

# Brain Drain

Human capital flight, more commonly referred to as "brain drain", is the large scale immigration of individuals with technical skills or knowledge; it is normally due to conflict, lack of opportunity, political instability, or health risks. Although the term originally referred to technology workers leaving a nation, the meaning has been widened to include "the departure of educated or professional people from one country, economic sector, or field for another, usually regarded as an economic cost, since immigrants usually take with them a fraction of value of their training sponsored by the government or other organizations. A parallel is capital flight which refers to the same movement of financial capital. Brain drain is often associated with de-skilling of immigrants in their country of origin, while their country of immigration experiences the benefits of skilled individuals. The term brain drain was coined by the Royal Society to describe the immigration of scientists and technologists to North America from post war Europe. It described the immigration of technologists, doctors and scientist, from various developing countries to more developed nations like USA. Now this phenomenon of brain drain has a converse effect for a country in which people are getting migrated and brain drain of a nation becomes brain gain for that particular country. Usually all developing countries including India suffer from brain drain and developed countries like USA are enjoying brain gain from this phenomenon.

A few years before, Europe was one of the extreme sufferers of the brain drain. In Europe brain drain was occurring in two stages. 1st was the migration of workers from the south East European and East European countries to Western Europe. And the other stage was migration from Western Europe to the USA. But this cycle of migration is getting slower these days. To stop brain drain the European community also launched a provision called "Blue Card". It's the same as Green Card facility of USA. In fact Europe was getting immigrants from Asia in the last decade in order to compensate for their own brain drain. But at the same time Europe is

also worried about the effect of a foreign populace on the culture and environment of Europe, so these days Europe is employing strict rules to regulate flow of immigrants.

The maximum sufferer in this regard was Africa. According to a survey Ethiopia lost 75% of skilled workers in the years 1980-1991. This mass migration of skilled workers is showing extremely detrimental effects on the development of the nation. In a similar manner Kenya and Nigeria are also great sufferers of brain drain.

Lack of basic migration orthodox development

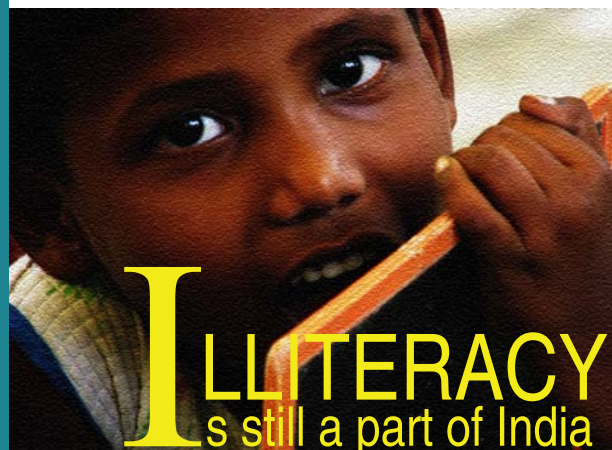
Countries like China, Pakistan, Russia and India are also facing similar problems. Unemployment, population explosion and corrupt political systems are the main reasons for migration of skilled workers from Asia. In countries like India, Pakistan, Bangladesh etc graduates, post graduates, experienced and skilled professionals are not getting enough opportunities to develop and succeed. So with dreams of development these professionals leave their native country in search of better future. This brain drain is a great loss to these developing countries.

On the other hand, brain gain is the exact opposite situation. Countries in which skilled workers are migrating are said to be brain gaining countries. Examples include -USA, Canada and UK. These countries are benefitted because these nations are rich and have enough work opportunities. Moreover, they provide better facilities and lifestyles.

Thus, for the balance of power and for the staggered development of the world, it is very important to stop the phenomena of brain drain. This will help a particular country to use all local skilled citizens for development and progress. But to hold these skill workers in their native places, it is also important to provide them enough work opportunities and living facilities. For this purpose, developed nations should help developing countries with necessary money and resources so that each and every human on this planet can have a good standard of living and each and every nation can contribute to the development of the world as a whole.

**Snigdha Bhattacharya**

*2nd year, B.A.L.L.B.*



rural schools contribute to the low quality of education by rural children. Many children living in rural areas receive a level of education which is very poor. Overall enrollment in primary and middle schools is very low. 50% of the children living in these areas leave school for many reasons-lack of interest, working in the fields where hours are long and pay is low. A large percent of dropouts are female children. Forced by their parents most girls perform chores and tend to the family at home. These are some reasons why female literacy stands low in India. As these children grow into adults, many are still illiterate by the age of 40.

