



RAJIV GANDHI  
INSTITUTE FOR CONTEMPORARY STUDIES

# Policy WATCH

Volume X, Issue I  
January 2021, New Delhi

## Governance and Development

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**THE WORLD SOCIAL  
FORUM (WSF) 2021**





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## Editorial

The Rajiv Gandhi Institute for Contemporary Studies (RGICS) works on five themes:

1. Constitutional Values and Democratic Institutions
2. Governance and Development
3. Growth with Employment
4. Environment, Natural Resources and Sustainability
5. India's Place in the World.

We bring out the monthly Policy Watch on each of these themes sequentially and every sixth issue is a Special Issue, where we carry articles from each theme. This issue is on the theme, Governance and Development.

The first article by Arun Maira, former Member of the Planning Commission talks about “the listening deficit”. He goes on to say that “The fundamental reform India needs (and the world too) is a “no tech” one. It is the process of listening to people who do not seem to think like we do. By listening to other perspectives, we will comprehend the system of which we are all small parts.. we can trust each other, and then we can work together, democratically, to make the world better for everyone.

In the Jun 2020 issue of Policy Watch, we had carried a piece contributed by Ram Esteves of ADATS, Bagepalli, located right on the Bangalore-Hyderabad highway, giving an eye-witness account of the plight of migrant workers as they walked from Bangalore to their home states. In this issue we carry a second article, where Ram Esteves documents in detail what happened in the villages surrounding Bagepalli, during the pandemic and the lockdown.

The third article is A Review of the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 by RGICS Senior Research Associate, Arnab Bose. In this we continue the series of articles reviewing the status of a whole suite of social legislation that was enacted in the 2004 -2013 decade. As we have seen in the earlier cases, though the laws were highly progressive in intent, even in enactment and adoption, these got diluted, and the attenuation was severe at the stage of implementation.

The fourth and fifth articles are on the nearly three month long farmers' protest. The first is reproduced from the National Herald and carries comments by former Union Finance Minister, Shri P Chidambaram and also by veteran activist-journalist P Sainath. The small post by Mumbai based journalist Sujata Anandan at the end of the article is worth reading for its pithy description of how faith in private players can be belied. The next article is in an interview in Hindi by Dr Rajaram Tripathi, the Chairman of All India Farmers' Federation and makes the point that neither the government's actions nor the media's reporting of what happened on 26th January will only strengthen the farmers' movement.

This issue of Policy Watch was produced on the last day of the month because we wanted to carry the Declaration from the Assembly of Social, Peace and Environmental Movements adopted on 30th January 2021 at the just concluded The World Social Forum (WSF) 2021

We hope the readers find the articles interesting and Policy Makers use some of the lessons to design better policies and programs with people's participation.

**Vijay Mahajan, Director,**

**Rajiv Gandhi Institute for Contemporary Studies**

# The Listening Deficit

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Arun Maira

“The democratic process cannot be allowed to be subverted through unlawful protests,” Prime Narendra Minister Modi tweeted, commenting on the storming of the US Capitol by Donald Trump’s supporters. Meanwhile, thousands of farmers are camped in bitterly cold weather around India’s capital. They are peacefully protesting amendments to farm laws the government has rammed through without a discussion in the country’s elected Parliament. They threaten to carry out a peaceful tractor march in Delhi on the nation’s Republic Day if their demands are not conceded by then. These protests in the world’s two largest democracies raise questions about the health of the global democratic enterprise.

What is a “lawful” protest? Who determines whether the purpose of the protest is lawful? And which methods of protest are lawful? If such questions should be discussed within a democratically-elected Parliament (or Congress), and if elected institutions do not function, should the people not protest? They must protest, albeit non-violently, in a manner that will make their protest heard as the Indian farmers are, and the protestors in Shaheen Bagh were.

Experts advising the government are prepared for discussions with the farmers provided the discussions are “evidence-based”, they say. Which raises more questions. What is evidence required for? What is acceptable as evidence? The experts have their own scientific models about what is important. The farmers have their experience of what matters. Experts want more hard data. Whereas farmers’ mistrust of the government’s intentions is based on their experience, including the way in which the reforms are being rammed on them. That’s not how democracy is supposed to work, they protest.

Liberals everywhere are feeling threatened by the rise of autocratic leaders. Elected leaders may say they work for the people and listen to them. However, the experts who advise them plug people as numbers into their scientific models, even looking down on them as uneducated masses. When leaders rely too heavily on expert advisers for solutions, trust in elected leaders breaks down. Trump rose up on a global wave of citizens’ mistrust in the way democratic institutions are functioning. Trump may have fallen, but the wave of illiberalism has not passed. It has risen due to the failure, so far, of two projects to meet citizens’ expectations of improvements in the human condition — the project of electoral democracy, and the project of scientific rationality.

The Indian government is being urged by economists and industrialists to implement economic reforms firmly. The people who are the intended beneficiaries are not convinced, as the farmers’ are saying. Even experts disagree amongst themselves whether the reforms are the right ones. Indian economists have been very critical in recent years of the Supreme Court’s “interference” in the economy, with its decisions in tax matters, etc. It does not have

the necessary expertise for economic policies, they say. Caught in the impasse of agriculture reforms, the government now seems inclined to let the Supreme Court decide what should be done. Is this not an admission that the government and the economists who advise it do not have the expertise required for democratic governance?

The expansion of the idea of human rights is the mother force of democracy. Democracy is deepened by the realisation that those who rule always have more power than those they rule over. The nobility over peasants; white people over coloured people; upper castes over lower castes; employers over workers; men over women. The advance of ill-regulated capital across the world in recent years, to promote the ease of doing business rather than ease of living, has given those with more wealth greater power to frame rules than citizens who have no wealth. Democracy must correct this.

The fault-lines in democracy are: Ill-regulated capitalist markets are corroding democracy; experts are misinformed about realities; global elites, who are connected in a global community transcending national borders, are disconnected from common people. They think “global” and believe that thinking “national and local” is going backwards whereas people within countries everywhere, especially those left behind in the global race, want their governments to look inwards to their needs first.

The Edelman Trust Barometer, an annual global survey of citizens’ trust in institutions reported, in 2020, that: “A growing sense of inequity is undermining trust in all institutions — government, business, the media, even NGOs.” Government, the media, and NGOs are supposed to serve the people. Even businesses realise they must be trusted by the people for their license to operate. They should not have to turn to the government to convince citizens that big corporations are good for the people. Because then the people will believe that the government and corporations are in cahoots to serve corporate interests, and they will lose faith in their own government.

Trust is decreasing because no one is listening to others. The government is not listening to the people, neither are experts. Experts in their specialised silos are not even listening to experts in other silos. Social media is forcing people further into gated communities of “people like us” who are unable, and unwilling, to listen to “people not like us”. Democratic governance is breaking down because no one is willing to listen to people they don’t understand or agree with.

The fundamental reform India needs (and the world too) is a “no tech” one. It is the process of listening to people who do not seem to think like we do. By listening to other perspectives, we will comprehend the system of which we are all small parts; and economists will improve their science too. Moreover, by listening better to each other we can trust each other, and then we can work together, democratically, to make the world better for everyone.

***This article first appeared in the print edition of the Indian Express on January 23, 2021 under the title ‘The listening deficit’. Maira, a former member, Planning Commission, is the author of Listening for Well-Being: Conversations with People Not Like Us. <https://indianexpress.com/article/opinion/columns/the-listening-deficit-7157885/>***



# Village Life in the Pandemic: A Ground Report from the Coolie Sanghas

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Ram Esteves, ADATS Bagepalli

## I. Introduction<sup>1</sup>

### I.1. ADATS

ADATS is a secular Non-Government Organisation (NGO) working with 55,010 small and poor peasant families from 1,257 villages in 5 Taluks of Chickballapur District, Karnataka, for the past 44 years, since 14 December 1977. ADATS implements comprehensive rural development activities in the fields of Community Organisation, Adult Literacy, Children's Education, Community & Referral Health, support to issues and struggles with Legal Aid & Aid Distress, Dry Land Development, Agriculture, alternate Credit, Women's Programmes, etc. We also work on issues of gender justice, secularism and democratisation.

ADATS is a pioneer in the field of Climate Change. For the past 25 years, we implement community owned and managed climate projects. Rural women reduce Greenhouse Gases and, at the same time, earn carbon revenue by providing a vital environmental service to society at large. End Users of these technologies are encouraged them to see themselves as "business women" and not as recipients of anyone's charity. All these are efforts to empower the Coolie caste-class in village society, and build an authentic people's organisation, the Coolie Sangha, at the Village, Gram Panchayat and Taluk levels.

### I.2. What is the Coolie Sangha?

The Coolie Sangha is a membership based people's organisation comprising of small and poor peasant families who struggle to rid themselves of Ryot exploitation and take control of their own lives in order to undertake grassroots planned development activities. The Coolie Sangha is a 41 year-old membership based people's organisation formed by small and poor peasant families (landed and landless agricultural labourers) in their respective villages. All the village poor do not become a part of it merely by virtue of their caste-class. Every year, families renew their membership by declaring annual income a paying a percentage to their respective village Coolie Sangha Unit.

- Currently, 9,624 small and poor peasant families are active Members in 448 functioning village Coolie Sangha Units.
- 31,624 families from the functioning villages as well as 462 dropped out villages are dormant this year.
- In addition, another 13,762 non-Coolie Sangha families benefit Climate Change programmes of ADATS.

Within villages with functioning Coolie Sangha Units, population coverage is 19%. Overall population coverage in functioning and dropped villages is 44%. Both figures contribute to a socio-political presence of 24% in Chickballapur district.

See more about ADATS founder Ram Esteves in a video at <https://youtu.be/3GMhU0Q8Ijo>

And about the Coolie Sanghas in a video at <https://youtu.be/jPHINoBmIXM>



## 2. Cadre Meetings

After such a long spell of Lockdowns and unlocks we decided to call the Coolie Sangha cadre from each Gram Panchayat for day long meetings at ADATS Campus, Bagepalli. We requested small groups of 30-40 from two or three Gram Panchayats to come on fixed days, wear masks and sit a few feet apart. But like all best laid schemes of mice and men, the response was way beyond what we had planned. Many older CSU Members incredulously asked, “What?!!! You don’t want me to come and listen to Ram Sir?”.

Since rural bus services haven't yet started, they hired tractors, tempos and autorickshaws to pour into Bagepalli. For very many this was the very first "outing" after having been cooped up in and around their villages for the past eight months. They donned their best saris and even the infirm came with jaunty steps and happy smiles that could be seen through cloth masks and in the sparkle of eyes.

Tuesday, 17 Nov 20	Rascheruvu and Billur GPs	11:30 am to 3:00 pm	9 villages	32 women	31 men
Wednesday, 18 Nov 20	Thimmampalli and Gorthapalli GPs	11:30 am to 3:30 pm	12 villages	35 women	37 men
Saturday, 21 Nov 20	Marganakunta, Gulur and Kotha- kota GPs	11:00 am to 4:00 pm	19 villages	38 women	51 men
Tuesday, 24 Nov 20	Julapalya GP	11:30 am to 1:00 pm	14 villages	40 women	28 men
Saturday, 28 Nov 20	Kanagamakalapa- lli and Mittermari GPs	11:00 am to 3 pm	21 villages	31 women	22 men
Wednesday, 2 Dec 20	Somnathpura and Venkatapura GPs	11:30 am to 3:00 pm	19 villages	36 women	22 men

After greeting each other and sharing a genuine joy at finally being just 3 feet distant after being kilometres apart for most of this year, I asked them to share personal, family and village experiences of the past 8 months. We would sit for however long, till every single person present had nothing left to say. The tales of grief, anguish, dread, anger, resentment, achievement, accomplishment that followed were building blocks to compile penetrative literature on what actually happened in the countryside due to the pandemic and lockdowns. The confusion, anxiety and questions they asked could only be replied with stark honesty which often required a humble admission of ignorance.

The plan was that I would speak only in the last half hour of each meeting, offering my own interpretation of what I'd heard and together attempt to find a pattern or framework of sorts to fit everyone's experience into. But then again, as with all best laid plans... Then a hurried two-course lunch and frantic scramble in an overcast drizzle to find their motley modes of transport to reach home before dark.

*(As is wont in Human socialisation, many could not resist clutching my hands, a tight embrace and a couple of "selfies" before leaving, momentarily throwing 3-4 hour long enforced physical distancing to the winds...)*

This chronicle is not a recording of the minutes of the six meetings. It is a penning of the sum and substance of everything that 212 women and 191 men from 94 villages shared in 21½ hours spread over 6 days, interspersed with select anecdotes and authentic statements paraphrased to the best that my memory serves.



### 3. The Pandemic

*“We were all so scared. Police constables doing their beats in every village. Government health workers coming so many times. The Circle Inspector in her jeep telling even petty shops to shut down. They really frightened us.”*

*“Not just during the Lockdown, but even afterwards. We couldn’t understand what was happening. What is this Corona? Why is there no medicine for it?”*

This is how every meeting started.

#### 3.1. Coronavirus

Though we had said that they should first share their experiences and then we would respond, I had to give 15 minutes of explanation on coronavirus, how the non-living “thing” multiplies and spreads, its mutation history, how little we know about it, the earlier pandemic of a century ago, mortality rates then and now, transmission, difference between infection and disease (asymptomatic and symptomatic), that medicines are chemicals that kill pathogens like bacteria and germs that cause diseases, but no medicine can “kill” a non-living virus.

I emphasised that there is no “cure” for COVID-19. The misleading analogy with “war” is based on a false notion of “defeating” the virus. Instead our focus has to be on stopping the spread with masks, physical distancing and building immunity through vaccination. I couched it all in a blunt admission of our general ignorance.

*“Then what about Lockdown? Is it good or bad? Was it even useful?”*

I explained that Lockdown was a pause button pressed to make urgent preparations; it was not a “cure”. Coronavirus could not be wished away on a wing and a prayer. Lockdown gave the public health system time to recruit and train more health workers, increase hospital beds and get more oxygen and ventilators. It is a time to educate the population on COVID-19 and prepare them, as much as possible, to stay safe and prevent the spread.

Unfortunately, it was also a time when idle minds and a wicked ill-informed lot spread reckless rumours, circulated false information, blamed communities, targeted the sick, and created a phobia.

To the best of our knowing, coronavirus has been around for at least 130 years. And no, there were no factories in China at that time to manufacture the virus.



### 3.2. COVID-19 Cases

Only after this brief “lesson” did they begin to narrate their experiences. There were a few deaths, but it was the manner of their passing that was cruel and inhuman.

*“Thippe Naik of Siddapalli Thanda felt unwell and himself went to the district COVID-19 Hospital in Chickballapur. That was the last we saw of him. He died, all alone, after 15 days and was buried by the authorities. We couldn’t afford to bring the body back to our village.*

*“The double tragedy is that Thippe Naik’s son’s kidneys failed some years back and it was the Father and daughter-in-law who ran the family. Now it is all on her.”*

*Laxmidevi from Malligurki village gave a heart wrenching account of how she took her three year old son to private clinics and hospitals where they refused to even examine him. Finally, she landed at the Children’s specialist hospital in Bangalore where they did examine and diagnose pneumonia. But they would not admit since he may or may not be infected with COVID-19 and they couldn’t risk other patients in the ward. She brought the child home and watched him die a slow and painful death.*

*When Sheriff Sab from Rascheruvu MV village got doubts, he went across the border to Kadiri, where he thought he would get good treatment. When there was no improvement, he managed to reach the major COVID-19 hospital in Bangalore, in spite of the Lockdown. Unfortunately, he was too late and died.*

*His family spent a lot of money to bring the body back to the village in a government ambulance, but they could not even see Sheriff Sab one last time since he was in a sealed plastic bag. The authorities lifted the body with a JCB, dumped him in a pit they had dug with the same JCB and pushed the mud back.*

*Shafiq from Rascheruvu HC village was isolated because he had been in close contact with Sheriff Sab. But he continually tested -ve.*

*In Mandyampalli village, Venkataravanappa’s house was sealed when he tested +ve and no one was allowed to come out or go in. He was taken in an ambulance to the district COVID-19 Hospital in Chickballapur. He came back cured after 14 days. Then he got a second attack and the authorities took him to the major COVID-19 Hospital in Bangalore where he died.*

*The Asha Worker of Julapalya village died of a heart attack when she found that she had tested +ve.*

Not all died. We explained that unlike the first time, 102 years back, only 1.4% of infected people have died with COVID-19. A century back, mortality was 4% of the world population. This is because of an increased understanding of coronavirus, better prevention of its spread, and ability to treat symptoms. The maths works out to 1.4 lakh COVID-19 deaths in India, in addition to 94 lakh natural deaths in a normal pre COVID-19 year due to old age, heart attacks, road accidents, murders and dowry deaths.

Nagaraj's house in Devareddipalli village was sealed when he tested +ve and was taken to the temporary COVID-19 centre in nearby Poolavaripalli. His family members could not come out or anyone go in for 14 days till he recovered and came back.

A child in Iddilivaripalli and two adults from Gundlapall and Chinnaganapalli villages all tested +ve and were sent to a temporary COVID-19 centre at Puligal Cross. They all recovered and went back to their respective villages.

Mota Anjinamma from Jeekavanlapalli broke down in the meeting, "My husband got a simple cough and cold. Villagers threw him out, that too on the village festival day. Coolie Sangha Members stood firm and said that all the villagers could clear out if they wished. This man has not been tested +ve. Who are you to say he has COVID-19? They brought him into the village.

"For some days villagers refused to even buy bondas from my shop."

Shankarachari from Billur has a drinking water supply business. Villagers heard that his relatives tested +ve in Bangalore. They prevented Shankarachari from collecting water from the fluorosis-free borewell in the village. The Coolie Sangha intervened and said they could stop drinking salt-free water if they wished.

Authorities placed Gangulamma's husband in quarantine in Rascheruvu MV because he used to go to the villages and sing bhajans in the night and could, possibly, be a spreader though he was never tested.

