

INTERNATIONAL JOURNAL OF RESEARCH IN COMMERCE & MANAGEMENT

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CONTENTS

Sr. No.	TITLE & NAME OF THE AUTHOR (S)	Page No.
1.	A STUDY OF CUSTOMER SATISFACTION FOR IDEA CELLULAR IN EASTERN RAJASTHAN <i>DR. KAVALDEEP DIXIT & NEHA JAIN</i>	1
2.	AN EMPIRICAL STUDY ON EMOTIONAL INTELLIGENCE OF GENERATION X MANAGERS <i>DR. S. GANESAN & DR. R. KRISHNAMURTHI</i>	10
3.	STUDY ON SOURCES OF FUND OF PRIMARY CO-OPERATIVE AGRICULTURE AND RURAL DEVELOPMENT BANKS IN COMPOSITE TO THANJAVUR DISTRICT <i>DR. K. RAMAKRISHNAN & S.SOUNDARANAYAH</i>	13
4.	ETHICAL, LEGAL AND SOCIAL RESPONSIBILITY IN TOURISM BUSINESS <i>SUBODH KUMAR MISHRA</i>	16
5.	A STUDY OF FDI AND INDIAN BANKING <i>DR. G. S. GAUD & DR. GIRISH KUMAR PAINOLI</i>	20
6.	RELATIONSHIP BETWEEN TRADE AND FDI: EVIDENCE FROM FOOD PROCESSING SECTOR IN INDIA <i>DR. ASHISH MANOHAR URKUDE & PRAVIN JADHAV</i>	24
7.	EMPLOYEE PERFORMANCE APPRAISAL IN CEMENT INDUSTRY: A CASE STUDY OF ACC LIMITED, WADI, GULBARGA DISTRICT <i>DR. A. P. HOSMANI & SHAIKH TABASSUM HAMEED</i>	30
8.	SCIENTIFIC INPUT FOR THE TRAINERS OF HRD PRACTITIONERS IN SOFTWARE INDUSTRY <i>P. SURJITH KUMAR & DR. N. PANCHANATHAM</i>	34
9.	TO STUDY MARKETING STRATEGIES FOR CAR LOANS CUSTOMERS: A COMPARATIVE STUDY OF PUBLIC SECTOR BANKS AND PRIVATE SECTOR BANKS WITH SPECIAL REFERENCE TO MEERUT, U. P. <i>ADITI SHARMA & DR. SUDHINDER SINGH CHOWHAN</i>	39
10.	FINANCIAL ANALYSIS OF INDIAN OIL CORPORATION LIMITED <i>PAWAN KUMAR, DR. V. K. GUPTA & DR. ANIL KUMAR GOYAL</i>	46
11.	PERCEIVED PERFORMANCE APPRAISAL EFFECTIVENESS AND ITS IMPACT ON ACADEMIC STAFF ORGANISATIONAL COMMITMENT TURNOVER INTENTION: A CONCEPTUAL MODEL <i>DR. A KUMUDHA & J. BAMINI</i>	53
12.	A STUDY ON EMPLOYEE WELFARE ACTIVITIES IN RASHTRIYA ISPAT NIGAM LIMITED VISAKHAPATNAM STEEL PLANT <i>RAKHEE MAIRAL RENAPURKAR</i>	57
13.	A STUDY ON AWARENESS OF MOBILE MARKETING IN VELLORE DISTRICT <i>DR. M. RAGURAMAN, R. VEERAPPAN & ANGELO JOSEPH</i>	63
14.	ROLE OF SELF-HELP GROUPS IN MOVEMENT OF SOCIO-ECONOMIC AND POLITICAL TRANSFORMATION: A CASE STUDY IN PURBA MEDINIPUR DISTRICT <i>SIDDHARTHA CHATTERJEE</i>	67
15.	WOMEN EMPOWERMENT THROUGH SELF HELP GROUP: A STUDY <i>PREETI SONI</i>	76
16.	IMPACT OF OUT OF BOX ADVERTISING IN INTERNET ON ATTENTION, RETENTION AND PURCHASE INTENTIONS <i>S N KUMAR & ANUPAMA SUNDAR</i>	79
17.	THE EFFECT OF DISCLOSURE QUALITY ON STOCK TURNOVERS OF ACCEPTED COMPANIES IN TEHRAN STOCK EXCHANGE <i>AKRAM DAVOODI FAROKHAD & SAYED NAJIB ALLAH SHANAEI</i>	82
18.	EFFICIENT COMMUNICATION FOR EFFECTIVE SUPERVISORS <i>DR. VIDHU GAUR</i>	87
19.	THE IMPACT OF CAPITAL STRUCTURE ON MICRO FINANCE INSTITUTION PERFORMANCE: EVIDENCE FROM ETHIOPIA <i>GEMECHU FEYISSA GUDU</i>	91
20.	A STUDY ON PUBLIC BUDGET MANAGEMENT OF HIV/AIDS INTERVENTION <i>NURUL DWI PURWANTI</i>	96
21.	A STUDY OF POVERTY ERADICATION IN INDIA: NATIONAL POLICIES, PLANS AND PROGRAMS <i>DR. SANJAY KUMAR CHOURASIYA</i>	101
22.	A STUDY ON UNDERSTANDING OF RURAL CONSUMER BEHAVIOUR IN INDIA <i>SUCHI K. PATEL & ZARNA M. PATEL</i>	106
23.	ENVIRONMENT FOR WOMEN ENTREPRENEURS IN INDIA <i>JAINENDRA KUMAR VERMA</i>	108
24.	WATER RESOURCES AND TOURISM PROMOTION: A CASE STUDY OF HYDERABAD <i>JAYAPRAKASH NARAYANA G</i>	110
25.	A STUDY ON EMPLOYEES' ATTRITION IN BPO SECTOR WITH SPECIAL REFERENCE TO CHENNAI CITY <i>B.LATHA</i>	113
26.	ANALYSIS OF GROWTH & CHALLENGES FACED BY MANAGEMENT EDUCATION IN INDIA: A CRITICAL REVIEW OF LITERATURE <i>HIMANI RAVAL</i>	118
27.	LEARNING AND DEVELOPMENT IN INFORMATION TECHNOLOGY (IT) COMPANIES <i>SIRISHA DAMARAJU</i>	121
28.	WOMEN ENTREPRENEURS' DEVELOPMENT THROUGH TRAINING AND EDUCATION IN INDIA <i>JAINENDRA KUMAR VERMA</i>	123
29.	INTEREST RATE FLUCTUATIONS AND FINANCIAL OUTCOMES OF BANKING SECTOR: A CASE STUDY OF PAKISTAN <i>ASAD ZAMAN, AMMAR ALI GULL, REHAN NASIR, MUHAMMAD BILAL, YASIR PERVAIZ, MUHAMMAD ASIM RIAZ & MUBASHER ASHRAF</i>	125
30.	PEOPLE MANAGEMENT PRACTICES: A POTENTIAL TOOL FOR ORGANIZATIONAL PERFORMANCE <i>SANTOSH V BILGUNDI, KIRAN KUMAR M & AKSHAY PAI R</i>	130
	REQUEST FOR FEEDBACK	134