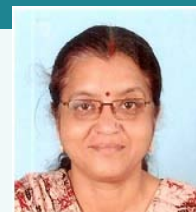
These adults are also reluctant to send their own children to school. This creates a vicious cycle where whole sections of the community remain uneducated. A large number of teachers also refuse to teach in rural areas and those that do are usually under qualified. In recent years the number of qualified teachers have increased because of increased effort by the government and civil society groups to improve general education and professional training of teachers. Many teachers lack enthusiasm due to their meagre salary. Lack of books and learning materials also seems to be a widespread problem.

**Suchandra Dey**, 1st year B.A.L.L.B

Most of the rural schools operate without toilets, drinking water facility and electricity. The distribution of government funds is a major hindrance to the educational system. According to a recent study 30% of the total educational funding goes towards higher educational institution. This is an important factor as the percent of students enrolled in these institutions are much lower.

Lack of education has resulted in growth of unemployment, poverty and substantial increase in the growth of population. Illiteracy has proven to be one of the biggest handicaps faced by the nation. It has percolated through various systems affecting India's growth. India needs policy changes in the way we look into the education system in the country. Government should ensure that the funds reach where they are meant to be utilized and not get exhausted in the pockets of few.

## Message from the Faculty-In-Charge



The second issue of this newsletter is now with you. We at JSL are committed to the 'highest standards of academic excellence where students are strengthened for lives of purpose, service and leadership.' These words capture the essence of this school. In fact, the virtues of "purpose, service and leadership" are the marks of the practice of law as a profession. The lawyer as a professional is a person who, by virtue of his or her rigorous study and adherence to the highest standards of ethics and practice, is entrusted by society not only to make a living by competently and ethically representing his or her paying clients, but by conscientiously striving to achieve justice for all, including the "least of these," the persecuted, the dispossessed, the powerless.

The School of Law is working towards fulfilling this vision with a good student-professor relationship. In that regard, we seek to maintain the 'open door' as a living reality rather than a mere cliché. We strive to listen, to learn, and to help every member of the School of Law community define dreams and achieve aspirations. I believe that this new batch of students of the First Year will find the Law school an extraordinarily welcoming place.

This semester in the Jyotirmoy School of law has been a challenging one where talented individuals from diverse backgrounds have come together to pursue their highest aspirations. We had the third batch of LLB students getting admitted through the entrance test conducted by the University of Calcutta. The entrance test is mostly conducted in the month of May every year. Classes for the First Year started from the 2nd of July 2010.

Young brains were nurtured for the preparation of the moot courts and mock-trials. Moot court is a law school activity. Students are encouraged to participate in 'Moot-Court' right from the First year as this helps them to develop oratory, drafting and research skills. Further, this also provides an opportunity for the students to learn to work as a team and get exposure to the latest legal issues.

**Sangita Chanda**, Faculty-in-charge.

Moot court activities were conducted in the month of July in which many students participated and took active interest in the preparation and arguing of cases in front of judges who were mainly law Professors. The case and sides were selected beforehand, and students were given a set amount of time to prepare for the eventual trial.

This is just a beginning. The Academic side has been taken care of with the purchase of legal and non legal books written by Indian and Foreign authors including journals. Reprography service, internet facilities and E-lab services have also been provided. This effort has been initiated to enrich the library more.

Extracurricular activities have started with the celebration of Independence Day. The students participated in the Quiz programme organized by the Jyotirmoy School of Business. In the month of September, the Law School invited 'Swayam' an NGO, who visited the campus on 9th Sep.2010. In near future, students, would be participating in their activities and initiation are being taken for their internship. Placements are a culmination of the five years of rigorous training that students go through. The Jyotirmoy Education and Welfare Foundation have a Placement Cell and will take care that these young and trained graduates find suitable positions of responsibility in the professional world in their near future.

The students 'Social' will be hosted on 27th November 20, 2010. The Law School has regular Parents -Teachers meet and on 4th December 2010 Scholarships will be distributed to the meritorious students of the previous semester. As a young law school in the state of West Bengal, JSL is pioneering innovative specializations and is committed to providing the legal profession with competent & skilled man power.

## Honour Killing ... is there any honour in killing for "HONOUR" ?



The growing incidents of honor killing in different states and now in the capital has proven that caste and its brutal ramification are still prevalent in India. Many of us are are plainly baffled by the incidents, but is it actually for the family honor? Who sets to decide what is honorable? What about our collective honor as a society, will any law against honor killing be effective in the absence of genuine will on the part of the people themselves? We cannot expect our political leaders to answer such questions in an honest manner. They have displayed their abhorrent dilly-dallying preferring the silence of collaboration for electoral gains. The onus

now clearly lies on the responsible citizens of our country to raise their voices against a practice that defies the idea of an inclusive and tolerant India.

