Chapter -1

Introduction

Background and Justification

Lokpal means a person appointed who has the authority to conduct inquiries if any public man commits any kind of misconduct. The categorization of misconduct of the public man includes:

1. If a public man discharges his functions for his own interest or for any other/corrupt motives;
2. If a public man uses his power and position to undue harm to any person;
3. If he uses his powers to give advantage to his relatives or associates;
4. If a public man act against the norms of integrity or conduct;
5. If any act by him constitutes corruption

The use of such a strict provisions for the public man called for because of the public inconvenience in the matters which were the right of a common man. Such benefits of the schemes and other works are not reaching in the hands of the public because of the big barriers in the system. The barriers are money, position and power etc. The motive of making a Jan Lok Pal is to control such public authorities which needs some kind of administrative control while executing their powers.

The process of making an Act in this regard is not new. Some of the Recent Developments are as under:

1. The Lok Pal and Lokayukta Bill, 1968
2. The Lokpal and Lokayukta Bill, 1971
3. The Lok Pal Bill, 1977
4. The Lok Pal Bill, 1985
5. The Lok Pal Bill, 1989
6. The Lok Pal Bill, 1996
7. The Lok Pal Bill, 1998
8. The Lok Pal Bill, 2001
10. The Lokpal and Lokayukta Bill, 2011
11. The Lokpal and Lokayukta Bill, 2013
In the Indian history this will be considered as the most controversial Act which is taking so much time as well as a very different view of many of the leaders and policy makers of the country. There are many social, economic, legal and political issues involved as there may be a chance of more misuse than a use of this Act. Form the theory of decentralization we are again moving to a centralized system. Even some of the political parties apprehended that if such lok pal bill has been passed by the government in the present form then we are going to give enormous powers to a mad horse. There is no control mechanism over it and as we all know that many times the Central Governments use the autonomous investigation bodies like CBI for their own interests.

The idea of an Ombudsman was initiated in 1963 in the Parliament of India. After that the First Administrative Reforms Commission recommended the setting of two independent authorities to address the complaints of against the public servants, ministers and public functionaries at the centre as well as in the state. Many states appointed Lokayukt in their respective states but at the central level still the Act has to be passed. During the period on 43 years (1968 to 2011) the Lok Pal Bill was introduced in the Parliament eight times but not passed. In the year 2002 Justice Venkatachilliah recommended the appointment of Lokpal and Lokayuktas in his report on working of the constitution and suggested to keep the prime minister not to be covered under such Act. In 2005, the second administrative reforms commission recommended to immediate establish the office of lok pal and lokayuktas. In the year 2011 appointed Sri Pranab Mukherjee as the chairman of the committee to look into the corruption matter as well as to examine the present form of the lok pal bill.

The underline principle for making the Lok Pal is to handle the corruption which is creeping in the system. The group of certain people emerged to raise the voice in favour of the establishment of the office of the lok pal and to pass the bill in the parliament. The prominent persons were Anna Hazare, Kiran Bedi, Prashant Bhushan, Shanti Bhushan, Manish Sisodiya, Arvind Kejriwal, Kumar Vishwas etc. They sat on the hunger strike and the whole common man of the country joined them. Then again some disputes came between the torch bearers and Arvind Kejriwal formed a new political party named "Aam Aadmi Party" AAP and also contested the delhi election. Got an opportunity to become the chief Minister of the Delhi state but when
the Jan Lok Pal Bill was not passed in the assembly he resigned. This party is mainly
taking up the issue of Jan Lok pal bill.

The contradictions of social development are also reflected in the cultural changes
that are taking place in India today. Both in the rural and urban social systems the
quest for economic and social modernization has activated cultural forces which
legitimize values like values like acquisitiveness, opportunistic utilitarianism,
revivalism, communalism and primordialism. These have resulted from social
restructuration in society during the past forty years. The rural development
symbolised by green revolution, and urban development reflected in
entrepreneurialism and professionalism gave ironically generated a sense of narrow
utilitarianism instead of liberal and cosmopolitan values of modernization, This has
probably resulted due to the lack of clear ideological orientation in the processes of
economic and social development. It may also be attributed to the inevitable pangs of
capitalist development in a society professing the goals of a socialist democratic
transformation.

The cultural changes in India today mirror both forces of resilience and
transformation. The resilience can be seen in the expanding role of religion and its
expressions in people’s life. Religion gets equal patronage from political leaders,
corporate executives, professionals and capitalists. Education of science and
technology does not seem to displace religion from people’s private and public life.
Instead, a unique mode of dualistic coexistence of scientific rationality in instrumental
roles with religious values in fundamental domains of life has been worked out by
most professionals in India who occupy scientific and technological offices. The same
is true in social life, such as family, caste and kinship organisations. The traditional
cultural values of instrumental nature such as those related to health, food, nutrition,
transport and communication are, however, being fast replaced by new rational
instrumental values of sciences and technology. One finds this reflected in high
degree of acceptance by people of modern medical science, new varieties of food and
food technology, material culture, and their acceptance of new modes of information
and communication. The commitment to modern values is also reflected in electoral
politics, new management structures and scientific and technological institutions of
society. It is indicative of the resilience of the traditional values and institutions which
accommodate and adopt new values of social and cultural modernization. The basic
pluralism of Indian social structure and its inter-structural autonomy facilitated the initial process of cultural modernization when India was exposed to the West through colonization. After Independence, cultural modernization became more participatory and less exclusive with mass participation in institutions of social, economic and cultural development. This has enlarged the base of people’s participation in modern ways of life and sharpened their political consciousness and sense of identity. It has also set into motion new values as well as disvalues as the process of social restructuration takes place in society on a meaningful scale. Revivalism, casteism, communalism and regionalism are some of the disvalues which have emerged as result of this development.

The pattern of social change that one witnesses in India today reflects elements of continuity with modernization. The continuities can be discerned in areas of social structure and belief systems which show resilience. It can be seen in the adaptive mode of modernization through the medium of traditional institutions. The role of joint family system in maintaining and promoting entrepreneurial activities both in industry and agriculture, the uses of religious and ritualistic symbols in modern modes of communication of highly political and educational messages, the use of caste and kinship in the mobilisation of people for political, developmental and other forms of associative and professional persuits, etc. are its examples. There is no linear change in India from tradition to modernity, instead we find a process of modernization of tradition.

After seventies, however, we witness social movements in India which out-cross caste and kinship ties. More associations and professional bodies of scientists and experts have emerged which do not mirror in their organisation and activities elements of caste, kinship or regional identities as the caste association did in the 1960’s. Several popular people’s movements in various parts of the country have sprung up which have as their objective popularization of modern scientific outlook, concern for social ecology, social justice and equality. This has activated in India a process of social change where not community but category becomes an important nodal point of social mobilization, interest articulation and organization. The significance of communitarian social structures such as family, caste, tribe and kingroup is still predominant, but increasingly new social arenas are being mobilised for economic, organizational, professional and technological achievements whose
membership is not by primordial identity but on the basis of class, professional skill, economic interests, gender and age or other civic principles. This has resulted as the pace of economic, technological and scientific development has become stronger in the country.

Momentous changes have taken place in India since independence. These changes offer today numerous challenges and new opportunities. Their objective analysis is necessary to evaluate and to set out new policy directions to augment the processes of social transformation. To accomplish this task a sound ‘theoretical perspective’ is essential. In its absence one could be misled to the mistaken attitudes of either pessimism or optimism or cynicism about the future of social transformation in India. This has indeed been happening as the literature on social change indicates. It, however, be noted that social sciences are at their weakest in formulating a ‘theory’ of social change as such. In contradistinction, they have achieved substantial credibility in postulating a theory of social structure, forms of kinship, family, linguistic structures an modes of economy. It the analysis of change, however, social scientists encounter formidable challenges.

Most theories of social change serve as constructs that sensitise but do not explain. This is equally true for macro theories of social change as also those with smaller range. In such a situation, analysis of social change suffers from various types of fallacies which the social scientists and public would have to guard against in order to have an objective view of social transformation. Some of the more common fallacies in the analysis of change are those of dilettantism, ideological mystification and the structuralist mode of thinking. There are indeed areas where the dilettante has an advantage over the specialist. But dilettantism is the creed of the anti-intellectual who flourishers under specific socio-historical conditions of society. Dilettantism is bred by a political culture of non-organic or partisan mould, where ideologies nourished by petty prejudices prevail over objective, consensual and apperceptive mode of thinking.

To understand the sociological dimensions of change in India it is necessary to grasp the concrete process of restructuration going on in society. One has to draw both from history and began in India. One has to draw both from history and sociology in order
to understand the shape of these initial conditions. The Indian polity was never a theodicy; it always accommodated plural cultural and religious traditions.

This became a potent source of collective self-awareness. The movement led by Gandhiji imparted this process and ideological shape. The emphasis on the involvement of women, members of the weaker sections, peasants and workers reflected this ideological perspective. Political leadership at the local, regional and national level emerged. Leadership also emerged from among the weaker sections, women and tribal groups. A substantial section of middle classes comprising educationists, professionals, bearcats and businessmen had already set forth a new process of social mobility. The national movement too in many ways had a segmentary character, despite periods of mass mobilization. This is being highlighted by recent studies in subaltern history. Possibly, the inter-structural autonomy of the Indian social system was responsible for this. It made it possible that selective modernization could take place. Along the enclaves of rapid social transformation it left massive areas of society untouched by winds of changes.

The social transformation going on in India poses many challenges and offers new opportunities. The challenges are about the understanding or analysis of the intrinsic character of social changes, its contradictions and about evolving successful strategies to overcome them. The first is the dilettante perception of change which offers a partisan perspective and is devoid of historical sensitivity. Then there are ideological interpretations of social change based on alien models of analysis. A more common error in the study of social changes is that of the ‘structuralist mode of thinking’ where processes of change are analysed with the help of reified categories of social structure and values. Social indicators are used that are pure abstractions from reality bereft of the sense of history and fail to capture the complexities of social processes. It is, therefore, necessary to focus upon the concrete processes of social-transformation in their historicity for a balanced and objective perspective on social change.

