

CHAPTER - 1 INTRODUCTION AND RESEARCH PLANNING

1.1 Introduction

If intelligence is a fundamental distinction between humans and other animals, then it is it. Numerous discoveries made by humans have improved their quality of life. Humanity continues to discover new things through numerous studies. In every science, research is a continuous process. In the field of law, a lot of research is conducted. This study aims to provide a legal understanding of HIV/AIDS (Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome). HIV/AIDS is a major global health issue at the moment. HIV/AIDS patients have historically faced negative attitudes from society. As a result, stigmatisation of an individual living with HIV/AIDS is necessary in society. The people discriminate against them. As a result, the rights of individuals who are not afflicted with HIV/AIDS (Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome) are still violated legally.

1.2 Importance/Rational of the Study

The researcher has work in the field of **Legal Awareness Study on Legal Rights of HIV/AIDS Victims in North Gujarat**. The researcher has discussed issues of discrimination, awareness, risk behaviour, and risk perception with counsellors from Integrated Counselling and Testing Centres (ICTCs) and Anti-Retroviral Therapy (ART) Centres, doctors, nurses, and staff from Non-Governmental Organisations (NGOs). This made the researcher think of a few important questions. The underlying premise is that the public's discriminatory attitudes towards individuals living with HIV/AIDS are influenced by knowledge, which is a significant predictor of such attitudes. Measuring societal awareness of HIV/AIDS (Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome) would be necessary for any future interventions or other programmatic responses to the epidemic. National surveys that have highlighted this issue and provided information on the general public's level of knowledge include the National Family Health Survey-3 (NFHS-3) (2005–06). According to the report, in the

country, only 17% of women and 33% of men are fully informed about HIV/AIDS (Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome). There are many misconceptions concerning the illness. Men who have visited female sex workers and those who have had more lifetime sexual partners have significantly higher rates of HIV (Human Immunodeficiency Virus) prevalence.

1.3 Scope of the Study

The broad objective of the study is in the context of **Legal Awareness Study on Legal Rights of HIV/AIDS Victims in North Gujarat**. The purpose of the study is to provide descriptive data about discrimination against people who are infected with HIV/AIDS (Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome). A second crucial element is the idea of human rights perception, which is essential to changing behaviour, which is the aim of any implemented programmatic intervention. The goal of the study is to highlight the in society as well as the variables that could affect this perception.

The role of family and society in treatment; the challenges (problems) faced by patients; and awareness of HIV/AIDS (Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome) in individuals, their family members, and other people. We will collect qualitative data through interview schedule from respondents of four districts (**Aravalli, Sabarkantha, Mehsana and Banaskantha**) of the Gujarat state.

It is possible to investigate which kind of support system is crucial for the recovery and treatment of patients. We have gather data (information) for these purposes from workers in non-governmental organisations (NGOs). We have also use interviews with doctors, counsellors, patients, and patients' families in order to perfect the study. Therefore, the primary participants in this study are physicians, counsellors, patients, and relatives of patients.

1.4 Research Gaps

Based on the above discussion, it can be concluded that the majority of research concentrated on High-Risk Groups (HRGs) such as Men who Have Sex with Men (MSM), Female Sex Workers (FSW), drivers (autorickshaw, truck, etc.), and migrants in order to comprehend the social life of HIV/AIDS and the patterns of HIV/AIDS (Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome) transmission. The majority of studies used interviews and interview schedules to gather data from people who tested positive for HIV (human immunodeficiency virus). The majority of these studies' respondents are people living with HIV/AIDS (Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome), who test positive for the virus. However, there hasn't been much substantial research done on legal awareness and discrimination against people who are HIV (human immunodeficiency virus) positive. Furthermore, the majority of research has been conducted using sociological, psychological, etc. methodologies. There aren't many studies that take a legal perspective.

1.5 Research Questions of the Study

- a. How the people discriminate with the Victims of HIV/AIDS (Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome) in North Gujarat?
- b. What are the human rights and state-mediated HIV/AIDS (Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome) awareness programs in Gujarat?
- c. What is the role of law in protecting against discriminatory treatment of HIV (Human Immunodeficiency Virus) positive individuals?
- d. What are the perspectives of the society regarding the HIV/AIDS (Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome)?
- e. What kind of discriminatory behavior is done by people with positive persons?

