy of the government has consistently aimed at encouraging and protecting their rights. The constitution of India has made certain special safeguards to protect these communities from all the possible exploitation and thus ensure social justice. Fundamentally, a human rights approach to poverty is about the empowerment of the poor. The right to equality and principle of non-discrimination are among the most fundamental elements of international human right law. The principles of effective protection against discrimination and to provide them equal and interest of scheduled tribes in articles 15(4), 16(4), 46, 243M, 243ZC, 244, first and second provisions to safeguard in Article 334, 335, 338A, 339(1), and the fifth and sixth schedules.

Tribal Empowerment And Human Rights Perspectives in India

Prof. Shivanna Nalk¹ and Dr. Tharanatha²

Abstract

Human Rights are rights and freedoms to all humans are entitled, rights which every individual must have against state. The aim of human rights is to empowerment of people through human development. The human Rights must apply all over the world and support the independence and high priority of human right. Tribals in India have been most vulnerable community in equal, domination and exploitation ridden society. In India tribes are treated very low, ill treated were not enjoying equal status with other people. Human rights are entitlements inherent to all human beings. Whatever our nationality, place of residence, sex, national and other status. Tribal (minority) right must be protected. Human rights were initially conceived of precisely to protect the oppression of minorities by dominant cultures and people. The government has to actively prevent discriminations against them. Tribal people have been deprived, displaced, deceived and neglected treated as second class citizen to them. An attempt is made to find out the measures to safeguard the customary rights of the tribals in an age where tribal customs traditional rights have come face to face with state's developmental goals. The tribals who constitute 8.6 % of the total population of India are distributed in various states of the country and are facing many problems.

Introduction:

India is country of hundreds of communities with different cultures, languages, ethnicities and religious affiliations. The indigenous communities often referred to as tribals in India. Indigenous peoples in India comprise 705 ethnic groups notified as scheduled tribes (STs) spread across 30 states and Union Territories in India. In the tribal dominated region, the poor socio-economic conditions of the tribes were attributed to their geographical and social isolation. The constitution made provisions to protect tribals. In spite of provisions, several legislations, policies and welfare schemes for indigenous or tribal communities land alienation and exploitation continued. The human right ensures dignity to the indigenous people of the country. Indigenous peoples are victims.

Indigenous/tribal women faced violence including killing, torture, rape, and other inhuman and degrading treatment at the hands of the law enforcement personnel, the armed opposition groups, and village panchayats. The tribal children were vulnerable at the hands of the security forces, the armed opposition groups and the society at large. The forest degradation due to the mining and other development projects has significantly depleted the ecosystem, rendering the tribal population more socially and economically vulnerable. The impact, naturally, has been disproportionately higher on these already poverty-stricken and marginalized people. The leaders (pradhans) of adivasis, who are tied with and dependent on the ruling classes, bureaucratic, officialdom, administration, moneylenders, intermediaries, contractors, etc with thousands of interlacing interests became the elected representatives of the adivasis exercising their traditional control over them. In many cases, the nexus of the administration, police, mining tycoons, land mafias extracted the consents of the gramasabha under direct threat of violence and torture. The rulers of India, acts & laws alongside were maintained the exploitations. Hence, the adivasi people never got either the real freedom and / or sovereignty from the rulers who were tightly bonded with the imperialist, masters with hundreds of threads. Under these circumstances, the fifth schedule of the Indian constitution could not safeguard the adivasis from the expropriation of the land and forest.

Problems faced by indigenous peoples in India

Indigenous people suffer higher rate of poverty, landlessness, malnutritions, human rights violation, unemployment and internal displacement than other sects of the society, and they have lower level of literacy and less access to health services. Government provided small holdings, but most of these holding are not viable and without proper title deeds. Land alienation has brought serious impacts on their livelihood. The lifestyle and livelihood of most Adivasis are dependent on forest and agriculture which is the major source of their income. Adivasis became landless due to the large scale migration of people from the other places this leads to low income and reduced employment.