Once we view social changes in terms of the concrete processes were capture its substantive reality more objectively. Most processes of change both in the rural, urban and tribal areas have resulted from the investment in development, economic, social and cultural. This development itself has set into motion process of social restructuration, new class formation and social mobility. Technology, population
growth and entrepreneurial revival have added new pace to these changes. The nature of social transformation has increasingly challenged the traditional principles of infrastructural autonomy and segmentary functioning of institutions. It has put new adaptive pressures on a segmentary structures of society such as caste, ethnicity and community. New demands are made on the function and ideology of these entities as adaptive tensions of change widen the social and cultural hiatus between groups and widen the social and cultural hiatus between groups and strata. These changes have a dualistic character; first, they result from the uses of science and technology as rational tools of production and learning, and secondly, their ideological or symbolic universe deviates from the ethos of science and tends to be conservative and noncosmopolitan. This breeds tremendous contradictions in the process of social transformation. It enhances the tendency among the deprived groups to adopt ‘insurgent’ or ‘subaltern’ strategies of counter ideologies, which too are intrinsically noncosmopolitan, in some cases even fundamentalist or communal in nature.

These challenges if understood in their historico-sociological context indicate also the opportunities that our society has today to correct the imbalances arising in the process of social transformation. We have today a substantial base of skilled manpower in our society. We need to mobilise it to combat the disvalues and conflicts arising out of the process of social change. This holds true particularly in the domains of communalism, fundamentalism and neo-conservatism it is necessary that we make increasing use of modern institutional and technological means. Along with the modernization of educational processes and its content, there is a need for a people’s non-political movement. The involvement of the electronic and print media in this process is of utmost necessity. We have to initiate a movement as it were, comprising the youth, the rural masses and the intellectuals towards reaffirmation of our national cultural ideology. This ideology is broadly defined in our Constitution and in our heritage of national movement. Secularism, socialism, equality and democratic participation are ideals which cannot be maintained without our commitment to this cultural ideology.

Another area where we have new opportunities for our goals of social transformation is that of human resource mobilization. The stable modernization of a society rests not so much on the shoulders of state or its governmental agencies as on those of the active and watchful chain of voluntary organisations of people which are organised around objectives as divers as are the goals of modernization in society. We
have been singularly apathetic in this direction. It is not without meaning that voluntary movement in our country is stronger in those states that are relatively more modernised. The tools of technology, science and management may be brought to bear upon this social movement to usher us towards an integrated and progressive level of modernization.

The Constitution of India reflects this resolve not only by encoding the normative principles but also the agenda of national development. In large measure it also represents the spirit of consensus of the people of India. This consensus continues even today despite some voices of dissent. The voices of dissent existed also in the past, but today they have assumed menacing proportion with threatening operational strategies. For instance, violence is employed increasingly for realization of goals. Demands of ethnic identities are converted into open challenge to the legitimacy of the Constitution. Mobilization by political parties makes open uses of casteism, communalism and regionalism, etc. Political behaviour of most mainline political parties has gained in India today a farcical dimension. The people understand the irony of such behaviour from political leadership’ they have over a period of time learnt to laugh at it. But at the hustings they continue to be largely swayed by considerations of caste, region, religion and language, etc. Why is it so? What compulsions motivate people to do so? Is this dissonance between ideology and practice manifestation of the deeper theme of the India culture which has over the years cultivated a masterly strategy to survive with contradictions!

Historically, the imminence of crisis or even breakdown of the system is not entirely a new prognosis. Ronald Segal, Selig Harrison, Gunnar, Myrdal, Immanuel Wallerstein, etc. have not only been talking of crisis in India but also making pessimistic predictions about its future. This continued from the middle of the 1950’s to the end of the decade of the across analytical and empirical writings on India which take note of the positive sides of the development in the society. V.S. Napaul, symbolises this change in perception. Far from his characterisation of India in the 1950’s as an Area of Darkness or as a Wounded Civilization he now talks of India as a land of a Million Mutinies, a symbolization which inheres both despiar and hope: Rudolph and Rudolph’s In Persuit of Lakshami not only takes note of the ‘demand politics’ but also recognizes the new material gains and the rising aspirations of the
people of India. There is indeed a crisis in our society but it has also new qualitative dimensions.

The dimensions of social crisis that India encountered through 1950’s to 1960’s in specific areas included acute scarcity of food grains and stagnation in agriculture, endemic regional and linguistic tensions in various parts of the country, continuous pressure of population growth burdening the economic, social and human resources and a very low base of industry. The continual conflict with China contributed to the crisis. To take the country beyond stagnation and to achieve the goal of a modern democratic society, the strategy of planned development was adopted.

This strategy derived inspiration from our national movement for independence. Even though planning as an operational tool did bear some influence of the Soviet experience, its social, economic and cultural goals were set by the Indian history and the tradition of national movement. Jawaharlal Nehru, the architect of the process of national development, symbolised the integrated spirit of this renaissance: he was not only influenced by the European industrial revolution and march of its science and technology which helped it to grow into a global imperial power but he was also deeply moved by the liberal socialist humanism as a corrective to ruthless industrial capitalism and its exploitative character. Towering over all these experiences was the deeper influence upon him of Mahatma Gandhi who moved his mind and his outlook towards the India and its tradition.

Abolition of the feudal agrarian system, introduction of industrial and scientific renaissance, establishment of an egalitarian welfare society, liberal democracy with secular ideology were set by Nehru as some of the basic goals of planning in India. Following the Gandhian philosophy, means were as important for the achievement of these goals we were the ends: the means being consensual, legal and democratic in design. There has been progress in achieving some goals but many other objectives have yet to be realised.

Today, the crisis has assumed a threatening proportion on two major counts: first due to the social and economic character of our achievements resulting from planned
change. Secondly, due to non-achievement of our objectives in the crucial sectors of economy and the socio-cultural life. Moreover, there are also some unintended consequences of change emanating both from internal and external factors which every society has to cope up with in the process of social transformation.

Man in society has had to move from feudal life, through industrial and technological changes, to the modern atomic age. Village communities and tribes have had likewise to evolve into nations and sovereign states and to develop into a work community with closer international relationships. Each stage or change has challenged and outmoded existing socio-economic patterns and new relations have been forged. Law, which in one sense expresses the property relations of a given society, has also undergone corresponding transformations and whenever law has lagged behind social change it has become a drag, generating in its wake violence, violations and upheavals. In short, life and law have marched together in history and must do so hereafter also. It is not my intention nor purpose to undertake a juris-prudential project but to understand and commend for your consideration a pragmatic thesis the interaction between law and life and how the community can register peaceful progress through the instrumentality of law.

Life from its primitive days down to its international amplitude of today, has marched through the centuries according to laws accepted at one time by each community and rejected by it when they ceased to be an instrument of progress. The function of law is to ensure justice stability and peaceful change. Husband justice so that you may garner peace, says the Bible. The law of the jungle means killing and surviving but civilised man seeks the preservation and aggrandisement of life through the rule of law. Such is the intimate and integrated role of law in life that the late Jawaharlal Nehru once observed inaugurating the Delhi meet of international jurists, that the justice is required at every stage of life. It cannot be separated from the life of anyone’s life may be rich or poor. Everyone has a right to live a dignified life in a free society in free manner. In every phase of life rule of law and justice an important factor for everyone. The law is an instrument which secure even the basic needs and basic rights of an individual. It can not go off at a tangent from life’s problems and be an answer to problems which existed yesterday and are not so important today. It is to deal with today’s problems; and yet, law, by the very fact that it speaks something basic and fundamental, has a tendency to be static. It has to maintain a basic and
fundamental character, but it must not be static as nothing can be static in changing world.

What is life vis-a-vis law, so that we may understand the social dynamics which brings one into fruitful relation with the other? The role of the rule of law in our time and society is an absorbing and exciting study for lawyers and reformers. Nehru, the great man of grace, warmth and wisdom, referred to this problem at the conference of jurists in Delhi and observed: "The rule of law is must for smooth running of the society, law breaking, to have no rule, and that means an anarchical way of subsisting. So the rule of law has to be there to bind a community and to preserve and maintain the rule of law seems to be synonymous with the maintenance of civilised existence."

In a changing society such as in India, law must be dynamic. Social evils are rife in backward feudal communities and when the sense of social and political equality emerges, the urge to eradicate such evils and inequalities becomes strong. These urges and demand express themselves in militant public opinion followed by suitable socio-economic legislation. Public opinion and legislation are equally important in making progressive laws and changes. It may be rightly said that law is an outcome of the social opinion and that opinion is accepted by the legislature of the country. There are beliefs, culture, sentiments, mores and values etc which make a social opinion. In the field of social and economic relationships an changes are necessary lest there should be up heavals bursting out of seething mass discontent, but legislation can be launched only when there is a favorable climate of opinion demanding legal mandate. That is why mass movements and intellectual currents must exist if our legislatures are to function effectively to produce social changes. I do not frown upon many movements and campaigns on the agrarian or other fronts being carried on in our county to mobilise and activism an canalize public opinion and mass thinking. This will pressurize and catalyze the legislatures and enable them to understand the realities around. Any wide gap or serious disparity between law and life will lead to unhealthy outbursts. The task of progressive groups in every democratic community is to start educative campaigns, organise discussion groups and seminars and put down through publicity offensives calculated to rouse the consciousness and quicken the conscience of the people and prepare them for the legislative state. For a political or social leader, unrest and agitation are the symptoms of change which must put him on the alert to seek out the true causes of the malady
and the true legislative remedy. It is thus that law serves as the handmaiden of society and not as its mistress, avert a crisis by anticipatory law making. Democracy is government by consent and when laws are made to overcome an evil or provide a facility or otherwise ameliorate, it is the voice of the people, and the discipline of a democratic citizen demands that he conforms to the norms of behavior so set by the law. If the existing law works hardship or promotes evil, you must change it not challenge it and so long as it is in the stature book, you may campaign for its change but you cannot organise its defiance. The erosion of the sense of obedience to law will eventually undermine democratic life itself. One must draw the line fine but real-

between peaceful propaganda and agitation on the one hand, and mass violations of the law in a self righte ous spirit or otherwise. The rule of law insists upon the citizens obeying the law, upon the executive confining itself within the law and the legislature itself working within its allotted sphere. Transgressions by any one of these entities is a threat to the rule of law in a democratic system whenever such contraventions or excesses occur, the command of the law shall be enforced through the instrumentality of an independent judiciary. The teeth of the law, so to speak, bite through the court which not merely holds the executive in leash, but orders the legislatures into constitutionally permissible areas.