1.6 Objectives of the Study

1. To critically assess the Legal Rights and state-mediated HIV/AIDS awareness programs in Gujarat.
2. To examine the role of law in protecting against discriminatory behavior with HIV positive individuals.
3. To understand the perspectives of the society regarding the HIV/AIDS.
4. To examine what kind of discriminatory behavior is done by people with positive persons

1.7 Hypothesis

- H01** There is no significant relationship between HIV patients and their awareness towards legal rights
- H02** The role of law to protect the legal rights of patients with HIV is not significant

1.8 Research Methodology

Qualitative and quantitative information will be used in the present study. Workers of NGOs (Non-Governmental Organizations) working in selected four districts of North Gujarat will be selected as respondents for the collection of information pertaining to the study objectives. To make the study more accurate information will be obtained from people working in the field, such as counselors of Integrated Counseling and Testing Centres (ICTCs) and ARTs (Anti-Retroviral Therapy), doctors, nurses, patients and relatives of the patients. For data collection survey, case study method will be used.

1.9 Detailed Research Plan

Main focus of present research is to study how people living with HIV/AIDS (Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome) are discriminated against by the people in the society. Also proposed research based on primary and secondary data. Primary data will be collected from five type respondents:

Counsellors, Doctors, Patients (Victims), NGO (Non-Government Organization) Workers and family members of Patient through interview schedules. Total five types interview schedules will use for data collection from each respondent. Separate (Different) interview scheduled will make for each type respondents. Secondary data will collect from National AIDS Control Organization (NACO) reports, Gujarat State AIDS Control Society (GSACS) reports, guidelines, policy documents, NGOs (NonGovernmental Organizations) reports, libraries, websites, journals, newspapers etc. Research related other information will collect from experts, other researchers, interested persons of this area.

Selection of Districts from North Gujarat

For primary data collection, we will select four districts of the Gujarat state. These districts are: [A] Arvalli [B] Sabarkantha [C] Mehsana and [D] Banaskantha.

[A] Arvalli District

Prior to its creation, the districts of Sabarkantha and Arvalli were both a part of the British-ruled "Mahikantha" political agency. The Gujarat Government's notification No. GHM/2013/69/M/PFR/139/2-1, Date 13/08/13 w.e.f. 15/08/2013, established the Arvalli district. The Arvalli district is divided into six Talukas, or sub-districts: Modasa, Bayad, Dhansura, Bhiloda, Malpur, and Meghraj. The Arvalli headquarters are in Modasa. Meghraj and Bhiloda are two tribal talukas in Arvalli, and the world's oldest mountain range, the "Aravalli," runs through it. Arvalli District is located between latitudes 24° 1' 41.88° North and longitudes 73° 2' 29.04° East. The Arvalli District covers 3308 square kilometres.

According to Revenue Department notification no. GHM / 2013/69 / M / PFR / 102013/139 / 2-1, dated August 13 to August 15, 2013, Sabarkantha district was divided into the new district of New Aravali, with Modasa serving as its headquarters (under Section-7 of Gujarat LC Code 1879).

The district of Aravalli includes a total of 06 Talukas. Modasa, Bayad, Dhansura, Bhiloda, Malpur, and Meghraj are these.

Following that, according to the declared list, 17 villages from Bhiloda taluka have been included in Himmatnagar taluka (Sabarkantha district), and two villages from Ider taluka are Jumsar and Munai. This was announced in Notification No. GHM / 2013/77/2013 / PFR / 102013/139 / 2-1 of the Revenue Department, dated 15/08/2013. The taluka of Bhiloda has 145 villages in it.

Located in the centre of the Aravalli hill range, the Arvalli district is well-known for its forests and stunning natural surroundings. In addition to historic sites and ancient pilgrims, there are pilgrims like Tirthatham Shamlaji, who are located on the banks of the Meshwo River.

Shamlaji is the name of Kaliya Thakor's pilgrimage. In Bhiloda taluka of the Aravalli district, Shamlaji is a unique pilgrimage with natural beauty amidst the green grove in the Aravalli hill range close to the Gujarat border. Shamlaji hosts a large fair on Kartiki Poonam, also known as Dev Diwali, each year. The entire tribal community is reflected in this magnificent fair.

The Shamlaji Vishnu temple and its environs have been developed under the state government's Tourist Destination Development Scheme in honour of the 2008–09 tourism year. A grant of approximately Rs. 560.12 lakhs have been allocated, and the district administration has initiated measures to transform a renowned pilgrimage site into a visually appealing pilgrimage hub. One of the most well-known features of Zanzari Falls in Bayad Taluka is its practical beauty pageant.

