

Policy

WATCH

Volume IX, Issue 12
December 2020, New Delhi

SPECIAL ISSUE (COVERING ALL THEMES)

In this issue

**Anatomy of Cultural
Populism -
A Global Perspective :**
Somnath Ghosh

**Impact of COVID19 crisis
on migrant workers in
Tamil Nadu and the
response from civil society :**
Himakiran Anagula

**The State of the
States in 2020 :**
Vijay Mahajan

**Progress Report for
Rajiv Aajeevika
Samvardhan Abhiyan
(RASA)**

An initiative for Prawasi and
Niwasi Workers :
Dr Rakesh Malhotra

**Forest Commons in
Uttarakhand and
Subsistence Rural Economy
A Study of Two Panchayats :**
Jeet Singh

**25 Years of the WTO
What India Has Gained
from It and What Can
We Do to Safeguard Our
Interests in the Future? :**
Yogesh Sharma





RAJIV GANDHI
INSTITUTE FOR CONTEMPORARY STUDIES

POLICY WATCH

Volume IX, Issue 12
December 2020, New Delhi

- 5 Anatomy of Cultural Populism - A Global Perspective : Somnath Ghosh**
- 14 Impact of COVID19 crisis on migrant workers in Tamil Nadu and the response from civil society : Himakiran Anagula**
- 28 The State of the States in 2020 : Vijay Mahajan**
- 33 Progress Report for Rajiv Aajeevika Samvardhan Abhiyan (RASA) An initiative for Prawasi and Niwasi Workers (August 2020 - November 2020) : Dr Rakesh Malhotra**
- 45 Forest Commons in Uttarakhand and Subsistence Rural Economy A Study of Two Panchayats : Jeet Singh**
- 69 25 Years of the WTO What India Has Gained from It and What Can We Do to Safeguard Our Interests in the Future?: Yogesh Sharma**

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 is a special issue in which we carry one article on each theme.

Under the theme, Constitutional Values and Democratic Institutions, the article is by Prof Somnath Ghosh, Senior Visiting Fellow, RGICS. He deals with the worldwide phenomenon of the rise of Cultural Populism. This is a sequel to the article Painting the Rainbow Brown – The Global Arc of Populism by Prof Ghosh, which appeared exactly a year ago in PW Dec 2019, and is accessible at

<https://www.rgics.org/wp-content/uploads/Painting-the-Rainbow-Brown-The-Global-Arc-of-Populism.pdf>

Both of these articles attempt to discern various facets of populism across various countries to develop an understanding of its ideological underpinnings. In the previous article he had attempted to develop the taxonomy of populism on the basis of its severity. In this article, he takes the issue forward and focuses on cultural populism. He extends the discourse on populism to add the fourth quadrant of cultural populism, to three other 'isms' of nationalism, authoritarianism, and majoritarianism. He argues that the driving forces of cultural populism lie more with demagoguery and an ingenious recourse to darker episodes of a country's social history, and reference to contemporary contextual factors such as beleaguered economy and immigration are used as ruses for political gains.

Also see the article Socio-Psychological Origins of Fascism by Aryan D Rozario, accessible at <https://www.rgics.org/wp-content/uploads/The-Socio-Psychological-Origins-of-Fascism.pdf>

In contrast to the dark side of collective human behaviour, under the theme, Governance and Development, we carry a case study by Himakiran, on the efforts made by civil society organisations in Tamil Nadu, to help migrant workers as they tried to get back to their home states from places all over Tamil Nadu after the initial lockdown during the Covid pandemic. The case study describes the plight of the migrants, the civil society response and also the role of the district administration. It also describes how technology was used in this effort.

Under the theme, Governance and Development, we are also reprinting an article by Vijay Mahajan, Director, RGICS, on the State of the States, carried in Civil Society magazine.

<https://civilsocietyonline.com/centreing-the-states/time-for-a-reset-with-more-elbow-room-for-the-states/>

In this article, he assesses the state of federalism in India, by looking at three main mechanisms of governance — funds, functions and functionaries – and how these are shared between the Centre and the States.

Once the migrant workers reached home, they still had to do something for a living. Though MGNREGA works opened up in a big way, but many could not avail of those, either as they had no job cards or because they were unaccustomed to do manual labour. After analysing several migrant surveys, the Rajiv Gandhi Foundation program launched a program for helping migrant workers who returned to their villages, and existing rural residents to promote livelihoods through micro-enterprises. A report by Dr Rakesh Malhotra, Sr Visiting Fellow, RGICS, on this program titled the Rajiv Aajevika Samvardhan Abhiyan in 22 districts is carried as the next article under the theme – Growth with Employment.

Under the theme Environment, Natural Resources and Sustainability, RGICS Fellow Jeet Singh had earlier explored the link between environmental degradation, destruction of wild-life habitat and the rise of zoonotic diseases. The report on that research paper is accessible at: <https://www.rgics.org/wp-content/uploads/Zoonoses-and-Biodiversity.pdf>

Later, Vijay Mahajan and Jeet Singh had proposed re-generation of conserving the environment, jal, jangal, jameen, as A Single Strategy to Fight the Post-COVID Job Crisis and Environmental Degradation in an article titled by that name. It is accessible at

<https://www.rgics.org/wp-content/uploads/A-Single-Strategy-to-Fight-the-Post-COVID-Job-Crisis-and-Environmental-Degradation.pdf>

To illustrate the strategy at the ground level, the RGICS launched a multi-state study on degraded Common Property (Natural) Resources and how these can be regenerated. In this issue, under the theme Environment, Natural Resources and Sustainability, RGICS Fellow Jeet Singh has contributed a case study of common property resources (CPRs) in two villages of Uttarakhand, tracing out the history of how this happened when community institutions to manage the CPRs were replaced in the colonial times with state imposed institutions and this trend continued in practice even after Independence. We will have more to report on this multi-state CPR study in later issues as well.

This year was the 25th anniversary of the World Trade Organisation (WTO), which has been rather beleaguered in the last few years due to trade wars not only between China and the United States, but many other countries' attempts at circumventing the WTO regime by using non-tariff barriers such as imposition of localised sanitary and phyto-sanitary standards. Under the theme, India's Place in the World, we carry an article on the WTO by Advocate Yogesh Sharma, who has recently completed finished an LLM in Transnational Law from UNICRI's Centre in Turin, Italy.

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**



Anatomy of Cultural Populism - A Global Perspective

Somnath Ghosh

Ever since the publication of Jan-Werner Müller's *What is Populism?* in 2016 which took the discourse on populism to a different level, the subject has received significant attention by scholars and commentators alike. Populism has two core characteristics: anti-pluralism and exclusivity. That makes populism anti-liberal and anti-democratic. Populists claiming to represent the "silent majority" have invariably ridden to power by denouncing the elites for neglecting the interests of this silent majority.

Populists will not moderate when they come to power; on the contrary they'd engage in colonization of power. Failures are blamed on elites working behind the scenes, whether at home or abroad. Many populist victors continue to behave like victims; majorities act like mistreated minorities. Turkish President Erdogan would present himself as a plucky underdog; he'd forever be the street fighter confronting the old, Kemalist establishment of the Turkish republic – long after he had begun to concentrate all political, economic, and not least, cultural power in his own hands.

The above colonization of power invariably converts democracy into a false narrative. When populists have sufficiently large majorities in parliament, they try to build regimes that might still look like democracies, but are actually designed to perpetuate the power of the populists, through media control and placing loyalists in powerful positions. Anyone against the party is considered against the government, which in turn translates against the nation. For example, after coming to power in 2010, Viktor Orban and his party Fidesz sought a transformation of the civil service law, so as to enable them to place loyalists in what should have been non-partisan bureaucratic positions. Both Fidesz and Jaroslav Kaczynski's Law and Justice Party (PiS) also immediately moved against the independence of court, and Kaczynski spoke of "Poles of the worst sort" who supposedly have "treason in their genes". As a natural progression, three things follow: enfeebling civil society, including NGOs, activists and intellectuals; shrinking space for public debate; and delegitimizing protests.

Synoptic in scope, the above paras distil the core characteristics and manifestations of many shades of populism. The challenge to society in general and democracy in particular is evident. But we do see signs of counter forces emerging; besides before not too long, hubris sets in and ensures its undoing. By contrast, there's one shade of populism that has a distinct existence. We hold – and which we wish to highlight in this essay – that the nemesis of cultural populism may have far more crippling effect. In the context of cultural pluralism, exclusivity is far more lethal than anti-pluralism; it is carcinogenic as it eats into the social fabric.

Exclusivity – concept, practice and consequences:

In the public imagination, exclusivity has a positive connotation. But in the discourse on populism, the meaning and implications of exclusivity are altogether different. While anti-pluralism is well understood as it has been a part of common discourse; exclusivity has received lesser attention though it has far greater portend. As a concept, it has its origins in anti-pluralism but extends its domain to allow no scope for a meaningful and dignified existence to those not perceived to be its ilk.

Actually, it was Müller (2016) who added exclusivity to anti-elitism and anti-pluralism to complete the triad of populism and define its most salient characteristics. Drawing on examples from Latin America, Europe, and the United States, Müller showed that, contrary to conventional wisdom, populists can govern on the basis of their claim to exclusive moral representation of the people – claiming to speak exclusively for “the silent majority” or “the real people”. And it is this recourse to exclusivity that serves the basis for anti-pluralism. Müller then goes ahead to argue that this rejection of pluralism ends up creating an authoritarian state that excludes all those not considered part of the proper “people.”

It ought to be noted that exclusivity that builds its narrative along cultural, ethnic or racist lines is substantively different from the exclusivity that is sought to be arrogated by exploiting politico-economic aspects. Political and economic issues are temporal in nature; so new layers have to be continuously added to keep the pot boiling. Shifts also take place in the demographic profile of the support base. In contrast, cultural, ethnic or racist issues have deeper social origins, are more long lasting, and vulnerable to extreme swings in passion. Therefore, exclusivity that builds its narrative along cultural, ethnic or racist lines is more problematic. This is what John Judis – writing around the same time as Müller – observed about “Trump playing on racist opposition to Barack Obama’s presidency or exploiting a latent sympathy for fascism among working-class white Americans”.

But it was Michael Freeden of the University of Oxford who posited “populist exclusivity is experienced as a generalized sense of siege, (and) tellingly, populism’s unity is tribal and de-individualized, unlike other solidarity-centred ideologies”, based on citizenship or social rights. Freeden further holds that this exclusivity results in “appropriation of a temporal trajectory of ‘we were here first’, hence we are the ultimate deciders”, and the speed of impact is hastened by the “visceral rawness of emotions such as anxiety and fear, on whose power populism thrives, and the fabrication of threats from every corner”. Exclusivity that rides on cultural, ethnic or racist issues also feeds on a sense of beleaguerment; this allows the populist to fan mass hysteria through fabricating threats.

In the process, we see the birth of a paradox, and one with grave consequences. In common parlance, things that are exclusive are in a minority. But in the realm of populism, the understanding takes a U-turn: the majority, “silent” or otherwise, claims exclusivity. And it is this that gives rise to majoritarianism. While Chatterjee et al., (2019) do not explicitly refer to exclusivity, their observations are similar to Freeden’s. They hold that the main goal is to ‘defend’ the interests of majority first and foremost, at the expense of the rights of the Othered/minorities in the country.

There is no room for pluralism; there's a tendency to disqualify adversaries as 'anti-national' or even traitors; competitors not as adversaries, but as enemies.

Lastly, exclusivity, falling under the rubric of comparative concepts, does not call for the total annihilation of the other. Rather, the marginalised existence of the "other" is the lifeblood of exclusivity. Inherent in the concept of exclusivity are two themes that are antithetical in nature. The first one glorifies the culture of a pristine nation and its people; the other deplores the "influx" of a lesser kind who sully that pristine purity. This duality of glorification and denigration are undergirded by the need to subjugate the lesser being. Subjugation of the other calls for the arousal of baser instincts.

And it is here that, as a first step, the practice of exclusivity calls for the rhetoric of the demagogue – to build on the inherent prejudices, arouse fear, hatred and a call for action. That the call for action involves violence is not lost on the faithful. As small incidents build up one on another, a catastrophe lies in the making, as recent developments in United States indicate. The Department of Homeland Security in the United States released a report on October 6, 2020 calling violent white supremacy the "most persistent and lethal threat to the homeland... through their abhorrent, targeted attacks in recent years"¹

Cultural Populism

While a sharp definition of cultural populism is elusive, it would be reasonable to say that it draws on a mixed bag of emotive issues related to language, race, religion, and ethnicity, often blurring the distinction between fact and fiction, replacing acceptance and tolerance with prejudice, and rejection of the "other". It is a call for the creation or restoration of a socio-political order where the 'distinct' features of dominant civilization represented by the so-called 'neglected majority' can be preserved from the supposed onslaught of a minority. In reality, this translates into the marginalization of the minority on the one hand, and the demonization of those, including mainstream voices, who are seen to oppose such a restoration. Because race, religion and culture have deep socio-historical roots, cultural populism has a longer staying power and, by extension, greater long-term impact on the social fabric of a nation. While cultural pluralism contains the two core characteristics of populism - i.e. anti-pluralism, and exclusivity, making cultural populism anti-liberal and anti-democratic as any other form of populism - it is the exploitation of the majoritarian plank that enables it to push its agenda in an electoral democracy (Ahmad and Kanungo, 2019; Bhushan, 2019).

A good way to figure out the organic nature of cultural populism is to examine its manifestations across a few countries. On close examination we are likely to see differences in spite of similarities on the surface. And in the dissection we are likely to get clues about the factors that are likely to condition the intensity and virulence of cultural populism in specific circumstances.

Let's take Austria. As the country's October 2017 elections approached, polls indicated that the populist far-right Freedom Party of Austria (FPO) was on track of becoming the country's strongest political force. The centre-right Austrian People Party (OVP) under the then 31-year-old Sebastian Kurz changed tack and

¹ Giovanni Russonello, 'On Politics', The New York Times, October 7, 2020

“embraced the anti-immigration, anti-Islam, and tough law and order stance of FPO in the run-up to the elections... Kurz’s “populism lite” not only helped him gain voters who previously cast their ballot for FPO as well as for two other far-right, populist parties, but also managed to attract votes from Green Party supporters, (and several others)”. (Gady: 2018).

Brazil under Jair Bolsonaro presents a different picture. Bolsonaro is one of the poster boys of populism, and his populism is based on multiple planks of anti-corruption, patriotism and nationalism. In his speeches, he has also exhibited gender insensitiveness, often going beyond crudeness. But there has been no evidence of cultural populism reflected in race, religion or civilizational superiority.

The pitch gets queered when one encounters Obran of Hungary. He advocates keeping Hungary Hungarian, and Europe European. As a result, Fidesz excludes the possibility of Muslim immigrants’ integration in Europe and even the peaceful coexistence of Christian and Muslim civilizations as well. This development seems to be of a recent origin and it is for this reason that Kreko et al. find anti-Muslim populism in Hungary move from the margins to the mainstream.

Similarly, the stated goals of Danish People’s Party (DPP) have been to protect the freedom and cultural heritage of the Danish people, including the family, the Monarchy and the Evangelical Lutheran Church of Denmark. Significantly also to work against Denmark becoming a multi-cultural society by limiting immigration and promoting cultural assimilation of admitted immigrants, with Kristian Thulesen Dahl, the leader of the party, once declaring DPP to be an anti-Muslim Party.

Cultural populism gets shriller when we come to Marine Le Pen, President of opposition party, National Front in France. In her election rally in April 2017 she said: “Your neighbourhood, your village, your children’s school, your life, your ways will be inevitably impacted by immigration” and if elected as President would seal the borders very next day². Notice three things here. First, Le Pen makes a strong emotional pitch meant to arouse emotions which is exactly what happened considering the violence that accompanied her speech. Second, she is arousing fear not of a bleak economy or unemployment but the erosion of (French) culture, identity, and ethnicity. Third, the cause of cultural erosion of the majority is, who else, but the *immigrant*.

Is Marine Le Pen’s immigrant a German, Swede or Slavic? No prizes here for guessing that majority of the migrants were Muslims. In the process, religion has been overlaid on nationality. But it is not just any religion, but an alien one. Already three years before her April 2017 election rally, Le Pen had demonized Muslims, when in a June 2014 interview, she had argued that her party was “without doubt the best shield to protect (Jews) against the one true enemy, Islamic fundamentalism.” It is of course irrelevant that for decades anti-Semitism was a recurrent theme for National Front. What is important is the conception of a grand culture that’s rooted in its ethnicity, religion, race and life style that is at once unique and composite; and on the other, the marginalization of the “other” which is alien to composite culture of “the people” – the majority. But the “other” has to be a significant minority which can be conjured up as a significant threat to the cultural identity of “the people”. So, in the run-up to the 2017 French elections, it had to be the Muslims and not the Jews, because the latter was a much smaller community than the Muslims and would have poorly qualified as a threat to French culture or ‘way of life’.

² See video: https://www.youtube.com/watch?v=m6IHqxsE_pU

Evidently, cultural populism stands on the shoulders of majoritarianism. But there can be no majoritarianism without minorityism. But majoritarianism has to be hegemonic, just as minorityism means their marginalization. Interestingly, there's a paradox here. The marginalization of the "other" should not be complete, but a continuing task, because the very continuation of the "other" galvanizes "the people", as if providing the very *raison d'être* for its survival.

It is one thing for Marine Le Pen and Kristian Thulesen Dahl to hark back on the cultural roots of family, Church and "way of life" on the one hand and, on the other, to denounce Islam and Muslim as alien and disruptive. But at the ground level how does cultural populism manifest itself? At policy level, DPP had a key role in writing the rules and conditions for immigration in the immigration law that was established by the government in May 2002, which it called "Europe's strictest". Additionally, some social benefits for refugees were also cut by 30-40% during their first seven years in power, and ordinary unemployment benefits were replaced by a reduced "start-up aid". In France too, there has been similar preoccupation with Islam. Secularism has been used to justify bans on pork-free menu options in public schools, the ritual slaughter of animals without prior stunning, and the provision of halal food in public institutions. Populist secularism has also informed the passing of restrictions on Muslim women's clothing, including the bans on burkinis introduced by some French localities in 2016 and those on full-face veils enacted in Austria, Belgium, and France. But the response of "the people" towards the "other" is in the realm of visceral, like a crowd gathering and singing loudly the national song of France – along with the national flag – to drown out the Muslims who gather at precise hours to offer prayers on streets.

Two other things need to be noted about cultural populism of the Europe. The main protagonists have not been socio-cultural or religious organizations but right wing political parties with the ostensible purpose of increasing vote share; any ideological underpinning has only instrumentalist value for seizing political power. It is therefore no surprise that National Front's bogeymen were first the Jews and then shifted to Muslims because of electoral politics. Next, associated street violence were few, both in numbers and intensity with no loss of life.