The scheme envisaged by the Indian Constitution in the line of democracy through exercise of power by the other two important agencies of the state government and judiciary. We want a government of law and not of men. The price of judicial scrutiny must be paid for the benefits of a society. The arbitrariness of the system never accepted and that’s why constitution and other laws control the exercise of power through many checks and balances. The implementation of law at various stages ensures the prevailing of rights and justice at every stage and helps the whole society to live in peace and get a choice to earn their bread and butter through legitimate means.

The founding fathers—that is the euphemism we apply to those men who chanced to be members of the Constituent Assembly—laid down the national goals, painted the political perspective and commanded the government at the central and provincial levels to redeem the tryst with destiny which the people of India had made long years age”. The sentiment was beautifully expressed by Jawaharlal Nehru on behalf of the nation on the appointed day” when India stepped out from the unfree old to the free new and dedicated herself to the service of the people.
What was the task set for themselves by the architects of our Constitution? The India was suffering economically and socially both at the time of independence. Many were not able to cover their body with clothes and get the bread for two times in a day. The Constitution with a soul of social and economic justice first oversee the needs of the very poor people of the country. With this end in view the Constitution was enacted creating and regulating the major organs of government, stating and protecting the rights and relations between citizens and citizens, citizens and state, state and the union states inter se and the country and the international community.

Indian nation visualized the creation of a free and just society and mentioned in the very first part of the Constitution which is Preamble. A free society recognizes the supreme worth of human personality and conceives of all social institutions, including the state, as the servants rather than the masters of the individual. The freedom of the individual finds expression in such classical liberties as freedom of speech, assembly and association. Such liberties are negative in character and rule of law has a positive side. The recognition of the right to education and economic security and social equality or what may be called socio-economic justice is must to the rule of law in a true democracy. The legislature works for making the law after getting an social opinion, states one of the conclusion of the jurists conference at Delhi, "The most essential task of the law is to find the means in order to allow the citizens to live a dignified life without any injustice and harassment. In free environment only the free thoughts develops and which makes the fully developed personality of the individuals."

A pattern of social structure with an objective of minimizing social and economic groups to corner disparity and preventing the capacity of some individual and groups to corner the wealth of the community, and to exploit it; large-scale economic planning and social control of communal behaviour by the state are necessary facets of a militant concept of the rule of law.

The large-scale national development programmes, the new emphasis on land reforms, cooperative enterprises, village-level self government etc. the special stress on working class rights, amelioration of backward classes and civil liberties-all these tasks need a great many changes in our laws and a sympathetic judiciary swimming with the national current Unfortunately our legal institutions have not been tuned properly to the national wavelengths and our judges occasionally look awry at the mighty social and economic changes, worked out hastily and impatiently by our
democratic legislatures-with the result that Prime Minister Nehru not long ago requested them to come out of their "ivory tower". A fresh sense of democratic-socialist legality and justice and a popular judicial organ which understands and interprets the new language—which the nation lisps—this is the desideratum of today.

What is democratic legality? And what is the degree of democratization our judicial organs must undergo? What should be the content and complexion of the Indian corpus Juris?

Before defining more precisely these basic question, which by the way lay bare the rule of law in a modern democratic society.

All paralegal apparatuses like the Planning Commission and other organs which control country and patronage must common thin the scope of the rule of law and be regulated by legislation, so that executive arbitrariness susceptible to political and other influences may be reduced to the minimum. In a socialistic pattern of society where the state has to play an expanding role, bounties will have to be distributed, concessions will have to be given and benefits accorded so as to implement policies, calculated to produce the greatest good of the greatest number. But even these discretionary powers should be trammled by law so that capricious acts political patronage and favoritisms may not be indulged in by government. There is no doubt that in India today the rule of law has not permeated many areas of government and that is why there is considerable room to course public opinion and parliamentary opinion so as to create laws to canalize executive power.

The complex administrative problems of modern states—India are an example—involve the conferment of vast discretionary powers to hierarchies of officers and tribunals, rightly described by a eminent judge as the new despotism. The citizen is helpless against illegal orders long delays and other vices in the administrative set-up Justice and the rule of law can be ensured only through independent instrumentalities, accessible to all without cost and empowered to investigate every type of complaint and, if well-founded, to bring it up for correction before appropriate authorities. An ombudsman is such an institution and India needs some such high-powered vigilance body for the sake of good administration.

Considerable confusion prevails at present on the subject of labour disputes. The police must enforce the law by preventing the commission of offences. It is the negation of the rule of law if the police apparatus is told by men in high places, "Hands off when workers or other groups commit crimes, against managements".
Imagine the same doctrine when ministers are the victims or when state property is destroyed. The solution to the situation is not ad hoc administrative ukase or secret commands but new, special laws, which will prevent managements recruiting blacklegs, dividing labour unions, removing products when a strike packed by a large majority to workers is in full swing, etc. Special powers can be vested in authorities to issue directions in situations of labour disputes and the police will and must assist their enforcement. The state must help our against management in the same way as it helps tiller against landlord-by making pro labour laws. Make law not shirk laws—is the democratic method.

Another great danger to the rule of law is the insidious and impalpable growth of paramilitary of parapolice organs of political and communal organisations. Christophers and Janasangh volunteers, Shiva Sena and the Red Guards and other-under whatever names political and other parties and groups organise a fighting are-are a menace to the rule of law and democratic functioning of the state if they are more than simple volunteers. Let us make no discrimination and no special plea. The law will be enforced by and only by the agencies created by the law and not by any private bodies however highly they may be placed for the time being in political seats. Let us learn from the fascist phases of history. The modern welfare state is not merely concerned with the narrow, orthodox duties of maintaining law and order and collecting tax, but with the fivefold function of firstly as protector, secondly as dispenser of social services, thirdly as industrial manager, fourthly as economic controller and fifthly as arbitrator between groups and individuals, many new laws and extensive changes in existing laws have necessarily to be made in response to the new social and political pressures. That is why we have to find new moorings and fresh legal foundations agreeable to dynamic democratic society. The ideological shift in thinking law and justice, the extraordinary increases and variety of state activity such as through our five year plans, the very transformation in our ideas of crime and punishment, what with new social values and correctional attitude to criminal aberrations, the extreme sensitiveness to protection of civil liberties, the need for a people's system of simplified and inexpensive judicial procedure, the provision of free legal aid to all citizens making their rights and remedies real and effective the important necessity to regulate by statutory rules the exercise of vast discretionary and potentially arbitrary powers, vested in the ubiquitous and inevitable administrative agencies more important than all the need for an independent and towering judiciary
which will play the role of the sentinel on the quit vive-all these tremendous things call for great efforts on the part of the legal and political thinkers and give them a new mission Law reform is a vital, comprehensive and revolutionary task today in India. Progressives are really the sappers and miners who can under democratic socialist society.

A burning constitutional question which bears on law in relation to the life and governance of the nation has been raging in recent times. This springs from the political clamour of certain leaders that Indian Constitution should be cremated. As academic students it is necessary for us to have an objective study of the constitutional provisions bearing on this controversy. A socialistic move forward is not necessarily inhibited by the existing provisions and that democracy at the state level or in the union can be preserved and maintained within the existing framework. On a fair study of the Constitution it will be clear that what is needed perhaps is a modification now and then and not denunciation of the Constitution.

Let us assume for arguments sake that in many spheres of national progress constitutional inhibitions have been invoked by the courts to invalidate measures enacted by parliament and the state legislatures. Laws relating to agrarian reform may be an instance in point Legislative effort at nationalization, at economic control of the private sector, and interference with property rights for promoting the welfare of the broad community have met with difficulties, thanks to pronouncements of courts, particularly based upon fundamental rights enshrined in Part III of the Constitution. The question naturally arises whether the fangs of fundamental rights when used to sting dead vital legislative and executive programmes cannot be pulled out.

Supreme Court in the recent Golaknath case. When a Constitution cannot be bent, there is always a tendency to break it. Those who argue that fundamental rights are sacrosanct are really advancing the day of their annihilation. Therefore, all those who consider the constitutional development of this country dear must study seriously the whole question of the amending power and process as found in the Indian Constitution.

Before launching further on a discussion of this matter, I would like to point out that a considerable volume of legal opinion has expressed itself against the view of the Court in Golaknath's case and so the basic changes are required to provide the power to the people of a nation along peaceful lines must also be reflected upon.
Three opposite and effective quotes from outstanding personalities competent to pronounce on the philosophy of the subject.

It is proper to peep into those days when the Constituent Assembly sat, discussed, deliberated and hammered out provisions which are being construed today by the court and the jurists. When we look at the process of drafting the amending clauses we find B.N. Rau insisting on making the Constitution flexible. "We must avoid the anomaly, he said, that a Constituent Assembly, not elected by adult franchise, can provide a Constitution by a simple majority but a parliament elected by adult suffrage cannot amend it except by a special majority followed in some cases by special ratification. "Prime Minister Nehru also told the assembly that solid and permanent as the Constitution must be, it must also permit national growth. He argued that since parliament would represent every adult in India, "It is right that the house elected so... should have an easy opportunity to make such changes as it wants to". The need for a proper vision of the constitutional developments was correctly emphasised by P.S. Deshmukh when he said. We are conscious that there are many provisions which are likely to create difficulties when the Constitution actually starts functioning. This Constitution is bound to be and will prove to be defective in many respects." It would be better to change the Constitution," he observed "than to risk the whole Constitution being rejected by parliament and their resorting to something much more drastic and radical."