The talukas of Dhanasura and Bayad have abundant mineral reserves, which will facilitate the growth of the quarry industry in this district. The unique cotton crop is primarily responsible for the emergence of cooperative jeans. The Bhiloda and Meghraj talukas of this district, which is home to numerous picturesque tourist destinations and specialties, are primarily populated by tribal people. The value of forests, rivers, mountains, ponds, and mythological buildings cannot be overstated.

The prominent identity of the Vanvasi tribal people, who live in the district's natural heart, is reflected in their distinctive culture, customs, charms, and festivals. The

government has been working to promote holistic development in the weaker social, economic, and educational spheres within and among tribes.

VidyaPurush Umashankar Joshi, who made significant literary contributions, was born in the Bhiloda taluka village of Bamna. The Aravali district is the first in the state to start record promulgation. The Modasa taluka's Khambhisar village was developed using data pertaining to the main stone and turned into a sampling centre for work related to resurveys.

1. At Khadoda and Bhatkota in the district's Modasa taluka, there is a Solar Park. For over 200 residents of the surrounding villages, the Solar Park has opened up employment opportunities. It is also feasible to supply roughly 20,000 households with electricity. More than 150 villages will profit from this solar park.
2. The main occupation of the district is agriculture and animal husbandry.
3. Important crops include maize, wheat, chickpea, mustard, millet, cotton etc.
4. A total of 06 Talukas are included in the district. (Modasa, Bayad, Dhansura, Bhiloda, Malpur and Meghraj).
5. Total villages are 676 and the total population is 9,08,797.
6. Important minerals include grit, grit, metal.
7. The rivers Vatrak, Meshwo, Mazum, Shedhi, Indrashi, Sakri etc. are passed through the district.
8. Modasa and Bayad are urban areas and municipalities exist in these two cities.
9. Jawahar Navodaya Vidyalaya is located in Dhanusura.
10. Dhansura taluka's Vadagam, Jaswantpura, Simili, Rajpur, Akrund area have been developed as quarry industry.
11. Bayad Taluka's Sathamba, Pagiya na Muvada, Bordi, Vatrak area have been developed as quarry industry.

The district is in the forefront in the field of education.

[B] Sabarkantha

The district of Sabarkantha is located in Gujarat's northeastern region. Located roughly 80 kilometres from Ahmedabad, the district's administrative centre is Himatnagar.

The districts of Banaskantha and Mehsana to the west, Gandhinagar to the south, Aravalli District to the southeast, and Rajasthan state to the northeast encircle Sabarkantha District.

The Sabarkantha district's western boundary is formed by the Sabarmati River. The district is located between latitudes 23.03 and 24.30 north and longitudes 74.43 and 73.39 east. The district of Sabarkantha is crossed by the "Tropic of Cancer." The district is 5390 square kilometres in total size. The district's northeastern region is dominated by rows of "Aravalli" hills. The district's principal rivers are the Sabarmati, Meshwo, Vatrak, Hathmati, Mazum, Vaidi, Harnav, and Khari.

The district's population, according to the 2011 Census, is 14,73,673. Eight Talukas and four revenue sub-divisions make up the district. The District consists of 6 Municipalities. The Talukas of Poshina, Khedbrahma, and Vijaynagar are predominantly tribal areas. These Talukas are forested, hilly regions. Most of the remaining Talukas are level terrain. The district's two largest community groups are the Patel and Darbar families. Nonetheless, among the tribal people, Dungari garasiya is the dominant group. The district's tiny village was chosen as Gujarat's best village.

[C] Mehsana

Mesaji Chavda of the Chawda Dynasty founded Mehsana in Vikram Samvat 1414. Later, in 1902, the Gaekwads relocated their administrative centre to Mehsana. Following India's independence in 1947, Mehsana became a part of the Union of India. It was under the state of Bombay. Following the split of Bombay state into Gujarat and Maharashtra in 1960. Mehsana was made into a Gujarati district. Mehsana taluka is home to the Mehsana district headquarters.

There is a place built by Gaekwads in city known as Rajmahal. Ten talukas make up the Mehsana district: Satlasana, Jotana, Unjha, Kheralu, Visnagar, Vijapur, Vadnagar, Kadi, and Unjha. Mehsana District occupies 5600 square kilometres. The Patan district borders the north, while the Banaskantha district borders the west. There are two districts: Gandhinagar district is in the southeast and Ahmedabad district is in the south. The district of Sabarkantha is located in the east.

