

CHAPTER – II

REVIEW OF RELATED LITERATURE

2.0 Introduction

In the context of academic research, the review of related previous literature is utmost essential to know the previous work and how the present work can be carried out forward. Here, the literature has reviewed in three context i.e. in global context, national context and regional context.

2.1 Meaning of literature review

The term review is originated from the French term ‘revenue’ and meaning is formal examination of something new or extra in order to make changes if necessary or add. In other words, it can be mean as critical assessment of books, other works or report of an event that has already been happened in past. The term literature on the other hand means written works or books that are considered having artistic merit on particular subject or area. Thus review of literature means systematic and formal examination or analysis on the relevant existing information of books, articles, reports, speech, journals, newspapers, research works, internet sources and many more in order to find out a new way for the solution of problems.

2.2 Importance of literature review

The literature review is utmost essential for researcher to raise a question himself or herself in order to lead to an extensive and inclusive relevant research work. The systematic review of literature helps to write a good literature review, to understand in details the area that a researcher is going to study, whether the area is worthwhile or not, whether it can be helpful or not, and whether the way is on-tract or not. It also helps a researcher to map the field systematically.

The following analytical features of a literature review is very significant in social science. These are:

- a) Important for strong theoretical base.
- b) Provide a new interpretations of old material or combine new with old interpretations.
- c) Trace the intellectual progress of the field including major controversies or debates.

d) Depending on the situation, evaluate the sources and advise the researcher on the most pertinent or relevant research.

e) Usually in concluding part of the literature review, identify where gaps exist and how a problem can be researched.

2.3 Review of related literature in three contexts

The review of related literature can be presented in three different contexts viz. global, national and regional.

2.3.1 Global context

The book *International Law and Human Rights (1950)* is written by Sir Hersch Lauterpacht. This book systematically explores the evolution of human rights in the international context. After discussing the various provisions of the UN Charter concerning human rights, he throws light on the adoption of Universal Declaration of Human Rights (UDHR).¹

The book entitled *No Distant Millennium: The International Law of Human Rights (1989)* by John Peters Humphrey deals with the principal organs of the UNO and human rights. The book tries to broaden the scope of presently thinking on human rights so that the idea of those rights becomes a reality.²

Human Rights in Developing Countries (1994) is edited year book by Peter Baehr, Hilde Hey, Jacqueline Smith and Theresa Swinhart. The book broadly discusses the various human rights concern issues in developing countries of the world.³

Human Rights of Women: National and International Perspectives (1994) is a book by Rebecca J. Cook and others. The contributors of the book try to explain the international human rights law and how it is being applied specifically to women in varied cultures across the globe. They also discuss regarding development of strategies to promote equitable application of human rights law at the various levels i.e. international, regional and domestic. The collection of essays presents systematic and scholarly

¹ Lauterpacht, Hersch (1950), *International Law and Human Rights*. F.A. Praeger.

² Humphrey, John Peters (1989), *No distant Millennium: The International Law of Human Rights*. UNESCO.

³ Baehr, Peter, Hilde Hey, Jacqueline Smith and Theresa Swinehart (1994), *Human Rights in Developing Countries*. Washington: NIJHOFF.

assessment of international law in relation to women as an outcome of reports and case studies which had done in various region of the world.⁴

The work of Thomas Jones on *Human Rights: Group Defamation, Freedom of Expression and the Law of Nations* (1997) presents discussion and analysis on the laws governing group defamation and speech insightful of racial hatred in Great Britain, Canada, India, Nigeria and the United States. Though there exists no federal group defamation law in the United States, a few states legislatures have promulgated group defamation statutes, while a cause of action for group defamation has been recognized as justifiable in the decision law of other states. The author tried to explain his theory as constitutional minimalism because he does not advocate the legal proscription of all derogatory hate speech. Only the sub-category of hate speech that fulfils the standard elements of proof in common law defamation claim will be prosecuted criminally by the federal government.⁵

Duncan Ivison, Paul Patton and Will Sanders edited book *Political Theory and the Rights of Indigenous Peoples* (2000) is challenging one focuses on the problem of justice for indigenous people in philosophical, legal, cultural and political contexts as well as the ways, in which this problem poses key questions for political theory: the nature of sovereignty, the grounds of national identity, and the limits of democratic theory.⁶

Elisabeth Reichert's book call *Understanding Human Rights: An Exercise Book* (2006) provides a precise roadmap for learning about human rights in the context of social work by illustrating the importance of human rights to the social work profession with understandable explanations and exercises. The author also highlights on the need of social workers to embrace the concept of human rights.⁷

The book *Human Rights and Social Justice: Social Action and Service for the Helping and Health Professions* (2007) by Joseph M. Wronka. The book considered human rights as the fundamental principle of social justice. There is need of systematic

⁴ Rebecca J. Cook (1994), *Human Rights of Women: National and International Perspectives* (Pennsylvania Studies in Human Rights), University of Pennsylvania Press, 1st January, 1994.