The Indian Constitution is a living document and must grow with the nation, its needs and aspirations. Amendment of the Constitution is indispensable, if it is not to drag people down. Speaking generally, the sovereign Indian people who made the Constitution with power to amend it and the courts which had occasion to consider the amendments themselves had upheld without exception all the twenty amendments thereto, including those to amend the fundamental rights, of course, except the epoch-making Golaknath case. And the Supreme Court is infallible because it is final till it reverses itself. The American Constitution would have been a less illustrious document if the famous Bill of Rights had not been inscribed into it by the amedatory process.

All that we need do for the present is to wish the parliament's present venture to amend Article 368 of the Constitution well in court. If by such an amendment the Constitution removes the obstacles by putting the fundamental rights out of the way of the nation's march there will be no need for the cry" Down with the Constitution".
All that need be done is to have a plastic surgery on the Constitution so that the country's natural growth may not be hindered by any petrifying provisions.

Law must serve life even the paramount law of the Constitution. To those who orthodoxily demand that laws must be slow to change and the Constitution should rarely Changes, I would only quote Lincoln the dogmas of the quiet past are no longer adequate to the needs of the stormy present.

That social change is a ubiquitous phenomenon, and a static society is a conceptual nullity and an empirical impossibility are common place in contemporary social science. Even a cursory acquaintance with the sources of change clearly unfolds that at least until recently, the basic source of change has been taken to be the economy, irrespective of the variations in ideological orientations. Thus, the agrarian, industrial or information ‘revolutions’ were taken to be watersheds in human history. In contrast, the importance accorded to political revolutions is relatively less, although, of course, it has been increasingly recognized latterly. I suggest that this differential apperception is largely a matter of values, in that the quality of change brought about through these two types of revolutions are drastically different.

The general assumption in the case of changes brought about through economic revolutions has been that they result in the betterment of society in general. For example, it is argued that even as disparity between classes or categories increased because of capitalist development, the absolute position of the poor has improved. At any rate, the fact that pauperization and immiserization of a section of the population does take place even as economic growth proceeds at a rapid pace has convinced hardly a few so as to cry a halt to the on-going process of growth. Even though Mohandas Karamchand Gandhi did it, idea scarcely caught on. The advocacy of limits of growth largely arose out of the realization that there are serious constraints put on growth due to the fast depleting natural resources. To put it pithily, the consensus is that economic development should go on and it would bring about desirable social changes.

As against the ‘spread effect’ of economic development, that of political is one of ‘displacement syndrome’. All movements focus on the transfer of power. Understandably, those who are likely to be deprived or power in the process would cognize these collective actions as undesirable. To complicate matters the ruling elite would invariably project itself as the legitimate holder or power, although the sources of legitimacy may vary-divine or secular. The present work, by focusing on protest
and change, hopes to correct this erroneous evaluation of protest, even if to a limited extent.

Traditions of the generation of knowledge are not only constricted by our cognition about values but also by the trajectory of disciplinary growth. While history and political science have for long been engaged in the study of organized protests and collective actions, that is, social movements and revolutions, sociology and social anthropology are relatively recent entrants to this terrain. Again, traditionally, social anthropology studied ‘pre-modern societies, and the types of protest analyzed were distinct, being variously described as millenarian, chiliastic or messianic movements. The sociologist who started studying movements invariably followed the familiar footsteps of historians, thereby ending up by studying terminated movements, resorting to post-factum analysis, based on records. This, in turn, meant that the tradition of studying movements is particularly weak in pre-modern societies and those in which the written tradition has emerged recently. Understandably, movement studies are recent in India in general and in Indian sociology and social anthropology in particular. The present volume should therefore be viewed against this background; it attempts to address itself to a relatively new and unchartered area.

When movement studies broke upon the India social science scene, they did so with force for two reasons. First, being virgin terrain, a large number of scholars were eager to seize it; by the mid-1970s, social movements became a fashionable area of research. Second, movement studies gained currency in India in the context of the massive, long and protected anti-colonial struggle. Understandably, an overwhelming majority of movement studies are but analysis of the anti-imperialist struggle and the mobilizations associated with it. Records relating to such movements invariably relate to the articulations and activities of the movement elite and its opponents. This necessarily meant that ordinary participants’ perspectives on movements are not adequately reflected in them. To overcome this lacuna, ‘oral history’ and bottom-up perspective have been resorted to latterly in movement studies. In the bargain, what we get are two warring factions of scholars who articulate contradictory perspectives and champion mutually exclusive historiographies. They tend to present facts and ideas from two different perspectives. What are inclusive and complementary orientations are often transformed into exclusive and contradictory ones; the part is often conjured up as the whole. But students of on-going movements, as against terminated ones, have an advantage in that they can capture both the micro-and macro
dimensions, the view from above as well as the perspective from below, thereby capturing a relatively total picture.

Independent India, If one views collective actions as a mechanism is not necessarily dismayed by the fact that a variety of movements emerge and survive in independent India. This is so because the very definition of the centre and the journey towards it are conditioned by the historicity of context. The central concern of the overarching anti-colonial struggle was to shake off subject hood and to create and independent nation-state, to create a new centre. But in independent India wherein universal adult franchise is granted to all citizens, the concerns are radically different. The new question which is posed is: Why is it that some of the collectivities are treated as second-class citizens while some others define themselves as the upholders of the ‘nation’?

The point the theoretical interest is that a theory of social movement implies a theory of social structure; system characteristics of a society mould the goals and means of social movements in that society. But social movements necessarily imply the projection of a desirable set of values; it is a project addressed to the future. The rise and fall of social movements indicate that human beings can not be permanently imprisoned in the present social structure and no eternal moratorium can be imposed on their creativity. Thus viewed, social movement, and protest, which is a manifestation of it, is an effort to redefine or recapture the past, to restructure the present and reorient the future.

The immediate historical background of independent India, marked by external colonialism, largely determined the nature of Indian social reality. The resultant nation-state is a multi-national and multi-cultural entity. The first decade of free India witnessed a multiplicity of ‘national’ movements against the threat of internal colonialism and the India state responded by reorganizing the administrative units of India on a linguistic basis by mid-1950s. Understandably, the initial attempt did not adequately attend to the aspirations of all, and protests, particularly of the subaltern nationalities, persisted and continue to this very day.

But deprivations are rooted in a wide variety of factors and state response varies in regard to each of them. Thus, the enunciation of the policy of protective discrimination was intended to squarely deal with those collectivities which had experienced cumulative deprivation for centuries. Notwithstanding this admirable measure, protests and mobilizations of
these categories also continue today. The point to be noted here is while India has its share of protests and mobilizations based on class and gender, they are not specific to India. And, protests based on gender and class do not always assume the expected saliency precisely precisely because primordial identititied-linguistic, regional, caste, tribal-are strong, deep and persisting.

What has India achieved since independence? In answer to this question there is much to be counted. Yet another realm in which success can be attributed to the people of India is that of commitment of liberal democratic polity. Despite a very short aberration during the ‘emergency’, the country has been able to maintain a vigorous participatory culture of democracy. This has been so despite India ranking quite low in terms of many pre-requisites of western democratic culture and polity. Looking back, the historical depth of Indian civilization to which the people of India are consciously and unconsciously linked has helped them maintaining the democratic traditions even though forty percent of them are illiterate. Secondly, the traditional institution of ‘panchayat’ at the levels both of caste and community could be held responsible for inculcating among people a native spirit of democratic interaction and participation. There may be problems in Indian democracy in respect of its legitimization norms, such as the use of caste, religion and region or use of money and muscle power to secure votes, but the fact that democracy has been institutionalised can hardly be disputed. From its fragile base since the early years of independence the continuation of democracy should be taken as a major indicator of social development of the Indian society.

There are many other indicators of development, such as the progressive rise in life expectancy of people, growth in literacy rate, decline in the incidence of child mortality and media exposure of the people. But on each of these indicators for the people. But on each of these indicators for the same time duration other developing countries have done far better than India. In comparison with not only the pacific countries such as South Korea, Taiwan, Indonesia, Malaysia etc. but its immediate neighbours such as Sri Lanka and Pakistan, India ranks lower in economic performance. The contemporary crisis in India, therefore, has its roots both in the nature of its achievements and also lack of growth in the crucial areas of its social and economic life.
The urban growth in our country follows a curious pattern; it is highest in the metropolitan cities and correspondingly declines as we move from the capital towns to smaller cities and towns. It only indicates that employment generating activities in the informal sector are highest in metropolitan urban centres and capital towns and lower in other urban centres. This is breeding a serious structural cleavage since it contributes to increasing ghettoisation of the metropolitan centres. The consequence is increased urban unrest, violence and crime. The political pressure of the slum dwellers comes into direct conflict with interests of the urban middle-classes with increasing and unbearable pressure upon infrastructures of the city life. Since in India the urban migrants maintain their links with the villages, the inequitous perception of the urban life and the discontent that it generates is carried over to the countryside where it further reinforces social conflict and violence.

The rural and urban social and cultural systems have interacted closely in our country unlike in many other parts of the world since time immemorial. But with the increasing population pressure the balance of relationship is breaking down. In structural terms, it generates conflict and ideologically it engenders disenchantment with the state. The rural-urban poor show disenchantment from state blaming its policies of development as being pro-rich; the middle class also do not empathise with State policies. The rural middle classes see it as being pro-capitalist and the urban middle classes perceive in state welfare policies e.g. the reservation policies a threat to their well-being.