Emergence of Cultural Populism in US

During 2016 US elections, few people wagered Donald Trump would emerge President. We have already noted how his populist approach of reaching out to the "silent majority" who have been ill-served by the "good for nothing Democrats", and "we are the people; the other type don't count" helped him ride to victory. While Trump is himself a billionaire, his public disdain for elites extended to all matters scientific – from climate change to Covid-19 management, prompting 81 Nobel laureates in science to endorse Biden for president, citing his "willingness to listen to experts" and his appreciation for "the value of science in formulating public policy". Likewise, Scientific American, which has stayed aloof from politics for all 175 years of its existence, now endorses Biden.

But these aspects of Trump's populism needn't detain us in our examination of cultural populism. It is his racism, his support for white supremacy, his attempt to delegitimise largely peaceful pro-black protest on the one hand and defending fatal attacks by white vigilantes that are markers

to his cultural populism. As “Black Lives Matter” protests against the police murder of George Floyd were countered by Blue Lives Matter, nobody was at any loss to understand where Trump’s sympathies lay when he vociferously repeated: “when the looting starts, the shooting starts”. As Peter Baker, chief White House correspondent for *The New York Times*, recently pointed out, Trump called Black Lives Matter a “symbol of hate”, and that “Not in generations has a sitting president so overtly declared himself the candidate of white America.”³ Notice also not only his steadfast refusal to condemn Kyle Rittenhouse, the white teenager accused of Kenosha Wisconsin protest murders; but actually defending him, saying if Rittenhouse hadn’t fired, he would have been killed. He previously threatened to release “vicious dogs” on protestors who sought to get to the White House, and later retweeted a video of a supporter shouting “white power” at a community in Florida⁴.

But it is his latest attack on The New York Times’ 1619 Project, in use in California public schools, as being anti-American that has larger implications. The project analyzes the history and legacy of American slavery and Trump has threatened to defund schools that include the project in their teaching. After all, his white supremacist ideology is the cornerstone of his appeal to the reactionary and bigoted elements of his base. It has been termed as a racialized politics of organized forgetting. At the heart of Trump’s attack on racial injustice is an attempt to replace historical consciousness with historical amnesia. As Washington Post columnist Eugene Robinson recently wrote: “All of this is nothing less than undisguised white supremacy. Trump wants white voters to fear the Black Lives Matter movement. He wants them to see it not as a demand for justice and fairness but as a mortal threat to white privilege.” And that explains why he issued an order to rid the federal government of programs engaged in racial sensitivity training, which he labelled as “divisive, anti-American propaganda.”

The Impact of Historical Antecedents:

While cultural populism in the West is of a relatively recent origin and is mainly triggered by migrants and refugees, it has deep historical antecedents in some other countries. These in turn have shaped three facets of socio-political life. First, we see the emergence of a subculture that dominates not just social discourse but shapes political (read, power) landscape. As we shall presently see, the emergence of subculture could be outcome of geopolitical upheaval as with the creation of Israel in 1948 or as in the case of India, a march of history. Second, over time, this has shaped what is known as ‘ethnic democracy’. Finally, these two facets seal the most critical element of cultural populism: the reordering of social relations where the minority ‘accepts’ its lesser role with its rights and privileges curtailed in a democratic setup.

Evidently, no two country is likely to exhibit identical trajectories, but broad similarities may still be discerned to allow us to appreciate how historical antecedents go to shape cultural populism. For example, in its Basic Laws, Israel defines itself as a Jewish and democratic state and the nation state of the Jewish people. In 1988, this enabled the Supreme Court of Israel to deny the right of the *Progressive List for Peace*, a left-wing political party in Israel formed from an alliance of both Arab and Jewish left-wing activists, to participate in elections because the party refused to recognise Israel as a Jewish state. Chatterji, et al. (2019) report that the court went on to say ‘there is no contradiction whatsoever between these two things: The state is the state of the

³ <https://www.nytimes.com/2020/09/06/us/politics/trump-race-2020-election.html>

⁴ Brett Samuels – The Hill, 07/06/20 09:02 AM EDT <https://thehill.com/homenews/administration/505966-trump-swipes-at-nascar-for-banning-confederate-flag-bubba-wallace>

Jews, while its regime is an enlightened democratic regime that accords rights to all citizens, Jews and non-Jews.' The judges even went so far as to consider that 'the existence of the State of Israel as a Jewish state does not negate its democratic nature, any more than the Frenchness of France contradicts its democratic nature.'

It is held that this approach does not pertain only to institutions, as 'Jewish public opinion not only condones constraints imposed on Arabs, but also endorses preferential treatment of Jews.' Chatterji, et al. refer to an opinion poll taken in 1995 among Israeli Jews which showed that 74.1 per cent of them expected the state to give Jews preferential treatment over Arabs—who, for 30.9 per cent of the respondents, should not even have the right to vote, or be hired in civil service jobs according to 32.2 per cent. Moreover, the problem is underscored thus: 'Most Jews do not even perceive the above differential practices as discriminatory against Arabs, but consider them rather as preferences rightfully accorded to them as Jews in a Jewish state.'

Although the term 'ethnic democracy' was coined by Professor Juan Jose' Linz of Yale University, it was Sammy Simoha who developed the concept further and proposed it as a model. Smooha (2003) holds that contrary to its self-image and international reputation as a Western liberal democracy, Israel is an ethnic democracy in which the Jews appropriate the state and make it a tool for advancing their national security, demography, public space, culture and interests. At the same time, Israel is a democracy that extends various kinds of rights to 1 million Palestinian Arab citizens (16 per cent of the population) who are perceived as a threat. Thus, Smooha presents ethnic democracy as a distinct type of democracy in deeply divided societies, concluding that 'as a mode of conflict regulation, it is superior to genocide, ethnic cleansing, involuntary population transfer and systems of non-democratic domination.' Stripped of all niceties, it bestows on the minorities the status of dominated, second-class citizens.

In the case of India, historical antecedents that laid the foundations of cultural populism were not geopolitical in nature, but the gradual progression of history shaped at least to some extent by conversion to Islam. By the latter half of nineteenth century, the schism between Hindus and Muslims became marked, reflected tellingly in the demonization of the latter. In her just published book, *My Son's Inheritance: A Secret History of Lynching and Blood Justice in India*, historian Aparna Vaidik informs us that the belief that Hindu and Muslim communities were completely separate, antagonistic, and had an exclusive and autonomous heritage with no shared history did not sprout overnight. It was a process that took several decades to take root. The mutual trust between Hindu and Muslim communities had reached a low in the 1920s, and riots were seen frequently across many cities of India. In 1923 alone, India witnessed eleven riots, followed by multiple riots every year till 1927⁵. This legacy continued after Independence. According to Hardiman(2003), there have been 76 major riots in post-independent India.

The Role of Demagogue in fostering Cultural Pluralism:

A reasonable question to ask is what connection do events more than half a century ago have with current social order and, if so, how is the connect maintained. Sociologists will point out that social mores and tradition persist over much longer periods, just as social historians study the records of people's actions in the past which still exist. And ideas have much longer life. If seven decades after Mahatma Gandhi's death, his thoughts and life are still an inspiration to countless

⁵ Hardiman, David (2003). *Gandhi in His Time and Ours*. Orient Blackswan. pp. 165–166 Accessed: 17 April 2020

across the world, then violent life experiences of an earlier generation keep tugging at collective consciousness. These get reinforced by periodic race relations skirmishes, including riots. It is as if a reservoir of strained relationships is always there, ready to spill over.

Understanding this demand for populism is crucial if we want to understand how citizens become more likely to accept and defend populist ideals and, hence, elect populist leaders and parties. In this narrative, the demagogue plays a critical role. A demagogue is a

“rabble rouser, a leader who gains popularity in a democracy by exploiting emotions, prejudice, and ignorance to arouse some against others, whipping up the passions of the crowd and shutting down reasoned deliberation;

“evasive in discussing vital issues... appealing to the passions rather than the reason of the public; and arousing racial, religious, and class prejudices.”

One fundamental demagogic technique is scapegoating: blaming others, usually of a different ethnicity, religion, or social class. If earlier, Hitler blamed Jews for Germany's defeat in World War I as well as the economic troubles that came afterward, and McCarthy claimed that all of the problems of the U.S. resulted from “communist subversion”, in contemporary US, Trump lays it at the doors of the “good for nothing Democrats” or the Mexican immigrants. Unlike other forms of populism, culture populism stokes deep seated prejudice, fear and hatred. In the hands of the populist demagogue, baser elements are aroused by concocting outrageous and graphic images. This has been used increasingly in India in the last three decades. Such developments have prompted some scholars to question whether India is on the path to becoming an “ethnic democracy” (Jaffrelot 2018, 2019; Singh 2020; Ahmed 2019; Bhushan 2019).

We are at a very crucial juncture in our history where as a nation, we have to decide between mutuality and pluralism as a way of life or be caught in the four quadrants of, majoritarianism, nationalism, cultural populism, and eventually, authoritarianism.

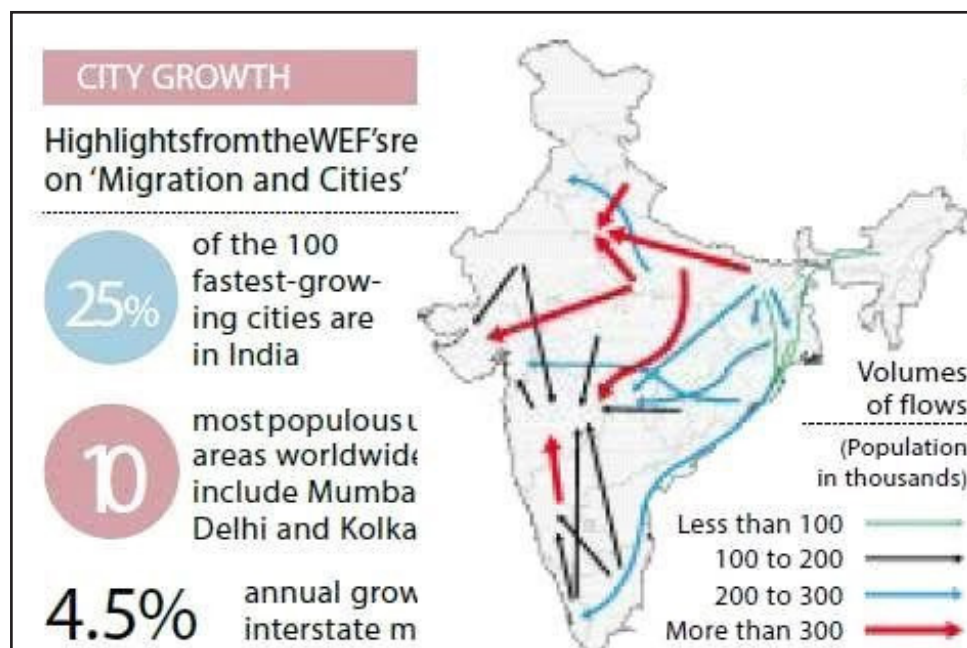




Impact of COVID 19 crisis on migrant workers in Tamil Nadu and the response from civil society

Himakiran Anagula

Tamil Nadu being a heavily urbanized state with a large degree of industrialization has attracted workers from all parts of the country in search of livelihoods. The spread ranges widely both in terms of geographical origin and the educational qualifications. People from the North Eastern states come to work in the BPO, hospitality and beauty care sectors. Educated youth from across the country through the IT/ITES, MNC, industrial sectors and blue collar workers from the Northern and Eastern states like Uttar Pradesh, Bihar, Jharkhand, Chhattisgarh, Odisha, Bengal come to work in the construction/infrastructure, restaurant sectors as well as in several small and medium level enterprises. Recently, there is a small percentage of farm labour too.



Source: World Economic Forum report on Migration and its impact on cities.

Apart from Chennai, the industrial clusters of Ranipet, Sriperumbudur-Oragadam-Chengalpattu in the Northern region, Coimbatore, Tirupur, Erode, Namakkal in the Western parts of the state, Tiruchy, Madurai and Kanyakumari hosted a substantial population engaged in various contractual jobs. Conservative estimates range from 15-20 lakh migrant workers being present in Tamil Nadu with over 5,00,000 in Chennai region alone.

Early days of the crisis

In an already tottering economy, the arrival of a potent virus spreading at a pace beyond the capabilities of our preparedness was the proverbial death blow. The failure of the Union Government to recognise the enormity and virulence of the pandemic by not closing the borders of the country in early to mid-February and not shutting down inter/intra state transport till the third week of March led to Tamil Nadu especially Chennai region becoming a hotspot quite early. During the period of January 18 to March 23, an estimated 15 lakh people arrived in India from other countries.

Chennai being an international hub and Tamil Nadu being a state with a large volume of international arrivals was hit badly with many hotspots. The first lockdown was announced by the Tamil Nadu Government on the 23rd of March for a period of 8 days starting midnight on the 24th till 31st of March. This set off a panic movement of people in the cities towards their native places within Tamil Nadu. When the Union Government announced a 3-week lockdown on the 24th of March with just 4 hours' notice, everything was shut down with zero movement of people, goods in any direction, with exceptions being essential goods including food and medicine.

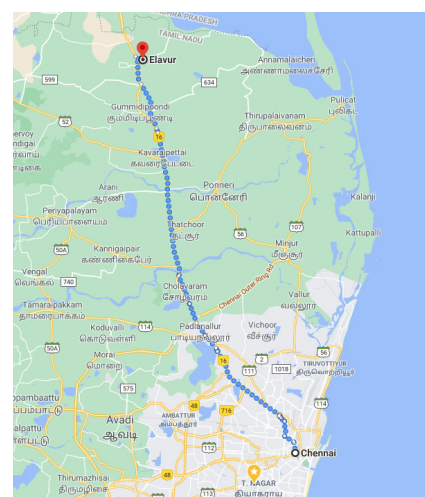
Most of the migrant workers here are tied to contractors who get orders from larger contractors or companies to execute various work. People are housed in temporary accommodation on the project sites or nearby low-cost housing, often in crowded conditions. In most cases, the contractors provided some food assistance during the first lockdown. Civil society volunteers, NGOs who are well networked and experienced in relief work due to the work done from Tsunami times to the 2015 Chennai floods stepped up and started food distribution measures.

This coupled with access to inexpensive food through Amma canteens in the urban areas helped in mitigating the impact of the crisis in the short term. When the lockdown was extended to the first week of May, things started heading downhill. Contractors and house owners started asking the workers to leave the housing as rents were not being paid. Most of the contractors themselves were not paid for the previous 2-3 months by their clients. Tamil Nadu Government announced a token relief measure of Rs.1,000 per ration card holder. This, in a state like Tamil Nadu with a higher cost of living, did not amount to much.

Response by Local Civil Society Volunteers

When the lockdown was relaxed on the 4th May, people started moving towards their hometowns in Tamil Nadu as well as other states. Migrant workers started moving towards the northern end of the state - Thiruvallur district which borders Andhra Pradesh.

On April 22nd, a group had crossed Elavur, a border town about 50 kms from Chennai. Our colleague, S.Thilak Raj who runs Sevai Karangal (<https://sevaikarangal.org.in>) an NGO in the region chanced upon them and gave them some food and water. By the first week of May, they had reached their homes in the district of Visakhapatnam, 715 kms away.



Himakiran, who farms in the region and visited his farms every day, saw workers on the highways headed out of Chennai towards Andhra during the first ten days of May. The numbers were increasing daily with police stopping people and sending them back. Thilak had set up a relief centre at Elavur providing food and water by tying up with local volunteers from Arul Jothi Vallalar Arakkattalai and Uravu Palangal a team of Sri Lankan Tamil refugees in the Gummidipoondi camp for the workers.

On the 12th May, Anantha Sayanan of Safe Food Alliance, Tamil Nadu had posted on Facebook that he along with a few others was visiting the area to meet and express solidarity with the walking workers. He reported at the end of the day that the situation was getting worse with about 1500-2000 people walking and that we had to initiate relief work. Apart from Thilak and Anantha Sayanan, many from our network of volunteers, activists like Ariwarasan, Raveen Carr, Prasanna Gandhi, Parthasarathy, Krishna Kumar decided to get involved in relief work. The Elavur relief centre was the hub for all the on-field coordination while there was a backend team of volunteers led by Subha Bharadwaj, Radhika Rammohan of Restore who set up a call centre to register migrant groups with technical support from Dilip Srinivasan. Nityanand Jayaraman collected data to be used in the PIL filed by a team member asking the Madras High Court for a direction to the government to take steps to mitigate the situation. Suresh Lakshmiopathy of Organic Farmers Market helped maintain accounts, monitor fund collection and disbursal.

Anantha Sayanan is with **Aparna Krishnan** and 35 others · 13 May · 🌐

Pl read fully, u can help for sure

So, went to the Kolkata highway on the northern outskirts of Chennai and followed the walking migrants till Tada (AP Border)..I had the ever-ready volunteer **Ariwarasan Ai** joining me..(i called him 630am and he was ready to join me in 15 mins!)... we set off to the Kolkatta road.

we saw 100s of them walking..its a sad scene.. some of them with kids, youngsters and ladies, all of them walking... Each holding a sack full of stuff on head..and walking in this sun..to note that, one sack is all their asset is another sad story..

Most of them are walking bcos they don't have work or food or money here.. they all had come here to work in various places (mostly restaurants or as daily labour) and since March they have all been struggling..some of them were helped by their employers for short periods after which they also left them.. Not a single one was angry or said anything in accusatory tone..

"last I ate was yday morning and previous to that was one day before.."

"we will walk all the way home.. yes, I know its more than 1000 kms what else to do?"

"I have no job or money or food.. what to do? And staying here means starving and paying rent"

"yes I have to walk with the kid and wife..no other way"

"no trains, no word from govt.. no food too.. what to do"

"even if they leave trains now, we can get tickets only after a month..so no other go but to walk"

its such a pathetic scene..and to see so many of our fellow citizens walking is such a sad sight..and to know that they have no other option and no money left.. I saw one man limping but catching up pace with rest every now and then and continuing..

So this is what we did..we took lotsa bread, fruits, biscuits and distributed to them..and we were very happy to see some locals had kept water bottles on the road side in a dabba for the walking migrants to pick up..

As we were distributing also we saw some locals come and distribute food packets.. That is Real India! Rural india!!