⁵ Thomas Jones (1997), *Human Rights: Group Defamation, Freedom of Expression and the Law of Nations* (Studies and Materials on the Settlement of International Dis), Springer, 1st Edition, 11th November, 1997.

⁶ Ivison, Duncan, Paul Patton and Wills Sanders (2000), *Political Theory and the Rights of Indigenous People*. UK: Cambridge University Press.

⁷ Elisabeth Reichert, *Understanding Human Rights: An Exercise Book*, Sage Publications, Inc. 1st Edition, 16th May, 2016.

framework of policy and intervention among the helping and health profession to ensure human rights and social justice. This particular book provide a precise outline in this regard.⁸

David Keane's book called *Caste-based Discrimination in International Human Rights Law* (2007) analyse the movement against racial discrimination, which has subjugated the importance of human rights discourse since the inception of UN. It systematically evaluates the blueprint that has informed the activities of UN as treaty and charter based bodies in this area, and prepare a new way that moves from systematic policy making to its implementation in practice. This particular book deals with various international treaties, declaration, convention and committee on elimination of racial discrimination, Indian constitution and the elimination of caste based discrimination, UN and elimination of racial discrimination, legal history of descent based discrimination and enhancing protection against caste based discrimination.⁹

The author Jim Ife in the book *Human Rights and Social Work: Towards Rights Based Practice* (2008) viewed human rights principles are at the most successful point of contemporary social work practice and international political discourse. In recent couple of years, due to increase of terror act across the globe, we have been witnessing the erosion of many traditional civil liberties. Set against this scenery, the latest revised edition of Human Rights and Social Work moves beyond the limitations of conventional legal frameworks. With customary clarity and ease of style, the author challenges the idea of the three generations of human rights, teasing out the conceptual problems of this approach and demonstrating how the three generations actually overlap at an intrinsic level. This book reveals how an implicit understanding of human rights principles can provide a foundation for practice that is central to social work, community development and the greater way human services.¹⁰

The book *Human Rights: What are they really?* (2008) is jointly written by Robert Stephen Higgins, Hulda de Villiers, David Gargaro and Jeff Crichton. According to this book, knowing one's rights as a human being can be crucial ammunition in contests with

⁸ Joseph M. Wronka, *Human Rights and Social Justice: Social Action and Service for the Helping and Health Professions*. Sage Publication, Inc., 11th December, 2007.

⁹ David Keane, *Caste-based discrimination in International Human Rigjhts Law*, Ashgate, 30th September, 2017.

¹⁰ Ife, Jim (2008), *Human Rights and Social Work: Towards Rights Based Practice*. Cambridge University Press. (Revised edition, 4th August 2008).

other individuals, groups or a government. A common universal code of rights that every person embraces can bring security and the maximum practical amount of freedom to everyone. However, the existing code of human rights contains errors in many aspects. This particular book corrects these errors by presenting a theory of human rights determined by the scientific method. No personal values or morality, which may ruin its objectivity are incorporated. The resulting theory is quite different from the prevailing doctrine on human rights which does incorporate values, morality and visions of utopia. It shows some proclaimed rights to be false and devotes a chapter to exposing them. Implementation of the theory is described in terms of general principles and a supplement applies the theory to ten current issues ranging from capital punishment to circumcision to world poverty. The book is of value not only to students of human rights, showing them an alternative theory of rights, but also to any person who desires to know about fundamental rights an individual entitled as human being in human society.¹¹

The book called *Text Book on International Rights* (2010) written by Rhona K. M. Smith presented a concise introduction for newcomers to the subject. Beginning with a brief analysis of the development of international human rights and details history of the subject, the text gives full consideration to the work of the UN before turning in more detail to regional systems of human rights. The second half of the book deals with a variety of substantive rights, with illustrations from both regional and international law. The strength of the book lies in its clarity and broad scope with focus on making the subject easily accessible to those with little or no prior knowledge. The author guides students through the complexities of each topic before providing a wealth of useful references at the end of each chapter. The fourth edition incorporates all the latest developments in the subject. *Textbook on International Human Rights* continues to be relied upon by students worldwide as the first book to turn to for clear accurate coverage.¹²

The book called *Globalization and Human Rights in the Developing World* (2011) is written by Shawn L England and Derrick M. Nault. This particular book focuses on some regions of world, where human rights abuses are the most serious, extensive and

¹¹ Robert Stephen Higgins, Hulda de Villiers, David Gargaro and Jeff Crichton, *Human Rights: What are they really?* Bradich Books, 1st Edition, 16th November, 2008.