Bhagyamma's house in Marganakunta village was sealed with her aged mother, husband and 3 young children. For the first two days no one went near. On the second evening, the VHW and other Sangha Members decided that enough was enough. They started placing drinking water buckets and some cooked food outside her house for the next 10 days.

In Marganakunta HC village, Jayamma, her son, daughter and two children were all tested +ve. Since their house was in the dead centre of the colony, they decided to move to their pumphouse in the field. The VHW, Balakendra Teacher and a GP Member sent them cooked food every day for the next seven days.

Chowdappa's son-in-law was a tractor driver in Maddanapalli town. When he came back to the village, he had a fever and tested +ve. Their house was locked down for a week. The VHW, Balakendra Teacher and CSU Members helped the family by supplying drinking water and food every day.

In Narayanaswamykote village, Sreenivas, a Coolie Sangha Member and two non-Sangha families all tested +ve. Sreenivas has just an aged mother and two daughters, one of them a qualified Nurse. They were all quarantined for a week and the Nurse took care of them. Finally, it was found that the test results were wrong. In the meanwhile, neighbours defied the authorities and made sure all three families received cooked food and drinking water.



Not once in these six meetings did anyone blame anyone, in spite of my pointing out instances where the worst in humanity surfaced, even in their own vivid narrations. Just a dazed confusion along with a something that at first looked like stoic fatalism. Then I realised that for most of them, speaking to me was a cathartic experience, sharing anxieties, releasing pent emotions and somehow getting rid of a tormenting angst that was tearing at their insides. That is why they had braved it to flock to these meetings.

But everyone's attitude towards the public health system can at best be described as ambivalent, and their faith in testing dubious.

*The Anganwadi Teacher from Seegalapalli tested +ve and was sent to a temporary COVID-19 centre at Puligal Cross. The next day she tested -ve. The day after, +ve. This went on, alternatively, till they discharged her after 10 days.. She is okay now, but even today villagers are scared to send their children to her Under-5 Crèche.*

*Srinivas Reddy of Pichilavaripalli village went to spray his tomato crop. The pump was stuck and he first blew into and then sucked the pipe. He immediately got very sick and the authorities rushed him to the major COVID-19 Hospital in Bangalore. He died, all alone, after 15 days. They brought back his body and he too was buried with a JCB, with the whole village forced to stand a kilometre away. "Why was he taken to a COVID-19 Hospital? Was it not the pesticide that poisoned him?"*

*Easwaramma from Devareddipalli village called for an ambulance when her 19 year old daughter had difficulty with her first delivery. The ambulance driver took her to the temporary COVID-19 centre because that is where the nearest doctor was. Fortunately, the baby was born healthy and after a harrowing wait of several days they found that neither mother, child nor grandmother were infected.*

*When Venkatesh from Papanepalli village had a motorcycle accident his Mother had to run from pillar to post with her injured son. No private hospital would even touch him and she was too scared to take him to the government hospital. Somehow, he survived.*

*Another youngster from Byrappanapalli had a motorcycle accident. They took him to private clinics and government hospitals. But no one would even give him first aid. While they were arranging to take him to Bangalore, he died.*

### **3.3. Health Services**

The Coolie Sangha's health activities were availed by one and by all – CSU Members and non-Members, rich and poor. Everyone went to our Village Health Workers for not just headache, earache, fever and stomach upsets, cuts, bruises and skin rashes, but for every conceivable ailment; especially when they had a head cold, sore throat and running nose and dared not go even close to a health professional. We had to double and sometimes triple the quantity of basic medicines clandestinely sent to the VHWs every month, even during the Lockdown months.

Two months back, the government started a district wide drive to test everyone in the villages. The 13 people who tested +ve in Marganakunta village, two more in Muguchinnapalli and one from Malligurki all ran into the fields and hid themselves in the rocks and outcrops.

ADATS Staff approached the district health officer and asked what they would do. The Doctor replied, "There is nothing we can do. They don't trust us. Could you please help them? I can prescribe some paracetamol, vitamins, supplements, inhaler drops and an antibiotic course (just in case; as you know, there is no cure for COVID-19). Unfortunately, I don't have stocks in the general hospital."

We went to the local pharmacy and bought 200 'kits' @ ₹250 each for Field Staff to carry with them whenever they went to the villages.

*Thippamma from Gorthapalli was randomly tested. After 2 days, her son got a message on his mobile saying she was +ve and she was brought in an ambulance to the Bagepalli hospital. While they were processing to send her to a temporary COVID-19 centre, she escaped and came running to the ADATS campus. Our Field Worker gave her a 'kit', made her go back to the village and isolate herself.*

*In Malligurki village, Subbarayappa's house was sealed with four adults and two children inside. Coolie Sangha Members gave him everything he needed for a week and they all got the ADATS 'kits'. Now they have all tested -ve and are okay.*

*Gangulappa's son Nandish and Chowdamma's son Harish from Muguchinnapalli were tested both tested +ve. They claim that the ADATS 'kits' have 'cured' them.*

*"Ram Sir, it is these 'kits' that will cure coronavirus. Not those temporary and special COVID-19 hospitals."*

*“Now the roadside shops are all closed and, in any case, we cannot come to town to eat chaat, bajjis, bondas and pani puri. We eat healthy foods and make our bodies strong. We have started taking Kashayam (herbal tonics and concoctions) that our grandparents used to prepare.”*

*Though I knew that these shenanigans – be they symptomatic drugs or concoctions – would do no good, I just smiled and kept quiet, knowing that health was as much a confident state of mind as a product of medical intervention. When pressed, my response was:*

*“COVID-19 is a very dangerous syndrome. It opens up our bodies for all sorts of infections to enter through the windpipe. When we keep all the doors and windows open, we don’t know which thief will enter and what he will rob. We need to be cautious, but not scared silly.”*

## 4. Lockdown



### 4.1. The Shadow of Death

People were unanimous when they spoke about Lockdown and unlock. These are times when everyone is plagued with the constant thought of Death, along with a lack of money.

*“When leaving the house and we are asked when we would return, our standard response would have been, ‘This evening’ or ‘In an hour’s time’ or something like that. We still*

*automatically say the same thing even now. But in our own minds, we wonder... Earlier too we may have had an accident or a heart attack. But that thought never entered our minds. Now it is different."*

*"Just now, Ram Sir told us that not too many people are dying with COVID-19. But still..."*

*"The other night I told a child that his Mother was sick and would stay away for eight days till she got better. He responded, 'Or maybe for ever'. What was frightening is that he said it in such a matter-of-fact manner and promptly went to sleep."*

*"On the other hand, have you noticed that people complain much less nowadays? They don't speak about aches and pains, fitful sleep, breathlessness and general discomfort. Not just old people and chronic hypochondriacs. Everyone. Perhaps they are just pleased to not be dead!"*

## **4.2. Money**

**Privation and penury are too mild a term to describe the financial hardships people face in the villages. Apart from material deprivation, it also robs one of self-worth. When that status is newly acquired, remembering earlier days fills one with an unspeakable dread.**

*"Money was our biggest problem during the Lockdown. We had nothing. No one would call us to work on their fields. There was no one to borrow from. Except for sporadic NREGA wages and milk bills that those with crossbred cows got quite regularly from the Milk Collection Society, there was no cash."*

*"We are so used to having a little money. It is not like in olden days when we had no cash. I used to give my grandchild ₹5 when she went to school. Now I don't have a coin and she doesn't have school."*

*"For the first few weeks the woman who had a petty shop extended a little credit. Soon she too had to shut down when no one could clear their dues. Moreover, the police were so strict. We cannot buy even a small packet of biscuits or some Parle biscuits."*

*"In small villages like mine, there are no shops. Usually we would take a hand loan from a brother-in-law or some close relative. Now everyone is in the same plight."*

**Right in the beginning of the Lockdown we had distributed ₹ 58 lakh to nearly 3,000 End User women of the first Biogas CDM project as compensation for having reduced 9,337 tonnes of Greenhouse Gases.**

*"The Biogas money came in so useful! I got ₹5,500 as carbon revenue and used it to feed my family. Normally the rations I get from the Fair Price Depot is enough for the three of us. All of a sudden there were four more mouths to feed. My sons and their families had come back from Bangalore because of the Lockdown."*

*"You transferred the money to our zero balance bank accounts. It was a problem to even go to the Banks and take it out. Either the Bank was closed or we were not allowed to travel."*

*“Many of us with two cows or a cow and heifer (grown up female calf) had to sell an animal in order to make ends meet. As a result, there was less dung for the Biogas. It worked, but with less pressure and on just one stove. But what did it matter? We hardly had anything to cook and saving time was not a pressing concern.”*

*“Some Biogas units had to be abandoned at a time when the cost of LPG cylinders was going up and, even if we had the money, we couldn’t go out to bring cylinders from town. We were forced to cook with firewood that we could not go out to collect. Don’t ask how I managed.”*

In June 2020 we distributed 1,734 fuel efficient Woodstoves to 1,539 extremely poor women in 169 villages who didn’t have cows or space near their houses to build Biogas units. This cut by half the number of arduous trips women had to make to collect twigs and branches during the Lockdown.

### 4.3. Homecoming

The sudden and unexpected increase in family size was one of many hardships people faced due to the Lockdown. Sons, daughters and their young families rushed back to the villages, mostly empty handed. Many were earning ₹10-15,000 a month in various city jobs and sending home just ₹500-1,000. Yet they came with empty pockets.

*Expecting resentment, a strong rebuttal and even anger I asked, “How is it that they have no savings at all? Or have they stashed up somewhere and are telling lies?”*

Strangely, not a single parent said anything in defence of their children. Meaning, they too were wondering the same thing. Quite honestly, the sympathy I had felt for Migrants in the month of May 2020 waned a wee bit.

### 4.4. Public Distribution System and Ration Shops

In every single meeting just about everyone spoke of the 10-12 kg of free rice they got every month from ration shops.

*“We are alive because of Siddaramaiah’s rice!”*

*“The shops were all closed and we had to buy some Ragi and Dal from other farmers.”*

*“Because of the Lockdown, we couldn’t get vegetables in our village!”*

Seeing their crestfallen faces in the very first meeting, I didn’t have the heart, in subsequent meetings, to tell them that the new farm laws would gradually ease out procurement, and the Public Distribution System would soon collapse. After a few years they will receive only direct cash transfers under DBT, calculated at current prices. In the open market, that cash wouldn’t be enough to buy 10-12 kg of low-quality broken rice they now get free of cost.

Crazy things happened during the Lockdown.



Riyaz's wife, Shaheen, lamented, "In spite of police constables everywhere, our cow was robbed from where it was always tied every night, outside our Janata house in Marganakunta HC village. The next day and the day after, we searched everywhere but couldn't find it. Two days later, they found it slaughtered near the temple just outside the village. Most of the meat was missing and its uterus empty. Which Human being will ever kill a 9-month pregnant cow that was about to calve? Who did this and why?"

"The police say they will catch the thief, but I don't believe them. They couldn't stop the robbery. Now what will they find? That cow was all we had. The village dairy was still running during the Lockdown and we would soon have sold 8-10 litres milk to get some little money every 15 days."

## 5. Crops and Cultivation

### 5.1. Crop Failure

Except for two Gram Panchayats to the East of Bagepalli where they managed to salvage half the crop, everyone said their crops had completely failed. It has drizzled and rained, on and off, almost continually for six months from June till November. There have hardly been any dry spells for the crop to grow. Fields are full of weeds and it never stopped drizzling even during harvest time. As a result, it is not just the groundnut that either got rotten or re-germinated in the fields, but even the stalks of millets and pulses have rotted away.



Ramachandra from G. Maddepalli HC said, "I was landless before the Coolie Sangha. 35 years back, during DLDP, the Coolie Sangha cleared 1 acre of kharab land adjacent to that of another CSU Member and gave it to me. Over the years, my wife and I turned it into a golden field! Every year we grow groundnuts, millets, a few pulses and some condiments which feeds my family for 2-3 months. This year I got nothing."

Mario and I said we vividly remember walking on every single acre of Harijana lands, hugging the hillside of that village, plot after plot for hours on end. A college finished youth who was sitting right in front of me exclaimed, “What?!”

*“Yes”, I replied, “our relationship dates long before you were born.”*

Even for landed families it was a challenge to find money during the Lockdown. Whatever they invested from past savings and seeds they’d kept back was totally lost in 75 of 94 villages. In the past 43 years, people could recollect five or six times when there were similar untimely rains. But there was never a total crop loss like this year. And so, we began to together explore other factors.

## 5.2. Weeds

*“Normally, when the crop is about 6 inches tall and weeds are just 2-3 inches, we would all together go out with our Mullikattis (handheld hoes; also called Thonikikatti in Telugu) and de-weed field after field. We never considered whose field it was. In our grandparent’s time, all Harijana fields were ours and the whole colony would descend on a contiguous stretch of village lands. Now with the Coolie Sangha, all CSU Member fields are ours.*

*“But this year it was different. We were scared to go out in groups for fear of getting infected by the virus. And village authorities like police constables and government health workers would shout at us when more than two people were seen outside their houses. It was both, the pandemic and also the Lockdown; our fault and theirs.*

*“Very soon, the crop was still less than a foot tall, but the weeds were 2 feet high. It was too late to do anything.”*

## 5.3. Native Cattle

Very many meetings had this to say:

*“Nowadays we have only crossbred cows for milk. We get rid of male calves soon after they are born because they are lazy and will not do any work. Tractors and tillers are okay for normal times. But to de-weed groundnut, we need Gootavas (a de-weeding harrow) pulled by a pair of native bullocks or even young cows.*

*“We have got rid of all our native cows. Very few people still have native animals and bullock drawn implements. Because of the Lockdown we could not go to neighbouring villages, even a few kilometres away, to hire a pair of bullocks and Gootavas.”*

*Venkatarama Naik from Siddapalli Thanda said, “I believe in keeping native animals. But when my bull calf got sick the Veterinarian gave an injection, it immediately died. I am sure it is his fault. And I won’t get any insurance money. After all, who insures a Nati cow? That’s only for crossbred milch animals. Anyway, my Dairy (milk collection society) is trying to do something. I have to wait and see...”*

All this talk on farm mechanisation was met with a colourful narrative by a group of youth from the same Gram Panchayat.

*“Let us assume we can manage all our cultivation with tractors and machines. We cannot. But let us assume.”<sup>2</sup>*

*“There isn’t a tractor in every village. We have to go far to hire a tractor and driver; we cannot. Suppose we manage to go there, the owner will say that he doesn’t have diesel; the bunks are shut down. Suppose he does have enough diesel, there will be something wrong with the tractor (a tractor is like a Bullet motorcycle which needs to be repaired every day); he cannot go and fetch a mechanic. Suppose we manage to find a mechanic and bring him; he will say that he needs some spare part and the shop is in town. Suppose we manage to somehow get to town, the shop will be closed due to the Lockdown.”*

**Scores of upper caste Hindus (I specifically asked since I couldn’t immediately recognise them with their masks) interjected with a rider.**

*“But we are not for banning cow slaughter. Male calves of crossbred cows are good for nothing. They just will not work. They will not pull a cart or even a plough. We have tried; they just sit down and refuse to move. And they drink far more milk than female calves. What are we to do with all our crossbred male calves?”*

*“And in any case, nobody sends a working bullock or native male calf to the butcher.”*

*“Instead of dictating what people should not eat, let the government promote native breeds with incentives and good semen.”*

## **5.4. Pests and Diseases**

**Yet another refrain we heard over and over again, in every meeting:**

*“I saw that a small patch of my groundnut had red haired caterpillars. I couldn’t go to Bagepalli to buy a small bottle of something that we had to mix in a bucket of water and sprinkle on the field because there are no bus services even today, after the Lockdown. Suppose I managed to go on some old motorcycle, I found that Babu Reddy’s shop was closed because of Lockdown.*

*“Together, we just watched all our fields get attacked, one after the other.”*

## **5.5. Transportation**

**Except for vans that plied every morning and evening, carrying milk cans from the villages to the chilling centre, all other transport vehicles were off the road for two months. Famers had stories like these:**

*Srinath from Neeragantapalli village, “In February, just before the national Lockdown, I invested a lot of money and grew red cabbages with modern methods for the very first time. I learnt new techniques and taught my workers also. Got a very good harvest but couldn’t sell a single cabbage because there was no transport and no merchant came.*

*“Two months back, I once again grew carrots. This time I was able to sell at a good price and made up a part of my loss. But it was a scary 6 months.”*

<sup>2</sup>The Telugu-English word they use for assumption and supposition is “Example”

Narayanaswamy from Devareddipalli village, "I lost a whole coriander leaves crop just like that. Lost a lot of money..."

Anusha from Malligurki village, "We lost our grape garden. It was pruning time and my husband couldn't bring a team from Chickballapur due to the Lockdown. We both, along with a few long-time workers, had seen them prune many times. We decided to do it ourselves. We botched up. All the vines were destroyed because we didn't do it right and couldn't get the team over."

Krishna Reddy from Byrappanapalli village has completely switched to tree cropping. "Though I got a good yield, I could not sell a single Mango this year because no merchant could come and transport them. But wait; I did get substantial carbon revenue from Greenhouse Gases sequestered on my field."

Three people from Palyakere MV village had a long hard look at their groundnut fields, hired a tractor and ploughed the rotting crop into the soggy soil.

#### Several women had this to say.

"I grow a few tomatoes, chilli, beans, coriander leaves, mint and other vegetables on a small patch of land. I don't have a well or any irrigation, but I somehow manage. And I go from village to village two or three times a week to sell fresh vegetables. During the Lockdown authorities didn't allow me to go door to door even in my own village."

### 5.6. Women in Agriculture

Women had a different experience. In normal times they would send their children off to school by 9 or 9:30 in the morning and be free of childrearing chores till they came back 3:30 or 4 in the evening. They could relax or take the cow out to graze or do something else. During the crop season, they went to work on the fields.

This year, where could they go leaving young children at home? Left alone, the brats would burn the house down.

"Our visits to the fields were like short 'picnics'. We could just go and see everything getting wasted but do nothing about it."