So what we can all do is :

- 1/ Pl try and contribute as much as u can asap. , its just that a few of us volunteers got together and are trying to help these poor people..so cash or biscuits or fruits or breads is best.
- 2/ If u want to transfer, pl do so to 'Sevai karangal' with whom we work closely. I fully vouch for them and their founder **S Thilak Raj** a close friend n co-traveller. PM me to get their details.
- 3/ when I told this to **Prasanna Gandhi** on the way, he immediately felt so touched and jumped in.. even b4 I cud reach Chennai he had talked to few people and organised for 1000 loaves of bread and water bottles. U can do something like that. He is already on the way to Gummidipondi / Kolkatta road.
- 4/ Prasanna was suggesting something else too: he said some 10 of us shud go in 10 vehicles and pick up as many in our vehicles and drop them some 10-15 kms away or in AP border.
- 5/ when I was told the AP police in the TN-AP border are not allowing. People like KK have assured to take it up to some higher officials and ensure no harassment and even help – like water and drops in tractors for groups of ppl. (that has been done in some parts of AP by the govt officials!), U can pitch in here too.
- 6/ if u cant reach us, u can reach the walking migrants directly.. go to the redhills area (on kolkatta/Tada road) there will be hundreds walking in groups.
- 7/ I also saw some youngsters cycling..i also spotted a young man carrying a pump tool but still..

7/ I also saw some youngsters cycling..i also spotted a young man carrying a pump tool but still..

8/ we shall note down some of the numbers and keep a tab..just to know about their progress. A team that left Chennai on april 22nd reached Vizag on 2nd May.. yes all of them! We were mutually so happy:-)

9/ I shall share a route of theirs soon..with all towns enroute.. if u can pass it to ur friends and ask them to help with water, food or what ever, it will be great.. we all owe that much to these beautiful people..

10/ PLEASE pitch in and asap for the help is needed NOW..

-Ananthoo 9444166779



You, Rama Subramanian, Aparna Krishnan and 243 others · 119 comments 264 shares

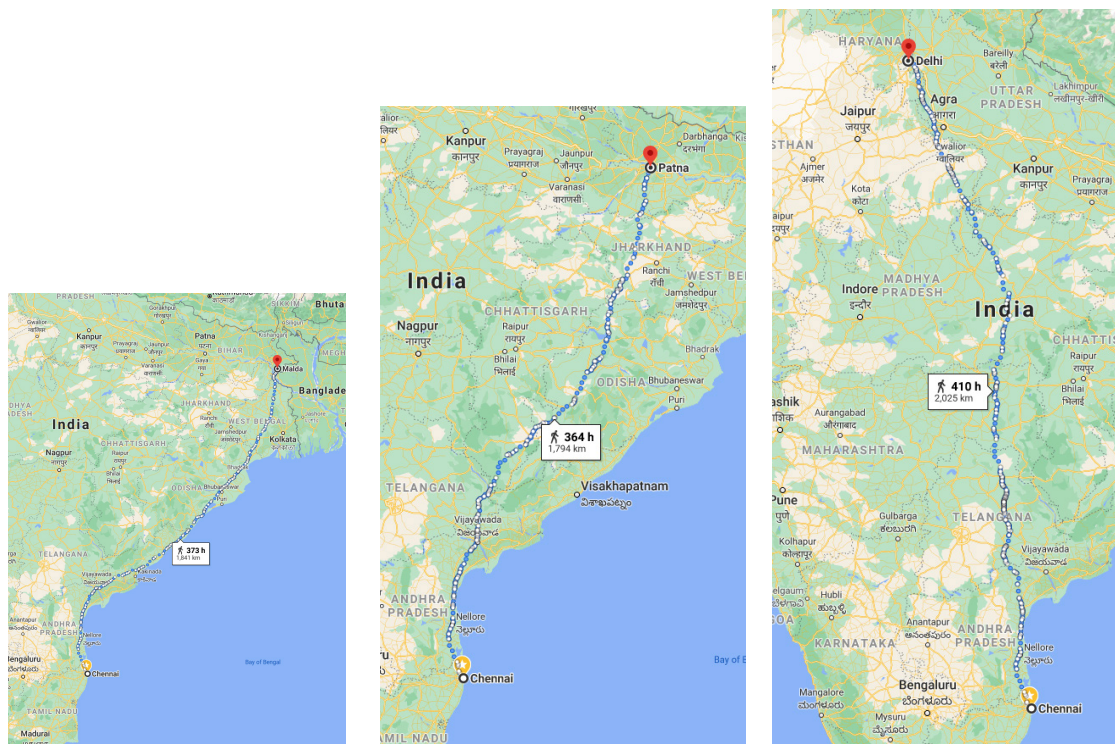
Like Comment Share

Himakiran suggested that we connect to the network of civil society activists, agro ecological organisations along the three main routes out of Tamil Nadu heading into the Northern, Eastern states.

Chennai to Bengal and the Northeast via Coastal Andhra, Coastal Odisha.

Chennai to Eastern UP/Bihar via Coastal Andhra, Telangana, Chhattisgarh.

Chennai to Delhi via Coastal Andhra, Telangana, Vidarbha, Madhya Pradesh, UP.



The plan was to have a relief centre every 50-60 kms along the route manned by volunteers. With careful planning and coordination, the team set up a network along these routes, with help from Kavitha Kuruganti of the Alliance for Sustainable and Holistic Agriculture who connected with many volunteer groups across the country. Akshay, John, Samuel from Krea University in Sri City, Andhra, Asha Kranti at Vijayawada, Sai Pallavi at Nellore, Rythu Swarajya Vedika in Andhra and Telangana, Living Farms in Odisha and many more such groups stepped up to manage the situation along the way.



Some of the team members at the Elavur relief centre.

Registration

Initial relief work involved stopping the workers, giving them bread, biscuits, glucose, and water. Pain balms were also given to some of them. Registration was done with the following details collected; names, location from where they started, which district and state they were headed to, number of people including men, women, and children. Apart from this, depending on the size of the group, mobile numbers of one or two people in the group as point of contact with instructions to keep only one of the phones powered on, to save battery power. The workers were also given phone numbers of any one of the volunteers they had met with instructions to call them in case they faced any issue down the road. We had assured them that, we have talked to our friends in different states and they would be met with food and water every 50-60 kms. Once registration details were noted on paper, photos of the same were taken and sent by WhatsApp to the backend team for entry into the database.

The forms used to collect, collate information, and track relief work, status of the migrant groups.

Occupation of Head of Family *

Auto/ Taxi Driver

Gardener

Electrician

Security personnel

Self Employed/ Business

Plumber

Mechanic

Other...

What is needed? Amount or article that can help *

Please enter the amount that would be of help in INR or article as sewing machine etc

Short-answer text

.....

Other Remarks

Any other detail which needs attention or immediate action

Entry Form - TN Migrant Relief

Details of Migrant Groups From Chennai

*Required

Primary contact name *

Your answer

Primary contact mobile number *

Your answer

Primary contact number network provider *

- Airtel
 Jio
 Vodafone
 Idea
 Other:

Primary contact Aadhar number *

Your answer

Destination state *

- Andhra Pradesh
 Assam
 Bihar
 Chattisgarh
 Jharkhand
 Karnataka
 Madhya Pradesh
 Maharashtra
 Nepal
 Orissa
 Rajasthan
 Tamil Nadu
 Telangana
 Uttar Pradesh
 West Bengal
 Other:

Destination Address *

Your answer

Destination village / town / city *

Your answer

Destination District *

Your answer

Current stay in Tamilnadu *

- Where they used to reside earlier
 Moved to shelter home
 Road
 Other:

Residence address in Tamilnadu *

Your answer

If shifted to shelter home or some other place, mention the address below

Your answer

Occupation

Your answer

No of people in group *

Your answer

No of women in group (fill as 0 if none) *

Your answer

No of children(under 16) in group (fill as 0 if none) *

Your answer

For how many years did the group stay in Tamilnadu? *

- < 1 year
 Other:

Did the group register in Tamilnadu portal for train journey? *

- Yes
 No

If yes, acknowledgement number?

Your answer

Did the group start their journey back home? *

- Yes
 No

If yes, mode of journey?

- Walk
 Cycle
 Truck
 Train
 Other:

Any distress?

- Yes
 No

If yes, what is the distress?

- No food
 No shelter
 Issue with landlord
 Police trouble
 Other:

Monetary assistance required? *

- Yes
 No

If yes, for what?

- Food
 To go back home
 Mobile recharge
 Grocery
 Other:

Comments (if any)

Your answer

Migrant workers Account Details Covid19

To help in relief and rehabilitation of migrant workers and others affected by Covid 19 pandemic.

ENSURE CAPS IS ON.

To Avoid Errors Do not Cut & paste from External Sheet, MANUAL ENTRY please.

*Required

Case Number *

Mention as 0 if it is a new case, else fill in existing case number

Your answer

State *

Choose ▾

Phone Number *

Phone Number of the Migrant Worker

Your answer

Volunteer Name *

Choose ▾

Member Serial Number *

Eg: If the case has 10 members and assume that details of 2 members are filled already using this form, you mention as 3 while filling the form for 3rd member.

Your answer

Member Name *

Ensure that CAPS LOCK IS ON

Your answer

Bank Account Holder Name *

Ensure CAPS LOCK IS ON

Your answer

Bank Account Number *

First character should be apostrophe and ensure absence of space

Your answer

IFSC Code *

Ensure that CAPS LOCK IS ON & Check Validity of IFSC Code <https://ifsc.bankifsc.com/>

Your answer



Registration and relief material being given.

Government machinery and the realities of ground level administration

All arrangements were done by the team with food being made available for a few hundred people on a short notice by Ravin, Prasanna and Thilak. Himakiran, Thilak, Krishna Kumar, Parthasarathy, Ariwarasan and Vedhan Shiva spent time tracking groups of migrants on the roads and collecting initial details, assigning case numbers, and registering them in the backend. The backend team would upload all information to the database and a volunteer who spoke the language of the group was assigned to them. They served as the point of contact for the group till they reached home, and sometimes even after. Many a friendship was made this way.





The reality of the unplanned lockdown in an image.

After we started guiding workers to the border, we realised that the Tamil Nadu police, and the Andhra police were not allowing people to cross over. The border is close to a lagoon and many workers tried wading through water and walking in the night to cross into Andhra.



We went up to the check post to demand the police let people cross over, but they refused. The Andhra police was even picking up workers who had walked 30-40kms into the state and dropping them back at the border. From the border the Thiruvallur district police were chasing people away or sending them in vehicles to be dropped off at the Chennai District police limits. The same was seen between local police station limits. The approach taken by the officials was to move the workers outside their jurisdiction, thereby making it a problem for someone else to deal with.

The officials did not have a clue on how to handle the situation, which was also complicated by the workers not knowing English/Tamil and the officials not knowing Hindi. On May 13th and 14th this situation escalated with thousands being chased away in either direction. It was quite frustrating for the volunteers to see their efforts being wasted as the workers were being sent back. A lot of the images and videos were sent to friends in the media and posted on social media with a request to highlight the same for the authorities to see. On the very day we had registered 700 workers within a five hour period, the Chennai Corporation commissioner replied to a question from the media stating, a few people might have left due to anxiety.

<https://twitter.com/ahmedshabbir20/status/1261247917471367174>

Public Private Partnership

It was decided that this matter would be taken up with the higher officials in the Tamil Nadu government. The Tamil Nadu government had appointed a nodal officer for migrant worker movement, Mr. Atulya Mishra IAS. The team got in touch with him and Special Coordinator for Chennai region, Mr. Pankaj Bansal IAS to take cognisance of the situation and provide relief. We requested that they set up relief centres to house the workers and arrange for trains for them to go back home. On the night of the 15th, the police were taking away many of the workers and the team pursued them and demanded to know where they were being taken. After a lot of pressure, the police arranged for them to be housed at TJS Engineering College for a few days.



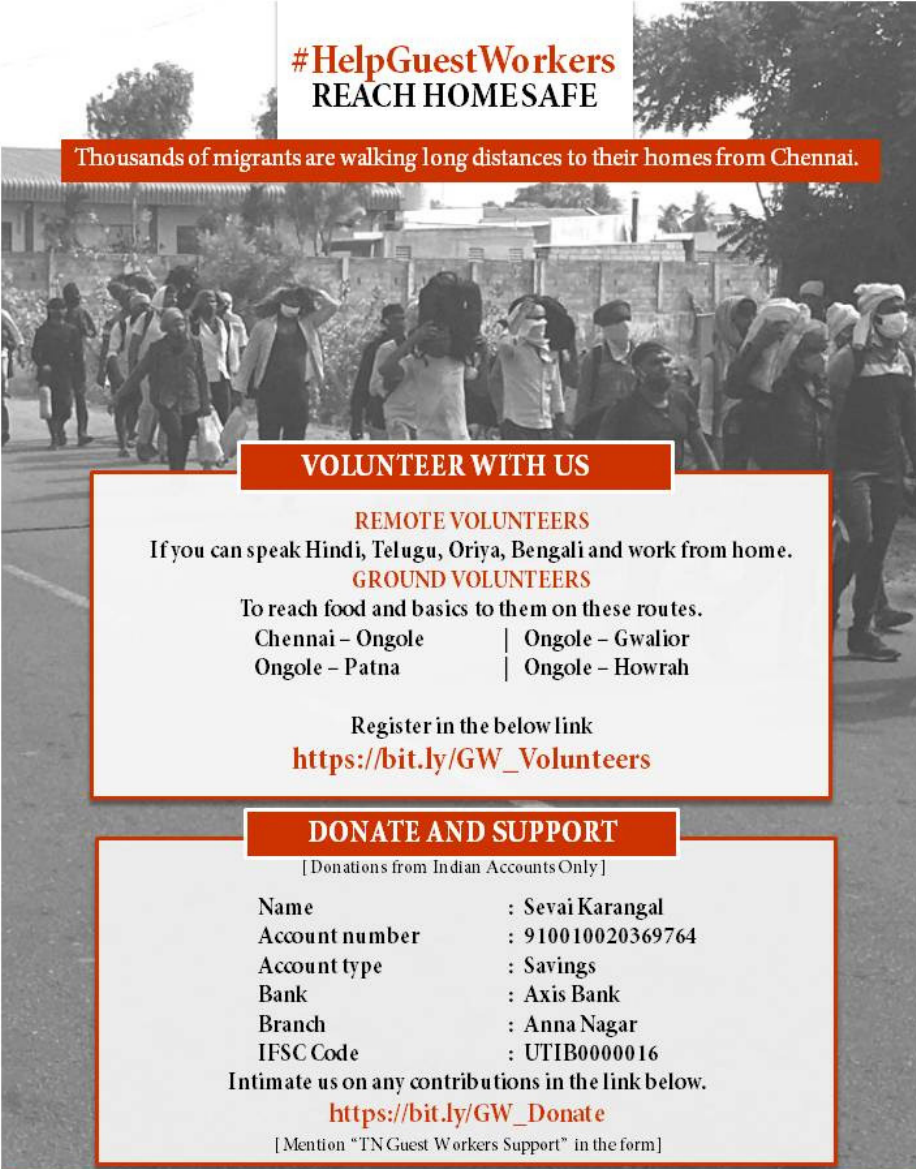
Workers being registered at the TJS Engineering College RC.

After a day or so, we were given a list of 25 relief centres (RCs) that had been set up in Thiruvallur district. The team split into two groups of 2-3 people each and visited each RC on the 20th of May. At each RC, we would ask the officials for state wise details of workers who have left the previous day, who will be leaving that day and currently staying. Apart from this, the

available capacity and food needs were noted down. In most cases, the revenue officials who were handling the RCs sought help for food and this was provided with over 1000 meals being sent to different RCs three times a day.

Once this system was effective, we urged the administration to replicate the same in Chennai, Chengalpattu, and Kanchipuram districts which together with Thiruvallur district form the KTCC Greater Chennai region. Over the next few weeks, we set up a system where workers identified in any part of the districts would be added to the database, volunteer assigned, and revenue officials of the block informed. The backend volunteer team would follow up to ensure the workers were registered at an RC and travel arrangements had been made over the next few days. Trains were being run from Chennai Central, Egmore, Thiruvallur, Chengalpattu stations with a frequency of 4-5 per day, apart from other cities of Tamil Nadu. This helped streamline the process of sending workers back home.

Impact and Reach



**#HelpGuestWorkers
REACH HOMESAFE**

Thousands of migrants are walking long distances to their homes from Chennai.

VOLUNTEER WITH US

REMOTE VOLUNTEERS
If you can speak Hindi, Telugu, Oriya, Bengali and work from home.

GROUND VOLUNTEERS
To reach food and basics to them on these routes.