¹² Smith, Rhona K.M. (2010), *Textbook on International Human Rights*. USA: Oxford University Press, 4th Edition, 18th January, 2010.

sustained. The book also try to fills a crucial gap in our knowledge of the difficulties and promise of promoting human rights in our global age.¹³

Human Rights Education: Reflections on Theory and Practice (2011) is a new major study by Fionnuala Waldron and Brian Ruane. The study focuses on human rights education both in theory and practice. The three main themes has found in this atudy, which are connected and developed over a range of international contexts. The first theme address on the role of human rights teaching in education system for sustainable development. The second theme deals with the right of children in education. The third theme presents human rights education in curriculum design and classroom practice. The book can be said outcome of original papers presented at a conference held in St. Patrick's College in Dublin and hosted by the Centre for Human Rights and Citizenship Education. The work is an important contribution to the current thinking and best practice in human rights education.¹⁴

Human Rights in Our Own Backyard: Injustice and Resistance in the United States (2011) is a work by William T. Armaline, Davita Silfen Glasberg and Bandana Purkayastha. According to contributors, most Americans assume that the United States provides a gold standard for human rights. The survey of 2007 has found some 80 percent of U.S. adults believed that the U.S. does better job than most of the countries of world, when it comes to protesting and promoting of human rights. The discussions among scholars and public officials in the US frame human rights issues as concerning people, policies or practices. The contributors to this volume argue that many of the greatest immediate and structural threats to human rights, and some of the most significant efforts to realize human rights in practice can be found in our own backyard. Human Rights in Our Own backyard examines the state of human rights and responses to human rights issues, drawing on sociological literature and perspectives to interrogate assumptions of American exceptionalism. How do people in the U.S. address human rights issues? What strategies have they adopted and how successfully have they been? Essays are organized around key conventions of human rights, focusing on the relationships between human rights and justice, the state and the individual, civil rights and human rights and group

¹³ Shawn L. England and Derrick M. Nault (2011), *Globalization and Human Rights in Developing World (Global Ethics)*, Palgrave Macmillan.

¹⁴ Fionnuala Waldron and Brian ruane (2011), *Human Rights Education: Reflections on Theory and Practice*, Liffey Pr.

rights verses individual rights. The contributions are united by a common conception of the human rights enterprise as a process involving not only state defined and implemented rights, but also human rights from below as promoted by activists.¹⁵

2.3.2 National context

The book *India's Constitution in the Making (1960)* is written by B. N. Rau is collection of all the relevant debates and deliberations that took place on the floor of the Constituent Assembly of India on the desirability of the adoption of fundamental rights in the present constitution.¹⁶ This particular book closely analyses the events that led to the change of the phrase 'Procedure Establishment by Law' in place of 'Due Process of Law.'

D. D. Basu in his book *Commentary on the Constitution of India (Ten Volumes, 1965)* gives a critical explanation of all the provisions of the Indian Constitution including Chapter III that deals with fundamental rights. Besides, he presents a comparative analysis of the constitutional framework of the contemporary political system.¹⁷

Human Rights and Fundamental Freedom (1975) is a book by Jagadish Swarup. The author in book sums up individual rights in retrospect. He explains about how right to liberty was engendered by the right to the security of a person. The right to privacy against searches and privacy in martial relationship are elaborated in this book.¹⁸

The book *Constitutional Government in India (1977)* is written by M.V. Pylee, where the author discusses the main factors responsible for the incorporation of fundamental rights in the Constitution of India right from the beginning of the Constituent Assembly debates. It also refers to various judgement of Indian Courts.¹⁹

Subhash Chandra Kashyap and Savita Kashyap in their book called *Human Rights and Parliament (1978)* seeks to clarify the meaning, scope and ramifications of the concept of human rights in India, and the role that played by Parliament in safeguarding

¹⁵ William T. Armaline, Davita Silfen glasbarg and Bandana Purkayastha, *Human Rights in Our Own Backyard: Injustice and Resistance in the United States (Pennsylvania Studies in Human Rights)*, University of Pennsylvania Press, 27th September, 2011.

¹⁶ Rao, B.N. (1960), *Indias Constitution in the making*. Calcutta: Orient Longmans.

¹⁷ Basu, D.D. (1965), *Commentary on the Constitution of India*. Calcutta: S.C.Sarkars & Sons.

¹⁸ Swarup, Jagadish (1975), *Human Rights and Fundamental Freedoms*. Delhi: N.M. Tripathi

¹⁹ Pylee, M.V. (1977), *Constitutional Government in India*. New Delhi: S. Chand & Company Ltd.

them. This particular work throws light on the working of Parliamentary form of Government, but it places less emphasis on the implementation of the concept of rights.²⁰

T. S. Batra in his study *Human Rights - A Critique (1979)* articulates his concern about the violation of human rights in human society. He explains on how human rights are proclaimed to be inviolable in one hand, and how human beings are being tortured, killed and even burnt alive on the other hand. This book is highly useful in identifying the areas of violations of human rights.²¹

Human Rights: Thirty Years after the Universal Declaration (1981) is an edited book by Bertrand G. Ramacharan. The collection of enlightening essays of this book review the progress of human rights in the 30 years following the adoption of the Universal Declaration of Human Rights (UDHR) in 1948. The author also recommended some suggestions for further development.²²