Ravanamma from Oodolapalli village broke down. After a while, in a totally defeated/resigned voice, she said, "When the Lockdown started, I brought my brother's children from town to keep with me in the village so that they would be safe from Corona. All four boys went swimming to a nearby pond. They all drowned. They were just 11 and 12 years old; my sons and his. It wasn't even a lake; just a pond."

## 6. Children's Schooling

Pandemonium broke out in every single meeting and orderly discourse abandoned every time anyone started speaking about their children. It was clear that childcare ranked highest in their collective concerns, far above even finances and livelihood. Preparing a generation to face the world was priority number one. This is the challenge they had come to share with us.

The narration of experiences and discussions that followed were nowhere as structured and orderly as I will now try to present.

*“The worst thing that has happened these past eight months is our children’s education. Everything else we have somehow managed. But to see our children out of school is really difficult. They are always and only playing in the streets. The moment we mention studies, their faces go sullen and if drag them in to sit with their books, they start moping. They don’t even look like students any longer.”*

*Mothers complained, “It is impossible to keep them cooped up at home all the time. They sneak out and get into all kinds of trouble. Heaven knows what bad habits they have picked up.”*

*“A few private schools have these Online Classes. But most of us who have somehow admitted our children to these ‘convents’ cannot afford fancy mobiles. We have ordinary phones. Not smartphones. And what do they learn that way? Please tell us what we should do. We are at our wits’ end.”*

*Balakendra Teachers said, “They have forgotten everything they learnt last year. Their reading skills are zero and they cannot even recite three times and four times multiplication tables.”*

*“They say that all children will be promoted this year. But what will a child do in the VI Std. if she has not learnt her V Std. syllabus?”*

We agreed that, in order to bring some order to discussions and make sense of this vital problem, we need to perhaps break up our thoughts and responses into three separate issues:

- 1) Primary children in government schools
- 2) Primary children in private schools<sup>3</sup>
- 3) Older children in high school and Youth in college



<sup>3</sup>The so-called “convent schools”

## 6.1. Primary Children in Government Schools

Everyone agreed that, in spite of our 40 yearlong efforts at re-admission of dropouts, not a single one of them had stayed on. No one could recall a single case of a child who had been pulled out of school for a year or two going back to complete 10 years of schooling.

*Young boys may have been pulled out to graze sheep or work in a vegetable garden or a mechanic shop. Little girls would have been pulled out to take care of a new sibling. Coronavirus has pulled an entire generation out of school for a full year and, who knows, perhaps for two years.*

*Women immediately exclaimed, "This is so true! When a 10-12 year old boy gets ₹25-30 at the end of the day after working with a mechanic or in a teashop, he becomes an independent Hero. There is no stopping him that evening."*

*"Ah! And if he gets weekly wages of ₹150-180 every Saturday..."*

*Older men shuddered, "The world behind the bums of sheep and goats is so dull that it literally kills the brain. We know because we used to graze the landlord's sheep before the Coolie Sangha came. Do you know how long it took for us to start thinking again?"*

*"Why blame children? What about us? Do you remember the adult literacy classes that were held in the Coolie Sangha 40 years ago? We got petromax lanterns and slates and blackboards. Not a single one of us learnt to write our names or read a board! Childhood is the only time to study and learn."*

**I steered the discussions to the girl child by reminding women-under-40 of the sacrifices their mothers had made to ensure that they went to school.**

*"Every single one of you young women sitting here has finished 10 years of schooling. That is how you have come to sit here in this meeting. The Coolie Sangha supported more than 65,000 children go to school, exactly half of them girls. 70% of them completed a full 10 years, again half of them girls. Tell me, did this happen because of ADATS or your Mahila Meetings?"*

**Almost everyone, in every meeting, replied, "ADATS Children's Programme". As always, I strongly disagreed with this politically correct response.**

*"ADATS did nothing. Projects and programmes achieve nothing. In your case, even the money to buy books, clothes and pay Balakendra Teacher stipends was largely from your Sangha Funds. Parents did not 'participate' in an NGO programme. They ran their own programme and ADATS pitched in with technical assistance.*

*"It was your mothers' stubborn determination that sent you to school and made you stay on for 10 full years. So that you should never become like them. You should not marry early and become chattels in your homes. You should not touch the feet of your husbands every morning and seek their permission for everything you do. You should be independent, go to work in Bangalore if you wished, wear whatever you want, marry who you choose, and be equal to menfolk in every respect."*

It was to their mature credit that older women in the meetings paid close attention to my emotional outburst but maintained a dignified silence. I realised that they didn't want to acknowledge what they knew to be a self-evident truth but didn't want to trumpet. After a few silent moments, when it was clear they would not pitch in, I continued:

*"The real danger we face is the loss of an entire generation. Not just here, but the world over. Not just poor families in villages, but everyone. In the next 35 years there will be an unschooled population in the world.*



*"Girls will be harder hit than boys. You will see a resurgence of under-age marriages, subjugation and a total loss of dignity and self-confidence in your daughters.*

*"Boys, on the other hand, will become as you yourselves said, 'Heroes' and grow into swaggering youth till they get married, have children of their own and face responsibilities. After that, they will develop the same macho traits as your fathers and grandfathers, shifting the blame on wives for their turning out to be miserable failures in life."*

**There was a stunned stillness that comes from silent acknowledgement. I hadn't quite finished with my eloquent discourse on parenting.**

*"Most Fathers play no role in their daughter's education. They only transfer to their sons the same values that they live by. They want their sons to grow in their spitting images. It is Mothers who intrinsically understand what 'education' means; that it is a liberating process whereby her child gains new knowledge and develops individuality and a unique identity.*

*"Now it is up to you, Balakendra Teachers and young Mothers to make sure that an entire generation is not wasted. VHWs and older women in the Coolie Sangha have done their bit. Don't let it all get reversed."*

## 6.2. Action Plan

- i. This year, the government has supplied workbooks for all subjects to all students right at the start of the school year in June 2020.
- ii. Government school teachers have started conducting a few hours of classes under the trees, in temple verandas and the like. “We can’t take a fat government salary and sit at home while our children are wasted” is the universal sentiment of a vast majority of them.
- iii. Balakendra Teachers, who haven’t stopped teaching young children even during the Lockdown, should support these government teachers by acting as “Managers” to ensure attendance for the few hours when the government teacher visits their village, make children do their homework after class, etc.
- iv. Village CSUs will make sure that masks are worn and physical distance maintained, and deal with health workers and authorities.
- v. Finally, the older women opened up.

*“There are strict laws that government school teachers should not beat children. But that does not apply to you Balakendra Teachers. We give you Mothers’ Rights and Auntie’s Right. Whack them! Keep a stout stick in your hands at all times! Terrorise the kids so much that they become desperate to go back to regular school the moment government schools reopen!”*

Everyone burst out laughing, but I understood the wisdom behind these words. A cardinal parenting lesson I have learnt from thousands of village Mothers, over the decades, is that when young children are scolded or even whacked for “bad boy” things they do, they accept and quickly sneak back to seek your favour. But if they were shouted at for no fault of theirs, merely in exercise of parental authority, they rebel.

## 6.3. Primary Children in Private Schools

In spite of our advice to the contrary, more than one-quarter Coolie Sangha supported children are enrolled in private schools. This is because schooled parents want their children to study in English medium. However, these underfunded private schools with underqualified and underpaid teachers do not meet the standards.

*People from Kondorapalli said, “We shifted most of our children to a private school and the government school strength dropped to just 13-14 students, forcing the Block Education Officer to close the government school in our village. During Lockdown the private school also shut down because we didn’t pay fees and they couldn’t pay teacher salaries. Now our children have nowhere to go.”*

*Someone from Rascheruvu added, “We remember telling them not to lose the government school. They didn’t listen...”*





**After the Lockdown, only a few of the bigger private schools have attempted so-called Online Classes which are actually just regular classes conducted over zoom and on WhatsApp video calls, without any change in style or substance.**

*"We have, with great difficulty, got one of our children a smartphone for ₹ 12,000. I have three children. How can I buy two more smartphones? Even the cheapest data plan costs ₹ 120 a month. Half the time we don't get internet connectivity. When there is connection, he just plays online games with his friends and watches YouTube."*

*"Sonia from Iddilivaripalli is the VII Std. and attends Online Classes on a smartphone. She has spoiled her eyes and has a constant headache now."*

*"Bhanu Prakash from the same village is in the VI Std. His smartphone has problems and so he uses his friend's phone whenever he can. As a result, he is not regular, misses some classes, and cannot follow the next lesson."*

*A parent from Ongarlapalli said, "We made a blunder by admitted eight children from our village into a private school. They send lessons and homework to all eight children, in different classes, on WhatsApp to the only smartphone in the village. We have no clue as to what the messages are but can see our children having a ball. Heaven knows what they are studying!"*

*"Nowadays everyone needs a mobile phone for their work. Shopkeepers, auto drivers, carpenters, masons, even vegetable venders. If we give our phones to our children for their classes, we lose orders and customers. Our trade suffers."*

**I shared my own experience of the past eight months with 10 year old Jimmy in the V Std. He is in an English medium private school because I will not be able to help with his lessons if they are in any other language. In spite of having enough devices and a decent connectivity in the ADATS Campus, it is still a major challenge to ensure that he attends online classes, understands the lesson, writes his notes, does his homework and submits it on time every evening.**

*"Just like with you, I have to scream out his name 15-20 times, 3-4 times a day, to bring him in from the playground. Just before the class starts, he says that the battery of his Nexus tab is drained because he and his friends were watching breakdance on YouTube, and he just cannot find the charger. Ten minutes into class, the network dies and I have to give him a hotspot connect from my phone. Half the 40 minutes class is wasted with children shouting 'It's sticking<sup>4</sup> Ma'am! We cannot see the board.' and the teacher screaming back 'Shut up and mute your audios'.*

*"Not a single day passes when I don't lose my temper during his Home Studies.<sup>5</sup> The other day, in utter frustration, I made a cardinal mistake by saying, 'I'm tired and fed up, Jimmy! Do you want me to teach you and make you a clever boy, or do you want to go and play for the rest of your life?' He calmly replied, 'Go and play', closed his books and walked out, leaving me gaping open mouthed."*

<sup>4</sup> If "Googling" has found its way into the dictionary, here is another one that richly deserves to be included.

<sup>5</sup> To be perfectly honest, I have paradoxically maintained my sanity in these insane times precisely because this child drives me crazy on a regular basis every single day. And then, after the ritual "अब टीवी देखने का मेरा टाइम है" fight with Mario, at bedtime we have our warm re-affirmative exchanges.

Every time I related this, the meetings roared with laughter with Mothers politely refraining from pointing out how stupid I must be to give a 10 year old a choice like that!

Looking back at my then spontaneous sharing of my own experiences with Jimmy's home schooling, I now realise that I had crossed the thin line separating sympathy from empathy. Sympathy is the other's concern for one's suffering. Empathy goes beyond understanding; it is experiencing identical feelings. This gave weight to several of my passionate outbursts on parenting, scathing criticism of youth returning home empty handed, and the role played by Coolie Sangha youth in corrupting NREGA. Knowing me fairly intimately and having suffered my idealism for more than four decades, these were perhaps also the perhaps the moments they had been waiting for.

*"Online Classes are not an option. It is only rich families who can afford them. And that too not for all children in a family."*

*"Merely passing all the children and sending them to the next academic class is also not an option. Everyone should be asked to repeat. What does it matter if a whole generation of children finish school at 17 or 18 instead of the standard age of 16 years?"*

The best option now would be to shift all primary school children back to government schools, support the teachers, actively participate in the School Management Committees and lobby with the government that all children need to repeat next year.

#### **6.4. Older children in High School and Youth in College**

It is far too late to shift VIII, IX and X Std. students to government schools and so the same action plan will not work. High school children have to visit their schools for in-person interactions, once a week, to clear doubts, get their notes/assignments and write tests. Fortunately, there has not been a single case of teacher or student getting infected so far.

*"Bhavana from Iddilivaripalli is in the X Std. and has to go to High School in Chelur town every day. Her family had to sell a cow and buy a second-hand motorcycle to take her up and down."*

*"Nanji Reddy has two daughters in college – 1st year B.A. and 2nd PUC. But there is no internet coverage in Bommaiagaripalli, his native village. In order to attend online classes, the girls have to walk with their shared smartphone towards the tower. It is a common sight to see them sitting on the roadside, in the shade of some rocks, attending online classes."*

*"Krishnamurthy from G. Cherlopalli has two sons in VIII Std. and X Std. With great difficulty he got them a smartphone but they both have classes at the same time. Moreover, internet connectivity is erratic."*

Colleges have opened, closed and opened again. The biggest issue is lack of public transport.

Narasimha from Kondorapalli said, “I convinced my daughter to lose a year in 2nd B.A. I have promised her that I will make sure she completes her course even if it takes one more year.”

“I sent my son to Bellary to write an entrance exam. I was really scared.”

## 7. MG-NREGA

In every single meeting they spoke of NREGA works as one of the sole sources of cash during the Lockdown, but I challenged some of the claims as dubious.

I reminded them that for the first two or three years, impressive leakage-free NREGA works were executed on the exact same lines as the just stopped Dry Land Development Programme (DLDP). After that, Coolie Sangha youth had themselves conspired with Gram Panchayat officials to “buy” job cards, collect bank account details, manipulate records and draw NREGA wages. In return, their “clients” received a share for not doing any work.<sup>6</sup>

“This couldn’t have happened without your connivance”, I told the young people present in an unsparing and scathing rebuke, “No outsider could have convinced CSU Members to hand over job cards and bank details.”

“And you adults would have felt so proud that your sons were so ‘enterprising’, right? Just like political party leaders. My question is how you suddenly managed to get lifesaving NREGA wages this year?”

After much probing we calculated that NREGA works were carried out in only 84 of the 94 villages. In spite of these wages of ₹270 a day being one of the only sources of sustenance during the pandemic, not all Coolie Sangha families availed the government guaranteed 100 days of employment every year.

In fact, only 17 villages came close to availing 80% of their entitlement while most others settled for less than half.

Gram Panchayat	NREGA conducted in	No. of Days	Average Days
Rascheruvu, Billur, Thimmampalli and Gorthapalli GPs	14 villages	588	42
Marganakunta, Gulur and Kothakota GPs	17 villages	1,335	79
Julapalya and Palyakere GP	23 villages	805	35
Kanagamakalapalli and Mittemari GPs	11 villages	370	34
Somnathpura and Venkatapura GPs	19 villages	1,022	54
<b>Total</b>	<b>84 villages</b>	<b>4,118</b>	<b>49</b>

People from Kothakota Gram Panchayat said, “While what you say is generally true, we never slipped in our villages. We never forgot that it was our 22 yearlong DLDP that Rajiv Gandhi saw and got the idea to bring the Employment Guarantee Act for the whole country. Whichever party is in power, we will never forget what he and Sonia Gandhi did for us.”

<sup>6</sup> Please see the Postscript on our webpage at <https://adats.com/home/dldp>

“For the past 10 years we have implemented NREGA works just like we did the DLDP. Without corruption, without tractors and JCBs, and without ‘material supply’ bills. That is why we have, this year also, got more than three-quarter of our entitlement and there are still 4 months left in the year.”

People from Marganakunta Gram Panchayat said, “It is the same in our villages also. But we have not been able to do the works that we ourselves wanted, on our private lands and in the villages. The choice of works has been decided by Action Plans drawn up somewhere and forced upon us. But even when doing those works, we have resisted the use of machines and ‘material supply’.

“When they said that the type of work does need tractors we said, ‘Fine! But we won’t allow you to reduce our 100 days wage entitlement.”

I intervened to say that, to the best of my knowledge, the NREGA rules haven’t changed. Officials have to accept whatever work you ask for, wherever and why ever, in the Form No: 6 that a work gang submits. Moreover, the paying of piece rate wages, like for contractors, is not allowed. Wages have to be paid even for elderly citizens who manage to just come to the work spot and hang around.

Kothakota people agreed, “You are right! But that will happen only if we have control over our Gram Panchayats. If we are careless during elections we will face the consequence for 5 whole years.”