**Pranay Prakash**, 2nd year, B.A.L.L.B.

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### Editorial Team

**Adviser-** Vanita Ganguli  
**Student Editors -** Deepshika Tapadar  
Sidarth, & Pranay Prakash



## Editorial



It gives us a great pleasure to present here the 2nd issue of our news letter.

We are in the 21st century but we are still plagued by social evils such as dowry, honour killings, child abuse etc. In the rural areas women are still treated as a source of cheap and free labour. In this newsletter we seek to explore the origin and to some extent the rationale behind such crimes.

This newsletter also tries to address the problems related to corruption, Maoist crimes and terrorism where the general public are the only sufferers.

This newsletter also touches on some lighter aspects of our lives – the impact of Cinema on our consciousness and also the consequent westernization.

I thank all my co contributors for their input and look forward to more such contributions from my colleagues and other people and hope that this issue shall be both interesting and informative.

Pranay Prakash, 2nd year, B.A.LLB.

## MOOT COURT COMPETITION

On 5th of August 2010 our college conducted the moot court competition. The students of B.A.LLB (1st year) participated in it. This competition was conducted by our law faculties. It included five groups who were given cases. Each group argued on their respective cases.

Our chairman Dr. Partha Sarathi Ganguli along with other faculties was present throughout the mooting and at the end each of them expressed their views on the same and guided us as to how we could improve our litigating skills.



## ACADEMIC CALENDAR 2010-11

Parents –Teachers meet	-----	4th December 2010.
Community Service for students under 'Swayam'	-----	9th December 2010.
Internal Assessment Examination for 3rd Semester	-----	14th December to 23rd December 2010.
Pre- Test Examination for 1st Semester	-----	14th December to 23rd December 2010.
Final Semester Examination	-----	2nd/3rd week of January 2010
Quiz Competition	-----	1st week of February 2010
Moot Court Competition	-----	2nd week of February 2010
Extempore Speech	-----	3rd week of February 2010

## Independence Day



The Independence Day started with the hosting of the national flag by our chairman Dr Partha Sarathi Ganguli. After which he boosted our spirits with a short speech. Then the celebration started with patriotic songs which were followed by dance and drama. All our teachers, staff and students were present as spectators. The participants tried to perform their best. It was a very colorful programme and everyone enjoyed to the fullest. It was with the national anthem that the auspicious occasion came to an end. The success of the day would not have been possible without the continuous effort of our respected teachers who guided us throughout the event.