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STATEMENT OF THE PROBLEM

OBJECTIVES

HYPOTHESES

RESEARCH METHODOLOGY

RESULTS & DISCUSSION

FINDINGS

RECOMMENDATIONS/SUGGESTIONS

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ETHICAL, LEGAL AND SOCIAL RESPONSIBILITY IN TOURISM BUSINESS

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ABSTRACT

Benefits and importance of tourism is loud and clear. However, despite its positive socio-economic benefits, it is not free from negative impacts. Cut-throat competition, high seasonality and volatility of the global tourism environment makes tourist companies not always capable to conduct their business operations in ethical and socially responsible manner. Because of its potential to cause negative environmental and social impacts, of late the tourism industry has experienced increased external pressures and has been challenged to respond to the rising problems promptly, ethically and responsibly. Ethical practices and corporate social responsibility standards have been originally established by the private business organizations to act in response to escalated societal pressure. In the tourism industry the use of codes of conduct and other 'attributes' of ethical and socially responsible practices has not been prevalent since the issues of ethics and corporate social responsibility have initially had a 'low priority' status and have been limited to the discussion form. Some of the explanations for this low priority status can be attributed to the lack of generally accepted global principles and criteria, controversy on ethical and social responsible conceptual and operating framework, multifaceted character of tourism industry, and deficiency of assessment methods of the ethical and social responsible performance of tourist organizations.

KEYWORDS

Tourism, ethical, legal, social, responsibility.