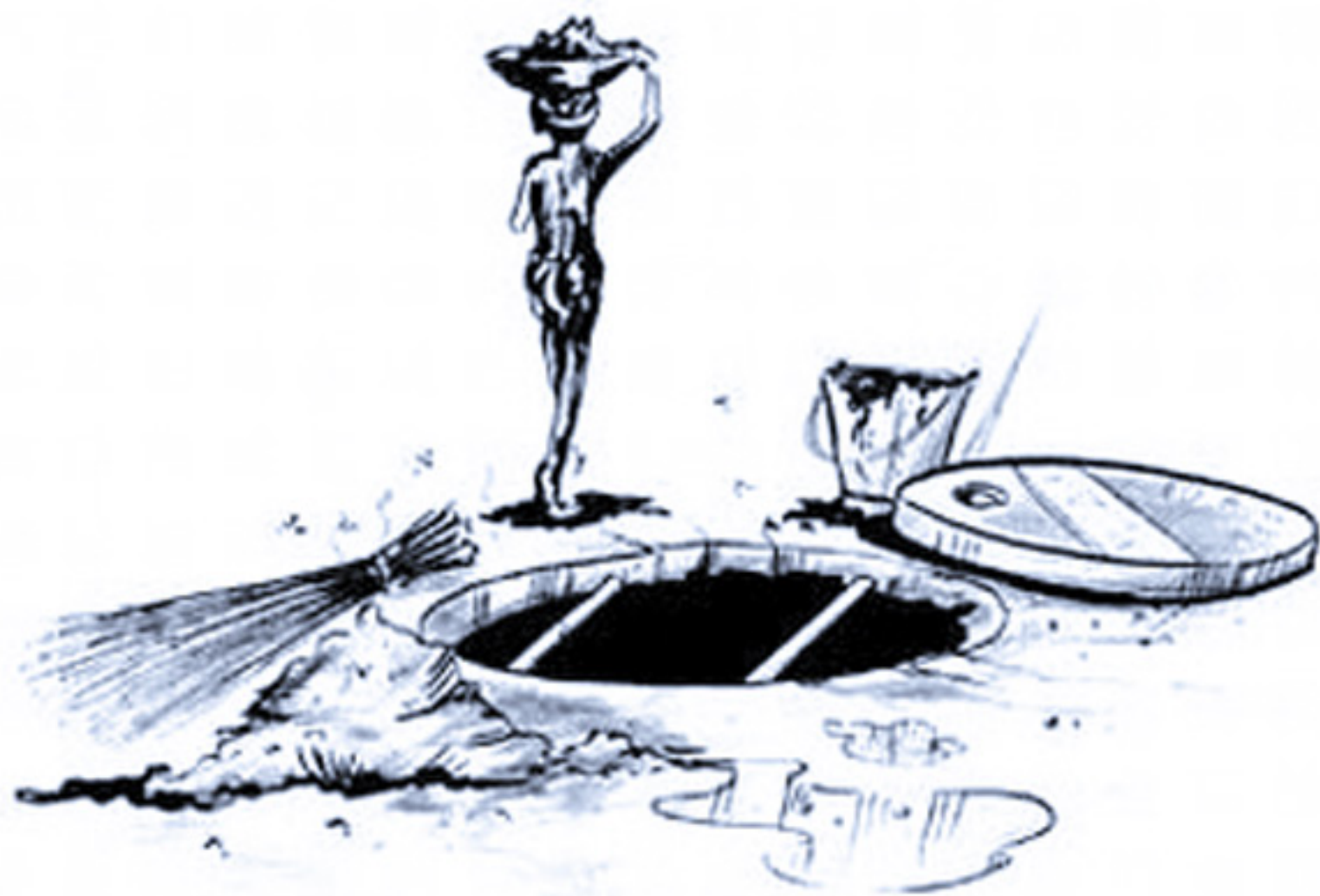
## **8. The Coolie Sangha**

In every narrative on every concern, by everyone in every meeting, was a reassertion of the fact that they could not have managed without their unity and mutual support across caste, community and religion. Individuality was not an abandonment of the community; it was rising above narrow identities.

“This time the membership will rise. Everyone knows that they cannot survive without the Coolie Sangha. Dropped out members will return and many new families will join.”

I replied, “No. We are not on a membership drive. Just a few of you who are entrenched in the Coolie Sangha values and ideology are enough. Show everyone what you just now said; that it is only a genuine caring for each other that can help everyone overcome the pandemic. Not the selfish inhumanity that this coronavirus has brought out.”





# A Review of the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013

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Arnab Bose

## I. Introduction

Manual scavenging entails the manual cleaning, handling or disposing of human excreta from open pits, drains, dry toilets or latrines built without a flush system. Across much of India, consistent with centuries-old feudal and caste-based customs, manual scavengers still collect human waste on a daily basis, load it into cane baskets or metal troughs, and carry it away on their heads for disposal at the outskirts of the settlement. Manual scavengers are usually from caste groups customarily relegated to the bottom of the caste hierarchy and confined to livelihood tasks deemed to be too menial by higher caste groups. Their caste-designated occupation reinforces the social stigma that they are unclean or untouchable and perpetuates widespread discrimination.

India's central government since independence in 1947 has adopted legislative and policy efforts to end manual scavenging. However, because these policies are not properly implemented, the practice continues to be widespread across many regions in the country. According to the International Dalit Solidarity Network, around 1.2 million people, mostly women from the Dalit community are engaged in manual scavenging<sup>1</sup>. Considering the failure of earlier policies, in 2013, the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act was enacted by amending the previous Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993. The amendment resulted in inclusion of all those who worked without adequate physical safety protection and through direct human contact to manually clean human faecal waste<sup>2</sup>. It expanded the definition from the manual carrying of human excreta, to all sewerage and septage workers who may, without adequate protection and safety gear, come into direct physical contact with human faeces. This Act was believed to be a game changer. However, seven years since, its implementation continues to be lacking. This paper aims to review the practice of manual scavenging in India and highlight the key issues in implementation of the 2013 Act which have rendered it ineffective.

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<sup>1</sup> <https://idsn.org/wp-content/uploads/2017/10/Submission-Caste-and-Gender-Based-Sanitation-Practice-of-Manual-Scavenging-in-India.pdf>

<sup>2</sup> <https://www.prsindia.org/uploads/media/Manual%20Scavengers/Brief--manual%20scavenging,%202013.pdf>

## 2. A Brief History

In India the problem of untouchability can be traced back to around two thousand years based on a strictly defined division of labour. The origin of untouchability lies in the restrictions imposed on the lives of the depressed classes, which comprised the untouchables amongst other backward classes in various forms. The key reason for considering this group as untouchables originates mainly from their unclean professions such as scavenging. From the middle of the 19th century, efforts were made to improve the lives of these untouchables but no real progress was made until much later. In 1901, the then Census Commissioner, Sir Herbert Hope Risley classified the census data into seven key caste categories according to their social hierarchies<sup>3</sup>. “The scavenging castes which were known by different names in different states like Bhangi, Balmiki, Chuhra, Mehtar, Mazhabi, Lal Begi, Halalkhor, etc. in northern India; Har, Hadi, Hela, Dom and Sanei, etc. in eastern India; Mukhiyar, Thoti, Chachati, Pakay, Relli, etc. in Southern India ; and Mehtar, Bhangias, Halalkhor, Ghasi, Olgana, Zadmalli, Barvashia, Metariya, Jamphoda and Mela, etc. in Western and Central India, also made an effort to get united and have a common name.”<sup>4</sup> Thereafter in 1927, Dr. B. R. Ambedkar, who was the foremost champion to take this cause of social reform, launched a movement against untouchability<sup>5</sup>. In the wake of this movement, on 16 August 1932, the British Prime Minister Mac Donald announced a communal award which resulted in granting of a separate electorate to the disadvantaged classes<sup>6</sup>.

At the time Gandhi was against this decision and believed that granting of separate electorate for the disadvantaged would result in vivisection amongst the people of India<sup>7</sup>. In the wake of Gandhi’s resistance Ambedkar brought forward a separate proposal of joint electorate and greater representation for the depressed classes. Following this Gandhi began to devote himself to the cause of the depressed classes whom he started calling ‘Harijans’ or the children of God. Gandhi declared that it was a sin to treat the Harijans as untouchables as they have every right to live like other human beings. Through the efforts of Gandhi and many others, wells and temples were opened to the untouchables. Moreover, gradually, the age-old restrictions on their entry into such places began to crumble.

After India’s Independence in 1947, the problems and conditions of the disadvantaged classes were considered by the framers of the Constitution by making special provisions to protect their interests. A wide range of minority rights were enshrined in the articles 14, 15, 16, 25, 26, 29, 341 and 342. Further, the articles 15(2), (4), (5), 16(3), (4), (4A), (4B), 17, 23 and 25(2) (b) sought to remove social and economic disabilities of the deprived classes<sup>8</sup>. In addition to the fundamental rights, certain directive principles of state policy also made it obligatory on part of the State governments to ensure the welfare of the disadvantaged classes<sup>9</sup>. Article 38 of the Constitution required the state to promote the welfare of the people by securing a social order based on justice.

In 1953, a Backward Classes Commission was constituted under the chairmanship of Kaka Kalelkar to determine the criteria to be adopted in deciding the backward classes as well as to describe the condition of backward classes including sweepers and scavengers<sup>10</sup>. The Commission in its report emphasized the need to introduce mechanical and up-to-

<sup>3</sup> Srivastava, B.N. (1997). *Manual Scavenging in India: A Disgrace to the Country*. New Delhi: Sulabh International Social Service International and Concept Publishing

<sup>4</sup> Ibid

<sup>5</sup> Keer, Dhananjay (1990). *Dr. Ambedkar: Life and Mission* (3rd edn). Bombay: Popular Prakashan Private Limited<sup>6</sup> <https://www.tandfonline.com/doiabs/10.1080/00856407908722988?journalCode=csas20>

<sup>7</sup> <https://www.thehindu.com/opinion/op-ed/ambekar-and-the-poo-na-pact/article31333684.ece>

<sup>8</sup> The Constitution of India

<sup>9</sup> Part III and IV of the Indian Constitution

<sup>10</sup> [http://164.100.47.193/Refinput/New\\_Reference\\_Notes/English/Manual%20Scavengers%20welfare%20and%20Rehabilitation.pdf](http://164.100.47.193/Refinput/New_Reference_Notes/English/Manual%20Scavengers%20welfare%20and%20Rehabilitation.pdf)



date methods of cleaning latrines in order to do away with the existing system of manual scavenging. This report was brought to the notice of the State governments by the Ministry of Home Affairs in October 1956. Following these recommendations, in 1956, a Central Advisory Board was further constituted under the chairmanship of GB Pant, the then Home Minister to review the working and living conditions of the sweepers and scavengers, which recommended a centrally-sponsored scheme for the purpose<sup>11</sup>.

Thereafter, in October 1957, under the chairmanship of Professor N. R. Malkani the Board constituted a committee known as the Scavenging Enquiry Committee to prepare a scheme to abolish the practice<sup>12</sup>. The committee also suggested some measures to be taken to improve the working and living conditions of the scavengers. Then in 1965, the Ministry of Labour constituted the National Commission on Labour under the chairmanship of Shri Bhanu Prasad Pandya, which again examined the working and service conditions of sweepers and scavengers<sup>13</sup>. The commission suggested that the Government of India should undertake a comprehensive legislation to regulating their working conditions.

In 1970, under the pioneering role of Dr Bindeshwar Pathak, a follower of Gandhian ideology, Sulabh International Social Service Organisation, a non-profit voluntary social organisation was formed with an aim to emancipate the scavengers<sup>14</sup>. Over the years the Sulabh Movement has become known for achieving success in the field of cost-effective sanitation and the liberation of scavengers<sup>15</sup>.

In 1986, the plight of the manual scavengers again came into focus when a vigorous campaign was started for the abolition of this practice<sup>16</sup>. The campaign gained momentum and culminated into an all India movement known as the Safai Karamchari Andolan (SKA). The movement achieved a significant milestone after the Supreme Court heard their petition and thereby decided to hold District Collectors of each districts accountable for any continuation of the practice<sup>17</sup>. Thereafter, in 1993 the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act 1993 was passed, which provided for the prohibition of employment of manual scavengers and construction or continuation of dry toilets<sup>18</sup>. All the State governments were asked to frame rules under the Act. Accordingly, from 26 January 1997, the Act became applicable in 6 states and the union territories<sup>19</sup>.

### 3. Recent Scenario

In spite of various recommendations and suggestions made by the committees to improve the working conditions of the sweepers and scavengers from time to time since independence, there has been very little progress. In 2009 a survey was undertaken by the Safai Karamchari Andolan and the report was presented to the Supreme Court<sup>20</sup>. The data showed that upon surveying 265 districts across 15 states, manual scavenging was found to be prevalent in 114 districts<sup>21</sup>. It was also highlighted that there were 7,630 such workers as well as 34,365 dry latrines in use<sup>22</sup>. Further, as per the 2011 Socio Economic and Caste Census, 1,82,505 households in India in rural areas were reported to be engaged in manual scavenging<sup>23</sup>. The data also noted the number of dry latrines at 795,252 where human waste was cleaned manually<sup>24</sup>.

11,12,13,19,21,22,24 [bjd]

<sup>14</sup> Social Inclusion of Manual Scavengers (2012). A Report of National Round Table Discussion Organised by United Nations Development Programme and UN Solution Exchange

<sup>15</sup> <http://www.sulabhinternational.org>

<sup>16</sup> Raghunathan, S. R. (2009). Supreme Court Steps In: Struggle in Progress, Frontline (25 June 2009)

<sup>17</sup> Zaide, Annie (2006, September 22). India's shame: Manual scavenging is still a disgusting reality in most States despite an Act of Parliament Banning it, Frontline.

<sup>18</sup> <https://nhrc.nic.in/press-release/commission-pursues-issue-abolition-manual-scavenging>

<sup>20</sup> Safai Karamchari Andolan Survey, 2009.

<sup>23</sup> Socio Economic Caste Census 2011

The Census 2011 provided a more comprehensive data on latrines. The all-India figures suggested that there were still 794,390 dry latrines in the country where the human excreta was cleaned by humans at the time<sup>25</sup>. 73% of these were in the rural areas where as 27% were in the urban areas<sup>26</sup>. Apart from these there were 1,314,652 toilets where the human excreta was flushed in open drains and there were 497,236 toilets where the human excreta was serviced by animals<sup>27</sup>.

According to the Rashtriya Garima Abhiyan both of these require cleaning by conservancy workers. Thus, in total there were more than 26 lakhs dry latrines in the country where the practice of manual scavenging still continued at the time of the census<sup>28</sup>. Further, the data showed 14,703,818 million urban households in India (or 18.6 %) did not have latrine facility within the premises<sup>29</sup>. In addition to this a large number of dry latrines exist in the Indian railways which are serviced by manual scavengers. However, the data for this was not included in the Census statistics.

What we can conclude from this data is that even after two decades after the first law banning dry latrines and manual scavenging, there was little progress. Although households using such latrines formed only a tiny proportion of the urban households, nevertheless, they did represent a substantial number in absolute terms. This underscores the lack of will on the part of the state, institutions as well as society to eliminate the practice, which continues to exist in 21st century modern India.

## **4. State Intervention for the Protection of Manual Scavengers**

### **4.1 Constitutional Safeguards**

Since manual scavengers belong to the backward section of society, they are entitled to general as well as some special rights under the Indian constitution. Some of the important constitutional provisions for their protection are as follows:

- Article 14: Equality before law (Right to Equality)
- Article 16(2): Equality of opportunity in matters of public employment
- Article 17: Abolition of Untouchability
- Article 21: Protection of life and personal liberty
- Article 23: Prohibition of traffic in human beings and forced labour
- Article 41: Right to work, to education and public assistance in certain circumstances
- Article 42: Just and humane conditions of work
- Article 46: Promotion of educational and economic interests of scheduled castes, scheduled tribes and other weaker sections
- Article 338: Constitution of a National Commission for Schedule Caste

### **4.2 Legislative Provisions**

Apart from these Constitutional provisions the parliament has also enacted certain laws for the protection and upliftment of the backward communities including manual scavengers.

<sup>25</sup> Census 2011, Gol  
<sup>26,27,28,29</sup> Ibid

- **The Protection of Civil Rights Act, 1955:** The Untouchability (Offences) Act was enacted in 1955 to abolish the practice of untouchability and the social disabilities arising out of it, against members of the scheduled caste<sup>30</sup>. It was amended in 1977 and is now known as the Protection of Civil Rights Act, 1955. Under the revised Act, the practice of untouchability was made both a cognizable and a non-compoundable offence with stricter punishments for the offenders. Under section 7(a) of the Act, anyone forcing another person to illegally to engage in bonded labor, manual scavenging or disposing animal carcasses shall be deemed to be committing a criminal offense and can be sentenced to 3 to 6 months of imprisonment or fined up to Rs. 500<sup>31</sup>.
- **Bonded Labor System (abolition) Act, 1976:** An Act to abolish the bonded labour system.
- **The Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989:** This Act came into force on January 31, 1990. The main objective of the Act is to prevent the commission of offences of atrocities against the members of the scheduled castes and the scheduled tribes, to provide for special courts for the trial of such offences and for the relief and rehabilitation of the victims of such offences and related matters<sup>32</sup>. The Act was further strengthened in relation to manual scavengers through a recent amendment making it a punishable offence to employ, permit or make any person belonging to the SC/ST community work in manual scavenging<sup>33</sup>. The contravention of the said provision attracts an imprisonment for a term not less than six months and may exceed to five years including a fine.
- **Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993:** This Act provides for the prohibition of employment of manual scavengers as well as construction or continuance of dry latrines and for the regulation of construction and maintenance of water sealed latrines and other related matters<sup>34</sup>. This Act has been replaced by the Prohibition of Employment as Manual Scavengers and their Rehabilitation (PEMSR) Act, 2013.

### 4.3 Government Commissions

The Government of India has appointed some commissions to oversee rehabilitation and social inclusion of manual scavengers

- **National Commission for Safai Karamcharis:** The 1993 Act established the National Commission for Safai Karamcharis as an autonomous organization to study, evaluate and monitor the implementation of various schemes for safai karamcharis as well as for the grievance redressal of the manual scavengers<sup>35</sup>. This commission has also been recognized by the 2013 Act. Section 31 of the PEMSAR Act, 2013, bestows statutory responsibility on the Commission to monitor the implementation of the Act, as well as to enquire into the contraventions within the implementation of the PEMSAR Act, 2013<sup>36</sup>.

<sup>30</sup> Act no. 22 of 1955 and the Protection of Civil Rights (PCR) Rules, 1977

<sup>31</sup> Ibid

<sup>32</sup> Act no. 33 of 1989 and the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Rules, 1995

<sup>33</sup> The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 (Act no. 1 of 2016).