Chennai – Ongole		Ongole – Gwalior
Ongole – Patna		Ongole – Howrah

Register in the below link
https://bit.ly/GW_Volunteers

DONATE AND SUPPORT
[Donations from Indian Accounts Only]

Name	: Sevai Karangal
Account number	: 910010020369764
Account type	: Savings
Bank	: Axis Bank
Branch	: Anna Nagar
IFSC Code	: UTIB0000016

Intimate us on any contributions in the link below.
https://bit.ly/GW_Donate
[Mention "TN Guest Workers Support" in the form]

Contact | Mr.Himakiran: 98409 04244 | Mr.Ananthoo : 94441 66779

We had used Sevai Karangal as the official entity to collect and disburse funds. A total of Rs.37,31,672/- was collected and spent during the process. The full details can be seen here: <https://sevaikarangal.org.in/migrant-workers-expense-accounts/>



HOME ABOUT US HOW COULD YOU HELP PROJECTS PASUMAI VOLUNTEER DONATE

Date	Description of Expense	Beneficiary Count	Unit Cost	Amount	Category	Paid From	METRICS
02-Apr-20	Korattur Migrant workers	9	₹ 1,100.00	₹ 9,900.00	FOOD	Thilak account	₹ 37,31,672.99 Total
14-Apr-20	Ramachandrapuram	6	₹ 1,100.00	₹ 6,600.00	FOOD	Sevai Karangal account	₹ 37,31,672.99 Total
22-Apr-20	Kulathu Medu	21	₹ 1,100.00	₹ 23,100.00	FOOD	Sevai Karangal account	
22-Apr-20	Peddakuppam	7	₹ 1,100.00	₹ 7,700.00	FOOD	Sevai Karangal account	₹ 0.00 Balan
08-May-20	Mask	470	₹ 5.00	₹ 2,350.00	MEDICAL	Cash	17123 No of
08-May-20	Migrants from Lucknow	2	₹ 1,100.00	₹ 2,200.00	FOOD	Cash	
08-May-20	Migrants from Vizainagaram	12	₹ 1,100.00	₹ 13,200.00	FOOD	Cash	
08-May-20	Biscuit packets for Migrant workers	500	₹ 10.00	₹ 5,000.00	FOOD	Cash	
08-May-20	water Bottle	500	₹ 12.00	₹ 6,000.00	FOOD	Cash	
08-May-20	Transportation			₹ 1,516.00	TRANSPORT	Thilak account	
11-May-20	Transportation			₹ 2,134.00	TRANSPORT	Thilak account	
13-May-20	Food Through ARULJOTHI VALLALAR ARAKATTALAI	100	₹ 20.00	₹ 2,000.00	FOOD	Cash	
13-May-20	Biscuit packets for Migrant workers	192	₹ 4.50	₹ 864.00	FOOD	Cash	
13-May-20	Water dispenser		₹ 125.00	₹ 250.00	FOOD	Cash	
13-May-20	Transportation			₹ 2,272.00	TRANSPORT	Thilak account	
13-May-20	Ready to drink milk to Migrant workers	30		₹ 2,700.00	FOOD	Sevai Karangal account	
16-May-20	Breakfast Groceries for Migrant workers	100		₹ 1,400.00	FOOD	Cash	
16-May-20	Stationary			₹ 440.00	OTHERS	Cash	
16-May-20	Transportation			₹ 2,210.00	TRANSPORT	Thilak account	
16-May-20	Groceries for Lunch for Migrant workers	250		₹ 2,000.00	FOOD	Cash	
16-May-20	Groceries for Dinner for Migrant workers	200		₹ 1,600.00	FOOD	Cash	
16-May-20	Transportation of Food			₹ 500.00	TRANSPORT	Cash	
16-May-20	Refreshments to volunteers	20		₹ 350.00	FOOD	Cash	
17-May-20	Water Bottle	94	₹ 15.00	₹ 1,410.00	FOOD	Cash	
17-May-20	Groceries for Breakfast and Dinner	150	₹ 765.00	₹ 1,465.00	FOOD	Cash	
17-May-20	Transportation of Food			₹ 500.00	TRANSPORT	Cash	
17-May-20	Advance Travel charges for 3 Vans to Orrisa	30		₹ 20,000.00	TRANSPORT	20k Thilak account	
17-May-20	Advance Travel charges for 3 Vans to Orrisa	30		₹ 28,000.00	TRANSPORT	Spent through Suresh/UPI	
18-May-20	Groceries for Breakfast and Dinner	200		₹ 1,750.00	FOOD	Cash	
18-May-20	Transportation of Food			₹ 500.00	Transport	Cash	
18-May-20	Food to Sona Gauda & Group	21		₹ 4,200.00	FOOD	paid through Suresh	
19-May-20	Groceries for Breakfast and Dinner	150		₹ 1,640.00	FOOD	Cash	
19-May-20	Transportation of Food			₹ 500.00	TRANSPORT	Cash	
19-May-20	Food & water For Padi Migrants	30	₹ 1,495.00	₹ 1,495.00	FOOD	Cash	
19-May-20	Transportation			₹ 1,700.00	TRANSPORT	Thilak account	
19-May-20	Balance Travel charges for 3 Vans to Orrisa	30		₹ 29,400.00	TRANSPORT	Thilak account	
19-May-20	Groceries for Breakfast, Lunch and Dinner	400		₹ 3,500.00	FOOD	Thilak account	
19-May-20	Food for 21 people, 2 days at 100/meal	21		₹ 4,200.00	FOOD	Spent through Suresh/UPI	
19-May-20	Grocery for 5 people	5		₹ 500.00	FOOD	Spent through Suresh/UPI	
19-May-20	Transport costs for 4	4		₹ 4,000.00	TRANSPORT	Spent through Suresh/UPI	
19-May-20	Food for 10 ppl at Lucknow	10		₹ 1,000.00	FOOD	Spent through Suresh/UPI	
19-May-20	Unable to reach, so recharged	1		₹ 49.00	OTHERS	Spent through Suresh/UPI	
19-May-20	Unable to reach, so recharged	1		₹ 49.00	OTHERS	Spent through Suresh/UPI	
19-May-20	Transportation of Food	17		₹ 2,000.00	TRANSPORT	Cash	

A total of 4600 workers were impacted by the efforts in the form of food and medicine relief, transport support, rental support. After the peak period of May 12- May 31 was over, it was decided to continue coordination with the government to register and send migrant workers by the Shramik trains and also to disburse remaining funds to the families of the workers. A separate team was set up to handle the same and a team of volunteers who were mostly North Indian students in Chennai stepped up and helped call migrant workers, get detailed information including Aadhaar and bank accounts, verify the same and submit it to the finance team for fund transfers. Each family got anywhere between Rs.1000-2000 depending on the size and need. An additional 1215 people were helped this way.

A baby was born in Itarsi to a couple we sent to Uttar Pradesh. They were fortunate enough to get a space in the Shramik trains run by the government.

Radhika Rammohan

1 hr

Since around the 19th of this month, we have been in touch with two families. Both very young women pregnant, and one, Prabha was into her 9th month of pregnancy, with one two year old child. Bama Govindarajan who volunteered to support this group through their need to get back to their home in Sonbhadra UP, worried a lot about her traveling in advanced stages of pregnancy. The stress of the family, I imagine, was extreme... not having an income for two months, and stuck in the "kuppam" of Ambattur Chennai. The baby was officially due Jun 5th

Relentless follow up by Bama, trying to get them train seats, and we provided monetary support for grocery and food allowance. She also found that their deadline to move from their rented space here was May 31 (rent advance deducted), and they were not prepared to consider staying back in Chennai. A very helpful policeman, Mr. Himanshu Bhat of Ambattur helped in securing train seats on Tuesday 26th night and they set off with all of our prayers.

Last evening after the train crossed Nagpur the labour pains began. At Itarsi junction, police got the family off the train and she delivered a baby boy at Itarsi railway hospital yesterday at 11 pm. Yet to be named, this beautiful child was born right in the middle of India, to "migrant workers", helped along in the process by two decent and helpful officers of the much-maligned police force, and one loving, caring Chennai lady calling the family every few hours for the last ten days.





The State of the States in 2020

Vijay Mahajan

Our national anthem extols the extent of India by naming a few provinces of those days: “Punjab, Sindh, Gujarat, Maratha; Dravid, Utkal, Banga”. To many of us who have had the opportunity to travel through the length and breadth of our nation, the phrase “unity in diversity” comes alive. One can travel from Kerala where the new year is ushered in on Bisu day, typically 14th April, to Punjab where it is Baisakhi on the same day to Assam, where it is called Bihu on the same day. Yet the colours, the costumes, the cuisine and the customary dances are all different, each with a hoary tradition of over two millennia.

The Constitution of India in its very first article says “India, that is Bharat, shall be a Union of States.” The role of States was sanctified in the Constitution through a number of provisions, including State Legislatures, with authority to legislate divided between the Centre and States, as per the Union, the State and the Concurrent lists. The Constitution also provided for High Courts in each state, with authority to adjudicate on constitutional matters. The Constitution also established State Public Service Commissions. Most importantly, it provided for a Finance Commission to decide on devolution of funds from the Centre to the States. Thus the Union in operational terms was meant to be federal.

In this article, we assess the state of federalism in India, by looking at three main mechanisms of governance - funds, functions and functionaries – and how these are shared between the Centre and the States.

Funds

Let us start with funds. The situation of state finances is bleak. As per a study of the Budgets of State Governments by the Deutsche Bank, the average fiscal deficit of 17 big states was 2.8 percent of their GSDP in 2019, the average tax base was 6.4 percent while the average borrowing was 25.2 percent, or 3.9 years’ tax collections! The average was from a wide range, with Maharashtra and Gujarat having borrowed equal to 2.2 and 3 years of tax collections respectively, while Rajasthan and Punjab had borrowings equal to 5.8 and 6.7 years of tax collections respectively. Just to make this easy to understand, most housing finance companies do not give loans to individuals more than 1.5 years’ of their income. So clearly, even the best of the States have borrowed too much. The situation was grave as it is in 2019 and the economic downturn post COVID has brought it to the brink. As per a study by India Ratings, cited in the Financial Express, 1st Oct 2020, the collective fiscal deficit of 18 states was at 40.7 percent in April-June, while the revenue deficit soared to 285 percent of their of Budget Estimates in April-June.

Under such a situation, the States have to look to the Centre for funds. The Centre pretty much reneged on its commitment to pay compensation to the States under the The Goods and Services Tax (Compensation to States) Act, 2017. Under this, compensation was to be provided to States for a period of five years from the enactment of the respective State GST Act, with the growth rate of revenue for the five-year period assumed to be 14 percent per annum, starting 2015-16 as the base year. To enable the Centre to make these payments, a GST compensation cess was established and the collections from that were used to pay the States.

The mechanism worked fine in the first two years, but in the FY 2019-20, there was a problem. As per data put together by PRS India based on replies to parliamentary questions, the cess collection was Rs 95,444 crore whereas the compensation payable was Rs 165,302 crore. The Finance Minister announced in the Budget Speech in Feb 2020 that compensation would be limited only to collections of the GST compensation cess. The Centre on 28 August wrote to States suggesting they borrow to make up for the Rs 2.35 lakh crore shortfall in GST revenues. The States were understandably reluctant to do so. Eventually, the Centre on October 15 made a “concession” to the States and offered to borrow from the market and pass it on to States as a ‘back-to-back loan’ that will reflect on their own books.

The mechanism of a Finance Commission was provided in the Constitution to ensure that the devolution of the tax revenues from the Centre to the States is principle-based. Successive Finance Commissions have tried to play this role quite diligently, but even at the peak, the Finance Commissions’ recommendations never exceeded 50 percent of the total funds devolving from the Centre to the States, thereby leaving a lot to the discretion of the ruling dispensation at the Centre. The Chairman of the 15th Finance Commission, Mr NK Singh said on Sep 21 that the recommendations of the first report, including that of devolution, may no longer hold, because of the pandemic. He went on to add that the five year horizon for Finance Commissions may be too long in the era of volatility and uncertainty. But if the horizon is reduced, it could lead to short-term ad hoc-ism and pave the way for quick fix solutions with the Centre as the saviour of the last resort for the States.

Functions

Let us move on from funds to functions. The Parliament and the state legislatures enact laws, empowering the respective Executive to perform various functions. The subjects on which the Centre can legislate are specified in the Union list, the ones on which the States can legislate is in the State list, and there is also the Concurrent list where both can legislate, though the Central law would prevail. Despite these clear provisions to the contrary in the Constitution, the legislative functions of the States are being appropriated by the Centre.

For example, the Centre recently got three Bills related to agriculture approved by the Parliament. One of these, the Farmers (Empowerment and Protection) Agreement on Price Assurance and Farm Services Act, 2020, the Clause 16 baldly states:

“16. The Central Government may, from time to time, give such directions, as it may consider necessary, to the State Governments for effective implementation of the provisions of this Act and the State Governments shall comply with such directions.”

This is when the Constitution lays down clearly that enacting laws on “agriculture, including agricultural education and research, protection against pests and prevention of plant diseases”, is in the State List of subjects.

Though entry 33 in the Concurrent List of the Seventh Schedule of the Constitution does enable the Central Government to enact laws related to “Trade and commerce in, and the production, supply and distribution of... (b) foodstuffs, including edible oilseeds and oils;” and cattle fodder, cotton and jute, it does not in any way give the Centre powers to give micro-directions to the States, which the “state governments shall comply with”, as implied in the clause 16 cited above. This is just one of the numerous examples of the States’ powers being encroached upon by the Centre.

Functionaries

To implement the functions, the Executive is empowered to hire functionaries. Indeed the whole of Part XIV, Chapter I of the Constitution deals with Services under the Union and the States, including the process for recruitment, the terms and conditions of services, constitutional protections to public servants under Article 311 and the concept of All India Services, which the Parliament may establish under Article 312. In one carry forward from the colonial era was Article 312 (2) which stated that “The services known at the commencement of this Constitution as the Indian Administrative Service and the Indian Police Service shall be deemed to be services created by Parliament under this article.” Due to the colonial legacy, they staff key field positions as District Collectors/ Magistrates, District Superintendents of Police and Divisional Forest Officers.

At least these three All India Services have the concept of a State Cadre and officers generally spend at least 40 to 50 percent of their career in their cadre state, the rest in Central postings, mostly in Delhi. But the other civil services like the Indian Revenue Service, the Indian Audit and Accounts Service and the Indian Economic Service have no concept of a State cadre. Thus even in the third key aspect, the Centre has a lot more power than the States, which it exercises by selecting and deploying key functionaries.

Conclusion

Article 263 of the Constitution provided for the establishment of an Inter-State Council. The Sarkaria Commission was set up in 1983 to examine the central-state relationship. In its 1998 report had recommended that this be done and this was formally constituted in 1990. Since then, however, the Inter-State Council has had a rather indifferent track record. It has met only 12 times since 1990. The other recommendations of the Sarkaria Commission, particularly with reference to the appointment of Governors, are still awaiting action. It is not clear what changes in the political front will usher in a structural shift towards more equitable Centre-State relations.

With the states having been reorganised linguistically since 1956, each State has a distinct cultural identity - in most cases, going back over a thousand years. In addition, the India states are big. UP could have been the fifth largest country of the world by population and

15 of India's states would appear in the list of the top 50 countries in the world, if they were listed on the basis of population. Thus it is important that States are enabled to achieve their fullest potential, but as both economically and in terms of human development, while ensuring environmental sustainability. These dimensions are well covered by the Sustainable Development Goals 2030, which India has adopted. For SDGs to be achieved, all three aspects of the States – funds, functions and functionaries – will have to be strengthened, not just in numbers but in terms of quality. That can only be assured to through wider citizen participation and greater transparency and accountability of elected governments. Where this has been done successfully, the results in terms of the human development index (HDI rankings for 2017, SBI Ecowrap Mar 2019), speak for themselves: the top states were Kerala, Punjab, Haryana and Tamil Nadu among the larger states and Goa, Himachal, Sikkim and Mizoram among the smaller states. The 2014 Election Manifesto of the Bharatiya Janata Party committed itself to 'place centre-state relations on an even keel' and 'strive for harmonious centre-state relations'. It is time that promise is redeemed.





Progress Report for Rajiv Aajeevika Samvardhan Abhiyan (RASA)

An initiative for Prawasi and Niwasi Workers (August 2020 - November 2020)

Dr Rakesh Malhotra, Sr Visiting Fellow, RGICS

1 Introduction

India is currently in the grip of an unabated pandemic, with the second-highest number of coronavirus infections worldwide. The economy contracted by as much as 23.9% on annualized basis in the April-June quarter, and a further 7.5% in the second quarter. There is hope that the next quarter will witness a tentative recovery, as hundreds of thousands of migrant workers who returned to their villages after losing jobs during the lockdown slowly return to cities as more workplaces open up.

During the April-Jun period, the Rajiv Gandhi Foundation had carried out relief activities, mainly food distribution, through about 25 NGO partners, in the destination districts and metros where rural migrant workers, mostly from Hindi speaking states were working. A large number of the migrants returned to their home districts by June. Surveys conducted at that time in the source/ home districts of migrant workers indicated that they could not get any employment back home. The scenario for the resident (who did not migrate) rural inhabitants was no better. Against this background, it was felt that there is need to initiate specific innovative interventions which was enable revival of livelihoods.

Accordingly, the RGF conceived a project titled 'Rajeev Aajeevika Samvardhan Abhiyan (RASA)', which was support the potential entrepreneurs from farm sector as well as non-farm sector to become an *Aatmnirbhar* through capacity building and handholding support. RASA endeavours to stimulate the emergence of about 600 Aspiring Micro-Entrepreneurs (AMEs) across seven states and 22 districts of the country. It was launched on the occasion of late Rajiv Gandhi's birth anniversary, i.e. 20th August 2020, the formal launch of RASA took place.

At the end of the project, about 25 AMEs per district in 22 districts or total 550) would have:

- a. Been stimulated to establish/enhance their own micro-enterprises
- b. Stabilise the enterprise for a period of six months or so from the time the AME earned first revenue

2 Operating Structure

2.1 Design, Guidance and Support Structure

A central team of RGF/RGICS at Delhi provided overall design and guidance. The overall design of the program was conceived by Mr Vijay Mahajan, the CEO of RGF. The program execution was led by Dr Rakesh Malhotra, with the support of Mr Uzair Khan and Ms Narayani Gupta. The RGF engaged two national level experts – Dr Deepankar Roy and Smt Rita Sengupta for the training of the RGF staff, the NGO Mentors and the Aspiring Micro Entrepreneurs (AMEs)

The RGF/RGICS staff associated with the RASA in the state level were called as 'RGF Facilitator'. The nodal point of the Project were Resource Agency (RA) working at the district level, and the dedicated staff member from the RA for RASA was called 'Mentor'.

2.2 NGO partners at the districts

The implementation of this unique livelihood revival program was require vibrant partners at the ground level. Hence, there was a need of competent resource agencies to execute the Project in a professional manner. In this connection, scanning of the possible NGO partners was undertaken in the target districts in seven states of the country. After due diligence, it was felt that Project could be implemented in 22 districts where NGOs with required competencies and were already working on the issue of livelihoods. Care was also taken to see that these potential NGOs did have competent professionals to be spared for RASA. The NGO partners who were selected as 'Resource Agency' in the Project is detailed below:

S. No.	State	District	Name of NGO / Resource Agency
1	Bihar	Muzaffarpur	Meenapur Federation
2	Bihar	Gaya	Adarsh Mahila Federation
3	Bihar	Nawada	Gyan Ganga Federation
4	Bihar	Katihar	4S Team
5	Chhattisgarh	Bastar	Bastar Samajjik Jan Vikas Samiti (BSJVS)
6	Chhattisgarh	Raipur	Chhattisgarh Action and Research Team
7	Chhattisgarh	Mahasamund	Nidaan Sewa Parishad
8	Chhattisgarh	Kabirdham	Shram Vikas avum Shodh Sanstha
9	Jharkhand	Giridih	Ambedkar Social Institute,
10	Jharkhand	Ranchi	Torang Trust
11	Madhya Pradesh	Chhatarpur	Mahila Samiti
12	Madhya Pradesh	Tikamgarh	Prakrati Seva Sansthan
13	Odisha	Gajapati	Agami Lok Kalyan Sangh,
14	Odisha	Nawarangpur	Assn for Secular Initiatives for Social Humanism
15	Odisha	Rayagada	Bapuji Gramay Kayan Samaj
16	Rajasthan	Barmer	Dhara Sansthan
17	Rajasthan	Jaipur	Dhara Sansthan
18	Rajasthan	Alwar	Sir Syed Trust
19	Rajasthan	Karauli	Gram Gaurav Sansthan
20	Uttar Pradesh	Faizabad	Sir Syed Trust
21	Uttar Pradesh	Jhansi	Margshree Charitable Trust
22	Uttar Pradesh	Lalitpur	Bundelkhand Sewa Sansthan

Due to agroclimatic and linguistic reasons, it was further decided to divide the 22 districts into five regions: Bihar, Chhattisgarh-Jharkhand, Odisha, Rajasthan and Bundelkhand.