INTRODUCTION

Tourism is a multi-sectoral activity characterized by multiple services provided by a range of suppliers. It is the largest service industry in the world. Its importance lies in being an instrument for economic development and employment generation, particularly in remote and backward areas. It is contributing towards overall socio-economic improvement and accelerated growth in the economy. The economic benefits flow into the economy through growth of tourism in the shape of increased national and State revenues, business income, employment, wages, and salary income. While tourism business plans have become increasingly short term, more and more governments are starting to realize that they cannot leave the growth of tourism to chance. This emerging global consciousness represents a great opportunity for this industry.

Tourism is one economic sector that has the potential to grow at a high rate and can ensure consequential development of the infrastructure of the destinations. It has the potential to stimulate other economic sectors through its backward and forward linkages and cross-sectoral synergies with sectors like agriculture, horticulture, handicrafts, transport, construction, etc. The particular significance of tourism industry is its contribution to national integration and preservation of natural as well as cultural environments and enrichment of the social and cultural lives of people like preservation of monuments and heritage properties. This sector is also helping the traditional art forms, crafts, and culture.

To position India in the world tourist map the Planning Commission of India in its 11th Five Year Plan document suggests following measures:

1. Positioning and maintaining tourism development as a national priority activity.
2. Enhancing and maintaining the competitiveness of India as a tourist destination.
3. Improving India's existing tourism products further and expanding these to meet new market requirements.
4. Creation of world-class infrastructure.
5. Developing strategies for sustained and effective marketing plans and programmes.
6. Developing human resources and capacity building of service providers.

REVIEW OF LITERATURE

Benefits and importance of tourism is loud and clear. However, despite its positive socio-economic benefits, it is not free from negative impacts (Berno & Bricker, 2001; Werner, 2003; French, 2005; Budeanu, 2005; Enea, 2007). Cut-throat competition, high seasonality and volatility of the global tourism environment makes tourist companies not always capable to conduct their business operations in ethical and socially responsible manner (Hall & Brown, 2008). Because of its potential to cause negative environmental and social impacts, of late the tourism industry has experienced increased external pressures and has been challenged to respond to the rising problems promptly, ethically and responsibly (Tepelus, 2008). According to Dodds and Joppe (2005), ethical practices and corporate social responsibility standards have been originally established by the private business organizations to act in response to escalated societal pressure. In the tourism industry the use of codes of conduct and other 'attributes' of ethical and socially responsible practices has not been prevalent since the issues of ethics and corporate social responsibility have initially had a 'low priority' status (Hall & Brown, 2008) and have been limited to the discussion form (Butcher, 2008). Some of the explanations for this low priority status can be attributed to the lack of generally accepted global principles and criteria (Dodds & Joppe, 2005), controversy on ethical and social responsible conceptual and operating framework (Enea, 2007; Tepelus, 2008; Butcher, 2008; Fennell, 2008), multifaceted character of tourism industry (Tepelus, 2008), and deficiency of assessment methods of the ethical and social responsible performance of tourist organizations (Hall & Brown, 2008; Fennell, 2008; Schwartz, Tapper & Font, 2008; Jenkins, 2008).

ORGANISATION OF PAPER

After a brief introduction to tourism, this paper gives highlights of current tourism scenario of World and India. Further it enlists the significance of tourism in the world today. Thereafter ethical, legal and social responsibility in tourism business is discussed one by one. The paper ends with a concluding remark.

WORLD TOURISM – FACTS AND FIGURES**INTERNATIONAL TOURIST ARRIVALS, 2011**

The majority of destinations around the world that had not exceeded pre-crisis levels in 2010, did so in 2011. Contrary to the long-term trend, advanced economies (+4.9%) posted higher growth than emerging economies (+4.3%), due largely to the strong results in Europe, and the setbacks in the Middle East and North Africa. Europe and Asia and the Pacific (both +6%) were the fastest-growing regions in terms of tourist arrivals in 2011. Europe grew above expectations, despite continuing economic uncertainty, while arrivals in Asia and the Pacific increased at a slower pace over 2010, partly due to the temporary decline in the Japanese outbound market. Arrivals in the Americas (+4%) were boosted by South America (+9%), which continued to lead growth in the region for the second consecutive year. Popular uprisings in a number of countries in Africa and the Middle East during 2011 took a toll on tourism in both regions. Africa (+1%) recorded only a slight increase, due to the loss of visitors in North Africa, while the Middle East saw an 8% decline in arrivals.