<sup>34</sup> Act No. 46 of 1993

<sup>35</sup> Act no. 64 of 1993

<sup>36</sup> Prohibition of Employment as Manual Scavengers and their Rehabilitation (PEMSR) Act, 2013

- **National commission for schedule caste (NCSC):** The commission is constituted with a mandate to safeguard the interest of schedule castes in India. Article 338 (5) of the constitution of India lays down certain duties of the NCSC<sup>37</sup>.
  - i. to investigate and monitor all matters relating to the safeguards provided for the scheduled castes and evaluate the working of such safeguards
  - ii. to inquire into specific complaints with respect to the deprivation of rights and safeguards of the scheduled castes
  - iii. to participate and advise on the planning process of socio-economic development of the scheduled castes and to evaluate the progress of their development
  - iv. to make recommendations as to the measures that should be taken by the Union or any State for the effective implementation of those safeguards and other measures for the protection, welfare and socio-economic development of the scheduled castes
  - v. to discharge such other functions in relation to the protection, welfare and development and advancement of the scheduled castes
  - vi. to make in such reports recommendations as to the measures that should be taken by the Union or any state for the implementation of those safeguards and other measures for the protection, welfare and socio-economic development of the scheduled castes

#### 4.4 Government Schemes

Some schemes initiated by the various governments for the welfare of scavenging communities are:

- **Self-employment scheme for rehabilitation of manual scavenging (SRMS):** In April 2007, the government initiated this scheme for the rehabilitation of manual scavengers. Central Government has revised the SRMS through the provisions of the 2013 Act<sup>38</sup>. The main features of the Scheme include a one-time cash assistance, training with stipend and concessional loans with subsidy for taking up alternative occupations<sup>39</sup>.
- **National scheme of liberation and rehabilitation of scavengers and their dependents (NSLRSD):** Initiated in 1989, the main objective of the NSLRSD was to liberate manual scavengers from their existing hereditary occupation and to provide for alternative dignified occupations. In 2003, a CAG report concluded that scheme failed to achieve its objective. The report further pointed that there was no evidence to suggest that those liberated were also rehabilitated<sup>40</sup>.

<sup>37</sup> Constitution of India, art. 338 (5) a-h

<sup>38</sup> Act no. 35 of 2014

<sup>39</sup> Ibid

<sup>40</sup> Safai Karamchari Andolan v. Union of India (2014) 11 SCC 224

- **Integrated low cost sanitation scheme:** The Ministry of Urban Employment and Poverty Alleviation along with HUDCO have joined hands in taking up a programme for Integrated Low Cost Sanitation, for conversion of the dry latrine system into water borne low cost sanitation while liberating manual scavengers<sup>41</sup>.
- **Nirmal Bharat Abhiyaan (NBA) (2009-14) and Swachh Bharat Abhiyaan (SBA) (2014- 19):** The Total Sanitation Campaign (TSC) was conceived in 1999 to ensure 100% sanitation in rural and urban areas by 2017. It was later renamed the Nirmal Bharat Abhiyan in 2012 and then replaced by the Swachh Bharat Abhiyan (SBA) in 2014. The SBA has been conceived with the following objectives<sup>42</sup>:
  - i. Elimination of open defecation.
  - ii. Eradication of Manual Scavenging.
  - iii. Modern and Scientific Municipal Solid Waste Management.
  - iv. To effect behavioural change regarding healthy sanitation practices.

## 5. Judicial Position

The Judiciary has always played an active role in strengthening the cause of socio-economic justice by translating several directive principles into enforceable rights for the weaker sections of society. A liberal interpretation of article 21 of the constitution has created numerous rights and has given a new direction to social welfare jurisprudence in India. With regard to manual scavenging, the courts have adopted a stern attitude towards the State authorities for failing to eliminate this practice. The following two cases highlight the position of the judiciary.

### i. **Safai Karamchari Andolan v. Union of India, 2014**<sup>43</sup>

In this case the Supreme Court acknowledged the menace of manual scavenging as an inhuman, degrading and undignified practice. The Court observed that the PEMSR Act, 2013 and the EMSCDL Act, 1993, neither dilute the constitutional mandate of article 10 nor does it condone inaction on part of union and state governments. The Court also held that the PEMSR Act, 2013 expressly acknowledges article 17 and 21 of the constitution as the rights of persons engaged in cleaning sewage and tanks as well as cleaning human excreta on railway tracks. Further, the Supreme Court laid down following propositions with regards to rehabilitation of manual scavengers:<sup>44</sup>

- a. Sewer deaths – entering sewer lines without safety gears should be made a crime even in emergency situations. For each such death, compensation of Rs. 10 lakhs should be given to the family of the deceased.
- b. Railways – should take time bound strategy to end manual scavenging on the tracks.
- c. Persons released from manual scavenging should not have to cross hurdles to receive what is their legitimate due under the law.

<sup>41</sup> Under 'Pay and Use Toilet Scheme', Central assistance through Housing and Urban Development Corporation (HUDCO) was available to Urban Local Bodies (ULBs) for construction of toilets for footpath and slum dwellers who were unable to construct their own toilets.

<sup>42</sup> [https://swachhbharaturban.gov.in/writereaddata/Mission\\_objective.pdf](https://swachhbharaturban.gov.in/writereaddata/Mission_objective.pdf)

<sup>43</sup> 2014 (4) SCALE 165.

<sup>44</sup> Ibid para 14.

- d. Provide support for dignified livelihood to safai karamchari women in accordance with their choice of livelihood schemes.
- e. Identify the families of all persons who have died in sewerage work (manholes, septic tanks) since 1993 and award compensation of Rs.10 lakhs for each such death to the family members depending on them.
- f. Rehabilitation must be based on the principles of justice and transformation.

The Supreme Court stressed on the rehabilitation of manual scavengers in accordance with part IV of the PEMSAR Act, 2013. It further directed the state governments and union territories to fully implement various provisions of PEMSAR Act, 2013 and take appropriate action for non-implementation as well as violation of provisions contained in the Act.

## ii. **Delhi Jal Board v. National Campaign for Dignity & Rights of Sewerage and Allied Workers, 2011**<sup>45</sup>

In this case the Supreme Court passed a judgment highlighting the plight of the scavengers and sewage workers who risk their lives by working without any safety equipment and have been deprived of their fundamental rights for the last six decades. The Court also criticised the government and the state apparatus on being insensitive to the safety and wellbeing of these people who are compelled to work under the most unfavourable conditions and regularly face the threat of death. In addition the Court not only ordered a higher compensation to the families of the deceased, but also directed the civic bodies to ensure immediate compliance of the orders passed by the Delhi High Court for ensuring the safety and security of the sewage workers.

## 6. The 2013 Act

The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 received assent of the President of India on 18 September 2013. This Act replaced the existing Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993 as it had been completely ineffectual<sup>47</sup>. The 2013 Act has a wider scope and goes beyond prohibitions on dry latrines, and outlaws all manual excrement cleaning of insanitary latrines, open drains, or pits. And, importantly, it recognizes a constitutional obligation to correct the historical injustice and indignity suffered by manual scavenging communities by providing alternate livelihoods and other assistance.

### Salient Features

- i. The Act prohibits manual scavenging and also discharges employees who are engaged in this practice on a contractual basis<sup>48</sup>.
- ii. It widens the definition of manual scavengers by including in it all forms of manual removal of human excreta like an open drain, pit latrine, septic tanks, manholes, and removal of excreta on the railway tracks<sup>49</sup>.
- iii. It lays key focus on rehabilitating the manual scavengers by providing them with

<sup>45</sup> 2011 (8) SCC 568.

<sup>46</sup> Prohibition of Employment as Manual Scavengers and Their Rehabilitation Act, 2013 (Act 25 of 2013)

<sup>47</sup> Ibid Sec. 3

<sup>48</sup> Ibid Sec. 5(1)(b)

<sup>49</sup> Ibid Sec. 2(1)(g)

<sup>50</sup> Ibid Sec. 13(1)

ready-built houses, financial assistance & loans for taking up alternate occupation on a sustainable basis, organizing training programs for the scavengers so that they can opt for some other profession at a stipend of Rs. 3000 and offering scholarships to their children under the relevant scheme of the government<sup>50</sup>.

iv. The Act makes the offense of manual scavenging cognizable and non-bailable<sup>51</sup>.

v. It calls for a survey of manual scavenging in urban<sup>52</sup> and rural areas<sup>53</sup>.

vi. It makes it obligatory for employers to provide protective tools to the workers to eliminate the need for manual handling of excreta<sup>54</sup>.

vii. Under the Act, each local authority, cantonment board and railway authority is responsible for surveying insanitary latrines within its jurisdiction<sup>55</sup>. They shall also construct a number of sanitary community latrines<sup>56</sup>.

viii. It provides for detailed vigilance mechanism at the district, state and the central level<sup>57</sup>.

**Table 1: A Comparison between the EMSCDL Act, 1993 Act and the PEMSR Act, 2013**

	<b>EMSCDL Act 1993</b>	<b>PEMSR Act 2013</b>
<b>Focus</b>	Sanitation with a focus on prohibition of dry latrines	Right to Dignity through welfare and rehabilitation
<b>Coverage</b>	Dry Latrines	Dry latrines; the sewage system, railway tracks, septic tanks and insanitary Latrines.
<b>Definition of Manual Scavengers</b>	A person employed in manually carrying human excreta.	A person employed in manually cleaning, carrying, disposing of, or otherwise handling in any manner, human excreta in an insanitary latrine or in an open drain or pit.
<b>Enactment</b>	Under State List	Under Concurrent List
<b>Classification of Offence</b>	Cognizable	Cognizable and Non-Bailable
<b>Identification of Manual Scavengers</b>	No Provision	Provision for conducting survey of manual scavengers
<b>Penal Provisions</b>	Upto 1 year of imprisonment and fine upto Rs. 2000.	For violation of provisions of prohibition of insanitary: 1st contravention- up to 1 year imprisonment and fine up to Rs. 50,000/- or both. Double in case of 2nd and subsequent offences. For violation of provisions of prohibition of hazardous cleaning of septic tanks and sewers 1st contravention- up to 2 years imprisonment and fine up to Rs.2 lakh. 2nd/ subsequent contravention - 5 years and fine up to Rs. 5 lakh, or both.
<b>Local Authorities</b>	No responsibility to provide sanitary latrines	Mandatory obligation to provide sanitary latrines under section 4(1).

Source: PRS Legislative Research, 2013

<sup>51</sup> Ibid Sec. 22

<sup>52</sup> Ibid Sec. 14(1)

<sup>53</sup> Ibid Sec. 14(1)

<sup>54</sup> Ibid Sec. 33(1)

<sup>55</sup> Ibid Sec. 4(1)(a)

<sup>56</sup> Ibid Sec. 4(1)(c)

<sup>57</sup> Ibid Sec. 24(1)

## 7. Key Issues

- i. **Loophole in the Act:** Bans 'hazardous cleaning' of septic tanks and sewer pits, but only if workers are not provided 'protective gear' and 'other cleaning devices'. However, does not define what the 'protective gear' is<sup>58</sup>. A worker may be provided only a safety belt but not the helmet, waterproof apron, or headgear. It defeats the purpose of safety from hazardous work.
- ii. **Discrepancy in Data:** The Act provides rehabilitation measures to a person identified as a manual scavenger as per Sec 12 of the Act. For the purpose of identification state agencies are required to collect reliable data on the number of dry latrines and the number of people involved in manual scavenging. However, in many states surveys not conducted properly and there are huge discrepancies in data. As per the National Safai Karamchari Finance and Development Corporation's Report (2016-2017) there are 26 lakh insanitary latrines in the country. 13.29 lakh are in urban areas and 12.71 lakh in rural areas<sup>59</sup>. Further, as of 31st March 2017, 12,742 manual scavengers have been identified in 13 states<sup>60</sup>. This figure is prima facie disproportional as it is inconceivable that 13,000 manual scavengers can excavate 26 lakh insanitary latrines. There is also mismatch between independent studies and the number of manual scavengers identified by State Governments.
- iii. **Death of Manual Scavengers:** In September 2019 in response to a petition the Supreme Court had remarked that sewers in India were like gas chambers where manual scavengers were sent to die<sup>61</sup>. The court had questioned the government's failure to provide protective gear leading to a large number of deaths. Manual scavenging was banned 25 years ago with the passage of the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993, but every year, scores of manual scavengers die, asphyxiated by poisonous gases. According to official data, 820 sewer deaths have happened between 1993 and August 2019<sup>62</sup>. However, experts and activists say that this number is grossly underestimated. SKA recently collated data of 1,870 deaths and submitted it to the government. This is an increase by 400 deaths from just September 2018. The problem lies in the lack of planning and regulation in the construction and maintenance of sewage. In many cases, workers are also not provided with any safety equipment or gear such as masks or protective clothing, goggles, etc. This also results from the lack of clarity on the definition of protective gear.
- iv. **Laxity in Punishment:** Section 9 of the Act explicitly stipulates a punishment of up to two years' imprisonment and fine of rupees two lakh for the first offence, and five years' imprisonment and fine of rupees five lakh for subsequent offences. These penalties are attracted the moment a worker is sent into a manhole or septic tank without protective equipment even if death is not caused as a result. Despite such stringent provisions, no FIR was filed under the provisions of this Act in 2014<sup>63</sup>. Two cases under the law were reported from Karnataka in the NCRB report of 2015, where only one went for trial. Till March 2018 Karnataka had the highest FIRs at 55. Till date, not a single employee of DJB has been successfully prosecuted for any of the deaths occurring in Delhi's sewers<sup>64</sup>.

<sup>58</sup> <https://www.epw.in/engage/article/manual-scavengers-blind-spot-urban-development-discourse>

<sup>59</sup> <https://clpr.org.in/blog/review-of-data-on-survey-and-identification-of-manual-scavengers/>

<sup>60</sup> Ibid

<sup>61</sup> <https://timesofindia.indiatimes.com/india/in-sewer-deaths-supreme-court-sees-gas-chamber/articleshow/71193184.cms>

<sup>62</sup> <https://www.downtoearth.org.in/news/rural-water-and-sanitation/sewers-are-gas-chambers-where-manual-scavengers-are-sent-to-die-sc-66803>

<sup>63</sup> <https://theprint.in/india/282-deaths-in-last-4-years-how-swachh-bharat-mission-failed-indias-manual-scavengers/354116/>

<sup>64</sup> <https://thewire.in/labour/manual-scavengers-rehabilitation-sanitation>



- v. **Administrative Neglect:** The eradication of manual scavenging requires compliance from all bodies of the government. However, several authorities are often found flouting the Act<sup>65</sup>. There is complete absence of planning for maintenance of sewerage, septic tanks, and waste disposal systems in the urban policies made for the city by the state and private companies. Ad-hocism prevails in official bodies where the work of maintaining sewers and drains are subcontracted to private contractors. There is no monitoring on the quality or conditions of work. This kind of acute contractualisation has also made fixing legal responsibility and identification of the guilty much more difficult.
- vi. **Inadequacy of Swachh Bharat Mission:** The policy push for toilet construction and under the Swachh Bharat Mission and Atal Mission for Rejuvenation and Urban Transformation has serious implications for those engaged in cleaning them<sup>66</sup>. The SBM is completely silent on manual scavengers. According to the Urban Development Ministry, under SBM more than 50 lakh individual household toilets have been constructed. However, the problem is that while toilets are being constructed there are no ways of disposing off the waste<sup>67</sup>. Most parts of India, especially rural India, are not connected by the sewage system. Therefore most toilets that are built under SBM are single pit toilets which need to be cleaned manually. This is adding to the problem of manual scavenging.
- vii. **Inadequate Rehabilitation:** The Self Employment for Rehabilitation of Manual Scavengers (SRMS) scheme under the Ministry of Social Justice and Empowerment provides 3 main ways for rehabilitation of manual scavengers. First, under the one-time cash assistance scheme, one member of a manual scavengers' household is given Rs 40,000. Second, manual scavengers receive Rs 3,000 per month for two years of skill development training. And third, subsidies are provided on loans up to a predetermined fixed. However, as per the data<sup>68</sup>, of the 42,203 who were identified in 2018 only 27,268 have been given cash assistance of Rs 40,000. Skill development training has been imparted to only 1,682 and only 252 manual scavengers have received a credit-linked subsidy of INR 325,000. Rehabilitation is constrained by a shortage of funds. As per the data provided by the National Safai Karamcharis Finance and Development Corporation (NSKFDC), the government has released a total of Rs 226 crore for rehabilitation since 2006-07<sup>69</sup>. All funds were released before the financial year 2013-14 and no further funds have been released since then. Additionally, over Rs 24 crore of the funds released during the UPA government's tenure remains unspent.

## 8. Recommendations

- i. It is not going to be possible to eliminate manual scavenging unless right sanitation technologies are adopted. For instance, the Hyderabad Metropolitan Water Supply and Sewerage Board is using 70 mini jetting machines that can access narrow lanes and smaller colonies to clear the choked sewer pipes. In Thiruvananthapuram, a group of engineers have designed a spider-shaped robot that cleans manholes and sewers with precision.
- ii. Need clear definition of what constitutes protective gear. In case a human has to be put inside a sewer, protective gear such as gloves, masks, and shoes must be provided. Any

<sup>65</sup> <https://www.news18.com/news/buzz/manual-scavenging-is-illegal-in-india-then-hows-there-7-lakh-foot-soldiers-of-swachh-bharat-1898891.html>

<sup>66</sup> Ibid

<sup>67</sup> Ibid

<sup>68</sup> <https://www.orfonline.org/expert-speak/swachh-bharat-a-failed-mission-for-manual-scavengers-60538/>

<sup>69</sup> <https://thewire.in/government/modi-govt-manual-scavengers-rehabilitation>

violation should be strictly penalized. A doctor must as well as an ambulance must be kept at hand in case of emergency.

- iii. Need a thorough and independent study to ensure reliability of data on manual scavengers
- iv. The Supreme Court's judgment of 2014 should be duly implemented and applied in all cases of sewer/septic tank deaths and compensation should be ensured.
- v. Criminal accountability of employers guilty of sending/compelling workers to clean sewers/septic tanks etc., leading to their death or illness, should be established. Trials in all such cases should be fast tracked.
- vi. Authorities should be sensitized to recognize the intensity of the issue and see the problem as dehumanizing and unconstitutional. The underlying caste-based attitude to sanitation workers should be identified and strong action should be taken in case of malpractice.
- vii. The state should take primary responsibility for sewerage and ensure that provisions are made for proper working conditions for all sanitation workers.
- viii. The right to sanitation should not be provided at the cost of the basic fundamental rights of sanitation workers. It is important to factor in the repeated deaths of sewer/septic tank workers into the design of present and future sanitation policies and campaigns of cleaning India. The government should turn its attention away from toilet construction and explore ways to empty pits without human intervention.
- ix. Adequate funding needs to be ensured. All rehabilitation measures need to be made available to all identified manual scavengers on an immediate basis.