One of the persistent theoretical issues relating to studies of movements is the presumed dichotomy between mobilization and institutionalization. To begin with, it is important to remember that this dichotomy is very much a part of the presumed structural opposition between movements and institutions. There are two major sources of this confusion-theoretical and empirical.

It one recognizes that there are conflicts and that’s why movements for change in the Institution and these are processually linked, one can steer clear of a lot of confusion. Second, it must be noted that movements are instruments to realize a future state, a vision, as noted earlier. And, the realization of the vision of a movement is possible through institutionalization of values, the vehicles of which are institutions. Instead of squarely recognizing this, institutions are invariably viewed as degenerate forms of movements. Third, change is generally viewed as the resultant of
displacement, in Western conceptualization. But there is enormous evidence from India to suggest that change can be the resultant of gradual accretion. Thus, displacement and accretion may be viewed as two routes to social change, which can coexist. In the same vein, mobilization and institutionalization are two different dimensions of a movement and are not necessarily mutually exclusive or inimical. They do not displace one another but go hand in hand. Institutions are solidified forms of movements. Movements are de-form versions of institutions.

Given this perspective, it is necessary to understand the exact relationship between movements and institutions. Perhaps the best way to explicate this is to delineate the relationship between nation-state, the encapsulating of all institutions, and movements. But nation-state is also the setting in which most institutions and movements operate in the contemporary world. How does the state as an institution respond to social movements which challenge its authority and question its legitimacy?

Admittedly, the nature and quantum of threat posed by movements to each of these mainstreams would vary, although, of course, the mainstreams themselves may often overlap and coalesce. To the extent that there is absolute isomorphism between the three mainstreams-economic, political and cultural-challenges from movements may not arise, and even if they do, may not be effective. In a polity where the exists a disjuncture between the three mainstreams, there is a possibility that a variety of movements would emerge. The India situation fits such a description.

The present concern being the threat posed to the Indian state by social movements, the political mainstream constituted by the Indian National Congress, the dominant political party and the economic mainstream composed of the all-India bourgeoisie are not significant collective actors. Political parties are contenders for power within the nation-states. Similarly, the nation-state provides a common market in which the national bourgeoisie compete. On the other hand, one given the multicultural constituency of the India nation-state, one should expect that some of these elements would pose a threat. But whether or not a collectivity poses a threat to an institution would depend upon the nature of the adversary. In the case of multicultural nation-states only a primordial collectivity which hopes to establish its hegemonic rule or those primordial collectivities which intend to disengage themselves from the nation-state pose serious challenges. Other primordial collectivities may confront the state but only for their economic betterment, political
autonomy or cultural identity within the existing framework of the nation-state. Under Indian conditions not only movements with a secessionist intent but also movements with an assimilations thrust pose threats, given the stupendous cultural pluralism and commitment to preserve it.

I have indicated above that all movements do not pose threats to the Indian state. But to suggest that all such movements are legitimate is to ignore the injury that some movements are capable of inflicting on certain institutions, including the institution of the state. Similarly, to argue that all movements against the state are illegitimate enterprises is to attribute eternal legitimacy to the state as an institution. There are authoritarian and democratic states; but even the very labeling may not be consensual. Thus, opinion could be sharply divided about the legitimacy enjoyed by one-party systems. While those who support such a political arrangement may hail it as people’s democracy, those who oppose it would invariably label it totalitarian. While multi-party democracy may be dismissed as bourgeois democracy by socialists, those who attest it would insist that it is the only authentic variety of democracy.

In spite of the above differences, it is safe to say that in some ‘democracies’ (one-party or multi-party) there is greater amount of concentration of authority, while in others there is greater decentralization and devolution of power and authority. True, the instruments invoked for the dispersal of power, vertically and horizontally, may vary, but devolution of power itself would be a reality. Therefore, it is fairly safe to assume that those systems which permit decentralization of power would witness the emergence and crystallization of protests and movements. But should these protests exceed the permissible limits defined by the state, a crack-down may be safely predicted.

One may posit four conceptual possibilities in the context of state response to social movements: facilitation, toleration, discreditation and repression. I have argued that the emergence of socialist and welfare states necessitated the mobilization of huge chunks of population collective actions, not simply to legitimize state initiated measures but also to institutionalize change. To the extent that there is congruence between the ideology of a state and that of a movement, and all the means employed by the movement is legitimate, the state would facilitate the movement. On the other end of the continuum, a disjuncture in goals and means as pursued by the state and movement would lead to confrontation. The state may tolerate a movement with even a radical ideology if the means used are legitimate. On the other hand, the state may
resort to discreditation of a movement if it takes to non-legitimate means. Thus, even as the state is indulging in repression of a section of the population, if it is successful in projecting the impression that it is doing so for the common welfare, in the interest of the people, and with their tacit approval, the response of the populace in general would be favourable.

The legitimacy of a state, the success of an institution, or, for that matter, the survival of a movement, depends upon the manner in which it projects itself to the wider world. That is, the content and styles of communication are of critical importance. A wide variety of factors—the type of society (‘primitive’, peasant, industrial or post-industrial); the contexts (religious or secular); and the levels (micro, meso- or macro-) influence the styles of communication within and across movements. Communication patterns within a movement as a whole or among different types of participants (e.g., core and peripheral) are radically different from communication styles across movements. With movement allies the communication is necessarily cooperative but with movement enemies it is invariably confrontational. This in turn means that through the instrumentality of communication, participants are sacralized and opponents are stigmatized, even demonized.

The styles of communication are often at the root of erupting violence, be it sudden or eventual. Here, who owns and/or controls the agencies of communication—press, radio, television—becomes crucial. These ideological apparatuses, depending upon who owns and controls them, can legitimize or de-legitimize violence. That is, violence, irrespective of its source, can be projected as an inevitable evil, but mark is, only for a noble and promising future. Again, the nature of the collectivity involved is important insofar as expectations from and about them vary radically. For example, violence indulged in by the youth and the working class are often tolerated at least up to a point; it seems that there is even a tacit assumption that some amount of violence ought to be expected from them. In contrast, violence indulged in by senior citizens, professors or priests, shocks the collective conscience almost instantly. Needless to say, it is the image about different collectivities which defines expectations about them. All these point to the compelling argument that attitudes to violence generated by movements also drastically vary depending upon who is involved for what purpose it is used as a resource, and whether it is avoidable or inevitable.
The very content of communication gradually evolves as the leader articulates his ideas. In contrast, ideological movements invariably formulates his ideas. In contrast, ideological movements invariably formulate the content of their communication well in advance and it is communicated by a multiplicity of structured groups. But decentralized by a multiplicity of structured groups. But decentralized communication invariably results in different interpretations of its content. To avoid this, coordination would be attempted which results in centralization and bureaucratization.

Inevitably, communication is bound to be restricted and boundary demarcation in terms of ins and outs would be clear in such a movement. Over time, however, the organizational nucleus would have to spread both vertically and horizontally if a movement has to emerge. That is, associational proliferation and organisational elaboration are indicators of the spread of movements in such cases. Once this happens, coordination of communication becomes inevitable. Necessarily, movement entrepreneurs and ordinary participants get differentiated within movements, leading to greater centralization.

Finally, a precipitious event may give birth to a revolt or rebellion, the basic causes of which may be submerged in spite of persisting discontentment over a period. Inevitably, a spokesperson has to emerge almost instantly. An ad hoc group emerges first (which would eventually be formalized as a committee), to communicate the grievances and plan future action. Understandably, the need to have a coordinator becomes evident and concentration of power in his hands would follow automatically. The general point then is that even as styles of communication vary depending upon the nature of movements, there is a tendency towards centralization of communication.

Irrespective of the content or style of communication, its object in the context of social movements is mobilizing specific social categories into collective actions. The patterns of mobilization in turn would vary depending upon the contexts and categories involved. Thus, social movements within a nation-state are enterprises addressed to the mobilization of one or another category.

Although intense, intermittent, isolated revolts by agrarian classes did occur for centuries in India, they were invariably localized. In contrast, for the time, large-scale, continuous, systematic and coordinated mobilization of and by agrarian classes occurred in India in the wake of the anti-colonial struggle. This observation is equally
applicable to other categories-tribes, castes, religious collectivities, students, women, youth, industrial workers. Ignoring this vital difference, a large number of analysts have advanced long-winded arguments to establish the specificity of interests, motivations and consciousness of particular categories. Without denying these specificities. Second, the theory of vanguard which pre-supposes differentiation of particular categories is largely redundant in a colonial context. Anti-colonial mobilizations are by their very nature multi-class and poly-cultural because the primary and immediate deprivation, political subjection, is commonly shared and the agent of oppression is a common external enemy. True, it is necessary to motivate specific classes and categories invoking their particular deprivations to join the struggle because their definitions of the situation vary. But this does not nullify the overarching purpose or the omnipresent enemy.

These focus is that the much-debated middle peasant thesis is the resultant of the fallacy of misplaced concreteness. In fact, even the latterly floated of dominant peasantry does not sit well in the context under reference, namely, the intense nationalist phase (1917-47) in the anti-colonial struggle. Precisely because the cause was common and the enemy external, the whole peasantry, not one or another segment of it, has to be involved. The situation in independent India is dramatically different and yet most political parties until recently impetuously struck to the same strategy of mobilizing the whole peasantry, although through different associations, often ignoring the basic variations in the nature of deprivation experienced by their clientele. This misconstrued strategy was a colossal mistake which largely explains why much of the agrarian mobilizations in independent India are not exactly class-based but party-inspired. Thus, not only are several political parties involved in intense competition to organize the same agrarian class, but the same political organizes several agrarian classes with opposing interests!