Hari Om Agarwal in his book entitled *Implementation of Human Rights Covenants (1983)* examines the international standard for the protection of human rights, and then compares them with that of Indian standards. Besides this, it also lists out those rights, which are made available for the citizens of India being a largest democracies of world.²³

Human Rights in India (1985) is a work by R.C. Hingorani. In the work it shows how far international human rights are being ensured for its citizen in the Indian context. This book classifies rights into five categories i.e. civil, political, economic, social and cultural rights. However, it is not an in depth study of the implementation of human rights in India because it ignores judicial activism in this field.²⁴

Attar Chand's book *Politics of Human Rights and Civil liberties (1985)* is an important work that enumerates the various rights guaranteed in the contemporary political systems of the world. A close study of this book enables us to correctly assess the possibility of the realizations of those rights in the context of India.²⁵

²⁰ Kashyap, Subhas Chandra and Savita Kashyap (1978), *Human Rights and Parliament*. New Delhi: Metropolitan.

²¹ Batra, T.S. (1979), *Human Rights: A Critique*. New Delhi: Metropolitan.

²² Ramcharan, Bertrand G. (1981), *Human Rights: Thirty years after the Universal Declaration*.

²³ Agarwal, Hari Om (1983), *Implementations of Human Rights Covenants*. Allahabad: Kitab mahal.

²⁴ Hingorani, R.C. (1985), *Human Rights in India*. New Delhi: Oxford & IBH.

²⁵ Chand, Attar (1985), *Politics of Human Rights and Civil Liberties*. New Delhi: UDH Publishers.

The edited book *Violation of Democratic Rights in India (1986)* by A. R. Desai exhaustively discusses on how far the people of India enjoy the fundamental rights guaranteed to them by the Constitution of nation. He examines some of the selected reports and documents in details, which give authentic accounts of the attacks by the guardians of law. These are police atrocities, encounter deaths, deliberate murders and torture inflicted on the people. This book provides useful data relating to the violations of rights to life in India.²⁶

Nagendra Singh in his book *Enforcement of Human Rights: In Peace and War and the future of Humanity (1986)* lists out the ways and means for the enforcement of human rights. It provides an insight into the problems evolved in the enforcement of human rights in India.²⁷

Fareed Kazmi in his book called *Human Rights: Myth and Reality (1987)* makes an attempt to understand easily on the numerous myths that have been woven around the concept of human rights. He redefines the concept of human rights as a means for the promotion of the happiness of the people of India.²⁸

The edited book *The Right to be Human (1987)* by Upendra baxi is a collection of articles, which indicate that new rights arise from the matrix of the old. Now, the sphere of the ideas, values and thoughts associated with human rights is ever widening and covers new areas. The main emphasis of the book is on human rights of the child, mentally challenged persons and the beggars.²⁹

S. N. Sharma in *Personal Liberty under Indian Constitution (1990)* provides an empirical and analytical study of the social perception of the context and extent of personal liberty in the light of recent judicial policy of liberal interpretation. This also seeks to correlate the personal liberty decisions, and maintenance of law and order. This book has greatly helped the researcher to formulate new dimensions of personal liberty in present research.³⁰

The edited book by K. L. Bhatia call *Judicial Activism and Social Change (1990)* is mainly emphasized on the impact of judicial activism on socio - economic change.

²⁶ Desai, A.R. (1986), *Violation of Democratic Rights in India*. London: Sangam Books.

²⁷ Singh, Nagendra (1986), *Enforcement of Human Rights: In Peace and War, and the future of Humanity*. Martinus Nijhoff Publishers.

²⁸ Kazmi, Fareed (1987), *Human Rights: Myth and Reality*. Intellectual Publ.

²⁹ Baxi, Upendra (1987), *The Right to be Human*. New Delhi: Lancer international Centre.

³⁰ Sharma, S. N. (1992), *Personal Liberty under Indian Constitution*. New Delhi: South Asia Books.

Section III of the book, the part ‘Civil Liberties and Judicial Activism’ is more specifically pertinent to the present thesis deals as it does with the effect of judicial activism on fundamental rights.³¹

The concept of fundamental rights has been accepted in all modern democratic Constitutions of world. The very philosophical foundation of fundamental rights, according to the author is natural law, and the history of rights of man is bound with the history of natural law. This makes the fundamental rights to natural rights. In the book *Human Rights Commitment and Betrayal (1996)*, he further says that we are by nature inclined to love mankind, which is the foundation of law.³²

The book of N. Jayapalan call *Human Rights (2000)* is undoubtedly a very useful and handy collection of theoretical concept, type and international treatises on human rights. It gives a graphic picture on the constitutional guarantees of India in part III and part IV of constitution in very lucid language.³³

South Asia Human Rights Documentation Centre (2001) covers all aspects of institutional development of National Human Rights Commission (NHRC). It criticizes the activities of the Government and the Commission as well as the requirement for reformation in the Commission.³⁴