International Human Rights conventions on Tribal/indigenous people rights

The indigenous people in India live under extreme poverty and hunger most of them do not have land and displaced tribes are denied of their right to live in forest which used to be their source of livelihood. The first Magna Carta i.e the Great Charter was written in 1215 A.D urging certain rights to particular section of people. US declaration of independence in 1776 coined the term Human Right it said all men are created equal with certain inalienable rights; that among these are life, liberty and the pursuit of happiness, that to secure these rights, government instituted. In accordance with international law, take concerted positive steps to ensure respect for all human rights and fundamental freedoms of indigenous people on the basis of equality and non discrimination, and recognized the value and diversity of their distinct identities, culture and social organization. International action to protect the human rights of the indigenous people has been limited. International standards

1 Asst Prof Govt Law College Ramanagara Email id - shivannanalk@gmail.com Mb-9480585879

2 Principal, S D M college of Law and research Centre, Mangalore tharanathashetty99@yahoo.com

Tribal social legislations. -

Besides these, several law has been enacted by the central government like the protection of civil Rights Act, 1955, the Scheduled castes and scheduled tribes (prevention of atrocities) Act, 1989, the provisions of the Panchayats (extension to scheduled Area) Act 1996, the scheduled tribes and other Traditional forest Dwellers (recognition of forest Rights) Act 2006, as well as by the state Government (relating to prevention of alienation and restoration of tribal land, money lending, reservation etc.). The center has been given the authority of giving directions to the state governments (article 339 (2), Para 3 of the fifth scheduled) in the interest of tribal people.

Socio-economic Advancement of STs.

Ministry of Tribal Affairs gives more attention to the development of scheduled Tribes. National Scheduled Tribes Financial and Development Corporation (NSTFDC) Scheduled tribes' development corporations (STDCs), Tribal co-operative Marketing Development Federation of India Ltd. (TRIFED) extend financial assistance to STs at concessional rate for income-generating schemes, to bring socio-economic development of tribes. Tribal research centers have been set up in many states conducting research and evolution studies on tribes.

Measures for educational advancement of STs.

The department of Elementary education and literacy and the Dept. of higher Education in the states have provided special incentives to the ST students in the form of text books, uniforms, abolition of tuition fees Etc. ST Girls & hostels, Ashram schools, vocational Training centers in tribal Area, Coaching for ST student to succeed in complete examinations, Scholarships in all courses provided to ST students. Special focus is also accorded to ST students under the primary Education programs, Kasturba Gandhi Balika Vidyalayam, Mid-day Meal Programme, Navodaya Vidyalayam, National Talent Search Schemes Etc.

Conclusion

The tribal problems are very complex. The central and state governments have taken much interest in the tribal welfare programmes Tribal population continues to suffer from disadvantages like displacement and dispossession of life support system, inadequate advancement planned development efforts, general apathy of official machinery etc. The progress achieved in this field is far from satisfactory. The legal regime governing tribals as of now is inadequate to address their problems. The tribals have suffered enough from exploitation, discrimination and oppression by the rest of the society; they remained poor, illiterate backward and ignorant. Unsatisfactory implementation of the programmes for tribal development also administration failure. These factors have reduced the tribals to lead standard of life. Tribals living in hilly regions are the main reason for the social exclusion of this community. The tribals are living still below poverty line, low income, lack of housing etc. it is necessary to redefine the problems of tribals and protect Human rights through the administration of social justice.

References

1. Ashwini Ra, (2010). Status of human rights in India. Pacific Publications New Delhi.
2. Dr. Pratiksha (2016). Problems of the tribals. CVG Books Laggere Bangalore.
3. Dr. H. O. Agarwal (2014), Human Rights. Central Law Publications Allahabad.
4. Sarit k. Chaudhari Sucheta Sen Chaudari. Primitive Tribes in contemporary India (VOL-1), Mittal Publications New Delhi.
5. P.K. Misra, H.K. Bhat, K.k Misra. (2012). Bio-cultural Development of Scheduled Tribes-Policies and Issues. RAWAT PUBLICATIONS. Jaipur.
6. Dr. Uma Devi. (2006), Tribal Rights in India, Serials Publications New Delhi.
7. V. Subramanyam. K. Sekhar (2010). Social Exclusion, integration and inclusive policies Rawat Publications.
8. Rameshwari Pandya. (2013). Social Justice and Empowerment of Disadvantaged Groups in Indi-Policies and Programmes.
9. Bhupender Singh, Neeti Mahanti (1997). Intellectual property Rights and the Tribals, Inter-India Publications New Delhi.
10. Savita Bhatt. (2011). Dalits, Tribals and Human Rights. Adhyayan Publishers & Distributors New Delhi.
11. M.C. Beher, Jumyir Basar Resources, Tribes and development competing Interests and contours of possibilities. Rawat Publications. Jaipur.
12. R.C. Pandit. (2009). Development-VS-Displacement of Tribal people in India Problems and Prospects, Abhijeet Publications Delhi.
13. Dr. Pratiksha. (2014). Tribal Situation in India. Centrum Press New Delhi.
14. V B Malleswari. (2007). Human Rights International Perspectives. The Icfai University Press Hyderabad.
15. Denzil Fernandes. (2017). Social Action, July -Sept. Vol. 67. Denzil Fernandes for integrated social initiatives New Delhi