INTERNATIONAL TOURISM RECEIPTS, 2011

In 2011, international tourism receipts reached a record US\$ 1,030 billion (euro 740 bn), up from 927 billion (euro 699 bn) in 2010. This represents a 3.9% growth in real terms (adjusted for exchange rate fluctuations and inflation), while international tourist arrivals increased by 4.6% in 2011 to 983 million. This

confirms the strong correlation between both indicators, with growth in receipts tending to lag slightly behind growth in arrivals in times of economic constraints. Europe holds the largest share of international tourism receipts (45% share), reaching US\$ 463 billion (euro 333 bn) in 2011, followed by Asia and the Pacific (28% share or US\$ 289 billion / euro 208 bn), and the Americas (19% share or US\$ 199 billion / euro 143 bn). The Middle East (4% share) earned US\$ 46 billion (euro 33 bn) and Africa (3% share) US\$ 33 billion (euro 23 bn).

Visitor expenditure on accommodation, food and drink, local transport, entertainment and shopping, is an important contributor to the economy of many destinations, creating much needed employment and opportunities for development. In 2011, both emerging and advanced destinations reported significant increases in receipts. For some 85 countries, receipts from international tourism were over US\$ 1 billion in 2011. For destination countries, receipts from international tourism count as exports and cover transactions generated by same-day as well as overnight visitors. However, these do not include receipts from international passenger transport contracted from companies outside the travellers' countries of residence, which are reported in a separate category (International Passenger Transport). The export value of international passenger transport is estimated at US\$ 196 billion (euro 141 bn) in 2011, up from US\$ 170 billion (euro 131 bn) in 2010. As such, total receipts from international tourism, including international passenger transport, reached US\$ 1.2 trillion (euro 841 bn) in 2011. In other words, international tourism contributes US\$ 3.4 billion (euro 2.4 bn) a day to global export earnings.

INDIAN TOURISM – FACTS AND FIGURES

Tourism in India is a large industry. The tourism authorities at the central and state levels have played an important role in the development of the industry, with promotional campaigns such as "Incredible India," which promoted India's culture and tourist attractions in a fresh and memorable way (Alwis, 2010). The campaign created a new image of India in the minds of consumers around the world and has led directly to an increase in interest among tourists. Similarly, campaigns such as, "God's Own Country" for Kerala, Goa Tourism's "Go Goa," and Uttar Pradesh Tourism's "Amazing Heritage—Grand Experiences" made significant impacts on regional tourism development in India. In the earlier part of this decade, it was the success of Kerala's regional campaign that led to the "Incredible India" campaign.

The World Travel and Tourism Council calculated that tourism generated \$121 million or 6.4% of the nation's GDP in 2011. It was responsible for 39.3 million jobs, 7.9% of its total employment. The GDP of the tourism sector has expanded 229% between 1990 and 2011. The sector is predicted to grow at an average annual rate of 7.7% in the next decade. In a 2011 forecast the World Travel and Tourism Council predicted the annual growth to be 8.8% between 2011 and 2021. This gave India the fifth rank among countries with the fastest growing tourism industry. India has a large medical tourism sector which is expected to grow at an estimated rate of 30% annually to reach about ₹ 9,500 crore by 2015.

In the year 2011, there were nearly 6.29 million foreign tourist arrivals in India, up by over 8% from the year 2010 when 5.78 million foreign tourists arrived in India. Domestic tourist visits to all states and Union Territories numbered 747.70 million. The majority of foreign tourists come from the United States (16%) and the United Kingdom (12.6%). In 2011 Maharashtra, Tamil Nadu and Delhi were the most popular states for foreign tourists. Domestic tourists visited the states Uttar Pradesh, Andhra Pradesh and Tamil Nadu most frequently.

The Travel & Tourism Competitiveness Report 2011 ranked the price competitiveness of India's tourism sector 28th out of 139 countries. It mentions that India has quite good air transport (ranked 39th), particularly given the country's stage of development, and reasonable ground transport infrastructure (ranked 43rd).