In the first couple of decades, the main thrust of agrarian mobilizations in independent India was against the absentee, feudal and big landowners by the tenants in pursuance of translating the slogan ‘land to the tiller’ into practice. The confluence of these mobilizations and the series of land reforms facilitated the emergence of owner-cultivators. It was precisely as this juncture that the state came out with its massive subsidies for farmers to effectively stem the recurring food crises, resulting in the emergence of the Green Revolution. The traditional band of tied-labour became
free-floating wage labour and the ensuing confrontations in the agrarian context are between the capitalist farmers and the agrarian poor.

Having got attuned to the advantages of the subsidies provided by the state, the newly emerged prosperous farmer was not in a mood to pay tax or even to return to loan he got from the government. In fact, he wanted not only the continuation of the subsidy but also the guarantee of remunerative prices for his products. On the other hand, he was unwilling to pay the agricultural worker an adequate wage, sometimes even a subsistence wage. Predictably, agrarian mobilizations took a new turn; the rich capitalist farmer confronts the state and with newer demands and the agricultural labour mobilizes against their employers, the capitalist farmer, demanding better working conditions. It is important to recall here that although anti-state mobilizations are common to both the colonial and the national state, there are critical differences. If the mobilizations against the colonial state were essentially political and multi-class, the protests against the national state are essentially economic and ultimately class-based. To say that both are anti-state is to say nothing, to miss the vital point instanced by the change in the historicity or context.

One can speak of three main collective actors in the context of agrarian mobilizations in India today. First, the agrarian proletariat drawn mainly from Dalits, Adivasis and backward castes organized by leftist parties demanding better working conditions and higher wages. Second, owner-cultivators drawn predominantly from middle castes organized by centrist and leftist parties demanding subsidies and remunerative prices from the state. Third, rich capitalist farmers drawn middle and upper castes organized by certain independent organizations which pursue agrarian capitalism as an ideology, as a sequel to industrial capitalism. Given this scenario, the possibility of a true all-India mobilization of any particular is limited; caste categories, economic conditions and the strength of political parties and agrarian organizations vary substantially across cultural-linguistic regions.

One of the serious gaps in our knowledge about protest relates to its micro-dimension. The nation of micro-protests as used in this volume has two connotations. First, its relates to protests by particular categories which are circumscribed by their attributed and are constrained to function in specific contexts. Second, it refers to what happens within a specific locale, institution or movement.

Given the limitations of traditional historiography which invariably failed to capture the view from below, attempts have been made to fill this gap latterly. But
most of these efforts relate to highlighting the role subaltern classes played in the anti-
colonial struggle, or at best, to describing their conditions during the colonial era. To 
the extent that these discussions are confined to the colonial context, the question 
relating to the changes that occur in the consciousness of subaltern classes under a 
changed historical situation, that is, in a politically independent nation-state, cannot be 
answered.
The hyphenation points not merely to the duality in status and identity but also to the 
concomitant multiplicity of sources of deprivation and the resultant multi-layered 
character of their consciousness. In the case of the Dalits, an utterly degrading ritual 
status, an acute sense of powerlessness and grinding poverty jointly shaped their 
consciousness. This in turn moulded their perception of the enemy and even patterns 
of mobilization. Therefore, it is no accident that collectivities below the pollution line 
invariably thought that their greatest enemies during the colonial era were not the 
British but those Indians who upheld and practiced conservative religious and caste 
values. However, this is not to suggest that the Dalits were not interested in political 
freedom or involved in the anti-colonial struggle, but to indicate that if a particular 
deprivation is specific to a category and that in their perception is the most 
debilitating deprivation, they will, in all probability, protest against it first.
In this perspective, movements are defined as oppositional forces against the status 
quo. This perspective probably had greater validity at a time when the state operated 
as a mere police state, confining its attention to the protection of the citizens police 
state, confining its attention to the protection of the citizens from external aggression 
and providing them with adequate internal security to facilitate the pursuit of their 
chosen economic activities. But with the emergence of the notion of welfare and 
socialist states, what have been hitherto defined as private worries have becomes 
public issues. And, in the case of Third world countries, consequent upon their 
emergence as independent nation-states at a particular juncture in history, the state 
had to inspire and institutionalize far-reaching changes. In this process the state has 
had to mobilize its vast masses into collective actions; the state bureaucracy which 
was hitherto taken to be an agent of the status quo was gradually turned into, at least 
by definition, an instrument of change and development. This transformation in the 
functions of the state and the mode of its functioning has tremendous significance for 
the analysis of social movements in the contemporary world situation, particularly in 
developing countries. In all the socialist countries the state is the chief and often the
only agent of mobilization of people, the most telling example of which is the Cultural Revolution in communist China. But the large-scale mobilization of people to bring about change is not altogether absent in other countries. Thus, India’s massive rural reconstruction programme was intended to operate more as a movement than a bureaucratic venture. That is why one frequently comes across references to the community development, cooperative, Panchayati Raj or family planning ‘movements’. It is not argued here that these and other governmental programmes can be easily equated with movements as is conventionally understood. However, what I am suggesting is that the change in the overall orientation and in the mode of functioning of the state is likely to bring about changes in the nature and types of developmental strategies and techniques of mobilization employed by it. If this is so, one must take into account this dimension while analyzing social movements. It may be that the state inspired legislative measures accelerate the process of achieving movement goals initiated by the oppositional forces or that the thunder and storm of opposition-inspired movements are completely stolen, or at least partly reduced by state measures, thereby rendering social movements redundant in certain contexts.

Although India is often characterized as a rural country, its urban population is larger than the total population of many countries and cities have grown at such a rapid rate that we now encounter the problem of over-urbanization. This has led to the migration of a substantial population from rural areas, hitherto experiencing life in relatively fixed contexts with definite attachments. The emergence of a relatively mobile and free-floating urban-industrial population, coupled with certain distinctive characteristics of Hinduism, seem to be facilitating the emergence of a large number of urban-based sectarian movements centred around saints. Typical examples of these are the Radha Swamy movement, the Nirankari movement, the Brahma Kumari movement, the Divine Light Mission, the Satya Sai Baba movement, the Ananda Margi movement, to mention a few. While all these ‘movements’ can be included under the rubric of religious movements, they also have a certain measure of autonomy as sectarian movements. The elements of traditional Hinduism which seem to be facilitating the emergence of these movements are polytheism and the absence of a Church. Hinduism has always had a multiplicity of gods. Therefore, the acceptance of a variety of saints of autonomous origin seems to be innate to Hinduism. Second, given the extremely amorphous character of Hinduism and the hierarchical division of the society through the caste system, internal differences,
divisiveness, and lack of community seems to be all-pervading. In such a situation, characterized by flexibility and rigidity simultaneously, it seems to be natural for men to yearn for membership in communities and groups with relatively clear boundaries but with the possibilities of some options. And, these traditional aspects of a social structure are particularly problematic when men and groups are re-located in urban-industrial contexts. They tend to be alienated from the immediate surroundings and suffer from an identity crisis, devoid of specific and deep social attachments. Therefore, it is no accident that most of these saints emerge and operate in the urban milieu and their followers are mainly drawn from urban middle classes. These religious movements continue to operate successfully till such time as their leader-saints are condemned publicly for the criminal activities they allegedly indulge in (e.g., Ananda Margis) or till such time as internal schisms develop within them (e.g., Divine Light Mission) or insofar as the saintly powers claimed by them are not demonstrated to be false. That is, insofar as their claim to saintliness is not challenged, their charisma stands validated, their legitimation is assured, and they are successful in mobilizing men into collective actions in the name of the belief system they stand for.

Thus far the topic has concentrated on the relationship between historicity, social structure and value system of Indian society on the one hand, and the nature and types of social movements which originate and spread in India, on the other. Although the number of participants cannot be a definite criterion by which movements can be differentiated from non-movements, it cannot be ignored. Nobody is likely to designate the mobilization of a handful of individuals as a movement. Therefore, it is obvious that movement participants should be of a substantial number. The number of participants can be defined as substantial both in terms of the universe which forms the basis of mobilization as well as the absolute number mobilized into action. For instance, even if only a small percentage of a specific category, industrial workers or farmers, for instance, are mobilized into collective actions we can legitimately label it a movement if they constitute thousands of persons. On the other hand, even when only a few hundreds of persons are activised insofar as they constitute a substantial proportion of the population which forms the universe of mobilization (as in the case of a small tribe), such a mobilization can also be designated a movement.
It is well-known that it extremely hazardous to demarcate the boundaries of movements terms of the nature and types of activities of participants. All movements are likely to have a set of core participants, the leaders at different levels, who can be differentiated in terms of the functions they perform; those who propound the ideology of the movement (the theoreticians), and those who translate these into actual programmes through strategies and tactics (the men of action). Second, the rank and file who participate regularly in various kinds of mobilizational activities—picketing, jathas, satyagrahas, gheraoes, strikes—and get arrested or killed and become martyrs of the movement are the propelling force behind any movement. Third, there will be a set of peripheral participants who may identify themselves with movements, insofar as such participation is not risky venture perceived in terms of their life chances and immediate material interests. Typically, they participate in one or more of the following activities: attend the mass meetings organized under the auspices of the movements, read the literature produced by the movement, make occasional financial donations to the movement. While it is extremely difficult to demarcate the active from the less active participants, it is necessary to recognize this gradation among them. The problem becomes particularly vexing when we note that several movements produce counter-mobilization by oppositional farces. Often those who indulge in counter-mobilization are much more active and an adequate study of a movement should also take into account this category of persons who are usually taken to be ‘outside’ the movement.