There are numerous prestigious educational institutions in Mehsana. Specialising in fields such as IT, engineering, pharmacy, agriculture, science, management, arts, and commerce, Ganpat University is situated 10 km away from the city. Engineering and management courses are available at Saffrony Institute of Technology and Gujarat Power Engineering College. Pharmacy courses are available at B.S. Patel College of Pharmacy.

The Gujarat Technological University is connected to them. In north Gujarat, numerous schools are operated by the Sarvajanic Kelvani Mandal Trust. It also provides instruction in homoeopathy, nursing, and pharmacy. In the T. J. Highschool Complex, there is a 124-year-old English-medium school called Gurukul. In order to deliver the best English education possible, this school opened as an English-medium institution in 2012. There are numerous elementary and secondary educational institutions in Mehsana, including N.G. International School, a renowned CBSE school.

[D] Banaskantha

One of Gujarat state, India's thirty-three districts is Banaskantha district. The largest city in the district, Palanpur, serves as its administrative centre. The district is named for the West Banas River, which flows through the valley between Mount Abu and the Aravalli Range, the Gujarat plains, and the Rann of Kutch. The district is situated in northeastern Gujarat. The Ambaji temple, which is a popular tourist destination, is the district's main draw. In 2011, the population of Banaskantha was 86.70% rural and 13.27% urban. With a total area of 12703 km², it is the state's secondlargest district.

Banaskantha is bordered to the north by Rajasthan state, to the east by Sabarkantha district, to the west by Kutch district, and to the south by Patan district and Mehsana district.

The district's economy is centred on the processing of agricultural products, tourism, textiles, and mineral-based industries (ceramics). Over the past 20 years, 57% of all investments in the district have gone towards the food processing sector. The district ranks first in the Country in milk production, the Asia's Largest Dairy Cooperative under the Brandname of AMUL is Banaskantha District Cooperative Milk Producers' Union Ltd., Palanpur known as Banas Dairy procuring almost 59,58,134 Lit. Milk on 15.01.2018 as Peak receipt. With 1280 bulk milk chilling units installed, Banaskantha is also the first district with the highest cold supply chain of milk, obtaining almost 90% of its milk as raw, chilled milk and the remaining 10% in cans. There are 1,060 village dairy cooperatives in the Banaskantha District. societies with ISO 9001: QMS Standard certification. The district leads the state in vegetable production, accounting for almost 17.67% of Gujarat's total vegetable output. It is the state's biggest producer of potatoes. The remaining principal crops grown in the district are bajri, maize, tobacco, castor oil, jowar, and psyllium. It is also one of the nation's top producers of isabgul, or psyllium husk. In the state, it ranks third in terms of oil seed production, behind the districts of Junagadh and Jamnagar.

Rich mineral reserves can be found in the district, including China clay, granite, marble, limestone, and building stone. It makes up nearly all of Gujarat's marble reserves (99.3%), and it makes up roughly 15% of the state's total limestone production.

One of the most significant banks in Gujarat is the Banaskantha District Central Co-operative Bank.

Sardarkrushinagar is home to the esteemed State Agricultural University and Dantiwada Agricultural University. Bajra crops are grown as the primary crop.

Banaskantha was listed as one of the 250 most backward districts in the nation (out of 640) by the Ministry of Panchayati Raj in 2006. It is one of the six districts in Gujarat that the Backward Regions Grant Fund Programme (BRGF) is currently funding.

The population of the Banaskantha district, as of the 2011 census, is 3,120,506, or about the same as that of the US state of Iowa or the country of Mongolia. As a result, it is ranked 111th out of 640 places in India. There are 290 people living in the district per square kilometre (750/sq mi). Between 2001 and 2011, the population of this place grew at a rate of 24.43%. The sex ratio in Banaskantha is 936 females for every 1000 males, and the country's literacy rate is 66.39%. The population is composed of 9.11% and 10.49% Scheduled Tribes and Scheduled Castes, respectively.

96.35% of people in the district spoke Gujarati as their first language, according to the 2011 Indian Census.