TABLE 1

Important Facts About Tourism, 2011		
(i) India		
■ No. of Foreign Tourist Arrivals in India	6.29 Million (P)	
■ Annual Growth Rate	8.9%	
■ No. of Indian Nationals departures from India	14.21 Million (P)	
■ Annual Growth Rate	9.4%	
■ No. of Domestic Tourist Visits to all States/UTs	850.86 Million (P)	
■ Annual Growth Rate	13.8%	
■ Foreign Exchange Earnings from Tourism		
i) In INR terms	Rs.77591Crore (#)	
Annual Growth Rate	19.6%	
ii) In US\$ terms	US\$ 16.56 Billion(#)	
Annual Growth Rate	16.7%	
iii) In US\$ terms (as per Reserve Bank of India)	US\$ 17.52 Billion	
(ii) World		
■ No. of International Tourist Arrivals	983 Million (P)	
■ Annual Growth Rate	4.6%	
■ International Tourism Receipts	US\$ 1030 Billion (P)	
■ Annual Growth Rate	11.1%	
(iii) Asia & the Pacific Region		
■ No. of International Tourist Arrivals	217.0 Million (P)	
■ Annual Growth Rate	6.1%	
■ International Tourism Receipts	US\$ 289.4 Billion (P)	
■ Annual Growth Rate	13.4%	
(iv) India's Position in World		
■ Share of India in International Tourist Arrivals	0.64%	
■ India's rank in World Tourist Arrivals	38	
■ Share of India in International Tourism Receipts (As per MOT Advance Estimates)	1.61%	
■ India's rank in World Tourism Receipts	17	
(v) India's Position in Asia & the Pacific Region		
■ Share of India in International Tourist Arrivals	2.90%	
■ India's rank in International Tourist Arrivals	9	
■ Share of India in International Tourism Receipts	5.72%	
■ India's rank in International Tourism Receipts	8	
P : Provisional		
# : Advance Estimates		

INTERNATIONAL TOURIST ARRIVALS IN INDIA

During the year 2011, the number of Foreign Tourist Arrivals (FTAs) in India reached the level of 6.29 million, registering a growth of 8.9% over the FTAs of 5.78 million in 2010. The growth rate of 8.9% in tourist arrivals in India was almost double the growth of 4.4% in tourist arrivals worldwide. The tourism sector in India, therefore, has fared quite well vis-à-vis the world. Foreign Exchange Earnings (FEE) from tourism in India during 2011 were \$16.56 billion as compared to \$14.19 billion in 2010, showing a growth of 16.7%.

INTERNATIONAL TOURISM RECEIPTS IN INDIA

Tourism is an important sector of Indian economy and contributes substantially in the country's foreign exchange earnings. FEE from tourism, in Rupee terms, during 2011, were Rs. 77591 crore, with a growth of 19.6 %, as compared to the FEE of Rs.64889 crore during 2010. In terms of US\$, FEE from tourism, during 2011, were US\$ 16564 million with a growth of 16.7 %, as compared to US\$ 14193 million during 2010.

TOURISM & ITS SIGNIFICANCE

Tourism is essentially an expression of natural human instinct for experience, education and entrainment. The motivation for tourism includes social, religion and business interests. The economic consequences of this phenomenon are wide-ranging and capable of influencing the development process of several nations, regions, societies and to a great extent of individuals. The increasingly recognized human, social, economic and cultural values of tourism need focused attention. Tourism contributes positively to reconciling environment protection, economic development and fight against poverty by creating wealth through foreign exchange earnings, contributions to national income and Government revenues, spreading of economic and social benefits to under-developed areas,

income, job creation (particularly to women and disadvantaged groups), increased living standards and preservation and conservation of natural and cultural environment.

Over the years, tourism development has emerged as human centered, equitable and environmentally sustainable, thus contributing substantially to the philosophy of sustainable human development in both words and in actual practice, in reality, on ground, throughout the globe. At the same time, tourism can favour openness to international trade, technology innovation and protection of social and cultural identities. At the start of the new millennium, tourism is firmly established as the number one industry in many countries and the fastest-growing economic sector in terms of foreign exchange earnings and job creation. International tourism is the world's largest export earner and an important factor in the balance of payments of most nations. Tourism has become one of the world's most important sources of employment. It stimulates enormous investment in infrastructure, most of which also helps to improve the living conditions of local people. It provides governments with substantial tax revenues. Most new tourism jobs and business are created in developing countries, helping to equalize economic opportunities and keep rural residents from moving to overcrowded cities. Intercultural awareness and personal friendships fostered through tourism are a powerful force for improving international understanding and contributing to peace among all the nations of the world.