## 9. Conclusion

For manual scavengers in India it was earlier a struggle for dignity, but today it has become a struggle for survival. They are denied any other secure source of livelihood, and are compelled to resort to manual scavenging in order to meet their livelihood needs. And in the process many of them lose their lives. The very existence of manual scavenging and the apathy of the state must be seen as a form of violence, especially when there are explicit orders from the Supreme Court on the matter.

The state is culpable of criminal neglect leading to preventable death of individuals from the most vulnerable section of society. This situation continues due to the state's neglect of its vital oversight role regarding compliance with the law banning manual scavenging as well as the directives from the Supreme Court.

The state is also involved in the unconstitutional and inhuman practice through its various urban local bodies and government departments. The state of affairs also continues because of the continuing operation of caste and untouchability in society.

Therefore, going forward it is imperative that the government fully commit itself in ensuring that the law prohibiting this inhuman practice is implemented fully in letter and spirit.

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# Why are farmers protesting?

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**Although agriculture is a state subject, the Centre sought to rush through amendments and usher in new laws without consultation with states. But farmers are primarily concerned with prices they get.**



Everything that the Government does these days is hailed as ‘historic’. But will the ‘historic’ farm reforms turn into historic blunders like the earlier Demonetisation, GST, and the lockdown?

The distrust for the Government is such that farmers are unwilling to accept the Prime minister’s assurances at face value. The Prime Minister has claimed that the opposition have been misleading the nation on farm bills; that his heart bleeds for farmers and his Government will never do away with the Minimum Support Price (MSP) regime. The fact is that the three ordinances, now approved by Parliament without much scrutiny, do not make any mention of doing away with the MSP or procurement of foodgrains by the Government.

But farmers, still waiting to see their income double by 2022 as promised by the BJP and Narendra Modi in 2014, are demanding MSP to be made into a legal right. It is fine for the PM to say that farmers are now free to sell their produce anywhere and at whatever price they like to anyone. But can the Government guarantee that prices will not tumble, that private corporate bodies and traders will not form a cartel and squeeze the farmers? And if the PM is so sincere about giving farmers higher prices, why not make it a law that prices for agriculture produce cannot be lower than MSP determined by the Government?

From vegetable growers to coffee planters, from apple growers to rice farmers, the experience has been that retailers, exporters and people who have added value to the produce by processing and marketing them, have made windfall profits. The farmers and the consumers have both been left in the lurch.

## “One nation, one market?”



*Government has released advertisements defending the Farm Bills. One line in the advertisement says that ‘One Nation One Market’ will give freedom to the farmers. 85 per cent of farmers are small farmers with little surplus to sell. If they have to sell the few bags of paddy or wheat, they need ‘many thousand markets’ all over the country, not one market. The PM and other ministers have promised that MSP will be guaranteed to the farmer. Pray tell us HOW? How will the government know which farmer sold what produce to which trader? There will be millions of private transactions every day in thousands of villages all over India. How will the government guarantee MSP is paid in these transactions? Under which law is a private purchaser obliged to pay MSP to the farmer in a private transaction?*

**P Chidambaram**

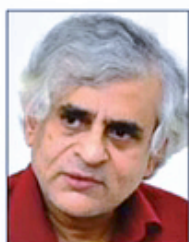
Food Policy expert Devinder Sharma had quoted a Reuters report that said, “Unlike producers of commodities such as oil and natural gas, coffee farmers have long suffered from being at the wrong end of the value chain — receiving only a small fraction of the retail price of their crop...” In India, Sharma calculated, for every cup of coffee sold at Rs 250 at coffee bars, coffee planters received just one Rupee.

The experience of farmers since June, when the ordinances were promulgated, have been far from happy. Produce not procured by the government have invariably been sold at prices lower than the MSP. So, what good are these laws if they are not assured of even the MSP? The following average rates prevailing on different dates during the last three months tend to confirm the farmers’ fears.

MSP for Moong for 2020-21: Rs 7,196 per quintal. Market price in MP: Rs 4,000 to Rs 4,500 per quintal. MSP for Soyabean: Rs 3,880 per quintal Market price in Hoshangabad: Rs 3,000 MSP for Maize: Rs 1,850 per quintal Market price in Punjab: Rs 8000 MSP for cotton: Rs 5,515-5,825/quintal Market Price in Punjab: 4,600/quintal.

That farmers get low prices is known. Vegetable growers and dairy farmers, those who are not organized like the AMUL cooperative, know it too well. The price of cauliflowers in eastern India, for example, has not changed in 40 years though input prices have increased. The growers still sell 100 cauliflowers for prices ranging from Rs 20 to Rs 30 to the wholesaler. The retail price of each cauliflower would, however, vary between Rs 30 and Rs 50.

## “PM, please walk the talk



*The PM has repeatedly told us that a) he will never allow MSP to die and b) he will double farmers' incomes by 2022. So, what stops him from moving a five paragraph Bill cementing those assurances? The Bill would say: MSP (Swaminathan formula, as the BJP promised in 2014) stands guaranteed. No big traders, corporations or other 'new buyers' can lift produce at below MSP. Also, guarantee procurement to ensure that MSP is not reduced to a mockery. Lastly, the Bill would declare cancellation of farmer debt. There's no way their incomes will double by 2022 or even 2032, while they are drowning in debt. And since this government has already encroached on the state subject – agriculture – what's to stop it from moving this Bill? Certainly not respect for federal structures and states' rights*

**P. Sainath**



Retailers and middlemen run away with huge margins while neither consumers nor producers get the benefit.

How will the new regime change that? Will Ambanis and Adanis, who are expanding and extending their agri-business, give farmers a fair deal?

When corporate entities were allowed into agri business and retailing, it was claimed that they would bring in capital and technology, set up cold storages and cold chains, improve quality and use refrigerated vans for transport etc. A win-win situation for everyone, it was then said. Those hopes have been belied. So, what is the guarantee that this time round, corporate bodies will deliver on the promises?

The three laws introduced by the Government, on paper at least, seem well intentioned. The Farmers' Produce Trade and Commerce (Promotion and Facilitation) Bill, 2020 – allows farmers to bypass the Agricultural Produce Market Committee (APMC) and sell the produce directly to a big company, warehouses, cold storage chains, or even set up shop to sell directly to consumers.

The Farmers (Empowerment and Protection) Agreement on Price Assurance and Farm Services Bill, 2020 allows for contract farming, for a farmer to get into a contract with a buyer to cultivate specific products for a specific price. This ensures that farmers know the price they will get even before cultivation starts.

The Essential Commodities (Amendment) Bill, 2020 allows buyers to purchase and stock commodities without getting called a hoarder and being vulnerable to penal action.

The changes in law facilitates the entry of big retailers and exporters in the market. The Government would like to withdraw from the business of procuring foodgrains and eventually hand over the assets of Food Corporation of India (FCI) to these private corporates. While it makes sense from the Government's point of view, the implications of such a move are by no means certain in the long run.

The corporate bodies, unlike the Government, will be interested in maximizing their profit. If this objective is achieved by hoarding, exporting or by not buying the produce, they will not hesitate to do so. While free market economics, which allows market forces to not only fix the price but also the output, might work in countries with small populations and a large export market, it could be disastrous in a poor, developing country like India. The impact the market uncertainties can have on the farmers' choice to produce one crop and not the other can also be severe.

The difference made by private trade is sharply brought out by the following social media post by Mumbai based journalist Sujata Anandan. It is worth reproducing the post:

“For those who wonder why farmers are protesting - here's a live example from Kerala. A friend's uncle was ecstatic when the Modi governmentt abolished the coconut board, akin to the APMC. The Coconut Board, a government outfit, offered Rs 10 per coconut. After abolition of the Coconut Board, price offered by private traders was Rs 40 per coconut.”

“But the Coconut Board would bring their own men to scale up trees, cut the outer green shell of coconuts & transport them to the market. Now this man has to hire people to climb the trees, and since it is risky, pay for their insurance. He has to pay more for peeling the green skin and then transport the coconuts to the market and return. After meeting all the expenses, he gained Rupees four per coconut.”

The consumer was earlier paying Rs 20 to 40 per coconut. Now prices begin at Rs 50.

Now you know why the farmers are protesting.

*Courtesy: The National Herald*

*<https://www.nationalheraldindia.com/india/why-are-farmers-protesting>*



# मीडिया का रोल और सरकार की निखत दोनों ठीक नहीं, किसान और मजबूत होंगे

डॉ राजाराम त्रिपाठी, अध्यक्ष, अखिल भारतीय किसान महासंघ



अखिल भारतीय किसान महासंघ के अध्यक्ष डॉ राजाराम त्रिपाठी ने वतन समाचार से विशेष बातचीत में कहा है कि सरकार पहले दिन से किसानों और किसान आंदोलन के बीच मतभेद पैदा करना चाहती थी और वह हर संभव प्रयास कर रही थी कि किसी तरह से इस आंदोलन में दरार पैदा हो. उन्होंने कहा कि 26 जनवरी को मीडिया का रोल भी अत्यंत निंदनीय रहा. उन्होंने कहा कि लोकतंत्र को बचाने और लोकतंत्र को बनाए रखने के लिए जिस तरह की मीडिया की जरूरत होती है उस तरह की मीडिया का अभी हमारे यहां अभाव है.

उन्होंने कहा कि मीडिया ने देश के सामने सच्चाई को नहीं रखा और उन 99% किसानों के बारे में कोई खबर नहीं दिखाई जो हाथों में तिरंगा लिए पैदल मार्च कर रहे थे. उन्होंने कहा कि सिर्फ उन लोगों को दिखाया गया जो किसान नहीं थे और दंगाई थे. इस की जांच होनी चाहिए. इस के पीछे कौन लोग थे, उनकी भी जांच होनी चाहिए और उनके कनेक्शन भी किस विशेष पार्टी से सामने आ रहे हैं, उसकी भी जांच होनी चाहिए. ऐसे में सरकार बच नहीं सकती.

उन्होंने कहा कि हम सोशल मीडिया के आभारी हैं कि उन्होंने किसानों से संबंधित सच्ची खबरों

को देश और दुनिया के सामने रखा है और यह अब गांव-गांव पहुंच रहा है। उन्होंने कहा कि जिस तरह से किसान आंदोलन को सरकार और उसके लोग बदनाम करना चाहते हैं, अब वह चीजें बाउंस हो रही हैं जो सरकार पर उल्टा साबित होंगी। उन्होंने कहा कि मीडिया का रोल हो या फिर किसानों के बीच हिंदू किसान, सिख किसान और खालिस्तानी और पाकिस्तान का जो मसला हो बात इस से आगे जा चुकी है और किसान इसमें अब फंसने वाले नहीं हैं।

उन्होंने कहा कि जब भी सच्चाई मजबूत होती है तो झूठे लोग उस को बदनाम करने के लिए भाड्यंत्र रचते हैं। उन्होंने कहा कि यह लोग युद्ध का भी माहौल बनाएंगे, उसकी संभावनाएं प्रकट करेंगे, लेकिन किसान अपनी बात को लेकर के अडिग हैं और किसान तीनों कानून की वापसी से कुछ कम पर पीछे हटने वाले नहीं हैं।

डॉ राजाराम त्रिपाठी ने आगे कहा कि जहां तक किसान संगठनों में मतभेद की बात है, तो मुद्दे पर सब लोग एक साथ हैं और मतभेद कोई गलत नहीं है। मतभेद होना चाहिए, लेकिन सबकी एक ही मांग है कि यह कानून वापस होने चाहिए। उन्होंने कहा कि देश के गणतंत्र दिवस के दिन जिस तरह मीडिया और सरकार का रोल रहा वह दुखद है। उन्होंने कहा कि हमारी मीडिया के लोगों से अपील है कि वह जिम्मेदारी का परिचय दें और सच देश को बताएं।

उन्होंने कहा कि किसान अपनी मांगों पर अडिग हैं और किसान उस वक्त पीछे नहीं हटेंगे जब तक कि सरकार इन तीनों कानून को वापस नहीं ले लेती।

*Courtesy: Dr Rajaram Tripathi interview published in Watan Samachar  
<https://www.watansamachar.com/search?tag=26+January%3A+Both+the+role+of+the+media+and+the+government%27s+intention+are+not+good>*

## आदिवासियों और अन्य परंपरागत वननिवासियों पर “कृषि कानूनों” के प्रभाव

**सितंबर 2020** में तीन कानून पारित किया गया जिसे “**कृषि कानूनों**” के रूप में जाना जाता है। इन कानूनों का देश-भर के विभिन्न किसान और आदिवासी संगठनों द्वारा विरोध किया जा रहा है। तीनों कृषि कानूनों के व्यापक अध्ययन के बाद कहा जा सकता है कि यह देश-भर में खेती-बाड़ी को **कारपोरेट** (बड़े पूंजीपतियों) के **हवाले** करने में सहायक है। ये कानून अनुसूचित जनजातियों (एस.टी.) एवं पारंपरिक रूप से जंगलों में रहने वाले समुदायों (ओ.टी.एफ.डी.) के लिए पांचवीं अनुसूची व आदिवासी क्षेत्रों में लागू पंचायत (अनुसूचित क्षेत्रों का विस्तार) कानून 1996 (पेसा) तथा वनाधिकार कानून, 2006 (एफ.आर.ए.) के तहत प्रदत्त अधिकारों तथा विशेष गारंटी का भी हनन करता है। अंततः, ये कानून ग्राम सभाओं की **शक्तियों व अधिकारों** को समाप्त कर देंगे। वर्ष 2020 के ये कृषि कानून **कल्याणकारी राज्य** (welfare state) की अवधारणा को वापस लेने में सहायक होगा, जहां **डिस्ट्रीब्यूटिव जस्टिस** (distributive justice) प्रदान करने की दिशा में कल्याणकारी राज्य की भूमिका को समाप्त कर दिया जाता है। दिनांक **12 जनवरी 2021** को **माननीय सर्वोच्च न्यायालय** द्वारा **2020 के तीनों कृषि कानूनों के क्रियान्वयन पर रोक लगा दिया गया है**। परन्तु इसका मतलब यह नहीं है कि यदि या जब न्यायालय इस आदेश को हटायेंगा तब भविष्य में इन कानूनों को लागू नहीं किया जायेगा।

*ऐतिहासिक रूप से ब्रिटिश-राज के जमिंदारी प्रणाली के दौरान अधिकतम टैक्स एवं राजस्व नीति ने किसानों को कर्ज के जाल में फंसाया तथा उनकी जमीनें चली गयीं। इसके फलस्वरूप **संथालों द्वारा हुल** तथा **मुंडाओं द्वारा उलगुलान** जैसे कई आदिवासी विद्रोह हुए।*

## कान्ट्रैक्ट फार्मिंग कानून

किसान (सशिक्षितकरण एवं संरक्षण) मूल्य आश्वासन और कृषि सेवा समझौता  
अधिनियम, 2020

**यह कानून कहता है कि:** कृषि सेवा व कृषि उपज की बिक्री के लिए कृषि व्यवसाय फर्मों (agri-business firm), प्रोसेसर कंपनियों, थोक व्यापारियों, निर्यात एजेंसियों अथवा बड़े खुदरा व्यवसायियों के साथ सुरक्षित तरीके से "परस्पर सहमति आधारित मूल्य" (mutually agreed price) किसानों को निष्पक्ष व पारदर्शी तरीके से प्रदान करना।

**इसका मतलब क्या है:** खेती उपज के मूल्य निर्धारण, और विपणन तथा खरीद और बिक्री के तरीकों व अभ्यास पर **निजी कंपनियों को पूर्ण नियंत्रण प्रदान करना।**

- **छत्तिसगढ़** तथा **उड़िसा** में जट्रोफा (बायोफ्यूल), गन्ना तथा कपास जैसे नगदी फसलों का कान्ट्रैक्ट फार्मिंग वर्ष **2000 के आस-पास** शुरुआत किया गया है। इसने कमजोर आदिवासी किसानों को अपनी जमीन छोड़ने पर मजबूर किया है।
- पांचवी अनुसूची में शामिल सभी राज्यों में छोटे और सिमांत अनुसूचित जनजातियों के किसान 71 से 91 % तक है। छोटे और सिमांत किसानों तथा बड़े कृषि व्यावसायी फर्मों/ खुदरा व्यवसायी/ निर्यातकों के बीच शक्ति असंतुलन बहुत अधिक है। इस कानून के परिणाम स्वरूप कम संसाधनों वाले किसानों और कारपोरेट के बीच **मोल-भाव की असमानता** उत्पन्न होगी क्योंकि किसानों के बीच बाजार की शक्तियों और **वैश्विक खाद्य श्रृंखला** प्रणाली की जानकारी नहीं होती है।
- **सहकारी का नया स्वरूप:** वैश्विक स्तर पर कृषि व्यावसायिक फर्मों द्वारा जो कान्ट्रैक्ट फार्मिंग के माध्यम से खेती में निवेश करते हैं तथा कृषि उत्पादों का खरीद करते हैं वे जमानत के रूप में जमीन की गारंटी पर किसानों को कर्ज भी देते हैं। कृषि कानून इस तरह के अभ्यास को प्रोत्साहित करेगा, आदिवासियों को **कर्ज के जाल में फांसेगा** इसके परिणाम स्वरूप **कारपोरेट द्वारा जमीनें हड़पी जायेंगी।**

## कृषि बाजारों / मंडियों / हाटों का निजीकरण

*किसानों के उत्पादों का व्यापार तथा वाणिज्य (प्रोत्साहन एवं फैसिलीटेशन) कानून, 2020*

### यह क्या कहता है:

- वैकल्पिक व्यापार (alternative trading) चैनल का विकास जैसे इलेक्ट्रॉनिक व्यापार मंच, प्रभावी, पारदर्शी तथा बाधा रहित व्यापार व वाणिज्य को प्रोत्साहित करने की बात करता है।
- कृषि उत्पादों को प्रतिस्पर्धी बाजारों के दायरे में लाना जहां किसान और व्यापारी मुक्त व्यापार में संलग्न हो सकते हैं।
- किसी भी व्यक्ति / निगम को कृषि उत्पादों के व्यापार का अधिकार देता है।
- कोई भी व्यक्ति अपने पैन नम्बर के आधार पर ई-ट्रेडिंग प्लेटफार्म बना सकता है।
- ए.पी.एम.सी. कानून या राज्य के किसी कानून के तहत इन ई-ट्रेडिंग प्लेटफार्म पर कोई बाजार शुल्क नहीं वसूला जा सकता है।