The researcher has scheduled interviews to gather data. NGOs' workers who are respondents will choose simple random sampling methods. The Gujarat AIDS Control Society will grant permission to the researcher to conduct the current study. One technique that uses vision as its primary data collection tool is observation. It suggests using your eyes instead of your voice and ears. It is precise observation of events without assuming any knowledge of their causes, effects, or relationships. It involves observing other people's behaviour while it takes place without taking any action.

Additionally, information has been gathered by semi-structured/emphases interview schedules with NGO (non-governmental organisation) employees. Researchers have employed various semi-structured interview schedules for staff members of non-governmental organisations (NGOs), counsellors, physicians, nurses, patients, and clients' families. There are five different kinds of semi-structured interview schedules used to collect data.

1.10 chapterization

The research will be divided into following chapters:

Chapter-1: introduction and research planning

In this chapter discussed about present research, research problem, rationale of the study, nature and the scope of the study, objective of the study, research methodology and sampling.

Chapter: 2 review of literature

The present chapter will present review of the available literature pertaining to the study topic. It will be based on a review of research done at the international, national and state levels.

Chapter-3: human rights and hiv/aids

People not aware of hiv/aids (human immunodeficiency virus/acquired immunodeficiency syndrome) and they have not seriously engaged with scientific knowledge providers. In this chapter, human rights, hiv/aids (human immunodeficiency virus/acquired immunodeficiency syndrome) awareness of the people and discriminatory behaviour with patients of hiv/aids (human immunodeficiency virus/acquired immunodeficiency syndrome) will discuss.

Chapter-4: public awareness program in gujarat and role of ngos

In this chapter discussed about history of naco (national aids control organization) and gsacs (gujarat state aids control society), naco (national aids control organization) and gsacs (gujarat state aids control society) guidelines for prevention and control for hiv/aids (human immunodeficiency virus/acquired immunodeficiency syndrome). Key role of the ngo (non-governmental organization) workers in the prevention, control and awareness about hiv/aids in district. They are trained and skilled person. Also, in this chapter discussed about role and functions of ngo (nongovernmental organization).

Chapter-5: the patient and society interaction and the discrimination perception

In this chapter discussed consequences of stigma and discrimination (stopped working, feeling to die, don't want further treatment, avoided from family/friends and relatives, self-blaming and taking revenge, other consequences of stigma and discrimination, feelings of plhas about meaning of life, sadness and unhappiness in life, less energy and motivation, feeling of depression and frustration, sexual relationship with the partner, sources of knowledge of plhas on hiv/aids); problems faced by plhas in their day to day life (physical problems, problem within the relationships, financial problems,

stigma and discrimination); knowledge of hcps on universal precautions, exposure of hcps to hiv/aids training programme, efforts by the institutions to create awareness on hiv/aids among general public, the institutions' initiatives to educate medical professionals about hiv/aids, social work intervention in the context of hiv/aids in india, purpose of social work, social work in the context of health care setting, perception of plhas about social workers, role of social workers/medical social worker; application of social work methods in hiv/aids care setting (social casework, social group work, community organization, social welfare administration, social action, social work research, advocacy, awareness campaigns, networking, resource mobilization, public interest litigation (pil), strength based practice.

Chapter-6: research methodology

This chapter includes the methodology of research which is used to conduct study on legal awareness study on legal rights of hiv/aids victims in north gujarat.this chapter includes the research design, statement of problem, need of the study, hypothesis to be tested and various components of methodology which helps in conducting a survey by collecting primary data with the help of a structured questionnaire. The tools and techniques used to test the hypothesis are explained in the chapter which helped in carrying out data analysis and infer interpretations to support the theoretical base of the research.

Chapter-7: data analysis and interpretation

This chapter is one of the most important chapters of the thesis as it incorporates the analysis of the data collected from the respondents. The previous chapter discussed the research methodology and research design, data collection tool and other aspects of analysis and in this section the implementation of research methodology is presented wherein the data collected is coded and tabulated along with statistical analysis.

Chapter-8: summary and conclusions

This chapter is one of the most important chapters of the thesis as it is the essence of the entire thesis. The chapter emphasizes the importance of thoughtful interpretation,

guiding readers through the process of drawing meaningful conclusions and implications from analyzed data. This phase is critical in bridging the gap between raw data and informed decision-making, contributing to the overall validity and relevance of the study.

REFERENCES

Websites

1. <https://arvalli.nic.in/>
2. <https://sabarkantha.nic.in/history/>
3. <https://mahesana.nic.in/history/>
4. https://en.wikipedia.org/wiki/Banaskantha_district