3 Meetings and Workshops conducted



It has been a hallmark of the Project that regular and sustained guidance is provided by the Coordination Cell at New Delhi to all the concerned. This was primarily done through Zoom Sessions, individual support to Mentors, data compilation and analysis. Within the span of four months number of meets and trainings have been conducted.

S. No.	Trainings / Meetings / Workshops	Number of Trainings
1.	In house meetings (RGICS / RGF)	5
2.	State wise Introduction to LRSP (now RASA) its strategies and Roles and Expectations of various Stakeholders	8
3.	Sensitization workshops / trainings	15
	Total	28

3.1 Capacity Building of Mentors for selection of AMEs



It was extremely critical that the NGO Mentor who was going to work for RASA should be adequately equipped with requisite skills and techniques. Evidently, his / her role was to not only identify prospective AME, but also regularly guide, teach and mentor them to ensure that the AME come up with sustainable enterprises. Thus, an appropriate capacity building strategy was designed to make the Mentor an effective pivot on which the entire execution and success of the Project was depend.

After having identified the Mentors, a training need assessment (TNA) was undertaken. This helped to identify the specific inputs which Mentors needed to have in the field for the success of the Project. It was found that the Mentors needed requisite inputs on - behavioral attributes, business acumen, technical know-how, managing excel data sheets, use Google sheets and documents, etc. In order to address the issues as identified above, the following trainings were imparted:

- a. Induction to the RASA Project
- b. Data Compilation and reporting using Google sheets
- c. Writing of Success stories
- d. Selection of 125 AMEs in each district as the long-list
- e. Short-listing of 25 AMEs in each district
- f. Achievement Motivation Training
- g. Functional Training –market surveys, technical skills, accounting.

3.2 Process for selection of AMEs

The experience of entrepreneurship promotion indicates that only one in five aspiring entrepreneurs prove to be successful. The Project contemplated that in each of the 22 districts about 25 AME in each district were to be promoted and sustained over the life cycle of the Project. Hence, there was a need to identify at least 125 prospective AME in each district. These prospective candidates needed to be put through a systematic evaluation so that at the end of the identification exercise, 25 competent AME could be culled out. In order to achieve the same, the Mentors were given exhaustive trainings in two phases:

3.3 Identification and Selection of Potential Micro-Entrepreneurs

The Mentors were imbued with the skills to evaluate the potential 125 candidates through two steps:

Step 1: Every Mentor in a one to one interaction with each of the prospective 125 AME in each district was trained to ask two open ended questions. The answers to the same were to be listened carefully and not required to be formally recorded. The two questions posed to prospective AME were:



Q.1. Tell me something about how you see yourself six months from now?

Q.2. What do you plan to do to move in that direction?

Step 2: During the verbal interaction while asking the above two questions, the Mentors also were required to map certain latent entrepreneurship traits in the prospective candidates.

The parameters to be mapped were:

- i. Likes to take personal responsibility
- ii. Tends to be innovative
- iii. Likes to take moderate risks
- iv. Is oriented to the future
- v. Wants to know the results of her/his efforts
- vi. Is not completely content
- vii. Tends to persist in the face of adversity
- viii. Demonstrates social skill

The Mentors were trained to select prospective candidates to be a successful entrepreneur, if he / she should have shown at least five of the eight parameters as defined above.

3.4 Shortlisting of Potential Micro-Entrepreneurs

After having collected the data for 125 prospective candidates, the Mentors were given the option to select 25 AME based upon the - score achieved (in the Step 2 of Phase I), the physical location, age, ease of commutation and approach, and the opinion of the Mentor.

A comprehensive training on identification of characteristics of people with High Achievement Need (high n Ach) was also imparted. This was given to the Mentors with the idea that they should be able to evaluate the achievement need assessment in any AME and guide them accordingly. The characteristic of the person with high achievement need are:

1. A person with high n Ach likes to take personal responsibility.
2. A person with high n Ach likes to take moderate risks.
3. A person with high n Ach wants to know the results of his efforts.
4. A high n Ach person tends to persist in the face of adversity.
5. A high n Ach person tends to be innovative.
6. The high n Ach person usually demonstrates some interpersonal competence
7. A high n Ach motivated individual is oriented towards the future
8. A high n Ach individual may be said to live more 'in process' than those with low achievement motivation
9. A person with high n Ach tends to be mobile
10. A person with high n Ach is not completely content

4 Planning of the Entrepreneurship Activity by AME

It was seen that the AME, who were finally selected in each of the districts were in different stages of preparedness to initiate their enterprise. In order to properly identify the level of preparedness, categorization of 25 AME into four categories was taken up. The basic criteria on which categorization was undertaken was:

1. The kind of micro-enterprise you're envisaging to set up/ strengthen (what does s/he plan to do?) (Any two preferences)
2. When does s/he intend to start?
3. Where does s/he intend to establish/reinforce her/his enterprise?
4. Where will s/he raise the money from?
5. Why does s/he wish to undertake this venture?

Some of the interesting findings for this data are reflected in tables below

Gender wise Options of Finance (In %)								
S. No.	Gender	Options of Finance						Total
		Loan from Bank	Self- Contribution	Loan from SHG / Federation	Loan from Relatives / friends	Any Other	Loan from MFI	
1	Male	41	27	11	9	6	6	100
2	Female	18	20	46	4	7	4	100
	Total	33	25	24	7	6	5	100

Reasons for Selection of Activity (In %)							
S.No.	Region	Reason for Selection					Total
		Helplessness / Desperation for existence	I have Experience in the activity	There is a big demand anticipated	There is huge Supply / raw material	I have required Skills	
1	Bihar	14	44	15	5	22	100
2	Bundelkhand	4	56	18	3	19	100
3	Chhattisgarh & Jharkhand	19	35	30	3	13	100
4	Odisha	1	41	16	1	42	100
5	Rajasthan	9	52	24	4	11	100
	Total	10	46	21	3	21	100

4.1 Preferred Activities of AME

While recording of the database for the selected 25 AME from 22 districts, it was observed that there were more than 30 activities selected by AME from which they wanted to earn their livelihoods. The 11 most preferred activities are presented in the table given below:

Eleven most preferred Activities (excluding others)			
S. No.	Activity	Total No. of AME	In %
1	Kirana Shop	87	22
2	Tailoring	70	18
3	Goat Rearing	61	16
4	Buffalo rearing	44	11
5	Vegetable Cultivation	27	7
6	Poultry Framing	27	7
7	Cow rearing	21	5
8	Trading of Garments	18	5
9	Cyber Café	17	4
10	Furniture Making	10	3
11	Mushroom Cultivation	10	3
		392	100
	Misc. Other 22 activities	22	
	Other Preferences not detailed	116	
	Grand Total	530	

4.2 Categorization by AME preparedness

After having meticulously identified the AME and also having understood the preference of the business activity which AME intend to take up. The preparedness of AME was required to be measured so that requisite guidance/handholding could be given to them to go ahead with launch of their business. In order to judiciously assess the level of preparedness of AME, four yardsticks were deployed. Which were:

Cat	Definition	Activity identified	Location finalised	Adequate Experience	Availability of Finance	Action Required
I	Ready to go	✓	✓	✓	✓	Just do it
II	Ready to go but yet to arrange the finance	✓	✓	✓		Finance to be arranged
III	Ready but yet to be trained	✓	✓			Training to be imparted
IV	Uncertain	✓				Further guidance reqd by Mentor

With reference to the movement of AME within the different categories, attempt was made to collect the data for each district. Based upon the inputs received, the latest picture (as on 26th November, 2020) vis-a-vis 6th November, 2020 is given in the table below. It is further seen that:

1. The total number of AME under RASA is 648.
2. The overall picture seems to be quite encouraging in the sense that, the proportion of AME in Category-I was 47% as on 26th November, 2020.
3. There is decline in the proportion of Category -II and III AME over the two dates under comparison.
4. The proportion of Category-IV AME remains the same over the time series data of two dates. Again a good sign for the project, at this initial juncture.

As on 6th Novemebr, 2020							As of 26th Nvember, 2020							
S. No.	District	Categories				Total	S. No.	District	Categories				Total	Change
		I	II	III	IV				I	II	III	IV		
1	Muzaffarpur	9	14	2	0	25	1	Muzaffarpur	9	14	2	0	25	0
2	Gaya	9	10	7	1	27	2	Gaya	13	7	7	1	28	1
3	Nawada	10	18	3	0	31	3	Nawada	10	18	3	0	31	0
4	Katihar	0	14	9	2	25	4	Katihar	7	14	9	2	32	7
5	Bastar					0	5	Bastar	21				21	21
6	Raipur	9	16	3	2	30	6	Raipur	9	16	3	2	30	0
7	Mahasamund	4	10	8	3	25	7	Mahasamund	6	19	8	3	36	11
8	Kabirdham	9	11	4	1	25	8	Kabirdham	10	15	4	1	30	5
9	Giridih	1	13	11	1	26	9	Giridih	5	8	11	1	25	-1
10	Ranchi	0	0	24	1	25	10	Ranchi	25	0	24	1	50	25
11	Chhatarpur	0	22	6	0	28	11	Chhatarpur	28	0	6	0	34	6
12	Tikamgarh	0	30	0	0	30	12	Tikamgarh	12	18	0	0	30	0
13	Gajapati	3	22	5	0	30	13	Gajapati	30	3	5	0	38	8
14	Nawarangpur	7	11	7	0	25	14	Nawarangpur	7	11	7	0	25	0
15	Rayagada	14	6	5	0	25	15	Rayagada	25	2	5	0	32	7
16	Barmer	10	8	6	1	25	16	Barmer	6	8	6	1	21	-4
17	Jaipur	6	10	9	2	27	17	Jaipur	6	10	9	2	27	0
18	Alwar	10	14	8	0	32	18	Alwar	6	14	8	0	28	-4
19	Karauli	5	17	4	0	26	19	Karauli	16	10	4	0	30	4
20	Faizabad	4	21	0	0	25	20	Faizabad	20	5	0	0	25	0
21	Jhansi	11	4	1	9	25	21	Jhansi	11	4	1	9	25	0
22	Lalitpur	10	15	0	0	25	22	Lalitpur	25	0	0	0	25	0
	Total	131	286	122	23	562		Total	307	196	122	23	648	86
	Percentage to Total	23	51	22	4	100		Percentage to Total	47	30	19	4	100	

5 Handholding of AMEs after start-up

In order to enable AME to succeed, continuous handholding is planned in the Project. In the immediate future, following interventions proposed to be taken up:

5.1 Capacity Building in Accounting

An agency has been retained by RGF to impart the training on keeping books of accounts. 'MeraBill' is an extremely useful application on this account which very effectively and conveniently enables the user to keep systematic record of all accounting needs required for any business. 'MeraBill' app is quite relevant to the target group of the RASA Project, where AME are engaged in very small business, like- kirana shop, fruits and vegetable trading, tailoring shop, stationary shop, computer café, buffalo rearing, etc.

It is intended to cover all the 550 AME under the Project in a gradual manner. The first batch of training is planned to commence from December 2020.

5.2 Capacity Building of AME on Animal Husbandry

It is seen that about 104 AME intend to take up livelihood activities in various Animal Husbandry. The district wise data is depicted below:

S. No.	District	AH Activity selected by AME					
		Buffalo	Cow	Goat	Poultry	Sheep	Pig
1	Ranchi		2	1	1		
2	Nawarangpur		1	5	3	1	
3	Gajapati		3	2	4		
4	Nawada	1	7	8	1		
5	Katihar		2	2			2
6	Muzaffarpur	1	1	1			
7	Gaya		2	3			
8	Tikamgarh	11		1	1		1
9	Lalitpur	1		11	1		
10	Jaipur	7			5		
11	Barmer				8		
12	Alwar			2			
13	Chhatarpur			1			
	Total	21	18	37	24	1	3

6 Documentation of Success Stories under RASA



Continuous parallel efforts are also being made to document the success achieved by the emerging AME under the RASA. In this regard, first attempt was made to videography and write. In Chhatarpur District, six such Success Stories have been documented so far:

1. Chandra Prakash Tiwari (जल संरक्षण हेतु फूल और सब्जियों की खेती) - Vegetable Cultivation

घर की आर्थिक स्थिति ठीक न होने की वजह से चंद्रप्रकाश तिवारी अपनी पढ़ाई छोड़कर, अपने पिता जी के खेत में उनका हाथ बटाने लगे। वह वहाँ पैतृक रूप से ही खेती करते थे जिसमें पानी बहुत लगता था। चूंकि छतरपुर जिले में पानी की कमी बहुत होती है, इसलिए वह खेती में ठीक तरह से कमा नहीं पाते थे। और मुनगा की खेती में उन्हें मार्केट न मिलने की वजह से वह भी बंद करना पड़ा। इसके बाद उन्हें **RASA** से जोड़ा गया और संबंधित सरकारी योजनाओं से सहायता प्रदान करवाई गई जिससे उन्होंने ड्रिप द्वारा सब्जी की खेती प्रारंभ की।

2. Kausal Kishore Patel (चुनौतियां ही "सफलता" का आधार) - Horticulture Cultivation

घर को चलाने के लिए कौशल किशोर पटेल खेती करते थे। परंतु खेती में उतना मुनाफा नहीं होता था कि 10 व्यक्तियों का परिवार के खर्च आसानी से निकाल सकें। बुंदेलखंड क्षेत्र में खेती के लिए पानी पर्याप्त नहीं मिल पाता था और खेती से घर भी नहीं चल पाता था। **RASA** कार्यक्रम से जुड़ने के बाद उन्हें फल की खेती और उससे संबंधित योजनाओं के बारे में विस्तृत रूप से जानकारी दी गई। अब इसमें पहले से तीन गुना कमाई होगी, ऐसा कौशल किशोर जी का मानना है।

3. Pushpendra Kushwaha (हौसलों की उड़ान) - Biryani Stall

पुष्पेंद्र कुशवाहा पहले बाहरगांव जा कर मजदूरी करते थे। कोरोना काल में लॉकडाउन की वजह से मजदूरी से भी हाथ धोना पड़ा और अपने गाँव वापस आ गए। यहाँ उन्होंने एक हलवाई के साथ काम करना शुरू किया, परंतु इतना फायदा नहीं होता था कि घर आसानी से चल सके। इसके पश्चात उन्हें **RASA** कार्यक्रम का पता चला और वह उससे जुड़ गए। उन्होंने कुछ धनराशि उधार ले कर एक बिरयानी और अंडे का ठेला लगाना भी प्रारंभ कर दिया। अब उनके ठेले पर सन्नाटा नहीं होता है और ग्राहक की चहल पहल बनी रहती है। अब उन्हें घर खर्च में कोई परेशानी नहीं आती है।

4. Ramgopal Kushwaha (रास्ते' ने मोड़ दिया फर्निचर की ओर) - Furniture Making

रामगोपाल कुशवाहा ने साइकिल पंपचर और किराना की दुकान खोली। परंतु साइकिल का प्रचलन और नई सड़क बनने की वजह से उनकी ग्राहकी काम हो गई। जिससे वह अत्यंत चिंतित और परेशान रहने लगे। चूंकि रामगोपाल जी पहले से ही अपने दादा जी के साथ बचपन में फर्निचर के कार्य में हाथ बटाते थे, इसलिए उन्हें इस कार्य में हर जरूरी जानकारी ज्ञात थी। उन्हें RASA से जुड़ने के बाद फर्निचर के काम के लिए प्रेरित किया गया और ऋण संबंधित जानकारी भी बताई गई। अब उनकी फर्निचर की दुकान है जिससे उन्हें पहले से दुगना लाभ होता है।

5. Shankarlal Kushwaha (मजदूरी से सफल उद्यमी की राह) - Kirana Shop

शंकरलाल कुशवाहा मजदूरी करने शहर के लिए रवाना हुए थे, वहाँ जेबखर्च और घर खर्च ठीक से ना चुकाने की वजह से वापस गाँव आना पड़ा। उन्होंने गाँव में ही एक किराना की दुकान खोली जहाँ वह अपने लाभ संबंधित माल ही रखते एवं बेचते थे। जिसकी वजह से दुकान इतनी नहीं चल पाती थी जितनी उनको अपेक्षा थी। RASA के अंतर्गत उन्हें उनकी परेशानी से संबंधित उपाय बताए गए कि वह अपनी दुकान में वह सामान भी रखना प्रारंभ करें जिसकी ग्राहक को भी जरूरत हो और शंकरलाल जी को भी फायदा मिले। इतना ही नहीं, उन्हें माल रखने के लिए धनराशि की अव्यवस्था के कारण ऋण हेतु आवेदन भी कराया गया। अब उनकी दुकान सफल तरीके से चल रही है।

6. Sudarshan Namdev (दृढ़ इच्छाशक्ति"- सफलता का आधार) - Stationery Shop

यह कहानी उस सख्स की है जिसके पिता जी जातिगत कार्य एवं जातिवाद की जंजीरों में उलझने की वजह से घर की स्थिति पर ठीक तरीके से ध्यान नहीं दे पाए। सुदर्शन नामदेव एक छात्र हैं जो औद्योगिक प्रशिक्षण संस्थान (ITI) में अध्ययनरत हैं। उन्हें घर की स्थिति पहले से ही ज्ञात होने की वजह से पैसे कमाने की इच्छा थी। उनको RASA कार्यक्रम के अंतर्गत स्टेशनरी की दुकान खोलने की सलाह दी गई और उचित पूंजी के लिए भी ऋण की व्यवस्था कराई गई। चूंकि गाँव में कोई और ऐसी दुकान नहीं थी, और उनका घर जहाँ है वहाँ से ही तीन गाँव के लिए रास्ता निकला हुआ है। इस वजह से वहाँ और उन तीन गाँवों के बच्चे उनकी दुकान से पढ़ाई संबंधित सामान खरीद कर जाते हैं। अब उनका घर खर्च भी आसानी से निकाल जाता है।





Forest Commons in Uttarakhand and Subsistence Rural Economy

A Study of Two Panchayats

Jeet Singh, Fellow, RGICS

I. Introduction

Eleven out of 13 districts of Uttarakhand are located in western Himalayan agricultural zone. Most people in this region are dependent on agriculture and livestock for their livelihood. For both of these traditional occupations, people in the area have been dwelling on common property resources such as forest, rivers, streams, mountains, alpine etc. According to Singh (2009) the western Himalayan zone is rich in agro-biodiversity and the unique farming system of the region evolved based on local resources and socio-economic conditions. He further argues that from time immemorial, people of this region have been exploring productive interaction with nature. Various documents of the forest and revenue department recognize the dependence of local people on common resources and to some extent rights and concession to use these resources have been granted to the villagers. Moreover, in many villages, people have been allowed to manage patches of their nearby forest through the Van Panchayat system.