### इसका मतलब क्या है:

- कृषि निर्वाह (subsistence agriculture) की एक ऐसी कार्यप्रणाली है जिसमें भूख की संतुष्टी और पोषण सुनिश्चित किया जाता है। उसे ये कानून **वाणिज्यिक व प्रतिस्पर्धी व्यापार** (commercial and competitive trade) में परिवर्तित करता है।
- कृषि बाजार को अविनियमित करना, खाद्य सामग्रियों के लिए स्थानीय और वैश्विक व्यापार श्रृंखला का खोलना, पूर्णतः खुले बाजार की दया पर निर्भरता, कृषि का आधुनिकीकरण।

### क्या "न्याय तक पहुंच" (access to justice) खतरे में है?

- कान्ट्रैक्ट फार्मिंग तथा कृषि उपज व्यापार एवं वाणिज्य कानून - ये दोनों किसानों का कंपनियों / ठेकेदारों के साथ विवाद पर न्यायालय जाने के अधिकार को सीमित करते हैं।
- न्यायालय के स्थान पर **अनुमंडलीय मजिस्ट्रेट (एस.डी.एम.)** द्वारा गठित **कनशिलियेशन बोर्ड** के माध्यम से विवादों को निपटाने का प्रावधान करता है।

### **अनुचित व्यापार (Unfair trading) के कारण स्थानीय हाट की अस्थिरता**

- पारंपरिक ग्रामीण हाट एवं ग्रामीण बाजार असुरक्षित होंगे।

- **पेसा** के तहत अपने अधिकार क्षेत्र के अंतर्गत आनेवाले संसाधनों के प्रशासन, अपनी मान्यताओं व परंपराओं की सुरक्षा तथा **प्रथा के अनुसार** विवादों का समाधान करने की **ग्राम-सभा की शक्तियों का उल्लंघन** करता है।
- छोटे जल निकायों या आदिवासी जमीनों के हड़प जैसे मामलों में अतिरिक्त वैधानिक सुरक्षा लागू करने और न्यायिक उपचार (legal remedy) की शक्तियों को भी नये कृषि कानून नजर अंदाज करते हैं।
- कुछ विवाद एस.सी./एस.टी. पर "अत्याचार" के हो सकते हैं। इस तरह के मामलों का अपराधिक न्यायालय की जगह एस.डी.एम. द्वारा निपटाना बेतुका है।
- निजी और इलेक्ट्रॉनिक प्लेटफार्मों के आक्रामक प्रचार से मंडियों और ग्रामीण हाटों का विघटन होगा।
- यह **अनुचित व्यापार** (unfair trade practices) को बढ़ायेगा जैसे व्यवसायी समूह एवं कुछ निजी कंपनियों के एकाधिकार (monopoly), बाजार मूल्य (market price) को अस्थिर करना।

## खाद्य असुरक्षा के लिए कानून

### आवश्यक वस्तु (संशोधन कानून) 2020

#### यह क्या कहता है:

- आवश्यक वस्तु कानून, 1955 को संशोधित किया गया है ताकि अनाज, दालें, आलू, प्याज, तिलहन एवं तेल शामिल हैं या सरकार द्वारा अधिसूचित अन्य चीजों सहित खाद्य सामग्रियों की आपूर्ति को केवल असाधारण परिस्थितियों - युद्ध, **अकाल**, असाधारण मूल्य वृद्धि और प्राकृतिक आपदा जैसे **गंभीर परिस्थितियों** में ही विनियमित किया जायेगा।
- बगवानी उत्पाद के खुदरा मूल्य में **100 प्रतिशत** की वृद्धि तथा जल्द खराब होने कृषि उत्पादों का **50 प्रतिशत** की वृद्धि होने पर ही उन वस्तुओं के जमाखोरी पर **प्रतिबंध** किया जाएगा।
- प्रोसेसर / मूल्य श्रृंखला प्रतिभागियों (value chain processors) के लिए **संग्रहण की सीमा में छूट होगा** यदि भण्डारण सीमा प्रसंस्करण की स्थापित क्षमता या निर्यातक द्वारा निर्यात की मांग से अधिक नहीं है।

#### इसका मतलब क्या है:

- भूमिहीन कामगार वर्ग तथा गरीब जनता **120 सालों** की अंग्रेजी-राज्य के दौरान **31 अकालों** का सामना किया। ये संशोधन आवश्यक वस्तु कानून 1955 को पंगू करेगा

जिसे आजादी के बाद भारत में **मानव निर्मित अकालों को रोकने** के लिए लागू किया गया था।

- मूल्य श्रृंखला प्रतिभागियों को दी गई **जमाखोरी की छूट** के कारण उत्पन्न खाद्य सामग्रियों की कृत्रिम कमी से मूल्य में वृद्धि होगी।

## खाद्य असुरक्षा एवं जनवितरण प्रणाली (PDS) प्रणाली की तबाही

- **आवश्यक एवं प्रमुख खाद्य वस्तुओं** को अविनियमित (deregulated) किया गया तथा **वाणिज्यिक रूप से उपयोग किया जा सकने वाले वस्तु में बदल दिया गया**।
- बाजार गतिविधियों जैसे बिक्री, खरीद, मूल्य संवर्धन, भण्डारण एवं निर्यात आदि के अविनियमीकरण से **जनवितरण प्रणाली (PDS)** कमजोर होगा और अंततः समाप्त हो जाएगा।
- **राष्ट्रीय खाद्य सुरक्षा कानून, 2013** के द्वारा पहले ही **ए.पी.एल.** परिवारों को पी.डी.एस. के अधिकारों से बाहर किया जा चुका है भले ही वे कुपोषण के कगार पर हों। खाद्य सुरक्षा का दायरा केवल **बी.पी.एल.** परिवारों तक ही सीमित है।
- अन्य शर्तें जैसे - **आधार लिंकेज (AADHAAR linkage)** का अनिवार्य होना कई **बी.पी.एल.** परिवारों को खाद्य सुरक्षा के दायरे से बाहर करेगा।
- कुछ क्षेत्रों में **पी.डी.एस.** को सीधे **नगद हस्तांतरण (direct cash transfer)** में बदलने का अभियान पहले से ही चल रहा है, जिससे **पोषण सुरक्षा (nutritional security)** पर नकारात्मक प्रभाव पड़ेगा।
- सरकारी आंकड़ों के अनुसार भारत भर में 42% आदिवासी बच्चे कम वजन वाले हैं, जबकि 77% आदिवासी बच्चे और 65% आदिवासी महिलायें (15-49) वर्ष तक अरक्तता (खून की कमी) के शिकार हैं।
- आवश्यक वस्तु संशोधन अधिनियम के मुद्रास्फीतीय परिणाम पहले से ही मौजूद अन्य नीतियों के साथ मिलकर गंभीर पोषण संकट का सामना कर रहे आर्थिक रूप से कमजोर, वंचित कामगार आदिवासियों के **भोजन के अधिकार का हनन** करेगा।
- इन कानूनों के लागू होने से आदिवासियों और जंगल में रहनेवाले लोगों के **सम्मानजनक जीवन जीने के अधिकार का हनन** होगा।

## क्या ये कानून पेसा और वन अधिकार कानून के अंतर्गत प्रदान किये गये संवैधानिक अधिकारों का हनन करेगा ?

ये कृषि कानून आदिवासियों और जंगलों में रहनेवाले समुदायों के संविधान के अनुच्छेद 14 व 15(4) [बराबरी का अधिकार तथा भेदभाव से सुरक्षा का अधिकार], अनुच्छेद 19(1)(क) [अपने पसंद का पेशा चुनने का अधिकार] तथा अनुच्छेद 21 [सम्मानपूर्वक जीवन जीने तथा आजीविका का अधिकार] के अंतर्गत प्रदत्त मौलिक अधिकारों का हनन करनेवाले हैं। ये भारतीय संविधान के अनुच्छेद 244, पांचवीं अनुसूची तथा पेसा तथा वन अधिकार कानून जैसे विशेष कानूनों द्वारा प्रदत्त विशेष सुरक्षा के प्रावधानों का भी हनन करता है।

### पेसा कानून का हनन

- ग्रामसभा की शक्तियों को कम करना: ऐसे वातावरण में जहां बड़े कृषि&व्यवसायियों (agri-business firm) तथा निगमों को अनुबंध आधारित खेती करने और कर्ज देने की अनुमति है। यह आदिवासी समुदायों जमीन छीनने अथवा कर्ज के जाल में फंसने से बचाव के संदर्भ में कमजोर और असुरक्षित करता है।
- गरीबी उन्मूलन योजनाओं जैसे - जनवितरण प्रणाली पर ग्राम सभा का नियंत्रण समाप्त करना: यहां तक कि आवश्यक व प्रमुख खाद्य वस्तुओं के भण्डारण सीमा एवं बाजार के रुझानों के अनुरूप खाद्य पदार्थों के मूल्य में उतार&चढ़ाव को वैधानिक नियंत्रण (statutory prohibition) से मुक्त कर दिया गया है। इससे पांचवीं अनुसूची क्षेत्रों तथा अन्य आदिवासी क्षेत्रों में अभूतपूर्व खाद्य असुरक्षा में वृद्धि होगी।
- स्थानीय ग्रामीण बाजारों / हाटों के प्रबंधन की ग्रामसभा की शक्तियों में कमी: कृषि और खाद्य प्रसंस्करण बाजार में निजी कंपनियों के प्रवेश से स्थानीय बाजारों तथा वहां के मूल्यों पर ग्रामसभा का नियंत्रण में कमी होगा।
- ग्रामसभायें विवाद निपटारे की अपनी पारंपरिक भूमिका से बाहर हो जायेंगे: चूंकि कृषि कानूनों में एस.डी.एम. द्वारा गठित सुलह समितियों द्वारा कृषि अनुबंधों और प्रोसेज से संबंधित विवादों के निपटारे का प्रावधान किया गया है। परिणामस्वरूप, समय के साथ-साथ पेसा के उद्देश्यों के अनुसार अनुसूचित क्षेत्रों में प्रशासन की ग्रामसभाओं की केन्द्रियता कम होगी और अंततः समाप्त हो जाएगी।



## वनाधिकार कानून का उलंघन

- भूस्वामित्व (जल, जंगल, जमीन) के लिए खतरा: कान्ट्रैक्ट आधारित खेती, बड़े कृषि-व्यावसायिकों द्वारा कर्ज देना तथा कृषि उपज का वाणिज्यीकरण को लागू करने से वनाधिकार कानून के तहत जंगलों में रहनेवाले समुदायों की भूमि पर अधिकारों की सुरक्षा समाप्त हो जाएगी।
- सामूहिक भूमि के उपयोग पर प्रतिबंध: नये कृषि कानूनों के अंतर्गत जब कान्ट्रैक्ट खेती तथा फसलों के वाणिज्यीकरण के तहत ज्यादा से ज्यादा जमीनों को खरीदा जाएगा, समुदायों का सामुदायिक वनभूमि पर निस्तार अधिकार तथा चराई का अधिकार जैसे अधिकार समाप्त हो जायेंगे।
- पी.वी.जी.टी. (PVTG) तथा उनके रहवास (habitat) का अधिकार बाजार की शक्तियों के लिए आसान लक्ष्य है: विशेष रूप से कमजोर जनजातीय समूह (particularly vulnerable tribal group) अपने वनाधिकार खासकर रहवास का अधिकार (habitat rights) पर शक्तिशाली कृषि व्यवसाय संस्थाओं तथा बाजार के अदृश्य हमलों (invisible hand of the market) का सामना करने में सक्षम नहीं होंगे।
- सामूहिक वन संसाधनों (CFR) के संरक्षण में ग्रामसभाओं की भूमिका में कमी: जंगल व उसके संसाधनों की सुरक्षा करने, पुनर्जीवित करने (regenerate), प्रबंधन (manage) करने तथा संरक्षण (conserve) करने के ग्रामसभाओं की शक्तियों को पहले ही संबंधित विभागों जैसे वनविभाग द्वारा कम किया जाता रहा है वह समाप्त हो जाएगा।

## हमें क्या करना चाहिए ?

- 2020 के तीनों कृषि कानूनों को रद्द करने की मांग करना।
- पांचवीं अनुसूची के पारा 5 के तहत प्रदत्त शक्तियों का उपयोग करते हुए राज्यपाल द्वारा अपने संबंधित राज्यों में 2020 के तीनों कृषि कानूनों पर प्रतिबंध लगाने की मांग करना।
- पेसा को प्रभावी तरीके से लागू करने का मांग:
  - (1) ग्रामसभाओं के सशक्तिकरण के द्वारा स्थानीय बाजारों/ हाटों तथा कृषि उपज के मूल्य पर नियंत्रण।
  - (2) कृषि उपज एवं एम.एफ.पी. के लिए सरकारी खरीद एवं न्यूनतम समर्थन मूल्य (MSP) की गारंटी के द्वारा।

- (3) **जनवितरण प्रणाली (PDS)** के सषक्तिकरण के द्वारा।
- (4) वनभूमि पर किसी भी विकास कार्य करने से पहले ग्रामसभाओं की मंजूरी की अनिवार्यता से संबंधित नीलगिरी जजमेंट को सख्ती से लागू करने के द्वारा।
- भूहस्तांतरण के रोकथाम से संबंधित कानूनों तथा पेसा के तहत स्वीकृति के अधिकार का **प्रभावी क्रियान्वयन** के माध्यम से **भूसंपत्ति सुरक्षा की मांग** करना।
  - अगर ग्राम सभाओं को कृषि कानूनों के क्रियान्वयन को लेकर कोई आपत्ति हो तो वह **प्रस्ताव पारित** कर एस.एल.एम.सी. (SLMC), डी.एल.सी. (DLC), जिला पदाधिकारी (District Collector) तथा टी.ए.-आई.टी.डी.ए. (TA-ITDA) को अपनी शिकायत कर सकती है। अगर एस.सी./एस.टी. अत्याचार कानून का उलंघन हो तो ग्राम सभा फौजदारी न्यायालय में भी शिकायत कर सकती है।

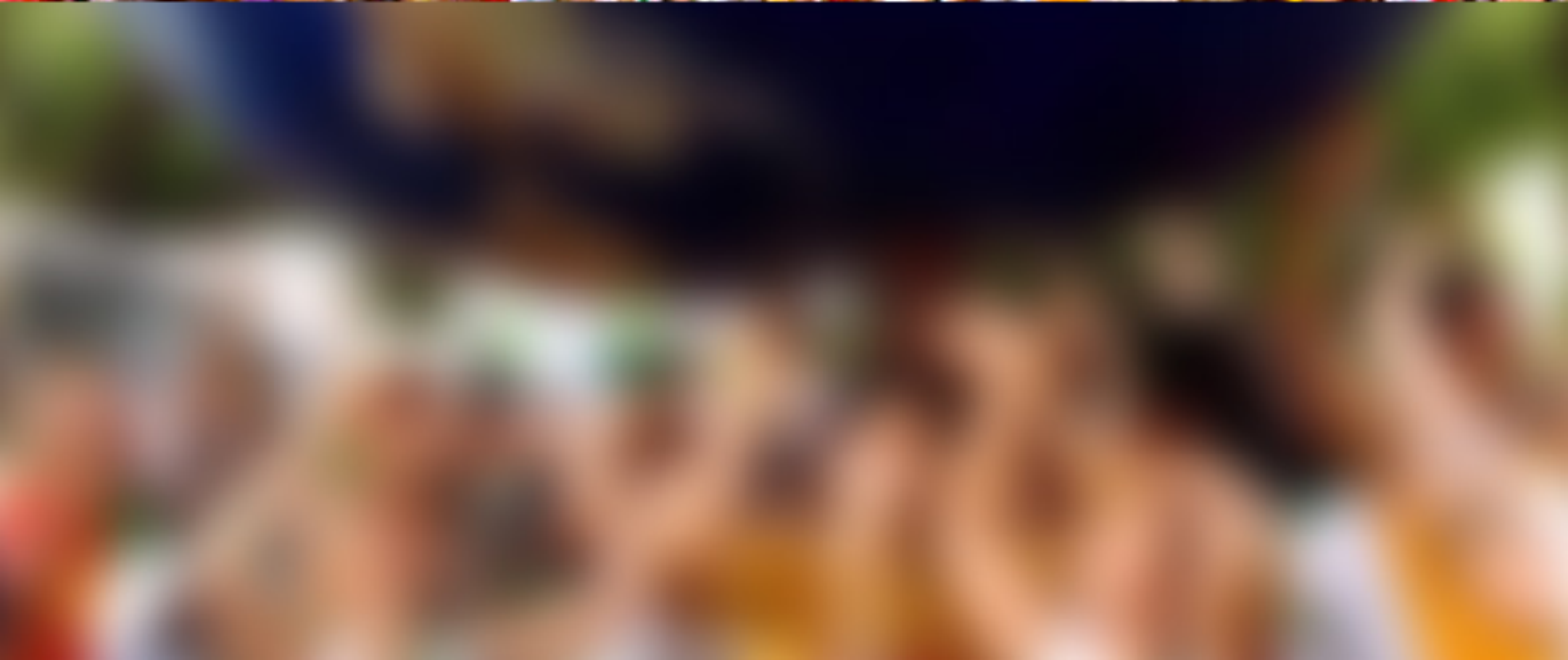
### किसान

तुम किसानों को सड़कों पे ले आए हो, अब ये सैलाब हैं और सैलाब तिनकों से रुकते नहीं,  
 अब जो आ ही गए हैं तो यह भी सुनो, झूठे वादों से ये टलने वाले नहीं,  
 तुम से पहले भी जाबिर कई आए थे, तुम से पहले भी शातिर कई आए थे,  
 तुम से पहले भी ताजिर कई आए थे, तुम से पहले भी रहज़न कई आए थे,  
 जिन की कोशिश रही सारे खेतों का कुंदन, बिना दाम के अपने आकाओं के नाम गिरवी रखें,  
 उन की क्रिस्मत में भी हार ही हार थी, और तुम्हारा मुक़द्दर भी बस हार है,  
 तुम जो गद्दी पे बैठे, खुदा बन गए, तुम ने सोचा के तुम आज भगवान हो,  
 तुम को किस ने दिया था ये हक़, खून से सब की क्रिस्मत लिखो, और लिखते रहो,  
 सर-ब कफ़, अपने हाथों में परचम लिए, सारी तहज़ीब ए इंसान का वारिस है जो आज सड़कों पे है,  
 हाकिमों जान लो, तानाशाहों सुनो, अपनी क्रिस्मत लिखेगा वो सड़कों पे अब,  
 काले क़ानून का जो कफ़न लाए हो, धजियाँ उस की बिखरी हैं चारों तरफ़,  
 इन्हीं टुकड़ों को रंग कर धनक रंग में, आने वाले ज़माने का इतिहास भी शाहराहों पे ही अब लिखा जाएगा।

तुम किसानों को सड़कों पे ले आए हो, अब ये सैलाब हैं और सैलाब तिनकों से रुकते नहीं।

----- गौहर रज़ा

**लड़ेंगे, जीतेंगे!  
 लड़े हैं, जीते हैं!**



# THE WORLD SOCIAL FORUM (WSF) 2021

## Declaration from the Assembly of Social, Peace and Environmental Movements



The World Social Forum (WSF), 2021 was conducted virtually between Jan 23 and Jan 30, 2021.