The United Nations World Tourism Organisation (UNWTO) recognizes that tourism can have a negative cultural, environmental and social impact if it is not responsibly planned, managed and monitored. The UNWTO thus encourages governments to play a vital role in tourism, in partnership with the private sector, local authorities and non-governmental organizations. In its belief that tourism can be effectively used to address the problems of poverty, UNWTO made a commitment to contribute to the United Nations Millennium Development Goals through a new initiative to develop sustainable tourism as a force for poverty elimination. The programme, known as ST-EP (Sustainable Tourism-Eliminating Poverty), focuses the longstanding work of both organizations on encouraging sustainable tourism with a view to alleviating poverty and was implemented in 2003.

ETHICAL RESPONSIBILITY IN TOURISM BUSINESS

Many of issues and problems in the tourism industry can be tied to ethics or lack thereof. e.g. Natural environments which are often the primary reason for people to travel often bear the brunt of tourism. However, it is surprising to notice the lack of attention ethics have received in the tourism literature until recently. Few research articles (D'Amore, 1993; Krohn and Ahmed, 1991; Wight, 1993) dealing with ethics have been published, and the mention of ethics is rarely found in tourism and hospitality books and literature.

GLOBAL CODE OF ETHICS FOR TOURISM – AN UNWTO INITIATIVE

A fundamental frame of reference for responsible and sustainable tourism, the **Global Code of Ethics for Tourism** (GCET) is a comprehensive set of principles designed to guide key-players in tourism development. Addressed to governments, the travel industry, communities and tourists alike, it **aims** to help maximise the sector's benefits while minimising its potentially negative impact on the environment, cultural heritage and societies across the globe.

Adopted in 1999 by the General Assembly of the World Tourism Organization, its acknowledgement by the United Nations two years later expressly encouraged UNWTO to promote the effective follow-up of its provisions. Although not legally binding, the Code features a **voluntary implementation mechanism** through its recognition of the role of the **World Committee on Tourism Ethics** (WCTE), to which stakeholders may refer matters concerning the application and interpretation of the document.

The Code includes **nine articles** outlining the "rules of the game" for destinations, governments, tour operators, developers, travel agents, workers and travellers themselves. **The tenth article** involves the redress of grievances and marks the first time that a code of this type will have a mechanism for enforcement. The Code's 10 principles amply cover the economic, social, cultural and environmental components of travel and tourism:

Article 1: Tourism's contribution to mutual understanding and respect between peoples and societies

Article 2: Tourism as a vehicle for individual and collective fulfilment

Article 3: Tourism, a factor of sustainable development

Article 4: Tourism, a user of the cultural heritage of mankind and contributor to its enhancement

Article 5: Tourism, a beneficial activity for host countries and communities

Article 6: Obligations of stakeholders in tourism development

Article 7: Right to tourism

Article 8: Liberty of tourist movements

Article 9: Rights of the workers and entrepreneurs in the tourism industry

Article 10: Implementation of the principles of the Global Code of Ethics for Tourism

LEGAL RESPONSIBILITY IN TOURISM BUSINESS

Keeping up with laws and legislation is important for any business and tourism is not an exception. There are specific laws relating to the following tourism and hospitality activities in India and other countries of the world. It is the responsibility of the business house wishing to start tourism and hospitality activities to comply with such rules of the land. Below is an indicative list of such rules:

1. Accommodation Know-How
2. Alcohol and Licensing
3. Adventure Activities
4. Carrying Passengers and Transporting Luggage
5. Data Protection Act
6. Discrimination
7. Energy Performance
8. Fire Safety Law
9. Food Safety Regulations
10. Health & Safety Regulations
11. Insurances
12. Music & Entertainment Regulations
13. Online Selling & E-Marketing Regulations
14. Package Travel Regulations
15. Planning Permission & Building Regulations
16. Pricing & Charging Regulations
17. Signs for Tourism Businesses
18. Smoking Regulations
19. Trade Descriptions