S. K. Kapoor in his book *Human Rights under International Law and Indian Law (2001)* explains the origin, growth and development of human rights, the Universal Declaration of Human Rights and Regional Protection of Human Rights from a historical perspective. It also deals with the Indian Human Rights Protection Act 1993, protection of human rights under the Indian law and the role of the National Human Rights Commission. This work is a blend of stimulating scholars and sparkling style.³⁵

The authors D. N. Gupta and C. Singh in their book, *Human Rights, Acts Statutes and Constitutional Provisions (2003)* focuses attention on the Acts, Statutes and Constitutional provisions, which are concerned with environmental issues, protect on of the rights of the Indian citizen vis-a-vis the illegal migrants, the rights of the disabled persons, juveniles, prisoners, criminals, citizens’ right to information and many other

³¹ Bhatia, K. L. (1990), *Judicial Activism and Social Change*. SMB & PS Limited.

³² Chitkara, M.G. (1996), *Human Rights: Commitment and Betrayal*. New Delhi: AP Publishing Corporation, pp. 1-15

³³ Jayapalan, N. (2000), *Human Rights*. Delhi: Atlantic Publishers and Distributors.

³⁴ *South Asian Human Rights Documentation Reports (2001)*.

³⁵ Kapoor, S.K. (2001), *Human Rights under International Law and Indian Law*. Central law Agency.

important subjects that are connected with human rights. In this study, an attempt has been made to place before all concerned the basic Acts, Statutes and Constitutional provisions on various issues in regard to human rights.³⁶

Introduction to the Constitution of India (2003) is book on Indian constitution written by Durga Das Basu. This book precisely highlights the background of the making of Indian constitution. Various constitutional laws and provision regarding the protection of rights of indigenous people are also being provided with Scheduled and Articles.³⁷

The book called *Human Rights (2003)* jointly written by Adil-UI-Yasin and Archana Upadhaya deals with concepts, definition and evolution of human rights, various charter and role of UN. Some issues and challenges like developmental rights and rights of indigenous people are also discussed in brief regarding how the rights of these people are being violated, in spite of various international laws and constitutional provision of nation.³⁸

The book called *Human Rights of Indigenous People (2005)* written by Aman Gupta analytically evaluates the living conditions, socio-economic development and survival challenges of indigenous peoples around the World.³⁹ It seriously looks at the historical, cultural and legal background to the position of indigenous peoples in range of different cultures. The author elaborately described who and what the indigenous people actually are, and also looks at their position in the light of the development of international law. The consideration has also been made in book on the legal position as well as economic, social and cultural rights of indigenous people in respect to various laws and conventions passed on a national and international scale throughout the world.

The book called *Human rights (2006)* is written by H.O. Agarwal, which defines concept of human rights, universal declaration of human rights, international covenants on human rights, international conventions on human acts and human rights of vulnerable groups including indigenous people, women, child, migrant workers, refugees, disabled

³⁶ Gupta, D. N. and Chandrachur Singh (2003), *Human Rights: Acts, Statutes and Constitutional Provisions*. Kalpaz Publications.

³⁷ Basu, Durga Das (2003), *Introduction to the Constitution of India*. New Delhi: Wadha and Company Law Publishers.

³⁸ Yasin, Ad-ul & Archana Upadhaya (2003), *Human Rights*. New Delhi: Akash Publishing House.

³⁹ Gupta, Aman (2005), *Human Rights of Indigenous People, Vol.1 (Protecting the Rights of Indigenous People)*. Delhi: Isha Books.

and older persons. International conferences, regional conventions on human rights and international humanitarian law are being discussed.⁴⁰

Neelotpal Deka's book *Human Rights: Perspectives and Challenges (2008)* discusses the concept, approaches and perspective of human rights, charter of UN, various constitutional provision of India to protect the human rights. A few lights also throw on rights of indigenous people.⁴¹

C. R. Bijoy, Shankar Gopalkrishnan and Shomona Khanna edited book *India and the Rights of Indigenous Peoples (2010)* discusses constitutional, legislative and administrative provisions concerning indigenous Tribal people of India and their relation to international law on indigenous people.⁴²

Human Rights: Social Justice and Political Challenge (2012) is a book written by R. H. Mhaske. In this book contemporary notions and the historical origins of human rights are discussed. Rights of Dalits and indigenous tribal group are also highlighted in brief.⁴³

Human Rights and World Politics (2012) is a book written by S. K. Verma deals with the significance, meaning and evolution of human rights. It also discusses the emerging challenges to the protection of human rights in present world.⁴⁴

2.3.3 Regional context

India's North-East: The Process of Changes and Development (1994) is edited book by R. K. Samanta. This book focuses on the process of change and development of northeast region of India. Some articles are specifically written on socio - cultural consequences of tribal development with special reference to the Scheduled Tribes of Assam, demographic features and migration, tribal administration and its implication on development.⁴⁵

Journey Towards Enlighment: Gurudev and the Bodo Society (2004) is a jointly written by Bidyasagar Nargary and Malabika Mitra on the life of Gurudev Kalicharan

⁴⁰ Agarwal, Dr. H.O. (2006), Human Rights. Allahabad: Central Law Publications.