The World Social Forum (WSF) is an annual meeting of civil society organizations, first held in Brazil, which offers a self-conscious effort to develop an alternative future through the championing of counter-hegemonic globalization.

The World Social Forum can be considered a visible manifestation of global civil society,[1] bringing together non governmental organizations, advocacy campaigns, and formal and informal social movements seeking international solidarity. The World Social Forum prefers to define itself as “an opened space – plural, diverse, non-governmental and non-partisan – that stimulates the decentralized debate, reflection, proposals building, experiences exchange and alliances among movements and organizations engaged in concrete actions towards a more solidarity, democratic and fair world....a permanent space and process to build alternatives to neoliberalism.”

The World Social Forum is held by members of the alter-globalization movement (also referred to as the global justice movement) who come together to coordinate global campaigns, share and refine organizing strategies, and inform each other about movements from around the world and their particular issues. The World Social Forum is explicit about not being a representative of all of those who attend and thus does not publish any formal statements on behalf of participants. It tends to meet in January at the same time as its “great capitalist rival”, the World Economic Forum’s Annual Meeting in Davos, Switzerland. This date is consciously picked to promote alternative answers to world economic problems in opposition to the World Economic Forum.

[https://en.wikipedia.org/wiki/World\\_Social\\_Forum](https://en.wikipedia.org/wiki/World_Social_Forum)

As we start a new decade, the global Covid-19 pandemic continues to claim lives, and devastate economies globally. The impacts of the virus and the worsening climate emergency are increasing social inequalities everywhere. Fighting both crises is the fight for survival of humankind, our lives and our livelihood, for decency and humanity. This year is crucial to address both crises.

In the past popular movements have put forward the need for a system change; they have improved the lives of millions, especially of the marginalized majorities. For example, the labor, women's, social justice, anti-slavery and anti-racism, liberation, peace, youth, environmental, ecological, peasant and indigenous movements have many times achieved with their struggles historical changes.

Today we need to join our forces to forge an even stronger movement because on top of the old problems caused by harmful relations between humans and nature, capitalism, patriarchy, racism and colonialism we are faced with even greater challenges. The deep and multi-faceted crises of today are characterized by extreme concentration of wealth and power, precariousness of work and livelihoods, failures of the public health system, authoritarian and many times militaristic response to the Covid pandemic and manipulation by the old and new information technologies.

Solutions can only be found and implemented by articulating the different regional and territorial levels of action: from the grassroots to the global. Changes should come from below, supported by people and their organizations. In this context we have to realize that all our different thematic areas of specialization are inter-connected: peace cannot be achieved without the protection of the environment and economic relations cannot be restored without social justice; the environment cannot be preserved without a radical change in the social imaginary and peace cannot be achieved without social justice and the transformation of our monetary system. Otherwise the one-sided power and profit motive would harm the interests of all.

That's why we are committed to building a broad-based movement for social, ecological, economic, and political transition with intersectional equality, recognizing the rights of the Earth, nature and community participation democracy as core values. By binding the different initiatives together we want to address the concerns of common people and everyday life in order to prevent humankind from experiencing devastation by wars, hunger and ecological catastrophes.

Local initiatives in both rural and urban communities that enable local populations to take control of land, housing and other resources are important. This gives access to making a living enabling a *buen vivir*, a good life. Such initiatives are food sovereignty and agroecology, mutual aid to help each other in both times of crisis and in a better future both in the countryside and the towns and to build democratic economic forms of cooperation to strengthen local economies.

In order to achieve this, the movements participating in the World Social Forum 2021 have decided to establish, for the coming future, a Global Agenda of Common Actions, starting

with mobilizations at the end of April and in the first weeks of May demanding Universal Disarmament for Social Justice and an Ecological Transition, highlighting the following demands:

1. A universal cease fire in all military conflicts, a radical reduction of all military spending, a general nuclear disarmament and a radical reduction on big per capita energy consumption.
2. Protection of life everywhere through free access to Covid-19 vaccines and medicines as well as equal, quality health services for all. Fight against corporate patent rights that leads to a sort of health apartheid. Promotion of community-based solutions to the pandemic. Protection of wildlife to prevent new virus and future pandemics to emerge.
3. End austerity, especially shrinking public services, social security and welfare, and abolish the illegitimate debts, private and public, in the global South as well as in the global North!
4. Stop the commodification of commons, water, animals, plants, food, water tables, woods, rivers, lakes, beaches, minerals, but also of working conditions, education, health, culture and nature!
5. Economy must respond to the legitimate needs of individuals and not profit. Therefore: no to unjust free trade agreements. Promote transformative economy, fair trade and mutually beneficial international agreements instead of so-called “free trade” sell-outs and investment regimes that benefit investors and rich countries.
6. No to inciting nationalist identity fears and to proliferation of racist or religious hate-speeches and xenophobia, and against scapegoating enemy images which have led to a new Cold War scenario! No to sanctions as an economic tool for military actions.
7. Stop repression by states and private militias of social movements and defenders of territory, nature and human rights, respecting the democratic right to dissent peacefully. Condemn and demand justice for the murders of environmental and rights activists.
8. Promote ecological democracy and participation in the community and the right to self-determination for all peoples, including comprehensive empowerment, e.g. by developing food based on sovereignty and agroecology, especially of indigenous communities, women, and all oppressed peoples!
9. Give particular attention and support to the migrants by creating sanctuary cities all over the world and special commissions on a regional level to protect their right to mobility.
10. Democratize spaces for science and technological research, cultural cultural expression in arts, sciences, and traditional healthcare, including abolition of intellectual property and patent regimes.
11. Create a social and ecological transition by dignifying the life of small farmers, craftsmen and industrial workers, establishing a mutually beneficial relationship between rural and urban economies. Develop and harness sustainable renewable energy technologies under democratic governance.

12. We advocate for the right of all peoples to sovereignty and self-determination, particularly of the Saharawi people and the people of Palestine.
13. We urgently need an international supply chain law that obligates multinational corporations to enforce labor law, social and ecological standards.
14. Full solidarity with activists facing repression everywhere, in the West and the East, the North and the South!

In particular we want to suggest to all movements participating in the World Social Forum 2021 and all others around the world to form an action period for peace, social and ecological justice and transition, from 17 April to 1 May.

17 April – International Peasant Struggle Day,

22 April – International Mother Earth Day,

26 April – International Chernobyl Day

30 April – Global Days of Action on Military Spending (GDAMS) including International Anti-Military Base protests,

1 May – International Workers' Day: For socially just and dignified work

In the tradition to oppose the Davos forum, we call for 15 May a day of action for universal mobilization for the right to health and social protection to counteract the neo-liberal agenda of the World Economic Forum convening 25-28 May in Singapore. We suggest also that we continue to combine efforts further on such occasions as:

8 March International Day for the Rights of Women

7 April - World Health day

5 June – World Environment Day,

6 August – Hiroshima Day,

28 September – International Safe Abortion Day,

2 October – International Day of Non-Violence, Gandhi's birthday,

7 October – World Day of decent work,

16 October – UN food day

20 November – National Day of Black Awareness in Brazil

29 November – International Day of Solidarity with the Palestinian People.

Besides the action days and weeks, we commit ourselves to build together organizations and networks that pursue the common causes expressed in this declaration. We especially welcome continued coordination of popular educational cooperation to support the Global

Agenda for Common Action. We also welcome old and new initiatives to converge on all levels from local neighborhoods to global networks. We are ready to unite in diversity and play the historical role our times demand.

Adopted by the undersigned organisations and participants of the Assembly for Social, Peace and Environmental Movements at World Social Forum 2021.

30 January 2021

Signed by

Organisations and Individuals listed below

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### Organisations:

- 06600 Plataforma Vecinal y Observatorio de la Colonia Juárez, Mexico
- Activists for Peace, Sweden
- AFAPREDESA - Association of the Families of Sahrawi Prisoners and Disappeared, West-Sahara
- AlfaQuebec Projetos Sociais - Grupo Sistemas Complexos e Inteligência Coletiva, Quebec, Canada
- Alliance of Labour and Solidarity (former Czech Social Forum), Czech Republic
- Association des Familles des Prisonniers et Disparus Sahraouis-AFAPREDESA, Sahara Occidental/Western Sahara
- ATTAC Hungary Association, Hungary
- Central and Eastern European Alliance for the Solidarity with the Saharawi People, Budapest, Moscow, Ljubljana
- Culture of Peace, Germany
- Confederación Intersindical, Spain
- Confederación Nacional de Cooperativas para la Emancipación, Mexico
- Centro de Estudios Estratégicos Nacionales, Mexico
- Dynamique Sociale Sahraouie - Sahara Occidental/Western Sahara
- ECOMUNIDADES, Red Ecologista Autónoma de la Cuenca de Mexico
- Fundación Latinoamericana de Apoyo al Saber y a la Economía Popular, Mexico
- Frente Amplio Sindical Unitario FASU, Mexico
- Instituto Cidades Sustentáveis, Brazil



- Intersindical Valenciana, Spain
- Prague Spring 2 - network against right-wing extremism and populism, Europe
- Red Universidad y Compromiso Social de Sevilla, Spain
- Sindicato de Telefonistas de la República Mexicana, Mexico
- UJSARIO - Saharawi Youth Union, West Sahara
- UNEGRO - Black Union for Equality of Brazil, Brazil
- Vasudhaiva Kutumbakam Network - Comprehensive Democracy Forum, Finland-India-Nepal-Sweden

### **Individuals (organisation for identification purposes only)**

- Alexandre Braga, Brazil - Unegro Brasil
- Azril Bacal Roi, Sweden - Amigos de la Tierra-Uppsala, IPB, IRIPAZ
- Bachir Moutic, Sahara Occidental - AFAPREDESA
- Cecilia Casin - Red humanista por la renta básica universal
- Carlos Tiburcio, Brazil - IPS Inter Press Service / CI-FSM
- Dorothy Guerrero, UK - Global Justice Now
- Fabiana Sanches-Urbal, Brasil, SEFRAS - Servicio Franciscano de Solidariedad
- Giselle el Raheb, France - Mouvement de la Paix
- German Niño - Corporacion Ciase - Latindadd - Fospa
- Henning Zierock, Germany/Int'l - Culture of Peace
- Hugo Moyano - Red Humanista por la Renta Basica Universal
- Jennifer Lingerfelt de Araujo Carneiro, Brazil - Ação popular socialista
- Leo Leguizamón, Argentina - RHRBU - Red humanista por la renta básica universal
- Marko Ulvila, Finland - Finnish Social Forum
- Marta Benavides, El Salvador - SIGLO XXIII
- Matyas Benyik, Hungary - member of the Organizers for the Left (SZAB)
- Miguel Valencia, Mexico - ECOMUNIDADES, Red Ecologista Autónoma de la Cuenca de México
- Miguel Alvarez, México - SERAPAZ

- Mirek Prokeš, Czech Republic - UNITED for Intercultural Action
- Miroslav Prokeš, Czech Republic - Defence for Children International (DCI)
- Monica Romero, Colombia - Red transfronteriza de arte, educación y autogestión
- Péter Farkas, Hungary- Karl Marx Society
- Dr. Ritu Priya, India - Health Swaraj
- Rahma Hassan. USA - Never Again
- Soledad Rojas Ruiz, Chile - CEAAL Chile, GAFA, ONG Caleta Sur
- Tord Björk, Sweden - Aktivister för fred
- Dr. Uma Shankari Naren, India - Swadeshi Trust
- Vijay Pratap, India - Samaajwaadi Samaagam
- Ville-Veikko Hirvelä, Finland - New Wind Association
- Vivek Babu Girija, India- M S Swaminathan Research Foundation & Promote Linguistic Equality Platform
- Zeno Bernhard, France – Attac

### Documents used in the process of making the declaration

- Inputs received to the declaration
- Central Eastern European Declaration fo WSF Assembly of Social
- Contribution of the Forum Popular de Natureza to the WSF 2021 Climate, ecology and the environmental axis (four languages)
- Ville-Veikko Hirvelä: A proposal for World Social Forum
- Towards an extraordinary mobilization parallel to the world economic forum in May 2021
- Statement from European/Prague Spring December 5 – 6 mobilizing meeting for World Social Forum 2021

### **INITIATIVE 9140 IN WSF2021: Towards an extraordinary mobilization parallel to the World Economic Forum in May 2021**

Due to its scale, speed of propagation and their potential consequences for the health of the population overall, the current pandemic of the COVID-19 is one Crisis health without precedent. It also represents the first crisis, economic world united to one pandemic.

In the dynamic disconcerting inherent to the pandemic is added situations precedents of crises in the field political multilateral, as can be to level overall the weakening of the UN

and the WTO, or to level regional the crises of governance in the Union European or the disintegration of UNASUR. The sum of these facts brings even more clarity about of the vulnerability of the globalization neoliberal and the lack of one governance overall.

All this scenario, stripped the reality social of our peoples, bringing to the light vast sectors , invisible the most vulnerable, those that do not are being covered by the mechanisms of protection social, are made more visible and require the attention they deserve. According to the Organization International of the Labor Office (ILO), the total number of hours of work will be 10.5% lower than prior to the crisis, caused by the COVID-19, that equates to 305 million of jobs formal in time integral.

As it is characteristic of the current stage of the capitalism, the crises also affects the way most dramatic to the women, as well as to the minorities and groups marginalized: the black, the youth, the indigenous, the migrants, the homosexuals, the elderly. The hegemonic economic sectors are already agitating the threat of more precarious work and the withdrawal of rights social.

We come from decades of global hegemony of ultra- liberal economicism, which preaches an individualistic, anti-public, anti- state and anti-union narrative. The pandemic also showed the emergence of one nationalism growing that is opposed to the action of the cooperation Global necessary to confront collectively this virus. The era inaugurated by the governments of Thatcher, Reagan and by various dictatorships in Latin America, and subsequently reinforced by the consensus of Washington, has maintained many of its premises to the present and has mutated from the “ revolution “ neoconservative to the liberalisms “ Progressive “ generating so one acceleration, never seen in the history of the concentration of wealth and inequality.

The expansion of the speculative financial to the detriment of the economy Real provoked one crisis , to scale world of the system economic, which brought with it the loss of millions of jobs. The crises generated by the COVID-19 represents one new opportunity to take one change of direction in these economic policies that have proven their failure.

Aware of our condition of representatives of one large number of workers, and of our responsibility to one stage of such magnitude, we decided to gather our efforts of reflection and shared with peers and colleagues and with organizations sisters, our concerns, our proposals and our suggestions for the action. It is thus that retaking the spirit originating in the FSM, we propose one mobilization parallel and alternative to the next Forum Economic World which will take a place in Singapore the next month of May.

We claim the need to:

Responses of emergency to protect to the and the workers and ensure one work decent

- One development sustainable and one transition fair
- One model of state with investment public that protects to the people
- The protection of the people migrants

- The justice tax
- The cancellation and renegotiation of the debt of the United
- One change in the order international and one redefinition of the multiculturalism next to one New Agreement Global of the Governance
- The fulfillment of the commitments assumed by the states that allow one development sustainable to the people in the center
- The lifting of the embargo against the people
- Agreements Framework Global efficient and based on the standards of the ILO and on the rights as to the organization union and the bargaining collectively to put an end to the infringement of rights human in the chain of supply
- The recognition of the work essential to often not paid or poorly paid, as the of the care of the people
- The guarantee of rights for all and the workers of the new forms of employment related to the digitization
- Networks of protection universal and income minimum guaranteed
- The guarantee of human rights and scenarios of peace

To reaffirm that we are not willing to delegate to the big powerful of the world our lives, the present and her future of our society and of the planet.

<https://join.wsf2021.net/initiatives/9140>



**WORLD SOCIAL FORUM ONLINE 20 YEARS**

**Articulate for effective actions!**

**PARTICIPATION IN ASSEMBLIES**  
January 30 will be a day dedicated to self-managed assemblies aiming at an agenda of actions articulated from the movements.

**PARTICIPATION IN THE AGORA**  
On January 31st from 2pm to 6pm GMT, take part in the Agora of the Futures, the virtual village of the WSF. Your initiatives will be included in the Common Calendar of Global Actions.

**CLOSING ACT**  
The closing act will launch the WSF to be held in Mexico in 2022.

**En unos minutos iniciamos**



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