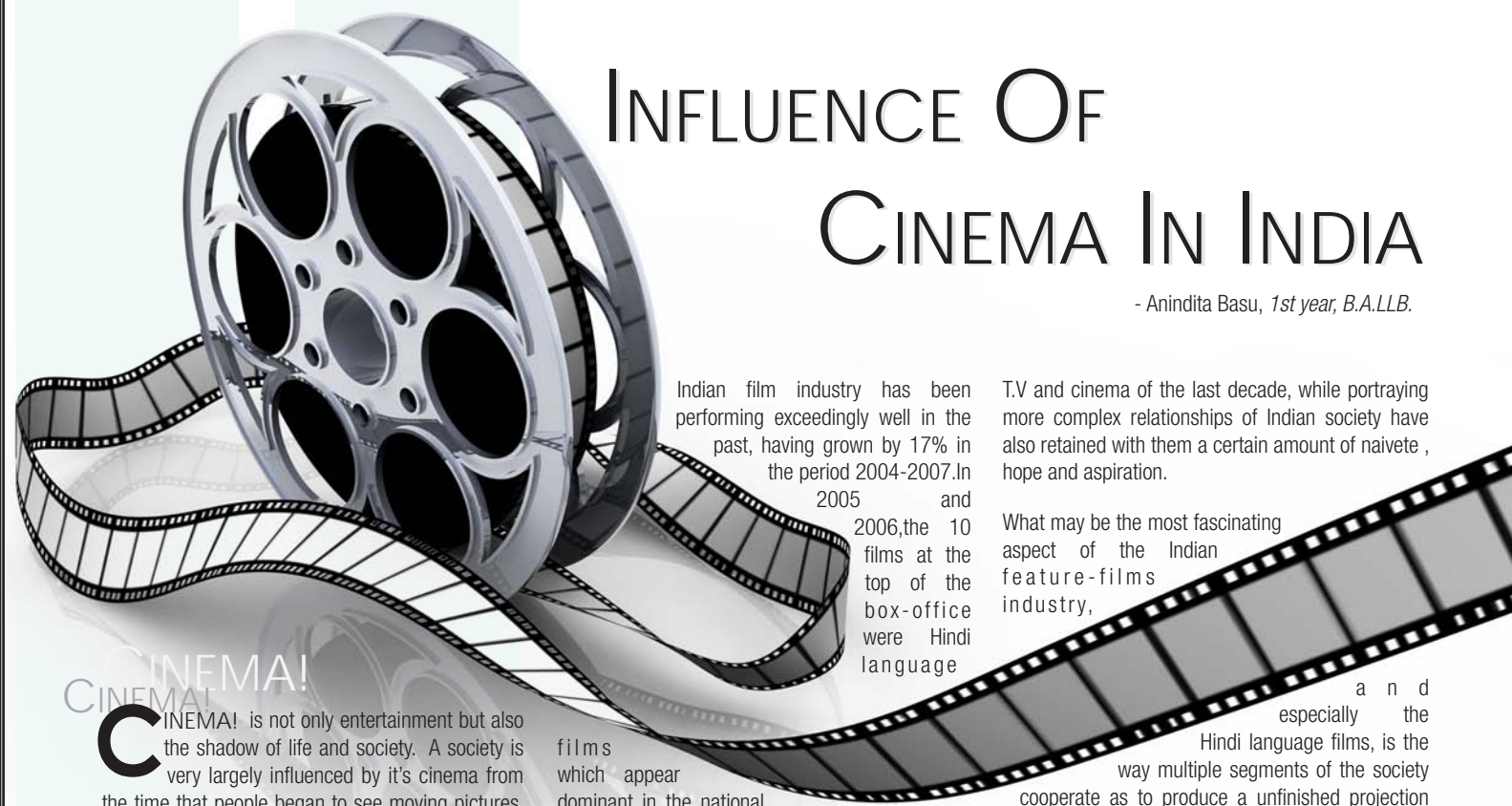
## NGO's Visit

A Nongovernmental organization visited our campus on 8th of August 2010 and organized an interaction with law school. The NGO 'SWAYAM' interacted with us in an indoor game, where all the students of Jyotirmoy School of Law, participated. The members of 'SWAYAM' shared with us their working experience as to how they work in rural areas. Their motive is to create self awareness among women, to make them aware of their importance in society and to fight for those women who cannot access justice even though they are citizens of free India. 'SWAYAM' organized a debate competition among the students in order to know our views on various aspects of domestic violence on women. It was a very enlightening experience that we had because of the NGO along with their faculty members.



# INFLUENCE OF CINEMA IN INDIA

- Anindita Basu, 1st year, B.A.LLB.



Indian film industry has been performing exceedingly well in the past, having grown by 17% in the period 2004-2007. In 2005 and 2006, the 10 films at the top of the box-office were Hindi language

T.V and cinema of the last decade, while portraying more complex relationships of Indian society have also retained with them a certain amount of naivete, hope and aspiration.

What may be the most fascinating aspect of the Indian feature-films industry,

CINEMA! is not only entertainment but also the shadow of life and society. A society is very largely influenced by its cinema from the time that people began to see moving pictures. Films are a reflection of our ideology.

films which appear dominant in the national market. "Hindi film carries a universal message" says Amitabh Bachchan.

People are very much influenced by the cinema and they implicitly and explicitly absorb the ideology propounded on screen. It is hard to say whether cinema is a reflection of life or is life a close imitation of cinema. The cinema can inspire people against oppression, suppression, and exploitation of the powerful and also reaffirm the victory of righteousness over evil.

The Indian cinema is a mirror of our society like Theatre and Jatra, two other forms of art. Cinema is reflecting a society undoubtedly more culturally open to the world, by means of its economy and of its migratory influence however still inward looking because of a disparate identity, showing a quasi-insular aspect.

and especially the Hindi language films, is the way multiple segments of the society cooperate as to produce a unfinished projection which by the way, is divided inside its boundaries and has spread out all over the world through a diaspora. This talent is what we would desire as the "Indian cultural exception".

Thus the cinema can reveal the good and bad of the society as well as the state. It is a strong weapon to influence the people as well as the society and the state.

## Influence of western culture in India

The day 15th of August 1947 is a golden day in Indian history because it is the day when British rule in India came to an end. It is the day when India was declared free from foreign rule. The English people left the country but the seeds of their culture were retained. Few countries in the world today have as ancient and diverse a culture as that of our country. Today India's physical, religious, and racial variety is an important feature in reflecting on its past and tracing its growth as "Modern India".

influence of westernization that English as a language enjoys the position of second language in India.

The American and Indian cultures have very vast differentiation between them. While the culture of America is a mixture of different cultures each retaining its individuality; the Indian culture is has traditionally absorbed most cultures within its fold creating a more homogenized cultural identity. While Indians are very much family oriented, the Americans are individually oriented. In Indian culture family values are given more prominence than individual values. In fact the social problem of divorce has become rapid in Indian marriages which perhaps are a consequence of western influence. Traditionally Indians believe in stability in relationships where as the Americans believe in mobility.