SOCIAL RESPONSIBILITY IN TOURISM BUSINESS

Social responsibility of the business in the modern era is rechristened as Corporate Social Responsibility (CSR). It may be defined as "Corporate social responsibility is, in fact, about the attitude firms adopt towards such 'stakeholders' as workers, consumers, the broader society or even future generations. Hence there are many dimensions to corporate social responsibility. On the one hand, stress is laid on dealing fairly with employees, suppliers and customers, and, on the other, efforts are made to support local communities, to help charities and to promote environmental sustainability" (Bohdanowicz and Zientara,

2008). Examples of CSR include making donations to charities and community groups; lobbying for a particular cause; encouraging skill development amongst employees; taking responsibility for employee health and well-being; and engaging with disadvantaged groups in the community (Worthington, Ram, & Jones, 2006). These acts could be voluntary done on behalf of the business to benefit stakeholders of the business, and/or in some cases, to benefit the business as well.

Tourism, besides bringing benefits, poses both negative and positive impacts on the environment. Hotels have a significant physical footprint. Basically, the buildings are, in most cases, sizable and the landscape premises encompass considerable areas. Hotels generate a substantial amount of waste, consume energy and water. Climate change is both a global threat and a development issue. Tourism contributes to human induced climate change. The share of tourism in the emission of CO₂ was 4.95% (UNWTO, et al. 2007 :132). In order to develop sustainable tourism, adaptation and mitigation strategies should be accepted. This is the way tourism companies and all those involved in the tourism industry could contribute to minimize the emission of green-house gases. Tourism is dependent on a healthy local economy, cultural and natural heritage, and this should not be forgotten. Tourism companies contribute positively to the social and economic development of the region they operate in. Furthermore, they are dependent on the goodwill of the community and making additional investments in the area together with working with the local community could help them maintain good relations. The long-term success of tourism companies depends on the ability to address the needs of those affected by the operations of a tourism company.

Tourism can help alleviate poverty. However, this potential is closely linked to the accessibility of financing sources. In the publication "Tourism and Poverty Alleviation: Recommendations for Action", the ST-EP (Sustainable Tourism Eliminating Poverty) programme presented seven different mechanisms through which the poor can benefit directly or indirectly from tourism. These mechanisms include: employment of the poor in tourism enterprises; supply of goods and services to tourism enterprises by the poor or by enterprises employing the poor; direct sales of goods and services to visitors by the poor (informal economy); establishment and running of tourism enterprises by the poor - e.g. micro, small and medium-sized enterprises (MSMEs), or community based enterprises (formal economy); tax or levy on tourism income or profits with proceeds benefiting the poor; voluntary giving/support by tourism enterprises and tourists; and investment in infrastructure stimulated by tourism also benefiting the poor in the locality, directly or through support to other sectors (UNWTO, 2004, 10-11).

If we shift to today's global economic crisis which can be considered as a crisis of confidence in business and market capitalism, we definitely conclude that tourism companies should change the way they do business and start with doing business as unusual or to be corporate socially responsible. When creating a tourism product, hotel companies should be environmentally sensitive, have a deeper sense for the community, respect their culture and diversity, be open for dialogue and bring decentralized decisions. At the same time, they should be open and ready for innovations in order to keep the position on the ever so challenging tourism market and to compete. This is the way they could enhance economic growth and increase the competitiveness of the tourism destination. Different hotel companies and tour operators in the world have accepted the challenge of sustainable development to be one of their priorities when doing business.

CONCLUSION

India's share in the world in terms of total tourist arrival and receipt is less than 1%. Looking at the diverse tourism products India offers or can offer, its performance in world scenario is dismal. One of the primary reason for this could be that the Indian tourism business houses, big or small, are shying away from the ethical, legal and social responsibility. Unethical development of tourism with a 'profit only' motive is a serious hindrance in sustainability of this business. Non-compliance to legal framework fails to have a 'world-class' product and at the same time fails to win the trust of the international visitors. At times Indian hospitality and tourism industry ignore 'employee welfare' – which is the bare minimum of the social responsibility. This hampers the Indian tourism industry in two ways. One, it does not attract talented individuals to opt this career. Secondly, happy employees make happy customers. Therefore, Indian tourism personnel fail to create that 'wow' effect in the services. On the other hand the ministry should come out with a 'ready-reckoner' handbook enlisting the ethical, legal and social responsibility in tourism business. It should also mention the punitive measures to be taken for non-compliance of such measures. Only then Indian can have world-class tourism products and be a favourite amongst the globe trotters. This paper attempts to make a positive contribution in this regard.

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