⁴¹ Deka, Neelotpal (2008), Human Rights: Perspectives and Challenges. Guwahati: Assam Book Depot.

⁴² Bijoy, C. R., Shankar Gopalkrishnan and Shomona Khanna (2010), India and the Rights of Indigenous Peoples. Thailand: Asia Indigenous Peoples Pact.

⁴³ Mhaske, H. Rajkumar (2012), Human Rights: Social Justice and Political Challenge. Kanpur: Chandralokh Prakashan.

⁴⁴ Verma, S. K. (2012), Human Rights and World Politics. Delhi: Manglam Publications.

⁴⁵ Samanta, R.K. (1994), India's North East: The Process of Change and Development. New Delhi: BRPC (India) Ltd.

Brahma. Though this book is written on particular individual, but it genuinely help to know the transformation of Bodo community from neglected communities of 19th century to present modern society. Kalicharan Brahma was the person who brought renaissance among the Bodos preaching the Brahma religion.⁴⁶

Illegal Migrants from Bangladesh (2006) is an edited book with 23 articles by B. B. Kumar. Each and every articles of this book gather information about Bangladeshi illegal Muslim migrants in North East India in general and Assam in particular. Maximum articles of this book explain about Push and Pull factors of Bangladeshi migrants, and how this mass exodus has been impacting on the social, political and economic spheres of recipient region.⁴⁷

Social and Religious Institution of Bodos (2007) is written by Dr. Premalata Devi throws light on the history, society, ethics, beliefs or the socio-religious institutions of the single largest tribe Bodos of Brahmaputra valley.⁴⁸

Junmani Basumatary carried out research work on *Working of Bodoland Territorial Council, 2003-2008 (2009)*. The researcher tries to examine very working of BTC as small political unit under 6th Schedule of Indian Constitution. More specifically the work is being made on formation of council, administrative structure, growth and development through council, and the achievement of socio-economic sectors of council.⁴⁹

Population Development in Northeast India (2010) is edited by Bimal J. Deb. The articles of this book are an attempt to examine the population development pattern in Northeast India.⁵⁰ Most particularly article like *Dynsmics of population Growth in Assam and its Socio-Economic Implications* written Lakhyahira data provide information on trend of population growth in Assam in 21st century and growth pattern of Schedule Caste and Schedule Tribe.

⁴⁶ Narzary, Bidyasagar and Malabika Mitra (2004), Journey towards enlightenment: Gurudev and Bodo Society. Guwahati: Good Books Distributors Publishers.

⁴⁷ Kumar, B.B. (2006), Illegal Migration from Bangladesh. Delhi: Astha Bharati.

⁴⁸ Devi, Premalata (2007), Social and Religious Institute of Bodos. Guwahati: Geophil Publishing House.

⁴⁹ Basumatary, Junmani (2009), Working of the Bodoland Territorial Council (2003-2008). M. Phil dissertation submitted to Dept. of Political Science, NEHU, Shillong, Meghalaya.

⁵⁰ Deb, Bimal J. (2010), Population and Development in North East India. New Delhi: Concept Publishing Company Pvt. Ltd.

Bodofani Lirbidanga (2010) is a book of writes up of Bodofa Upendra Nath Brahma edited by Subungcha Mwshahary, some writes up of this book clarifies the ideology, mission and various activities of ABSU under the leadership of writer.⁵¹

Problems and Prospects of Bodoland (2010) jointly written book by Amalesh Chandra Banerjee and Sourabh Singha Roy highlights the socio-economic status of Bodo people and makes a projection of Bodoland development base on positive factors. This book also examines on how an ethnic aspirations can be productively channelized under the constitutional guarantee of sub format.⁵²

Political Identity crisis of the Bodos and their Bodoland Movement (2011) is a book written by Dr. Premananda Moshahary. This book explains the historical background of the Bodos, various awakening phases of Bodos, political exploitation on tribes, tribal politics in Assam and details of Bodoland Movement.⁵³

The book *History & Culture of the Bodos (2011)* written by Satyendra Nath Mondal (Basumata) illuminates many areas of the history, society and culture of the Bodos. This book chronicles the identities and interrelations of the different ethnic groups, their ancient history and different branches arising from the fragmentation of the greater Indo-Mongoloid Bodos. It also provides various information relating to overall position of Bodo community since the pre Vedic age till achievement of BTC in 2003.⁵⁴

Book called *A treatise on the Bodos (2012)* is written by Bakul Chandra Basumatary, where he defines root of the Bodos and different phases of history of Bodos, Influence of Hindus and Muslims on the Bodo in regards to identity, society, religion, culture and language are also highlights in brief.⁵⁵

An Introduction to the Land Laws of Assam (2011) is edited by Nitu Hawelia and Medha Lila Gope. This particular books deals with the seven enactments viz. the Assam Land and Revenue Regulation of 1886, the Assam (Temporary Settled) Tenancy Act of 1935, the Assam Fixation of Ceiling on Landholdings Act of 1956, the Assam Non-Agricultural Urban Areas Tenancy Act of 1955, the Assam Land (Requisition and

⁵¹ Mwshahary, Subungcha (2010), *Bodofani Lirbidang*. Kokrajhar: Bodoland Publicaytions.