The dependency of these Himalayan people on forest is not limited to their livelihood requirement. Other dependency includes access to physical material required for the life such as water, thatching grass and timber for household use, stone, sand etc. The rich local practices in the region also allow them to perform their pooja and festivals in the region officially in the control of the state forest department. However, various studies show that these natural resources are rapidly degrading in the region. According to the Uttarakhand State of Forest Report for 2001 and 2019 the area of dense and moderately dense forest has decreased from 19,023 sq km in 2001 to 17,851 sq. km in 2019¹. On the other hand the open forest with less than 10% canopy density increased from 4,915 sq km in 2001 to 6,415 sq. km. in 2019 in the state². The Land Degradation/Desertification atlas prepared by Space Application Centre, Ahmadabad found that the rate of land degradation in Uttarakhand is higher compared to the national average. According to the atlas, around 6.48 lakh hectare land in the state is under degradation. The most significant process of degradation observed in the report is vegetation degradation (ISRO, 2016). The vegetation degradation largely refers to the process of deforestation.

¹ State of Forest Report, 2019 (Uttarakhand) <https://fsi.nic.in/isfr19/vol2/isfr-2019-vol-ii-uttarakhand.pdf>

² State of Forest Report, 2001 (Uttarakhand) http://mahervis.nic.in/Pdf/Report/report_sofr_2001.pdf

Official data from different sources confirm the degradation of natural resources in the state. Naturally it has an adverse impact on rural livelihood and life. Many studies found that natural resources in the control of communities are better managed in the state. However, few other studies have found that even community managed resources such as Van Panchayat have also observed decline in productivity. A study of 45 van panchayats by Pinaki Sarkar (2008) found that even Van Panchayats have lost their charm of effective governance (Sarkar, 2008). The increasing population, inactiveness of people in function of Van Panchayat and many other social and economic factors are responsible for downfall of old age institutions of van panchayat.

The increasing pressure on common property resources has a direct link to the loss of livelihood. With degradation of natural resources, many people find it difficult to earn livelihood in the mountain districts. According to a report of Uttarakhand Migration Commission published in 2018, in the last ten years 3.83 lakh people migrated seasonally and more than 1.18 lakh people migrated permanently. According to the report, 50.16% of these workers migrated to bigger cities within the state and outside the state in search of livelihood³. Much of this distress migration can be stopped by simply regenerating natural resources in the rural areas. According to another report by the Migration Commission of Uttarakhand more than 2.75 lakh migrant workers from Uttarakhand went back to their villages due to COVID-19 pandemic (RD&MC, 2019). The good thing is that nearly half of these reverse migrated workers want to stay back in villages. Therefore the prevailing situation can be converted into opportunity by investing funds and manpower in the regenerations of common property resources.

Main Reasons of Migration in Uttarakhand	
Reasons of Migration	Percentage of Migrated workers/people
Lack of employment/livelihood option	50.16
Poor health system	8.83
Poor educational system	15.21
Poor infrastructure (road, electricity, water etc.)	3.74
Low productivity in agriculture	5.44
Wild animal destroying farms	5.61
Other	11.00

Source Rural Development and Migration Commission, 2018

This study report analyses policy framework of common property resources in Uttarakhand based on secondary literature and examines interconnectedness of healthy natural resources and subsistence rural economy. For the purpose of this study we have gathered qualitative primary data from two villages namely Dumak and Kalgoth in the

³ RD&MC http://www.uttarakhandpalayanayog.com/pdf/Chamoli_Report.pdf

Joshimath block of Chamoli district in Uttarakhand. These are two remote villages on the edge of Kedarnath Wildlife Sanctuary and heavily dependent on forest governed by the forest department and van panchayats. This report is based on qualitative data gathered from these two villages using research tools such as focus group discussions, case study and semi-structured interviews.

2. Common Property Resources in Uttarakhand

The National Sample Survey Organization (NSSO) conducted the first and only survey of common property resources in 1998. In this survey the organization collected data of both de-jure and de-facto commons. At the time of this survey Uttarakhand was part of Uttar Pradesh, so no separate data is available for Uttarakhand state. However, the data collected for Western Himalayan (WHM) agro climatic zone of Uttar Pradesh represent all mountain districts of Uttarakhand. According to this report the mountain people of Uttarakhand are heavily dependent on common property resources as compared to the national average (see table). The estimated total CPR in the mountain district of Uttarakhand is nearly 13.74 lakh hectare which comes around 0.71 Ha CPR per household in the region.

Common Property Resources	Uttarakhand	India
Estimated area of total CPRs	13,74,200 ha	4,20,21,900 ha
Ratio of CPR to total Geographical area	0.61	0.15
Grazing land per HH	0.35 Ha	0.07 ha
Village forest per HH	0.19 Ha	0.05 ha
Other CPR per HH	0.16 Ha	0.19 ha
Total CPRs per HH	0.71 Ha	0.31 ha

Source: NSS, 54th Round, 1999

We don't have any other comprehensive data on CPRs as the NSSO stopped conducting similar survey after its first report. This report is more than two decade old, and many things have changed rapidly after its publication. However, various micro studies reveal that people are still dependent heavily on common property resources in the mountain districts of Uttarakhand. These CPRs took shape in the last two hundred years starting from colonial rule established in 1815. In these many years, local people, governments and other stakeholders confronted and collaborated on a range of issues related to CPRs such as environment protection, commercial exploitation of forest, rights and concession of villagers for life and livelihood etc. A brief policy overview of this confrontation and collaboration is presented here.

3. Institutionalization of Commons (1815-1947)

In 1815 the British government formally started ruling the entire Kumaon and a large part of Garhwal region of Uttarakhand. The king of Tehri managed to retain its power on a relatively smaller part of the Garhwal region which currently falls in Tehri and Uttarkashi district. Before the British rule, people had unlimited right over forest and its produce. The economy of villagers from this mountain region was entirely dependent on biomass (Pathak, 1997). The Himalayan Gazetteer written by Edwin T. Etkinson from 1881 to 1887 describes villagers' dependency on the forest. The historic book has recorded people's dependency on forest for agriculture, livestock rearing, medicinal requirements, trade, cottage industries, fodder, firewood, manure, mineral etc. (Etkinson, 1881).

The concept of protecting and preserving the forest was introduced in 1865 when the then government constituted the forest department. However, prior to this the British government conducted land settlement in 1823 that set the foundation of differentiating between private and non-private land. With the promulgation of the first Indian Forest Act, 1878 a large part of Uttarakhand forest was declared reserved (completely governed by government) and protected forest (partially governed by the government). These processes formally started restricting local people from using the forest they were dwelling for generations. In the words of Prof Pathak (1997) "conservation considerations were motivated by the need to ensure continuing supply of timber for imperial needs." A series of policy announcements in the nineteenth century in the name of conservation of forest were actually paving the way for commercial exploitation of timber by the government.

Many British timber merchants were active in Uttarakhand clearing forest for commercial use even before constitution of the forest department and promulgation of the Indian forest Act. Realizing the revenue importance of these forests, the then government started regulating in mid nineteenth century. In the words of Tucker (1984) the first colonial forest department organized by the British government in India was to manage supply of timber for railway and other industrial activities. Prior to this, many British timber merchants were active in Uttarakhand clearing forest for commercial use (Tucker, 1984).

While there were lots of resentment and protest against forest and land related policies of the British government, but they were not organized. The constitution of district civil forest in late nineteenth century sparked the Himalayan resentment. The colonial government issued a notification on 17th October 1893 for creation of 'District Civil Forest'. The fallow land, be-nap land, grazing area and woodlot within the boundary of villages were acquired under this notification to create the district civil forest. It had a direct impact on the life and livelihood of local people. This notification restricted people from freely accessing their own forest. In 1902 the government further divided the district civil forest into closed civil forest and open civil forest. The forest categorized as closed civil forest was equivalent to reserve forest where no rights of local people were entertained. To accurately demarcate the open and close civil forest a fresh forest settlement was carried out from 1911 to 1917. This exercise led to an increase in reserve forest by around 5,000 square km⁴. While villagers had been opposing the notification of

⁴ National Institute of Rural Development and Panchayati Raj http://www.nirdpr.org.in/nird_docs/rss/rss75.pdf

1893, the new settlement started in 1911 did not go well with the local villagers. It helped scattered local protests and resentment to unite against the government.

With this, the British government took the control of all land other than the privately owned land by villagers (Pathak, 1997). The then government had to face lots of resentment and protest of villagers against these policy decisions of the colonial government. The protest turned violent in the second decade of the twentieth century when people started burning the forests. This forced the colonial government to constitute a forest grievance committee in 1921 headed by the Commissioner, Kumaon. The committee consulted extensively with around 5040 people in Garhwal and Kumaon region of Uttarakhand and recorded their grievances (Joshi, undated). The report of the committee documented following main grievances against government control of civil forest under the forest settlement from 1911-1917.

1. Forest boundary pillars often come too close to cultivation or buildings.
2. Lopping restrictions
3. Restrictions on grazing
4. Exclusion of sheep and goats from the reserves
5. Employment of forest guards to enforce numerous rules and regulations and their constant interference with women and children, who under the customs in vogue in Kumaon are the chief people to exercise on behalf of the villagers such rights as lopping, collection of minor produce, grazing, etc.
6. Large number of forest cases which have either to be compounded or fought out in a criminal court.
7. Unsatisfactory methods of dealing with indents for timber.
8. Rules regarding fire protection.
9. Strict restriction on the exercise of minor rights to those which are formally recorded in the rights list.
10. Measured land was taken up within the reserves and in some cases inadequate compensation was given or none was given.

The committee in its report recommended many changes in the forest policies in the favour of local livelihood and environmental protection. Two crucial suggestions of the committee were as follows

- (i) To de-reserve the larger part of the reserved forests created during 1911-1917 forest settlements; and
- (ii) Lay the foundations for creating community forests that would be managed under a broad set of rules framed by the Government but for which villagers themselves will make the specific rules for everyday use to fit local conditions.

The report of the Kumaon Forest Grievance Committee further created the foundation for the creation of the Van Panchayat System in Uttarakhand. The protest of villagers for their forest rights forced the then government to hand over forest within the proximity

of villages to its bona fide residents. Nearly a decade long negotiations and deliberation finally provided for the creation of Van Panchayats.

Along with institutionalization of forest and revenue land, British government also institutionalized the common land and forest in Uttarakhand. These common properties were limited yet well defined. The deputy commissioner of Garhwal Mr. V.A. Stowell (1907) while describing type of land tenure in revenue manuals defines the sanjait land. According to him the sanjait land in a village is undivided common land belonging either to the whole community or common to certain families or co-sharers only. The revised Garhwal Gazetteer written by H.G Walton in 1911 describes the system of expansion of agriculture in the common land. Various land settlements attempted to measure land owned by individuals.

Land which was out of cultivation at the time of settlement is known as be-nap (un-measured) land. The government had sole right of such land within the village boundary. The Kumoun commissioner Mr. Trail in the land settlement process of 1880 measured all kinds of land including be-nap land from previous settlements. However, he made it clear that the government will be the sole owner of such land. Such measured waste land was then named as Kaiser-i-Hind land. Boundary demarcated under this settlement is called sal-assi bandobast. Kaiser-i-Hind land was further available for agricultural expansion under the Nayabad system. The nayabad is made of two local words naya+abad (Walton, 1911). Describing this type of land, Mr. Walton notes that it represents an area over which the village exercises its right related to pasture and wood cutting.

The colonial government was clear that more than agriculture revenue; it is going to benefit from the commercial exploitation of forest in Uttarakhand. Various rounds of land settlements in the region slowly restricted people from accessing forest for their life and livelihood. However, they created common property resources for the villagers. These commons were further institutionalized in the form of sanjait land, kaiser-i-hind land and van panchayat forest.

4. The Rise and fall of Van Panchayat (1931 to 2020)

The Van Panchayat system is a unique framework to regulate planning, management and monitoring of common forest for villager's use in the mountain districts of Uttarakhand. These forests are crucial for the subsistence economy of mountain people in the state. However, local people had to fight against coercive forest policies of the British colonial government in the early twentieth century to win this system of community managed forest. Unlike in many other parts of the country, Britishers were least interested in revenue from agriculture in the mountain. They knew thick and healthy forest in the Western Himalayan agricultural zone can yield more revenue for them compared to agriculture. Therefore they started regulating forests in the region from the early nineteenth century. However, up until the late nineteenth century, these regulations were not directly threatening the life and livelihood of local people.

In 1877 the then government demarcated the forest and follow-up regulations from 1893 to 1910 started alienating people from the use of forest and forest products. It instigated local people to revolt against the government and its policies related to the forest and forest products. The people's revolt intensified in 1916 and continued up until 1921, when the colonial government decided to constitute a grievance committee to resolve the issue. Based on the recommendations of the grievance committee, the then government agreed to hand over forest in the close proximity of any village to its residents. For the management of such forest the 'Kumaun Panchayat Forest Rules' were issued in 1931 under the Article-6 of the Scheduled Districts Act, 1874.

The Kumaun Panchayat Forest Rules, provided for villagers to ask for the control of their local forest to meet their daily demands. Forest Panchayat constituted under these rules was autonomous body, free to manage forest in its jurisdictions. These van panchayats had power to frame sub-rules, introduce fees and fines, prosecute offences, develop and execute conservation projects and management for forest products. To perform effectively, these panchayats were given power of forest officers. Nearly 900 Van Panchayats were constituted in the next two decades before independence. In the first two decades after independence around 1800 more Van Panchayats were constituted. In 1974 the then state government of Uttar Pradesh amended these rules.

With the abolition of the Scheduled District Act, 1874 new rules were issued under the Article 28 of the Indian Forest Act, 1927. These rules introduced the forest department as a key regulator along with the revenue department. The article 21 of the Indian Forest Act, 1927 provides for the constitution of 'Village-forest' under the supervision of the forest department. The department has the right to withdraw rights and concessions granted to villagers through village forest any time. Therefore, many experts believe that the amendment to the Panchayati forest in 1974 diluted the entire system. However, these Panchayat continued to enjoy rights related to making sub-rules, developing working plans for the forest, distribution of forest products, collection of fee and fine and management of funds.

With the formation of Uttarakhand as 27th state of India, the entire area where the Van Panchayat system was in place came under the Uttarakhand government. With the motive of implementing Joint Forest Management (JFM) scheme, the then Uttarakhand government brought yet another amendment to the Panchayat forest in 2001. These amendments were opposed and criticized by villagers and activists. Responding to these voices, the first elected government of the newly formed state released a new set of rules of Panchayati forest in 2005. The Uttaranchal Panchayati Forest Rules, 2005 are currently in force with some changes in 2012. These rules also recognize van panchayat as 'village forest' as defined in the section 28 of the Indian Forest Act, 2020.

The new rules have reduced the autonomy of these panchayats substantially and confined them as self-help groups (forest users). These rules provide for the development of composite plans by the divisional forest officer. Van Panchayats have to develop micro-plan

in accordance to the composite plan developed by the forest department for their forest with the help of grass root forest officials. It has also made the forest guard an ex-officio secretary of the Van Panchayat.

Van Panchayats in Uttarakhand		
District	No of Van Panchayats	Total Area under Van Panchayats (in Hectare)
Chamoli	1509	327047.5
Almora	2324	77693.25
Bageshwar	822	38782.92
Champawat	654	33649.77
Dehradun	170	6571.275
Nainital	413	32992.49
Pauri	2450	55813.57
Pithoragarh	1621	123609.7
Rudrapryag	509	18379.64
Tehri	1290	14164.86
Uttarkashi	406	3983.989
Total	12168	732688.9

Source Compile from Uttarakhand Forest Department

The current set of Van Panchayat rules prioritises the various uses of forest produce. The first and foremost priority is to meet the ecological requirement of the region. Unless this requirement is met, traditional forest rights of local people cannot be granted. The use of forest products for village industries can be a game changer for rural livelihood improvement, but under the current rules, this is the third priority. The Panchayat can use forest products for village industry and commercial exploitation only if the forest department allows them.

The Van Panchayat system in its history of around 90 years has seen many changes. Policy level changes do have bearing on the performance of Panchayats and productivity of the forest. I have not come across any study comparing all policy changes in the Van Panchayat system and their impact on the ground. However, it is clear that over the years, the Van Panchayat system lost its autonomy along with loss for forest productivity.

Annexure-I

Uttaranchal Panchayati Forest Rules, 2005

Main highlights

Legal status

Rules issued under the sub-section 2 of the section 28 (read with section 76) of the Indian Forest Act, 1927.

Duties of Users

- (1) Provide help in forest fire control in case of incidence of forest fire in the concerned village forest.
- (2) In case of any forest offence such as encroachment, illicit grazing or illicit felling, its intimation shall be immediately given to the Management Committee.
- (3) Provide support for protection of old plantations established earlier or plantations carried out by the Management Committee.

Composition of management committee of Van Panchayat

The management committee of VP shall consist of nine members. Four seats shall be reserved for women out of which one shall be from scheduled caste or scheduled tribe. One seat out of the remaining five seats shall be reserved for the male members of the scheduled castes or the scheduled tribes. The post of Sarpanch (head of VP) will be held by men and women on rotational basis.

Role of the Forest Department

- (1) To Prepare Composite Management Plan for all van panchayats
- (2) To help VPs to prepare micro plan and approve the same
- (3) To help VPs to prepare annual implementation plan and approve the same
- (4) The local forest guard serves as member secretary of the management committee of Van Panchayat.
- (5) Manage distribution of forest produces amongst the users and regulate sale of forest produces.
- (6) Regulate and approve sub-rules framed by van panchayats,

Management Plan for Van Panchayats

- (1) The divisional forest officer shall prepare a Composite Management Plan for all the village forests/ panchayat forests within his/her control for a period of five years. The plan will be approved by the conservator of forests.
- (2) It is obligatory on the part of Van Panchayat to prepare a micro plan on the basis of guiding principles given in the composite management plan approved by the conservator of forests. The micro plan will be prepared with the assistance of concerned deputy ranger/forester or forest guard. The micro plan will be finally approved by the sub-divisional forest officer.
- (3) Based on the micro plan the van panchayat will prepare annual implementation plan, which will be finally approved by the forest range officer.

Exploitation and Utilisation of Forest Produce

- (1) No forest produce shall be exploited unless the ecological requirements of the area are ensured by village forest/panchayat forest.
- (2) All customary rights of the holders such as collection of fallen fuelwood, lopping of branches of trees, cutting of grass shall continue to be governed under the provisions of micro plan.
- (3) After fulfilling the above mentioned two requirements, forest produces may be disposed on prior permission from divisional forest officer for the bona fide domestic use of right holders or the local cottage industries or the village industries or for the work of public utility
- (4) After fulfilling above three requirements on the approval of forest range officer and direction of divisional forest officer can dispose forest products for commercial sale.