Indians give more importance to following instructions while Americans learn from an early age to question all beliefs.

- Ankita Dutta, 2nd year BA.LLB





# CORRUPTION AS A DAILY PRACTICE

**I**t is not easy to define corruption, but it is one of the most serious problems which our society faces today. Corruption has its own forms which may be in the form of money or it may be also in the form of power. There are numerous causes, which lead to the problems of corruption. The consequences of which may also lead to global economic slowdown as we have already seen with the sub prime crisis.

Corruption originates from many sources . But we see it in it's most potent form in the politics of our country. Over the last few years we have seen many corruption scandals rock the country almost all of them originating from or having the participation of politicians and government bureaucrats . But it would be too much of a generalization to say that all politicians are corrupt. There are many politicians, who perform their work for the welfare of the society. There are only few politicians, who use money as a means of getting power and also earn money, when in power. However good people rarely make news in the media. Corruption sells and buys.

It is really a shameful thing that in the present world, everything can be achieved through money, whether to get a vote or any other thing. The occurrence of corruption in one way starts from the people. People pay taxes to the government ostensibly for maintenance and development of the country and for social security. But these taxes are misused and the resultant cynicism and lack of involvement is even more damaging than the lack of development.

The causes of corruption may be many, but some of the important causes are the tolerance of the people and complete lack of intense public outcry and absence of strong public forum against corruption which allows it to reign over people. Complex laws and procedures alienate common people to ask for any help from the government. To combat corruption fool proof laws should be made so that there is no room for discretion of politicians and bureaucrats. Application of evolved polices should be left in the hands of independent commissions in each area of public interest. Decision of commissions should be changeable only in courts. Cooperation's of the people has to be obtained for successfully combating corruption. Responsiveness, accountability and transparency are a must for a clean system.

Bureaucracy, the backbone for good governance, should be made much more citizen friendly. The new fundamental right i.e., right to information should be utilized in right earnest which will empower the citizens to ask for information they want.



B. R. Sidharth, 2nd year, BA.LLB.

# GLOBAL WARMING



**T**he phrase global warming refers to the documented historical warming of the earth's surface based upon worldwide temperature records that have been maintained by humans since the 1880's. The term global warming is often used synonymously with the term climate change but the two terms have different meanings. Global warming is the combined result of anthropogenic (human caused) emissions of green house gases and change in solar irradiance, while climate change refers to any change in the state of the climate that can be identified. Changes in the average and the variability of its properties (e.g. temperature, precipitation), that persist for an extended period, typically decades or longer.

National Climate Data Center (NCDC) found that in 2009: Global land and ocean annual surface temperatures through December tied with 2006 as the 5th warmest on record as to 56\* C (+1.01\* F) above the 20th century average. The 2000-2009 decade is the warmest on record, with an average global surface temperature of 080.54\*c (0.96\*f). Ocean surface temperature (through December) tied with 2002 and 2004 as the fourth warmest on record at 0.48\*c(0.86\*f) above the 20th century average.

Causes: the combined increase in CO2 methane and nitrous oxide is the largest climate driver. The anthropogenic contributions to aerosols in the atmosphere produce cooling effects, referred to as global dimming. However the cooling(global dimming) effects due to human caused aerosols are equivalent to half of the warming effects due to combined radiative force of human produced green house gases, causing a net warming.

Antara Deb, 1st year, BA.LLB.

# Right to Information

- Sangita Chanda, Faculty - in charge



**T**he right to information has already received judicial recognition as a part of the fundamental right to free speech and expression. Information is indispensable for the functioning of a true democracy. Right to know is also closely linked with other basic rights such as freedom of speech and expression and right to education. Its independent existence as an attribute of liberty cannot be disputed. Viewed from this angle, information or knowledge becomes an important resource. An equitable access to this resource must be guaranteed.

The need for right to information has been widely felt in all sectors of the country and this has also received judicial recognition through some land mark judgments of the Indian court. A Supreme Court judgment delivered by Justice Mathew is considered a land mark. In his judgment in the state of U.P. vs. Raj Narain(1975) , Justice Mathew rules "in a government of responsibility of like ours, where all the agents of the public must be responsible for their conduct, there can be but few secrets".

The people of this country have a right to know every public act, everything that is done in a public way by

their public functionaries. They are entitled to know the particulars of every public transaction in all its bearing. Their right to know ,which is derived from concept of freedom of speech ,though not absolute ,is a factor which should make one wary when secrecy is claimed for in transactions which can at any rate have no repercussion on public security. But the legislative wing of the state did not respond to it by enacting suitable legislation for protecting the right of the people.

in this age of information, its value as a critical factor in socio-cultural, economic and political development is being increasingly felt. In a fast developing country like India, availability of information needs to be assured in the fastest and a simplest form possible. This is important because every developmental process depends on the availability of information.