⁵² Banerjee, Amalesh Chandra and Sourabh Singh Roy (2010), *Problems and Prospects of Bodoland*. New Delhi: Mittal Publications.

⁵³ Moshahary, Premananda (2011), *Political Identity Crisis of the Bodos and their Bodoland Movement*. Guwahati: N. L. Publications.

⁵⁴ Mondal, Satyendra Nath (2011), *History & Culture of the Bodos*. Kolkata: S.N. Mondol.

⁵⁵ Basumatary, Bakul Chandra (2012), *A Treatise on the Bodo*. Kokrajhar: N C Basumatary.

Acquisition) Act of 1948 and the Assam Urban Areas Rent Contron Act of 1966. These all laws helps to know the details land law of state.⁵⁶

The book called *The Kacharis (2011)* written by Rev. Sidney Endle is a monograph about the most aboriginal races of Assam and the northern part of West Bengal - the Bodos or the Boros of the kachari flocks. This book describes the characteristics, physical, moral, social and domestic life, laws and customs, religion, folklore, traditions and superstitions of the Bodos.⁵⁷

Assam Riots: Preventable but not Prevented (2012) published by Asian Centre for Human Rights highlights the details of July 2012 conflict that took place in Kokrajhar, Dhubri, Chirang and Baksa between the indigenous Bodo tribe and Bangladeshi Muslim migrants. This survey report clearly shows the basic reasons of conflict, how land rights of tribal people are not protected and how land is connected with the protection of identity of ethnic groups for survival.⁵⁸

Population Development and Conflicts in Notheast India (2012) is edited book of 21 articles by Sujit Deka and this book is an attempt to focus the issues correlated with population development and conflicts of northeast region.⁵⁹ Article like *Conflict resolution and conflict transformation in Assam: An urge for paradigmatic shift* written by N.G. Mahanta is an attempt to analyse various sources of conflict in Assam, then it provides a critique of the state's conflict resolution approach and ultimately urges for paradigmatic shift in conflict resolution technique.

Political Economy of Bodo Movement (2012) is a book written by Dr. Keshab Basumatary and this book focuses historical overview of Bodos and political economy of Bodo movement.⁶⁰ Another book of same writer *A Short Profлие of Human Development in BTAD of Assam (2012)* highlights human development in four different districts of BTAD in brief.⁶¹

⁵⁶ Hawelia, Nitu and Medha Lila Gope (2011), An introduction to the Land-Laws of Assam. Guwahati: Book Land.

⁵⁷ Endle, Rev. Sidney (1911), The Kacharies. London: Macmillon and Co. Ltd.

⁵⁸ Chakma, Suhas (2012), Assam Riots: Preventable but not Prevented. New Delhi: Asian centre for Human Rights.

⁵⁹ Deka, Sujit (2012), Population Development and Conflict in North East India. Guwahat: EBH Publishers (India)

⁶⁰ Basumatary, Keshab (2012), Political Economy of the Bodo Movement. New Delhi: Akansha Publishing House.

⁶¹ Basumatary, Keshab (2012), A Short Profile of the Human Development in BTAD of Assam. Guwahat: N. L. Publications.

Shifting Terrain: Conflicts Dynamics in North East India (2012) is edited book by Nani G. Mahanta and Dilip Gogoi is ventures on the most contentious issue that continues to engulf the land and its people across North East India. Article like *Environmental Insecurity, Population Displacement and Native-Migrants Conflict: A Perspective from Assam* by Dilip Gogoi is an attempt to address the issue of conflict and its impact in Assam, arising out of the Bangladeshi migration and tries to explore the possible means of conflict prevention and management.⁶²

The book call *Why Bodo Movement? (2013)* by Khema Sonowal is an attempt to analyse the historical background of Bodos, socio-political status, the different phases of the movement, the leadership of movement, the participation of Bodo people in demographic electoral politics of India and so many.⁶³

Nani Gopal Mahanta's book *Confronting the State: ULFA's quest for Sovereignty (2013)* deals with ULFA's struggle, issue of Bangladeshi illegal migrants in Assam with durable solution to the issue and recent July-September 2012 violent conflict between Bodos and Bangladeshi Muslim migrants.⁶⁴

Human Rights in North-East India (2013) is a jointly written book by R. Kumar and S. Ram. This book provides information on innovative and important aspects of the human rights issues in various state of Northeast India. Chapter 3 of the book highlights human rights situation of Assam in particular.⁶⁵

Tribal Welfare in India with special reference to North-East India (2014) is an edited book by Jyotiraj Pathak. Some articles of this book deals with the ethnic identity movement of Bodos, autonomy movement of Karbi, impact of globalization on rights of tribal people in North-East India with special reference to Bodo tribe etc. These all are directly and indirectly related with quest for rights of indigenous tribal people of Assam.⁶⁶

The Assam Year Book 2014 edited by Santanu K. Baruah highlight on the up to date information regarding Assam including its people, districts, literacy, administrative

⁶² Mahanta, N.G. and Dilip Gogoi (2012), *Shifting Terrain: Conflict Dynamic in North East India*. Guwahat: DVS Publishers.