Power to frame sub-rules

The Van Panchayat on approval of divisional forest officer can frame sub-rules for the distribution of forest produce among persons entitled thereof, for regulating grazing, cutting of grass and collection of fuelwood, to levy fee to meet its administrative expenditure and for any other purpose consistent with these rules.

5. The Crumbling of Commons (1960 to 2020)

The forest and revenue department evolved gradually in the colonial rule. By the time of India's independence, both of these departments had extensive records of land and forest owned by them. Villagers were also restricted to their private lands owned by them in the revenue records. However, various working plans of the forest department had granted rights and concession to villagers directly dependent on reserved and protected forests. The only significant common property resources left was the land under Van Panchayat. At the time of the independence there were around 900 Van Panchayats in the Garhwal region ruled by British. Today this region includes districts Pauri Garhwal, Chamoli, Almora, Nainital, Pithoragarh, Bageshwar and Champawat. After independence Van Panchayats were extended in other mountain regions of Uttarakhand.

The fight for forest by people in mountain districts of Uttarakhand is not limited to their livelihood. They also fought against ecological degradation due to commercial exploitation of the forest and industrial expansion in the forests. The people's movement in the early twentieth century and movements like Chipko and Tehri dam after independence are few to mention here. After the independence, the democratic government was expected to review the colonial forest policies of the British government. However, no government paid any attention to it. So, we continued with colonial forest laws and policies. Prof. Pathak (1997) notes that "the provincial and central government never reviewed the situation and there was no exercise to understand the man-forest relationship in the rapidly changing resource use pattern."

The Uttar Pradesh government brought the 'Zamindari Abolition and Land Reforms Act' in 1950 for the management of land. This law provides Gram Panchayat to manage be-naap land in its jurisdiction along with management of common property resources such as grazing land, waste land, pond, river, water streams etc. However, for the eight hilly districts of Uttar Pradesh (now hilly districts of Uttarakhand), the government of undivided Uttar Pradesh brought a separate law. The Kumaon Uttarakhand Zamindari Abolition and Land Reform, 1960 (KUZA act) replaced the UP Zamindari abolition act, 1950 in eight mountain districts of undivided Uttar Pradesh (now mountain districts of Uttarakhand). Under this law, the provision of management of common property resources by Gram Panchayat was removed. So, gram panchayats in the region have no power to control and manage common property resources within the boundary of their villages (Sharma, 2019).

The colonial government started curtailing the forest rights of villagers in the mid nineteenth century. It affected the traditional system of forest management and planning by local villagers. The institutionalization of forest and land management started by British government is continued by the democratically elected governments after independence. The common trend that has been observed that irrespective of people in power, villagers gradually lost their rights over forest and forest produces. In the last one and half century, the idea of common property resources in these districts of Himalaya has faded.

Various historical documents establish that people living in mountain districts of Uttarakhand have a tradition of dwelling forest for their living, livelihood, culture and recreational activities. However, the state policies concerning forest and related natural resources failed to accommodate these traditions. Successive changes in the Van Panchayat rules are classic examples of this trend. Agrawal (2005) notes the Uttarakhand government tightened its control over Van Panchayats, which eventually dis-empowered the management committee of the Van Panchayats. A study of Van Panchayat by Nagahama et al (2016) found that there is a general lack of people participation in Van Panchayat. Nearly 65% of respondents were not aware of the micro plan developed by the Van Panchayat. The systematic alienation of villagers through successive laws, rules and policies reduced their interest in the conservation of forest. Many district level forest officers are aware that over regulation by the department has been decreasing interest and sensitivity of local people about forest and wildlife. A letter by the Divisional Forest Officer of Kedarnath Wildlife Sanctuary to its director on 15th June 2011 raises this concern. In this letter, the DFO observed that in the view of the ruling of the Supreme Court under the Godavarman case, villagers have been denied their scheduled rights in the sanctuary area. This has reduced the sensitivity of villagers towards forest and wildlife.

Total Area and Classification of Area in Uttarakhand State (Hectare)				
	2000-01		2018-19	
	Area	Percentage of total reported Area	Area	Percentage of total reported Area
Reported Area for LUS	56,71,698		60,01,924	
Forest	34,65,057	61.1	38,11,662	63.5
Not Available for Cultivation	4,62,491	8.1	4,34,670	7.24
Other Uncultivated land Excluding Fallow Land	8,66,760	15.2	9,30,709	15.5
Fallow Land	1,07,446	1.9	1,77,095	2.9
Net Area Sown	7,69,944	13.5	6,47,788	10.7

<http://aps.dac.gov.in/LUS/Public/Reports.aspx>

The Schedule Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 is the latest policy that recognizes rights of forest dwellers. Along with individual rights to dwell forest land for agriculture and settlement, it also recognizes collective rights of forest dwellers called Community Forest Rights (CFR). It gives autonomy to the village committee to manage forests for which the village community granted community rights. However, Uttarakhand is one of the worst performing states, in terms of recognizing individual and community forest rights of villagers. As per the progress report up to June 2020, Uttarakhand only recognized 155 individual forest rights and one community forest rights⁵. The state has missed yet another opportunity to involve community in the conservation and management of forest.

Before the colonial government started demarcating revenue and forest land, the entire landmass was common property. People had their customary rules to manage land in their reach. From the point of view of mountain districts of Uttarakhand, the colonial government first attempted to do away with the concept of common property resources. Various rounds of early land and forest settlements carried out by the then government were meant to restrict villagers to the land they cultivate. However, brewing resentment against the colonial government due to coercive forest policies, they slowly started institutionalizing the common property resources along with the institutionalization of forest and revenue land.

The colonial government institutionalized the common property resources such as Van Panchayats, Gaon Sanjait land, Kaiser-i-hind land and limited rights and concessions in protected and reserve forests. As discussed above these acknowledged CPR went through many changes after independence. For example in the case of Van Panchayat, the forest department has taken back the control of panchayati forest from villagers. People

⁵ Union Ministry of Tribal Affairs, Government of India <https://tribal.nic.in/FRA/data/MPRJun2020.pdf>

continue to access rights and concessions granted to them in the reserved and protected forest but any relevant change in the Indian Forest Act, 1927 directly affects forests rights of people. The gaon sanjait and Kaiser-i-hind land have been distributed and encroached substantially. Moreover, there is no data available in the public domain regarding the status of these CPRs. All hard earned CPRs institutionalized during the colonial period observed decline in their existence, governance and community ownership in 4-5 decades.

The idea of community owned and managed community property resources faded after India's independence due to changes in relevant state policies. However, the Scheduled tribe and other traditional forest dwellers (recognition of forest rights) Act, 2006 created a space for a relatively more autonomous and community controlled community property resources. The provisions related to the recognition of Community Forest Rights (CFR) and Habitat Rights (HR) in the law provide many rights, concessions to the dependent communities. It also provides for management of the forest land by community through Panchayats (independent of the forest department). In the case of Uttarakhand, the execution of this law is very poor, so nothing could be delegated to the community.

6. The Study Area

For the purpose of this study we have selected two gram panchayats namely Dumak and Kalgoth located in Joshimath block of Chamoli district. Empirical data collected from these two panchayats which consists of five small mountain villages. Both of these villages are surrounded by the Kedarnath Wild Life Sanctuary. However, both of them dwell separate blocks of this forest. The demographic profile of both of these panchayats is given in the following table.

Demographic Profile of Study Villages		
	Dumak	Kalgoth
Total Population-	401	462
Total Number of Households	81	92
Male-	208	237
Female-	193	225
Children below 14 years -	75	87
SC Population-	0	0
ST Population	0	0
OBC Population-	401	462

Almost all households in both of these panchayats are dependent on agriculture and livestock for their livelihood. This occupation makes them dependent on forest and other natural resources. For generations people from these villages have been dwelling forest around their villages. Up until November 1964 this entire forest was under the revenue department as it was classified as class-I forest. Colonial government paid less importance to class-I forest as they were not commercially viable for them. These are mix forests, usually broad-leaved trees. The biodiversity of the forest is suitable for the

subsistence economy. Along with the protected forest villagers have also been accessing van panchayats constituted in both of these Panchayats. The van panchayat in Kalgoth, spread in 72 hectare was constituted in 1972, whereas the van panchayat of Dumak comprises of 105.5 hectare land is relatively new which came to existence in year 2000.

Almost all villagers are small and marginal farmer and highly dependent on forest both protected and van panchayat. It has been observed that out migration for livelihood is not a big issue in both of these villages. Together 12 out of 173 household from these two villages migrated permanently. Moreover, 26 migrated workers came back due to lockdown announced in March 2020 to contain the spread of COVID-19. Since, these two panchayats are among remotest villages in the district not connected with motor road and telephone; so economically well-off people migrate to nearest cities for better health, education and infrastructural faculties.

Livelihood Profile of Study Villages		
	Dumak	Kalgoth
Agriculture/Cultivation		
- Households dependent on agriculture only	0	3
- Households dependent on livestock only	0	0
- Households dependent on combination of agriculture and livestock	69	89
- No. of Large farming households	0	0
- Number of medium farming households	0	3
- No. of small and marginal farming households	69	86
- No. of Farm Labourer Households	0	0
Dependency on CPR		
- No of Household dependent on CPR for their life and livelihood	69	92
- No of households dependent on occupation other than farming and livestock but draws benefit from CPR	0	0
- No. of households dependent on occupation having negligible or no dependency on CPR	5	0
Migration		
- No. of households whose member (s) seasonally migrates for livelihood in the cities	0	0
- No. of households whose member (s) migrated permanently for earning livelihood in the cities	7	4
- No. of worker migrated back to the village after lockdown to contain COVID-19	10	16
- No. of reverse migrated worker, who would like to stay back in the village.	10	16

Major Common Property Resources of these two panchayats includes blocks of protected forest under the Kedarnath Wild Life Sanctuary, two separate van panchayats and number of water streams. These two villages dwells a very large area of protected forest, each village has access to more than 5000 hectare of the protected forest. The details of benefits drawn from CPR by these villages are briefly mentioned in the following two matrixes.

CPR Profile of Dumak

Detail of CPR	Benefits drawn from the CPR	Org. responsible for management	Status of CPR (Degraded or not)
<p>Dumak East and West Beat of the Protected Forest- Kedarnath Wildlife Sanctuary</p> <p>Estimated Area 5284.5 Hectare</p> <p>De-Jure Owner Forest Department</p> <p>De-Facto Users All villagers</p>	<p>Livelihood Fodder, Agricultural implements, water for flour mill, Grazing area, Grazing of sheep in alpiners in summer, Grazing of sheep/castles in dense forest, loping/pruning tree for fodder. grazing Bamboo for domestic and commercial</p> <p>Physical Material Fuel, Timber, Dry Leaves, Water for domestic use, sand, stone, use, herbs for local use.</p> <p>Recreational/ cultural/ Religious access to alpiners for cultural festival once a year, collection of flower and bark of tree, herbs etc for religious purposes.</p>	<p>Officially forest department is responsible for the management. However, Van Panchayat and Mahila Mangal Dal play crucial role in management of the forest</p>	<p>The southern part of the forest area is close to the village. It is dense and in good condition. Villagers used this area for all their routine use. The northern part of the forest is alpine pasture land and seasonally accessed by villagers for grazing, collection of herbs, cultural and religious festivals.</p>
<p>Van Panchayat Forest land</p> <p>Estimated Area 25 Hectare</p> <p>De-Jure Owner Van Panchayat and Mahila Mangal Dal</p> <p>De-Facto Users All Villagers</p>	<p>Livelihood Fodder, Grazing area,</p> <p>Physical Material Fuel, Timber, Dry Leaves, Water for domestic use, water for floor mill, sand, stone, Bamboo (ringal) for domestic and commercial use, herbs for local use, Grass for house roof (Thatching), grass for broom, wild vegetable, fruits, Fibre for ropes, honey, Thatching grass, clay soil for houses, seasonal cattle camping in the forest.</p> <p>Recreational/ cultural/ Religious temple and cremation ground,</p>	<p>Van Panchayat and Mahila Mangal Dal under supervision of the forest department</p>	<p>This area has fewer trees. The area is located on large rocks. A substantial part of the forest is used for fodder and grazing land. However, it is well managed by the villagers to ensure maximum harvest of fodder.</p>
<p>There are seven water streams within the boundary of the village</p> <p>De-Jure Owner Van Panchayat and Gram Panchayat</p> <p>De-Facto Users All Villagers</p>	<p>Physical Material Drinking Water, water for domestic animals</p> <p>Livelihood Water of Flour Mill,</p>	<p>Van Panchayat and Gram Panchayat</p>	<p>Reduction in the availability of water has been observed in some of these streams over the years.</p>

CPR Profile of Kalgoth

Detail of CPR	Benefits drawn from the CPR	Org. responsible for management	Status of CPR (Degraded or not)
<p>Protected Forest Area- Kalgoth Beat (South) Estimated Area 5425 hectare De-Jure Owner Forest Department De-Facto User All Villagers</p>	<p>Livelihood Fodder, water for floor mill, Bamboo for domestic and commercial use, Grazing area, Loping trees for fodder. Physical Material Fuel, Timber, Dry Leaves, Water for domestic use, sand, stone, herbs for local use,</p>	<p>Officially forest department is responsible for the management. However, Van Panchayat and Mahila Mangal Dal play crucial role in management of the forest</p>	<p>Dense forest</p>
<p>Protect Forest Area- Kalgoth Beat (North) Estimated Area De-Jure Owner Forest Department De-Facto User All villagers</p>	<p>Livelihood Pasture for sheep in the summer, Physical material Herbs for local use, Recreational/ Religious/Cultural Access to alpiners for cultural and religious celebrations.</p>	<p>Officially forest department is responsible for the management. However, Van Panchayat play crucial role in management of the forest</p>	<p>It is high altitude alpine pasture land mostly covered with snow, negligible tree cover and full with number of herb species.</p>
<p>Van Panchayat Forest Estimated Area 30 Hectare De-Jure Owner Van Panchayat De-Facto User All villagers</p>	<p>Livelihood Fodder, water for flour mill, Bamboo for domestic and commercial use, seasonal cattle camping in the forest, Grazing area, Loping trees for fodder Physical Material Fuel, Timber, Dry Leaves, Water for domestic use, sand, stone, herbs for local use, Thatching grass, clay soil for houses, Recreational/ Religious/Cultural temple and cremation ground.</p>	<p>Van Panchayat and Mahila Mangal Dal under supervision of the forest department</p>	<p>This area has less trees, and commonly used for fodder and grazing.</p>
<p>There are nine water streams within the boundary of the village De-Jure Owner Van Panchayat, Forest Department De-Facto User All villagers</p>	<p>Livelihood Water for flour mill, water for domestic animals Physical material Water for domestic use.</p>	<p>Van Panchayat and Gram Panchayat</p>	<p>Reduction in the availability of water has been observed in some of these streams over the years.</p>

The Dumak and Kalgoth panchayats have access to 5284 hectare and 5425 hectare forest land respectively under the Kedranath Wildlife Sanctuary. Both panchayats have given limited rights and concession in this forest. Until 1964 this forest was managed by the revenue department. Realizing the importance this forest in the catchment of Alaknanda

River the government handed it to the state forest department for the management. Even after change in the ownership villagers continue to enjoy limited rights and concession given to them. In 1972 the then Uttar Pradesh government constituted it a wildlife sanctuary, primarily for the protection of Himalayan Musk deer.

There are 45 villages inside the sanctuary and 128 villages outside but within five kilometres from the forest boundary. Dumak and Kalgoth are outside the sanctuary, but both of these villages share boundary with the protected forest. According to the management plan of the sanctuary both of these villages are partially dependent on sanctuary for firewood. In addition, the management plan of the sanctuary provides right to collect firewood, fodder grass, thatching grass, dry leaves, ringal (bamboo) and right to use bugyal (meadows) for sheep rearing in the summer. Moreover, it provides concession to the villagers to get timber for personal use (building houses, agricultural tools), free grazing of cattle, green leave for fodder, access to forest grounds for cattle camping (FD, 2000)

The dependency of villagers on protected forest and panchayati forest is not clearly divided, it overlaps many a time. However, broadly the panchayati forest in these two villages meets many of their requirements such as fodder, thatching grass, clay soil, grazing land dry leave, underwood, stone, water bodies, ringal (bamboo), wood of agricultural tools etc. Villagers are dependent on protected forest for things like timber, green leaves for fodder, sheep rearing, cultural and religious activities. Other than sheep rearing in the alpine region of the protected forest, villagers also access that for religious functions and collection of flower and herbs for their religious activities in villagers.

7. Community Vs Institutional Protection of Forests

The Kedarnath Wildlife Sanctuary also known as Kedarnath Musk Deer Sanctuary came into existence in 1972 for the protection of a rare wild animal called musk deer found in high altitude of this region. These animals have been exploited for their 'Musk' (Kasturi) for centuries. Other major wild animals found in this region include snow leopard, Himalayan Thar, Black Bear, Brown Bear and Common Leopard. The formation of wildlife sanctuary under the Wildlife (Protection) Act, 1972, substantially changed the way local people were dwelling in forests for generations. Major restrictions on local inhabitants includes following

- 1- The green felling for domestic use including bamboo and firewood is completely banned.
- 2- Complete ban on Silvicultural and tending operations
- 3- Regulated collection of firewood
- 4- Complete ban on collection of herbs and other non-wood forest produces
- 5- Highly regulated system for domestic livestock grazing

Local villagers have observed that the restrictions on use of forest and forest produce gradually increased in the last 4-5 decades. Some of these restrictions were completely against local ecological, social and economic requirements. For example, following the ruling of the Supreme Court, dated 14 February 2000, under the famous Godavarman

case imposed restriction even on the collection of fallen, rotten and dead trees, shrubs and grass. This decision was against the provision of the forest settlement where all villages dependent on this forest were allowed to collect wood and timber for various domestic usages such as construction of houses, agricultural equipment, fodder and fuel.

Nearly 10 years after imposition of this restriction, the forest department realized that villagers are losing their interest in forest and wildlife due to such restrictions. They also realized that decreasing interest of villagers has adversely affected the overall mission of protecting forest and wildlife. Therefore, the Divisional Forest Officer, Gopeshwar wrote a letter on 15th June 2011 to the Director of Nanda Devi Biosphere Reserve, requesting to adjust rights and concession of affected villagers in some other forests.

The institutional approach of protecting forest and wildlife in India has always been guided by an idea which attempts alienating forest dwellers. The case of Kedarnath wild life sanctuary is not a different story. The Panchayati Forest (Van Panchayat) in Uttarakhand was an alternative model of forest management and governance. The idea of these forests was to rely on knowledge, skill and capacity of forest dwellers for sustainable management of forest without any involvement of the forest department. However, successive amendments to the Panchayat forest rules diluted the entire system. Currently this forest is also in the control of the forest department.