The right to Information Laws were first successfully enacted by the state government of Tamil Nadu(1997), Goa (1997), Rajasthan(2000), Karnataka(2000), Delhi(2001), Maharashtra(2002), Madhya Pradesh(2003), Assam(2002) and J&K (2004). The Maharashtra and Delhi state level enactments are considered to have been the most widely used.

The Delhi RTI Act is still in force. Jammu & Kashmir has its own right to Information Act of 2009, the successor to the repealed J&K right to Information Act, 2004 and its 2008 amendment. In a short span of three years the right to information (RTI) Act has proved to be a land mark legislation for the faceless citizen of India. It has been widely reported from every corner of the country how the mere mention of invoking this act puts fear into the hearts of government officials, who now think twice before denying a citizen his due.

# The Land Acquisition Act

- Manisha Choudhary, Faculty of Pol.Sc & Sociology

**T**he Land Acquisition Act, 1894 was originally designed by the British Administration to acquire large tracts of land to set up railways and irrigation networks. Of the 55 sections of the Act, section 4 allows the district administration to declare a piece of land necessary for public purpose and has to be acquired. The District Magistrate also has the power to determine the compensation to be offered. Of late there has been debate on what actually constitutes 'public purpose'. While a government run hospital or school can be termed as a project for public purpose without much opposition, in 1984 the act was amended to broaden the definition to include commercial projects by private sector as well. In such projects Government started

playing role of facilitator by acquiring land on behalf of the private sector to set up the projects.

Another critical issue is the payment of compensation for land thus acquired. The compensation principle of the act said that a land would be valued only on its historical value based upon median value of last few sale transactions (at least 10). Thus, if there is an appreciation in the value of the land due to development in the surrounding area, the same is not taken into account while paying compensation. This helped the private sector to keep their project cost low and hence they preferred the land to be acquired by the government on their behalf.

In the proposed Bill, clause 5 is modified to allow

public purpose to include those cases where developer has acquired 70% of a piece of land and enables the state to step in to buy the rest. The Bill has also accepted that the value of land must include the developments in and around it to make the price more attractive for the existing land holders.

However still there are few concerns. First without modernization of land record, payment of compensation to actual beneficiary is difficult. Also, to ask industry to approach landowners directly for land may delay the projects indefinitely and the cost of the project may escalate to the extent of making it unviable.



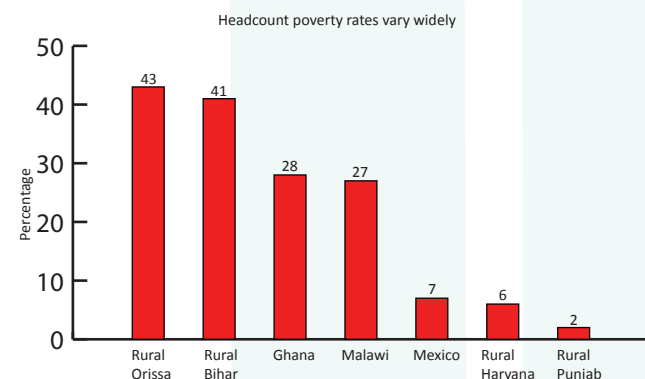
# RURAL INDEBTEDNESS



- Suvom Dutta, 1st year BA.LLB

Indebtedness has been acknowledged as one of the most infamous stumbling blocks in the way of rural prosperity, it is a matter of concern, self-perpetuating malignant and maleficent. It decreases agriculture production, arrests social progress and misdirects social effects. Indebtedness is extremely difficult, if not impossible to eradicate. It is so because poverty, coupled with unequal distribution of economic resources, breeds indebtedness, which in turn consolidates the causes of poverty and distributional problems. It requires a strong social will and a manifestation thereof in determined efforts to eradicate the problem of rural poverty and indebtedness.

The problem of rural indebtedness is not a sociological, economic or political problem in isolation, it is a serious and critical problem that has its roots in the social, political and economic texture of the society.



We still hear stories from our grandfather, as to what all they could buy in 'One Anna', and now I am sure that most of my generation does not even know the meaning of the word 'Anna'.

In brief, measure of rate of increase of cost within a set of goods and services over a period of time is known as inflation. It decreases the purchasing power of money and makes it expensive to buy goods and services.

