ISSN. 0972 - 8406

The NEHU Journal

Vol. XII, No. 2, July - December 2014

Editor: H. Srikanth

Assistant Editor: G. Umdor

Editorial Committee Members

Dr. A. K. Chandra, Department of Chemistry, NEHU, Shillong
Dr. A. K. Thakur, Department of History, NEHU, Shillong
Dr. A. P. Pati, Department of Commerce, NEHU, Shillong
Dr. Geetika Ranjan, Department of Anthropology, NEHU, Shillong
Dr. Jyotirmoy Prodhani, Department of English, NEHU, Shillong
Dr. Uma Shankar, Department of Botany, NEHU, Shillong

Production Assistant : Surajit Dutta
# Contents

**Editorial**  ...  ...  v

Exercise of Pardoning Power in India: Emerging Challenges  ...  ...  1

*J.P. Rai*

Combating Child Labour: The Need for a Holistic Approach  ...  ...  27

*Veronica Pala*

Conventional Energy to Renewable Energy: Perspective for India  ...  ...  41

*Ali Reja Osmani*

Event, Memory and Lore: Anecdotal History of Partition in Assam  ...  ...  61

*Binayak Dutta*

Access to Public Health-Care in the Rural Northeast India  ...  ...  77

*Dilip Saikia and Kalyani Kangkana Das*

Impact of In-Bed and On-Bank Soil Cutting by Brick Fields on Moribund Deltaic Rivers: A Study of Nadia River in West Bengal  ...  ...  101

*Balai Chandra Das*

A Note on Transcribing 4’33”  ...  ...  113

*Aribam Uttam Sharma*

**Book Reviews**  ...  ...  129


Sanjoy Hazarika (ed.) *Little Known Fighters against the Raj: Figures from Meghalaya* (Reviewed by Amrendra Kr. Thakur)
Editorial

We are pleased to inform that The NEHU Journal has been receiving several submissions from different disciplines. As it is a bi-annual journal, it is difficult to accommodate most papers. We are compelled to scale-up our standards and choosy about selection of papers for publication.

As we started receiving a variety of papers from different disciplines, we needed the help of subject experts in different disciplines to evaluate the content of the papers. We are thankful to all those colleagues who readily accepted to be referees and submitted their reviews and recommendations. We appreciate the authors for taking the suggestions of the referees in the right spirit and sending the revised manuscripts on time.

The present volume is highly eclectic in the sense that the papers included in it are from a variety of disciplines, ranging from Law to Human Rights to History to Health Economics to Environment to Philosophy of Music. The book review section also includes review of books of different genres.

J.P. Rai’s paper, “Exercise of Pardoning Power in India” offers a comprehensive understanding of the theory and practice of the pardoning power in India and other countries. The author makes an in-depth analysis of how the Articles 72 and 161 of the Indian Constitution have been used by the Executive and interpreted by the Judiciary. Analyzing different court judgments, the paper seeks to explain the constitutional position on what the Governors and the President of India can or cannot do, and when the Judiciary can intervene and review the exercise of powers by the Executive.

In her paper, “Combating Child Labour: The Need for Holistic Approach”, Veronica Pala seeks to find reasons for the continuing practice of child labour in India. To combat child labour, she calls for a holistic approach which includes providing financial support to the families depending on child labour; overhauling of the education system and effective child advocacy at grass root level. There is a need to debate how far the author’s ideas advocating vocational education and linking
education to market needs, and engaging panchayats and durbars in child advocacy are useful in dealing with the problem of child labour.

Ali Reja Osmani’s paper, “Conventional Energy to Renewable Energy: Perspectives for India” brings to light the compulsions forcing India to look toward Renewable Energy sources. It gives an overview of institutional and policy framework guiding the development of Renewable Energy. Apart from examining their contributions to the production of energy, the paper also examines research and technological developments made in the development of solar, wind, bio-mass and other environmental friendly sources of energy and their relevance for energy security in India.

In his paper, “Event, Memory and Lore: Anecdotal History of Partition in Colonial Assam - 1947”, Binayak Datta moves away from the dominant mode of presenting history as chronological study of political events. Attempting to reexamine the Sylhet Referendum of 1947, which led to the partition of the province of Assam between India and Pakistan, the author focuses on one incident of police firing at Amtoil, which galvanized the Muslim emotions and consolidated their support for the Muslim League advocating the partition of Sylhet. Interviewing a select Hindu counterparts who were witness to the incident, Binayak Datta shows that memoirs and accounts of Hindu Sylheti migrants give their version of the incident which was very different from what the Muslim folklore or the songs projected as truth. While appreciating the unconventional way of relooking at historical events, it is necessary to ensure that the historians listen to the narratives of both the contending parties to arrive at conclusions.

Based on secondary data Dilip Saikia and Kalyani Kangkana Das in their paper, “Access to Public Health-Care in the Rural North-East India”, makes an extensive comparative study of the health-care system in northeastern states and explains where the states in the region lag behind or fare better than All-India average. The analysis does help in identifying the areas which need attention of the policy-makers to enable the northeastern states to achieve the declared targets of the National Rural Health Mission (NRHM).

Balachandra Das in his paper, “Impact of In-Bed and On-Bank Soil Cutting by Brick Fields on Moribund Deltaic Rivers: Study of a Nadia
River in West Bengal” examines the adverse impact of development brick fields along River Jalangi. His empirical study shows that reckless practice of soil cutting from banks and consequent bank erosion multiplies silt charge of the river and changes its morphology, thereby affecting land mass. The study claims that more than natural causes, human factor contributes more to the deterioration of the rivers like Jalangi.

The paper with an interesting caption, “A Note on Transcribing 4’33’’” by Aribam Uttam Sharma takes a relook at John Cage’s idea of silence as a constitutive part of the music. 4’33’’ refers to the initial ‘four minutes and thirty three seconds” of non-performance of music by a musician on the stage. Reflecting on the debate as to whether this 4’33’’ constitutes music and whether it can be transcribed into other forms, the author argues that 4’33’’ deepens existing hierarchies in music-making and having exhausted all possible transcriptions, it does not admit of significant transcriptions.


The editorial committee of The NEHU Journal seeks continued support of the authors, readers and referees. We look forward to your comments and constructive suggestions for improving the quality and reach of the journal.

H. Srikanth
Editor, The NEHU Journal