The time-span of movement is one of the most critical dimensions which defines the scales, yet it is one of the most neglected aspects in studies of movements. Thus, uprisings, rebellions, civil disturbances, revolts, insurrections, etc., are all indiscriminately and interchangeably referred to as ‘social movements’ some of these events existed for a short period (less than a year) and others continued for a longer period. This confusion emanates from an inadequate appreciation of the processual aspects of movements. Movements are typically unstable and vascillating phenomena, now calm, now active or violent, now moving methodically and slowly, then plunging into action suddenly and erratically, and then into relative lull or even utter despair. Therefore, rebellions, revolts and uprisings are nothing but specific events in the relatively long history of a movement. These events, which are often the more visible aspects of movements, are usually sustained only for a short period and should not be mistaken for the movement as a whole. Further, it is also likely that in the history of
some movements these types of events may not take place at all because of their non-violent orientation. But they should not be denied the label of movement. At any rate, whether or not a movement mobilizes men into violent collective actions would depend on the strategy and tactics that are perceived to be appropriate by the leadership. The methodological implication of our analysis then is that it is confusing to designate specific revolts or rebellions (e.g., Tebhaga and Telengana peasant revolts or rebellions or the Champaran or Bardoli satyagrahas) as ‘movements’; rather, we should perceive them as specific links in the long chain of agrarian or freedom movements in India, as the case may be. Further, not only are revolt or rebellions specific events in the history of a movement, but they may give birth to another movement of an entirely different nature as in the case of the Telengana peasant riot which provided the womb to the non-violent Bhoodan-Gramdan movement. Alternatively, a violent revolt may ring the death-knell of a movement depending upon the intensity of violence involved and the attitude of the establishment and the collectivity at large towards violence, eventuating in the demise of the movement through repression or discreditation. Finally, certain movements suffer a natural demise as their goals are achieved, other would redefine their goals or add new goals so as to ensure continuity. Viewed from all these aspects, it is clear that the time-span of movements forms an important dimension of the scale of a movement and to designate specific events which occur in a limited range of time as movements is fallacious.

The third aspect of the scale of a movement refers to the social composition of the participants. The underlying assumption here is that the greater the social homogeneity of the participates the smaller is the scale, and the greater the heterogeneity, the greater the scale of the movement, provided the number involved is constant. By implication, this dimension is discerned in terms of the number of potential participants a movement can mobilize into action. Thus, if a movement is oriented towards the interests of a primordial collectivity such as caste, tribe, religion or language, its optimum scale will be smaller as compared with another movement which champions the interests of civil collectivities such as workers, student or farmers. That is, the dimension of the scale of a movement in the context of the social composition of participants is defined in terms of the heterogeneity/homogeneity of the population under reference. The problems bearing on the scale of movements is reflected in the very process of naming movements. An examination of the names of
movements indicates that they are anchored around three factors: locality (e.g., ‘movements’ of Bardoli, Telengana, Bihar), issues (e.g., Tebhaga, anti-Cow Slaughter, regionalism) and social categories (e.g., peasants, workers, Scheduled Castes and Tribes, Muslims). It is clear from our foregoing discussion that in terms of our perspective some of these are clearly not movements; they are but specific events in the long history of movements. Further, if the locality anchorage is too narrow, discerned in terms of the category involved (that is, peasants in Bardoli), or if the issue involved is too narrowly defined (as in the caste of Tebhaga or Cow Slaughter), then mobilization emanating out of these situations or issues cannot be meaningfully designated as movements. But if the locality anchorage is large enough, Bihar, for instance, or if it potentially involves the entire population of the region as in the case of the recent Telengana Separatist movement, or if it has the potentiality to mobilize a substantial size of the populations as in the case of issue-centred movement (e.g., sub-national movements) or category-based mobilization (e.g., agricultural workers or Scheduled Tribes), the term movement can be meaningfully employed as the scale of the movement is likely to be of a viable size.

The labeling of a movement based on the social categories involved largely determines its scale. Thus, if the collectivities are primordial, the movements are likely to be localized, usually confining their activities to a specific regional-linguistic area. However, this is not to suggest that such movements will not spread to other regional-linguistic areas. Even as they do, they are likely to take a different shape as the social categories of exactly the same attributed may not be found in the new region into which it spreads. This is well illustrated by the Neo-Buddhist movement which has its anchorage among the Mahars of Maharashtra at the incipient stage but later spread among the Chamars of Uttar Pradesh. In contrast, if civil collectivities are the participants in a movement the theoretical possibility of its simultaneous spread at an all-India level exists if a centralized leadership provides the requisite ideology and organizational pattern to the movement. The cases of labour, agrarian or student movements are illustrative of this. It is not suggested that these movements will simultaneously all over the country or that they will be of equal strength wherever they emerge, but such a possibility cannot be ignored. However, given the social diversity and regional-linguistic variations in India, even class/occupation-based movements are usually confined to certain pockets.
The problem here stems from two sources: (a) The hiatus between objective conditions of a collectivity and their subjective perceptions and (b) the tension between the differential emphases given to the varying dimensions of movements by researchers. Even when a collectivity, workers, students etc. share the same objective conditions they may not perceive the deprivation they suffer or trace it to same source. That is, crystallization of class or category consciousness will not automatically follow the occupancy of given positions. This may impede their mobilization and thwart the emergence of movements. Part of the problem here is rooted in the competing identities the constituents in each of these collectivities have. For example, since students are drawn from a multiplicity of primordial groups and insofar as primordial ties remain strong, their mobilization purely in terms of civil or ideological collectivism will not be very easy.

Given this enigmatic processual dimension of movements, analysts of movements are constrained to focus their attention on the institutionalized segment, namely movement associations or organizations. The fact that many movement function as associational groups. While people can join movement associations, hold and attend meetings, adopt definite programmes, what distinguishes the members of a movement is their normative commitment to it, which is qualitatively different from associational attachment or loyalty. In spite of this difference between movement and association, the confusion between the two persists due to the following reasons. Movements crystallize when men share beliefs and activities. But what distinguishes them from other similar kinds of social behaviour is institutionalization—the process of development of a network of relatively stable interactions, normative structure, gradation of participants. Therefore, movements may be viewed as institutionalized collective actions, guided by an ideology and supported by an organizational structure. Without mobilization no movement can sustain itself, but if the mobilizations are uniformed by an ideology and an organizational basis, they cannot be distinguished from elementary forms of collective behaviour, like panic response. This intermediary stage between clearly formalized structures and vaguely articulated directionless formalised structures and vaguely articulated directionless process is that which distinguishes movements from organizations on the one hand, and elementary form of collective behaviour, on the other. Therefore, the focus of attention in movement studies should not only be mobilization activities but also their institutionalized segment. Consequently, movement studies either concentrate on
mobilization or on institutionalization, implying a basic contradiction between these who processes.

The recognition of the linkage between mobilization and institutionalization would help highlight the relationship between the ideology and programmes of movements. Movement ideology is usually formulated by the leadership and often in abstract terms, but it is a necessary input which provides the requisite passion to the rank and file to plunge into collective actions. But this ideological vision of the leadership needs to be translated into problem-oriented, issue-centred programmes, taking into account the existential conditions of the specific social category which is sought to be mobilized into collective actions. That is, the success of a movement of a movement depends largely on the perception by participants of the organic link between the ideology and programmes of the movement. Only then is effective, continuous and purposeful mobilization, which gets institutionalized overtime, possible. Mobilizations without purpose and uninformed by ideology remain mere rebellions and revolts. Similarly, mere ideological sensitization of people without verbal articulation, it can rarely bring about any change.

The mobilized social category is invariably deprived one and mobilization is always against an oppositional force—an enemy. Even when movement ideologies get crystallized it may not be very easy to understand the specific attributes of the enemy and there may be honest difference of opinion in this regard. Further, even when there exists consensus as to who is the enemy, the deprived social category may not perceive the attributes of their enemies due to their debilitating existential conditions—ignorance, illiteracy, poverty, powerlessness or affluence, false sense of power, etc. Even when the enemy is located and the deprived sections are aware of the same, there may be differences of opinion with regard to the manner in which the enemy is to be dealt with. Thus, those who attest the maxim, ‘end justifies the means’, invariably tend to destroy the enemy, while those who are wedded to the principle of maintaining the purity of means may attempt to convert the enemy. This difference in approach is inevitably reflected in the mobilizational techniques-violent and non-violent-employed by different movements. We have instances of both these types of movement in India in specific contexts (agrarian, the examples being the Naxalite and Bhoodan movements). This value-orientational difference of movements is articulated in the perceptual vision of researchers, leading to varying emphases being given to different aspects of movements.
The significance of locating and sensitizing the deprived categories as a prerequisite to mobilization brings us back to the issue of the scale of movements. It is the critical nature of the resources possessed by the enemy which defines the nature of deprivation. Thus, those who perceive economic resources as central tend to identify the social categories involved in struggles as landlords and agricultural workers, owners of factories and industrial workers, money-lenders and bonded labourers. On the other hand, those who perceive status and power as the basic resource would tend to project caste Hindus and Scheduled Castes, the Hindus and Muslims, the Maharashtrians and south Indians, etc. as social categories in confrontation. The manner of perceiving and defining the basic resources of the enemy have far-reaching implication in determining the scale of movements. In the case of occupational/class categories, the enemy is all-pervasive and therefore mobilization could be universal, transcending many limitations. In the case of primordial categories the enemies are localized and circumscribed and therefore the mobilization would inevitably remain sectoral and confined to regional-linguistic contexts.