In today's market there are some reasons which are considered as the cause for inflation in our goods and services, they are: 1stly, the economy demands more goods and services than available. 2ndly, the cost push theory, suggests that short supply of certain goods will cause a ripple effect through the economy by rising prices from the producer to the consumer. 3rdly, money supply plays an important role in inflation, if there is no control on money supply, it may grow at a rate faster than real GDP (Gross Domestic Product) and this will also accelerate the rise in inflation rate. 4thly, low interest rate helps in high level of money supply and allows for more investment in business which eventually leads to unsustainable level of inflation as cheap money is available.

The effect of inflation are mainly-1stly, price rate has immense effect on the Time Value of Money (TVM). This acts as a principle component of the rate of interest, which form the basis of all TVM. 2ndly, middle-class families do not have money, so they will suffer in terms of consumption of necessary goods and services.

## INFLATION

All of us are aware that India is considered as a developing country. According to me in the above discussion, inflation has an important role in this country. In modern India economic inflation has many a time crossed optimum limits. At present, it seems the national government has no control over the economy and as a consequence inflation has become very high and uncontrollable. So this uncontrolled inflation goes against the principle of stable economy in India, and as a result of this we people with low incomes are badly affected. Poor people are suffering from lack of food, which is very serious; the living standard of middle class also suffers. In a planned economy in India, we need to have controlled inflation to have a stable economy which in turn accelerates the growth of our economy.



- Jamiruddin khan, 1st year, BA.LLB

# PATENTS ADD FUEL TO FIRE OF GENIUS

Human genius is the source of all works of art and invention. These works are the guarantee of a life worthy of men. It is the duty of the state to ensure with diligence the protection of the arts and inventions.

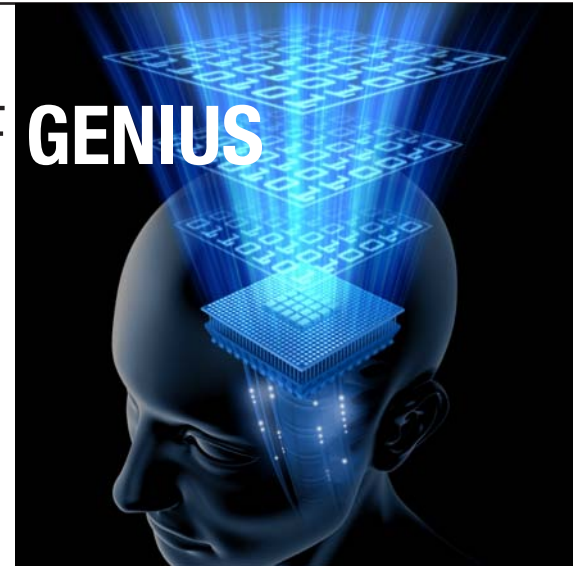
Protection of inventions is the object of the Law of patents. Its object is also to encourage research and development. Today's advanced knowledge is tomorrow's obsolescence. Knowledge is constantly changing. It is never static. It is always on the move. It is not dogmatic. The productivity of knowledge in the field of science and technology has laid the foundation for the rise of industry and for today's material well being. The development of society is directly associated with the development of technology, for instance, transformation from a society of basic needs to the society of tangible needs, and also of intangible needs such as communication, information and human interaction.

Technology for that matter means the discoveries and development throughout the world and along the

ages, which normally aims at and results in providing to people the means of producing goods, rendering services and simply living their lives in comfortable and least consuming ways. It denotes some knowledge, experience and skills necessary for the manufacturing of a product and for the establishing an enterprise for the purpose.

The definition of capital has undergone a change. It is no longer in banks but in minds. Entrepreneurial capitalism was the basis of development of large scale industry after the industrial revolution. But rapidly changing definitions of capital has led to the development of intellectual capitalism. Its basic feature is an inventive mind, which leads to invention and development of technology. It also requires adequate and sufficient return as a reward for the R & D efforts put in. At the same time society should have the benefit of further research and development. Hence, the solution is patent laws. A patent for a particular invention is a grant of monopoly for its commercial and industrial exploitation.

The Indian Patents Act, 1970 is designed to protect not only the interest of the author in his invention, but also to serve a social interest in as much as it encourages and promotes widespread research. It creates conditions conducive to economic and social growth of the country. The most remarkable feature of patent is its global applicability and pervasiveness. Blocking and repetitive patents are not allowed to stifle technology and industrial self-reliance.