⁶³ Sonowal, Khema (2013), *Why Bodo Movement ?* Guwahati: EBH Publishers India.

⁶⁴ Mahanta, Nani Gopal (2013), *Confronting the State: ULFA's quest for Sovereignty*. New Delhi: Stage Publications India Pvt. Ltd.

⁶⁵ Kumar, R. & S. Ram (2013), *Human Rights in North-east India*.

⁶⁶ Pathak, Jyotiraj (2014), *Tribal Welfare in India: With special reference to North East India*. Visakapatnam: Global Publishing House India.

structure and many more.⁶⁷*Assam: Land and People (2000)* by S. Gopalkrishnan represent reflections on basic attributes of the state and its society. It expresses personal views, interpretation and understanding. This book is an attempt to place the contemporary instances in a geographical perspective as an alternative to the all too common approach to the problems of the state.⁶⁸

The Saga of the Bodos (2014) is a book written by Hira Charan Narjinary focuses on the historical, linguistic and political history of the Bodo people, their struggle for a geo-political power and the demand for a separate state of Bodoland to be carved out of the present state of Assam.⁶⁹

The popular Bodo historian Bakul Chandra basumatary's book called *A Concise History of the Bodos (2014)* discusses in details on the history of great Bodo race inhabitant in Assam, Bengal, Tripura, Meghala, Nepal and Bangladesh as well as its relation with history of India in different periods. He also discuss in particular about the formation of BTAD in the heart of Bodo dominated areas in Assam and its affinity with land historically.⁷⁰

Politics of identity and the Bodo movement in Assam (2014) is a book on her Ph. D. research work by Dr. Hira Moni Deka. This book covers the important political history of Assam from the period 1987 to 2013. It precisely discusses history of Bodo identity assertion as an independent ethnic group in the society and politics of Assam. Analysis also made on the various causes, role of different organizations and leaders during the movement.⁷¹

Dream for Udayachal and the history of the Plain Tribals Council of Assam (PTCA, 1967-93) is a book written by Charan Narzary and this book is an attempt on the historical background about PTCA and their movement for Udayachal for the overall upliftment of plain tribal people in general and Bodos of Assam in particular.⁷²

⁶⁷ Baruah, Santanu K. (2014), Assam year Book, 2014. Guwahati: Jyoti Prakashan.

⁶⁸ Gopalkrishnan, S. (2000), Assam: Land and People. New Delhi: Omsons Publications.

⁶⁹ Narjinary, Hira Charan (2014), The Saga of the Bodos. Kolkata: Author.

⁷⁰ Basumatary, Bakul Chandra (2014), A Concise history of the Bodos. Kokrajhar: Words and Words.

⁷¹ Deka, Hira Mani (2014), Politics of Identity and the Bodo Movement. New Delhi: Scholars World.

⁷² Narzary, Charan (2011), Dream for Udayachal and the history of the Plains Tribal Council of Assam (PTCA, 1967-93). Guwahati: N.L. Publications.

Question of Identity in Assam: Location, Migration and Hybridity is a book written by Nandana Dutta. This particular book addresses the identity concerning issues in state and how it is being affected by the realities of migration and hybridity.

Gojen Daimary carried out research work on the topic *Status of Human Rights: A Study of Bodoland Territorial Autonomous Districts* for his M. Phil. Degree. The dissertation of study covers some portion of area like militant and govt. arm forces related violation of rights, ethnic conflicts and some extent to politics and economic as well. But, maximum human rights related issues has left in various sector like governance and administration, social, economic and environment.

Besides above mentioned books, articles of various newspapers, journals, news magazine, mouthpiece of organizations of various issues like - *The Assam tribune, The Telegraph, Bodosa, Bodoland Sansri, Hayenni radab, The Political & Economic Weekly, JONER (Journal), Bodoland (News Magazine of BPF), Mugani Sakhi (Mouth Piece of ABSU), Bibungthi - The Opinion (Journal), Activity Report of ABSU, the Bodo* are also consulted to gather information regarding human rights status of indigenous Bodo community of BTAD in Assam.

2.4 Conclusion

Many social scientist, academic experts, authors and research scholars have studied and presented in the form of literature to the human rights concern issues in the context of global and national. But, when we talk of regional human rights concern issue, especially in the context of Bodo community of BTAD than very limited books and research works can be found. Those relevant literatures have reviewed and provided information in many aspects on human rights concern issues, protection and promotion of it.

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