This brings us to the issue of the level of observation in movement studies. It seems to me that one of the fundamental methodological flaws of movement studies has been the exclusive emphasis on the macro-dimension, almost invariably ignoring the micro-dimension, thereby presenting a distorted picture. The usual tendency is to analyze movements in terms of their ideology, contained in the written or unwritten pronouncements of the top leadership; the central movement organization, the machinery organization, the machinery through which the ideology is sought to be propagated and communicated; the strategies and tactics devised by leaders, the specific procedures adopted to put movement ideology into practice. This emphasis on the macro-dimension cannot give a picture of the actual operation and consequences at the grass-root, level, wherein we observe the filtration or accretion process to which the ideology is subjected in order to meet the specific local conditions. Admittedly, there is a hiatus between the view from above and that from below. The ideological vision of the top leadership may not be meaningful to the grass-root participants unless it is translated into here and now problems as experienced by them. And, those who have attempted to view movements from below often perceive a different picture, and only discern the ‘inside story’ of movements as different from the ‘formal picture’ which emerges from a study of the macro-dimension alone.
Rarely are on-going movement studied even by sociologists; typically, movement studies are undertaken after their demise, at least after the period of intense mobilization and this is so far several reasons. First, ongoing movements continuously reformulate their ideologies, restructure their organizational pattern and change their strategies and tactics to meet the challenges of the exigencies they face—movements live from moment to moment. This makes observation of movement processes hazardous. Second, the time-span of movements may be long enough that a particular researcher cannot often invest his entire time on the study of an on-going movement. Third, movements are often triggered of suddenly and researchers may not be prepared to plunge into studies immediately. Fourth, since movements are invariably controversial in their orientation, it will be difficult to avoid taking value positions if we study on-going movements. By the time a study is undertaken what is available to researchers is its documents, the articulations of movement leaders. Even when participants are identified and information is collected orally, those consulted are invariably leaders. If one resorts to analyzing records kept by law and order agencies about confrontations, the participants listed in these are likely to be those perceived as having a nuisance value by the local influentials as those records are often prepared on the basis of prompting by them. In the final analysis, an adequate understanding of the micro-dimension of movements is very difficult because of conventional research strategies and techniques in vogue. Therefore, unless a researcher makes deliberate attempts to view the movement he analyzes from below, he is not likely to capture the grass-root processes involved.

Ignoring the micro-dimension often gives birth to an inflated perception of the scale of movement. Thus, movements which are often described as all-India movements are essentially regional local ones confined to specific linguistic regions or even parts of it. Mostly movements which mobilize class/occupational categories are of this type. While under both these patterns of movement crystallization, the ideology and organizational structure seem to be supplied by the movement leadership in response to the prevalent political values and social policy measures, the tendency is to concentrate on specific and limited areas given the social diversity, cultural pluralism and differing political development found in different parts of the country. It seems, then, that all-India movements can emerge only under two conditions: (a) when the country is faced by an external enemy, unifying all the socially diverse categories, or (b) under the magnetic spell of charismatic heroes who
transcend all primordial attachment and who mobilize the people against a commonly perceived enemy.

Even a quick look at the trajectory of Dalit protests unfolds an interesting pattern. The Dalits, notwithstanding their debilitating poverty, did not organize to improve their economic conditions; to start with they protested slavery and untouchability. Theirs was not a class action to begin with, but their efforts were geared to wrest human dignity for themselves. This was followed by struggles for political enfranchisement and mobilization against economic exploitation surfaced last.

There is yet another plausible reason for this sequence of protests to surface. That ritual degradation is common to all Dalits irrespective of their economic conditions or political privilege is amply illustrated by vast empirical evidence. Similarly, although adult franchise is a great equalizer, its actual exercise is not always smooth, either because one does not have politeracy or because one is intimidated in its exercise. Economic betterment does not happen to all at once or simultaneously, it is a gradual process. And, when it happens it divides people, into haves and have-nots. And, when it happens it divides people, into haves and have-nots. Invariable, it is the political brokers from among the Dalits who would first acquire the requisite skills and their kith and kin who would secure the economic advantages. This brings in class differentiation, often jeopardizing collective action.

The emergence of the Harijan bourgeoisie and Dalit political broker has resulted in precisely this. Needless to say, the Dalit proletariat is alienated from its primordial base (fellow Dalits) due to class differentiation and from its civic base (fellow proletariat) due to primordial attachments. The only way out of this impasse is either united class action or caste mobilization. If, for the former, a cultural revolt is a prerequisite, for the latter, categorial solidarity ignoring class differences is required. If cultural revolt is yet a far cry in India, assertion of caste solidarity does not augur well for ushering in a democratic, secular and socialist India!

Perhaps a challenging task faced by all movements is how to create new identities for their followers. A wide variety of mechanisms, ranging from making a new recruit sign a prescribed pledge to. While these external mechanisms to maintain identity may help to identify the followers of movement, they do not guarantee the development of a sense of belonging to it. Not infrequently, the process of sacralization and demonization will have to be resorted to in order to achieve this end.
While sacralization attempts to transform those who belong to a movement into charismatic objects, demonization of the enemy creates the required distance from the enemy. These processes are often at work to create a new self-definition among, and a new life-style for, the followers of a movement. However, there will always be a hierarchy among participants the core constituted by the leaders, the ordinary composed of the rank and file, and those on the margin who are in a dilemma as to whether to be in it or out of it.

The above proposition is clearly upheld if one looks at the types of social movements prevailing in independent India. It is no accident then that the majority of movements were and are those relating to the interests of religious, caste, regional, tribal and agrarian categories. In fact, protests by agrarian categories are substantial precisely because of the large congruence between caste and class. And, by and large, they are confined to specific regions and language areas. Given the multiple identity of the collectivities involved, most movements pursue a variety of goals simultaneously. Thus, the very labelling of a movement based on ‘who’ is involved is problematic. Not only because the collective actors have multiple identities but also because ‘what is at stake’ is of supreme importance.

Although there are continuities in cultural and political domains between the rural and the urban middle classes, in the economic realm, there has existed an anwning discontinuity. The urban industrial or business classes due to caste specialisation of occupation had a separate existence. Jainism which produced dominant business leadership was alienated from taking to agriculture. No doubt, since independence a substantial section of the political elites have emerged from the rural upper and middle castes-classes, the professional elite of rural origin still come primarily from the rural upper castes. The rural middle castes have gained in political power but lag behind the upper castes in technical and professional occupation or in administrative and managerial services. Hence the demand for reservation for the backward classes. In business and industry both the upper and the middle rural castes-classes have lagged behind as they did not have its traditions since it was caste specialised.

The dependence upon land for livelihood and maintenance of a middle class standard of life (which qualitatively keeps on undergoing changes due to overall social and cultural changes) puts enormous pressure upon peasant families. In a generation or two even a land holding of a size within the ceiling limit permitted by the state (about 15-18 acres irrigated land) gets fragmented. And without avenues for
mobility to non-agricultural employment the younger generation of peasants finds itself exposed to unavoidable downward social mobility or even pauperisation. This may lead to political radicalism or violence.

Corruption laws in India

Following are the main laws dealing with the corruption problem in India:

1. Indian Penal Code, 1860:
2. The Prevention of Corruption Act, 1988
3. The Benami Transactions (Prohibition) Act, 1988
4. The Prevention of Money Laundering Act, 2002

As we can see that there is a lot of socio-legal and political issues are involved as we see this is the most contemporary issue in Indian situation.

PROPOSED STUDY

Keeping the foregoing in view, it is critically important to look into the provisions of Lok Pal from the social, economic, legal and political point of view and to see the impact/change which can be brought though this step. One more important aspect is also revolves around the misuse of the provision. All these apprehensions were well taken care of while doing this research. This is what the proposed study intends to accomplish.

Objectives of the Study

1. To examine the need and development of Jan Lok Pal concept
2. To assess the problems and intricacy of the provisions of the Jan Lok Pal Bill.
3. To evaluate the impact of the system of Jan Lok Pal on the common man form the socio-legal and political perspectives.
4. To study the public man perspectives towards the provisions of Jan Lok Pal
5. To analyse the overall situation and suggest the changes in this regard.

Scope and coverage
The research work was conducted in the Lucknow District Only.

**Research methodology**

The needful and useful data collected from various primary and secondary sources, that are important for the understanding the Socio-legal and political issues of Jan Lok Pal Bill.

Since, the study is said ensuring the development of the society through the multifarious role played by the measures suggested in the Jan Lok Pal Bill and it also focus on the apprehension of the common people, policy makers and the politicians.

**Tools Used**

All the three tools structured questionnaires, interviews and the observation were used to complete the study.

The study covered these different types of stake holders as given below.

**Stake holders**

1. Common Man  
2. Public Servants/ Policy Makers  
3. Expert opinions

**Sample**

Purposive sampling method was adopted while selecting the stake holders. 80 different respondents were selected for the collection of information.

**Pretesting of the questionnaire**

The structured questionnaire went through the pretesting process, some respondent were contacted personally and appraise them with the objectives and the utility of the information to be collected. On getting the feedback from the various groups of respondents the questionnaires was revised accordingly. The objectives of the pretesting was to ascertain whether the question asked could be ease and correctly understood by the respondents, to identify the right type persons to be approached for providing the information to assess the time taken to fill the questionnaires, to avoid the duplication of data collection, to have the reaction of respondents in providing information on some serious and personal questions.

**Analysis of data**

This Analysis considered various aspects and approaches like significant relevance between social, legal, economic and political issues related to the Jan Lok Pal Bill.

**SIGNIFICANCE OF THE STUDY**
The results came out after the research are useful in making the policies for improving the Jan Lok Pal Bill and its functional difficulties. The study suggests measures to make a perfect system of Lok Pal in terms of policies, strategies, plans, organizational set-up and support systems and lay down methods of monitoring and evaluation on the basis of the extensive survey and research.

**Research Design —**

(i) **Coverage, Sampling and Informants:**

The study covered Lucknow District only.

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<th>Level I</th>
<th>Common Man</th>
<th>50</th>
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<td>Level II</td>
<td>Public Servant/Policy Maker of Different Cadre</td>
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<tr>
<td>Level III</td>
<td>Politicians of Different national and state parties</td>
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<tr>
<td>Level IV</td>
<td>Experts including academicians/NGO members/Activists etc</td>
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</tr>
<tr>
<td><strong>Total</strong></td>
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**Expected Outcome**

1. To understand the social and economic issues effecting the society.
2. To see the impact of legal and political interventions of the Jan Lok Pal Bill.
3. How far the proposed Jan Lok Pal Bill is able to combat the problem of corruption and improving the situation.
4. Every Strategic Planning should always be propagated in which the welfare of the society is involved.