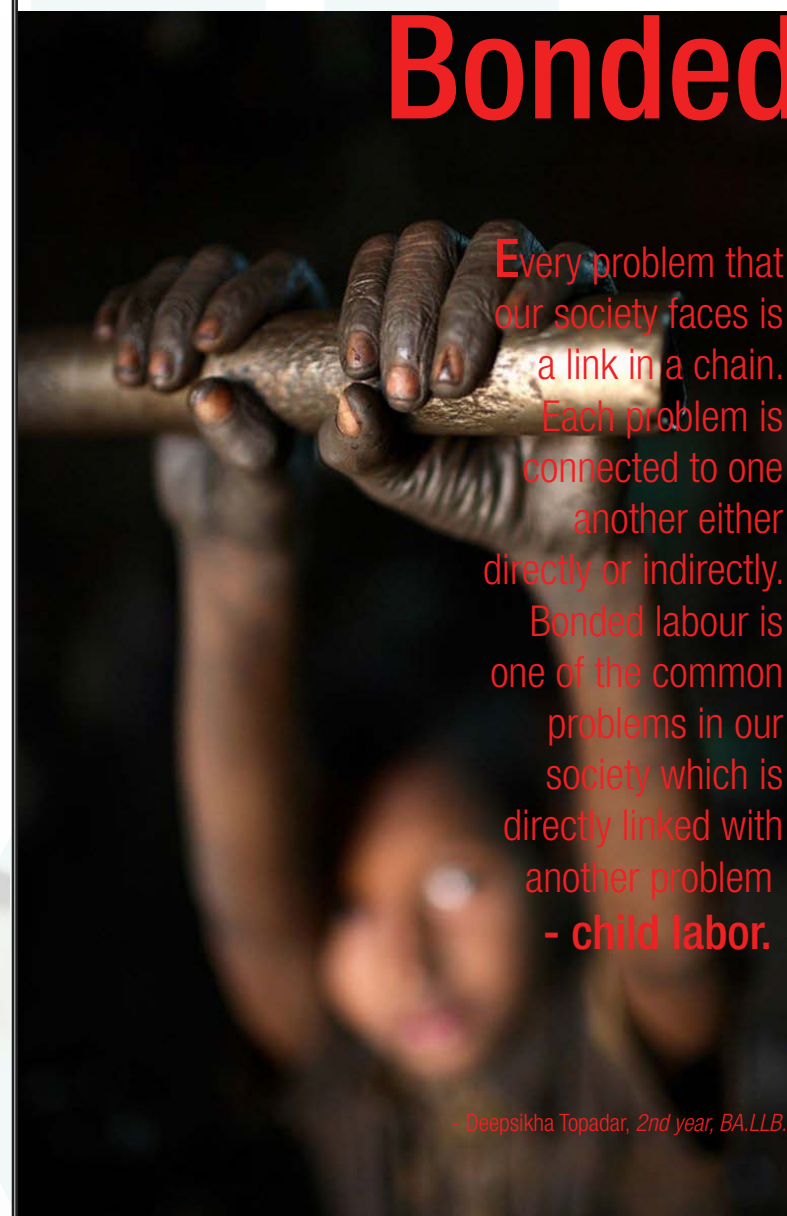
# Bonded Labour

Every problem that our society faces is a link in a chain. Each problem is connected to one another either directly or indirectly. Bonded labour is one of the common problems in our society which is directly linked with another problem - child labor.

Slavery despite being a disgrace to humanity has been there for a long time and has been resisted for almost as long as it has existed. However, Indian slavery predates the western one by centuries, and when slavery was at its peak in the east, here in India the sun had already set on it long ago. In India a slave did not have to be a slave of one man or the other all his life. He could purchase his release by paying up. Surely, a slave who works for no money would have no money to purchase his freedom, but the option did exist unlike in the west where blacks were enslaved and sold; purchased with no option but to remain slaves all their lives. In India, slavery, however, stayed in a different form - bonded labor. This form of slavery though not of the kind covered under the conventional understanding of the term is slavery in a milder form. It is estimated that there are some 25 lakh bonded labors in India.

The practice continues despite the fact that forced labor is prohibited under the constitution of India and the Bonded Labor System (abolition) Act, 1976. Article 39 of the constitution mandates that the state makes sure that children of tender age are not forced to work. However, we still see children working.

It must, however, be kept in mind that the guarantee against child labor should not cut into a child's right to work for his or her livelihood because India is inhabited by a very large number of poor people who might not be able to provide for their children. In this situation the only way open for a child is to work and earn his own livelihood. If even that right is taken away, a poor child is left to starve unless ofcourse the government can provide for the support and education of such children. Children in India are already banned from working in factories, mines and other perilous jobs. Now, by the latest amendment in the Child Labour (prohibition and regulation) Act, 1986, implemented from 10th October, 2006, a country wide ban is imposed on children below 14, working as domestic help or in the hospitality sector. So, in conclusion we, the members of society should be aware about the problems and drawbacks of our society keeping the next generation and future in mind. Government may ban some acts detrimental to society by making many rules, laws etc. but until members of society maintain those rules, all such laws will be in vain.



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