The protection of forest and wildlife is important, but who imbibes this feeling best other than local forest dwellers. Even before issuance of restriction by the forest department, villagers have their own system of protecting forest and wildlife. The Panchayati forest is crucial for both Panchayats selected for this study. It is mainly used for winter fodder and thatching grass. Both villages close a big part of the grass growing area for a certain period of a year to allow grass to grow well.

Similarly they have rules which are strictly monitored by women groups in both villages related to ban on green felling, forest fire, collection of herbs from alpine region, rationalizing grazing, fuel-wood collection and rationalizing benefit sharing. Formation of these rules and their strict implementation is highly important for local villagers, as it is directly linked to their life and livelihood. Therefore, the idea behind these self-imposed restrictions is to maintain the productivity of resources and create sense of responsibility amongst its user.

For better harvest of forest produce, these informal rules developed by villages make them discipline and ensure sustainability. Moreover, villagers also have several stories, when they fought against external poachers, encroachers, nomads and herb & timber smugglers. For example, in October 1974, villagers came to know that few poachers of musk deer are camping in the alpine region of the forest. Villagers informed the forest department and joined them in arresting poachers. Later the department gifted a memento to Kalgoth Gram Panchayat for this great job. Moreover, villagers have several stories when they informed the forest department and helped them to evict poachers, smugglers and encroachers.

The above illustrated examples suggest that once there was cordial coordination between the forest department and villagers. Most of these examples are from the 1970s to 1980s. People don't remember any such examples of coordination in the last 2-3 decades. Our enquiry to understand this shift in attitude and trust through FGDs enlightened us that after the 1980s people started realizing that the real owner of the forest is the forest department. It took some years for the forest department to assert its ownership in the forest. But, as the control of the forest department increased, people started pulling back from the role of natural custodian of the forest and wildlife.

8. CPR and Subsistence Economy of the Study Area

8.1 Sheep and Wool

Until nearly two decades ago almost every household in these two villages had sheep. Villagers have been enjoying rights and concessions in the nearby protected forest for grazing, camping and collection of fodder for sheep. The alpine region of the Kedarnath wildlife sanctuary is accessible for humans and sheep only from the month of May to August rest of the time it is snow covered. Villagers largely use this time to camp their sheep in these high altitude beautiful landscapes. Traditionally sheep rearing had three benefits- (1) selling them for meat (2) extracting wool for local handloom and (3) using male sheep for transporting goods in the mountain.

The economy around sheep rearing was very elaborate. The residual of traditional handloom can still be found in every household in these two villages. People used to weave their clothes by themselves. They also have a tradition of making warm quilts and waterproof jackets out of sheep wool. Being a tradition, all households were independent in all these activities.

In the last two decades, this entire system of sheep rearing has shrunk significantly. Today very few families in these two villages are continuing with this occupation. Mule and horses introduced nearly 15-20 years ago in the area replaced usage of sheep for transportation of goods. Using mule and horses helped a lot in reducing drudgery.

On the other hand in the last 2-3 decades factory made clothes and bed material have completely replaced hand woven woollen clothes. Now sheep brings only cash when sold for the meat. The entire tradition of extracting wool from sheep to processing and adding value in terms of spinning and weaving has disappeared. This highly skilled but cash less industry could not sustain itself in the front of an aggressive and fancy mechanised market. Alternatively, no attempts were made to mechanise and modernise the traditional wool industry of the region.

Villagers were dependent on forest for their main occupation of sheep rearing. Most of the forest is still in good shape and the degraded forest can be regenerated easily. However, this entire occupation has collapsed. The revival of the occupation not only depends on the regeneration of degraded forest around villages, but also demands mechanization and modernization of the wool based industry.

8.2 Agriculture

Agricultural productivity in mountain villages is any way very less. The land holding is also very less in these two villages which is around average 0.5 hectare per household. The entire agriculture is rain fed and no irrigated land is available in these two villages. Main crops being cultivated in the region are Amaranth, Kidney Beans and Barley. Amaranth and Kidney Beans have high market value, so both of them are grown as cash crops. Other than these two main crops people also cultivate wheat and potato for their own consumption. However, productivity of wheat is very low. Villagers are dependent on markets for grain such as rice and wheat.

Agriculture in these mountain villages have never been self-sufficient due to reasons like low productivity, sloppy landscape and not feasible for main grains such as wheat and rice. Alternatively this area is highly suitable for horticultural and vegetable products such as apple, apricot, walnut, cucumber, coriander, potato, garlic, cauliflower etc. But due to the geographical remoteness of these villages, horticulture never became an occupation.

While agriculture had been a secondary occupation, it has always been integral to the lives and livelihood of common people in the region. With the collapse of sheep and wool based livelihood in the last few decades, the less productive agriculture has become the main occupation of people in the region. As in many other communities, the cattle rearing are part of agriculture in this region. Even today the cow dung is only fertilizer used in agriculture in these two villages. Villagers have been granted rights and concessions to access protected forest for free grazing, collection of green leaves for fodder and camping ground for cattle. Though agriculture is the main occupation in the region, it is not sufficient as I discuss above. Innovation in agricultural practices and harnessing potential of horticulture can help to make this occupation profitable and attractive.

8.3 Village Industries

A handful of families in these two villages also earn their livelihood from traditional village industries. These industries include water mills, bamboo (ringal) craftsman, and ironsmith. In Dumak there were two watermills and five families were dependent on them. On the other hand there are four water mills in Kalgoth. Both watermills of Dumak were washed away in flood a few years ago. In Kalgoth all four watermills are in good condition, but, with the introduction of diesel/electric mills in the village, these traditional water mills have been neglected.

Ringal (bamboo) was another source of livelihood for few families in both the villages. In the forest around these villages four different types of ringals are available; all of them have distinct usage. A particular variety of ringal is used for making crafts such as baskets, mats and agricultural utensils. This variety of ringal is available in the protected forest only. People have been granted rights to exploit them for their domestic use, but for the last few years, villagers have been facing resistance from the forest department. With limited supply of ringal and availability of factory made fancy alternatives, this occupation is also in its last days.

Ironsmiths were there in the villages mainly to make agricultural and related tools. They were heavily dependent on fuel wood needed for melting iron. This occupation has also died due to aggressive marketing of factory made utensils and degradation of nearby forest.

Of these three village industries highlighted above, ringal and watermills still have potential. Modernization of watermills can help generate electricity and value addition in ringal based traditional craft can hit the market especially in the tourist season.

8.4 New Occupations

The fall of traditional occupations around sheep, wool and village industries changed the livelihood pattern in these two selected villages. In the last more than two decades, the government funding through Panchayati Raj System created lots of opportunities for daily wage work within the village boundary. Almost all households in these two villages work as daily wage labourers under various schemes such as MG-NREGA. This is a relatively new source of livelihood which brings cash directly to them. In a sense, all villagers are part time wage labourers irrespective of their land and livestock holding.

These two villages are among remotest villages in the district with no road transpiration. Dumak is nearly 18 km and Kalgoth is about 16km from the nearest motor road. The traditional system of using sheep for transporting goods is no more feasible now; so many young people have started rearing mule/horses for transportation of goods. This has become a means of livelihood for many households in these villages; they offer transportation services to other fellow villagers. In total there are 60 mule/horses owned by different households in these two small villages.

In the last few years, these villages have seen a steadily growing trend in the influx of adventure/tracking tourists in the region. Though the number of tourists is still very low, the area has huge potential to attract nature and adventure loving tourists. Many villagers have started working as porters, home-stay owners and guides to these tourists in the region. It is not yet a full time occupation, but many young people do it seasonally.

8.5 Livelihood and Out Migration

The above data shows that these two villages have access to a large forest and other natural resources to sustain their livelihood, yet people migrated in search of livelihood. Despite marginal degradation of natural resources on which these villages are dependent, the increasing trend of migration can be attributed to two main reasons. The first and foremost is the major disruption in the local economy based on agriculture, livestock and other village industries. These disruptions at the micro level were induced by external factors such as social-economic and cultural pressure and lack of capacity of locals to compete rapidly expanding market. On the other hand micro level factors inducing this economic disruption include poor education, unprepared/unskilled human resource for social and economic change and lack of

technology and innovations. All these factors contributed to the fall of traditional occupations and well established self-sustaining communities. So, while these villagers have huge wealth of natural resources in the form of common property, they do not have means to utilize them commercially.

The second reason for our migration concluded through FGDs conducted in these villages is rapidly changing aspirations of common people. The geographical remoteness of these two villages further restricts them to avail comfort, luxury and opportunity out there for other people. The aspiration such as white/blue collar jobs, better education and health wellbeing makes these people to migrate to cities. To stop distress migration from these two villages both of these factors need to be addressed. During the COVID lockdown, 26 workers returned to these two villages. Our study found that all of them are willing to stay back if better options of livelihood are available within the village.

9. Conclusion

In the last two centuries in Uttarakhand, the control over common property resources moved from community institutions to state imposed institutions. Many policies to govern these resources were tried and tested to establish a balance between ecology, commercial exploitation and subsistence economy. Current policies including the Indian Forest Act, 1927, The Environment (Protection) Act, 1986 and Uttaranchal Panchayati Van Niyamawali, 2005 empower state governments to control and manage these resources. While traditional rights and concessions of various communities are recognized, they are regulated and interpreted by the state forest department.

Within this policy framework, gram panchayats like Dumak and Kalgoth of Chamoli district in Uttarakhand have access to huge forest areas rich in biodiversity. This entire accessible forest area is a common property of villagers governed either directly or indirectly (through van panchayats) by the state forest department. The large part of the forest is productive enough to meet local requirements. However, local people believe that their forest has been degraded to a large extent compared to a few decades ago. Villagers have several stories from the 1970s to 1980s when villagers along with the state forest department fought against poachers and illegal herb collectors. In our FGDs, villagers have argued that the shift of ownership from villagers to government has changed the attitude of local people towards nearby forest.

The change in attitude of villagers towards forest is also a result of their inability to harness the potential of natural resources in the changed scenario due to changes in policies governing these resources, market demands and changing aspirations & demands of young villagers (largely influenced by urban lifestyle). With the continuation of their traditional occupations (without any innovation and technology), villagers cannot compete in the highly industrialised, consumerised market system all around. Further they also do not have adequate capital, capacity, training and skills to modify their traditional occupations and explore new occupations using the same resources to satisfy their genuinely changing

aspirations and demands. What they need is a combination of exposure to the outside world, entrepreneurial motivation, and then access to markets, skills and capital. Only then can the natural resources from the common property as well private property be used to generate viable and sustainable livelihoods,

Our field work also suggests that the degradation of natural resources in and around these two panchayats is correlated with the decreasing villagers' dependency on them. Nationally and internationally the role of indigenous people and their knowledge has been recognized to protect, conserve and regenerate natural capital. Therefore it is important for sustainability of communities and ecosystems to recognize indigenous knowledge and practices. In the case of these two panchayats, the state forest department with the help of van panchayats can play a leading role in building capacities of locals and arranging necessary infrastructure to innovate and modify local occupations in a more sustainable manner.





25 Years of the WTO

What India Has Gained from It and What Can We Do to Safeguard Our Interests in the Future?

Yogesh Sharma, LLM in Transnational Crime and Justice, United Nations Interregional Crime and Justice Research Institute (UNICRI), Turin, Italy

ABSTRACT

The present article begins with an introduction to the WTO, its formation and significance today. The article further addresses a number of salient issues, including: WTO system and developing countries, major issues of concern from the perspective of developing countries like India, to study the economic environment- foreign trade policy which includes opportunities for growth and challenges ahead for India at WTO, regional trade agreements, high time for India to revise the trade policy, India facing challenges in the areas of trade policy, India's targets and focus. Then it dwells on what strategies India needs to adopt for safeguarding its interest in WTO. It provides us an understanding of the complex issues pertaining to the WTO, its agreements and negotiations, and analyses of the impact of the WTO- on the Indian economy.

The strategies to be devised to safeguard India interest includes: creating global partnership with India's major trading partners like United States, active participation in the Regional Comprehensive Economic Partnership, to join the Asia-Pacific Economic Cooperation, reviving its Multilateral Trading System, India could further increase its exports by participating in the major Plurilateral Negotiations on services, environmental goods, and government procurement now taking place at the WTO, participation in Transatlantic Trade And Investment Partnership and Trans-Pacific Partnership, India should move WTO against Protectionist Tendencies of countries hurting its interests (Trade war between US-China), India's stance on Trade Facilitation, agriculture, e-commerce etc., permanent solution for Agricultural 'Conundrum' at WTO, modeling on Investment/Trade facilitation, freeing e-commerce, India's suggestion on WTO reforms and charting a road map for India at WTO.

India's has keen interest in multilateral forums like the WTO and how best India could utilize this forum to realize maximum advantage, whether India has a clear cut and well-defined set of negotiating strategies as discussed and its dispute settlement mechanism, how the reforms in WTO has effected India since its inception in 1995, whether these

reform shares India's long-term economic interests, whether the benefits from the WTO-induced reforms are fairly and evenly distributed across the regions and across the population to decrease income inequality and poverty in India. I am hopeful that the present work will contribute towards the understanding of the WTO and India's strategies safeguarding its interest in an environment of World economic events with WTO induced reforms.¹

I Introduction to the WTO

The birth of WTO relates back to the set of negotiations, and everything the WTO formed of and does is the result of negotiations. The WTO's present structure and working comes from the negotiations of 1986–94 also called as the Uruguay Round and earlier negotiations under the General Agreement on Tariffs and Trade (GATT). The WTO held negotiations under the 'Doha Development Agenda' launched in 2001 forming the pillar of future WTO. The negotiations at WTO has helped the WTO to act as body facilitating trade with equity among the countries which faced trade barriers and wanted to lowered these barriers, these negotiations have opened the markets for a just and transparent trade and trading system. The WTO agreements negotiated and signed by the bulk of countries are called as trading nations. These negotiations and documents provide the legal rules for international commerce.

The system's overriding purpose is to help trade flow in the world as freely as possible—and the basic rules of conduct of trade have to be 'transparent' and predictable. World Trade relations often involve conflicting interests of countries. The most harmonious way to settle these differences is through the dispute settlement process written into the WTO agreements.²

I.1 What the WTO Does

The World Trade Organization (WTO) replaced the General Agreement on Trade and Transfer (GATT), coming into effect on 1st January, 1995 with the support of 85 founding members including India. To-day WTO stands as the third economic pillar of worldwide along with the World Bank and International Monetary Fund (IMF). Like GATT, the WTO agreement regulates the trade of commodities, and in addition it also deal with services across borders like insurance and tourism. The new WTO agreement also protects intellectual property like patents, copyrights and trademarks (brands). Agriculture and textiles are fully covered by the WTO agreement. The Ministerial Conference (MC) is the highest WTO body which meets at least once in two years.

WTO is an engine of international trade driven by its member states. It has a Secretariat to conduct its functions and coordinate its activities. The WTO focuses upon Trade negotiations, Implementation and monitoring, Dispute settlement, Building trade capacity and Outreach for a safer trade order. The WTO also maintains continues dialogue with various bodies and forums such as non-governmental organizations, parliamentarians, other international organizations, the media and the general public on various aspects of the WTO negotiations, with the aim of enhancing cooperation and increasing awareness of WTO activities.

1. India and the WTO: Issues and Negotiating Strategies (Description and Table of Contents) By Alokesh Barua and Robert M. Stern, Source: <https://ideas.repec.org/p/mie/wpaper/604.html>
2. UNDERSTANDING THE WTO- https://www.wto.org/english/tratop_e/dda_e/dda_e.htm

- Administering WTO trade agreements
- Monitoring national trade policies
- Cooperation with other international organizations
- Technical assistance and training for developing countries
- Settle Disputes and reduce Trade Tensions
- Forum for trade negotiations

The World Trade Organization (WTO) was formed on January 1, 1995 with a promise for the entire world economy in respect of international trade and global economic cooperation. It signifies “Development through Trade”.³ In the words of Peter Sutherland, the first Director General of WTO: “The WTO binds nations in a global co-operative endeavor to raise incomes and create good jobs through fair and open trade”.

I.2 Objectives and Scope of the WTO

- i. The first and foremost aim of WTO is to implement the new world trade system as envisaged in the visionary Agreement.
- ii. To promote World Trade in a manner benefiting each and every country.
- iii. To ensure a better balance for developing countries in sharing the advantages resulting from the expansion of international trade corresponding to their developmental needs.
- iv. To demolish all hurdles to an open world trading system and usher in international economic renaissance as an effective instrument to foster economic growth.
- v. To enhance competitiveness among all trading partners so as to benefit consumers and help in global integration.
- vi. To increase the level of production and productivity with a view to ensuring level of employment in the world.
- vii. To expand and utilize world resources to the best.
- viii. To improve the level of living for the world population and accelerate economic development of the member countries.

WTO has a much wider and deep seated scope than GATT as new important areas are included in the agreement i.e. Agriculture- a controversial area and other areas having implication for the production process of goods have also been included. The new areas are:

- i. Trade Related Aspects of Intellectual Property Rights (TRIPS)
- ii. Trade Related Investment Measures (TRIMS)
- iii. General Agreement in Trade in Services (GATS)

The WTO has adopted the decision-making process of the GATT. In the absence of any objection from any member state the decision based upon consensus is final. Voting can be resorted to, if no decision can be arrived at through consensus. The decisions taken by the majority of votes cast on the basis of one country one vote but have a wider acceptance.⁴

3. WTO AT TEN: Book by Bibek Debroy and Mohammed Sadib

4. The World Trade Organization (WTO): A Close View(Article Shared by Sanket Suman)

I.3 The Major Issues of Concern for Developing Countries

The divide has widened between the developed and developing countries over the period of time leading to deadlocks in the process of multilateral negotiations. The developing countries form a much bigger group under the WTO regime but the decision making is influenced by the developed countries. This has triggered conflict of interests among member countries leading to widespread demonstrations around the world. The objective of WTO framework is liberalizing of trade in goods and services and protection of intellectual property. The countries which are supply driven directly benefit from exports expansion, whereas the countries with intellectual property directly benefit from monopoly privileges including high financial returns to IPR owners. The developing countries neither have good supply base for goods and neither services nor much of IPRs in their name therefore they suffer direct from the WTO as compared to developed countries.

The basic principles of the multilateral framework, such as national treatment, i.e., non-discrimination between imported and domestic goods, works against the process of development by discouraging domestic production by developing countries. Retaliation is the last resort left for enforcement of rights of the member countries. Since developing countries are weak and retaliation by them against any developed country has both economic and political costs, they are at a considerably disadvantageous position in their capacity to enforce rights and obligations.

Developed countries influence the decision-making process as they possess enormous resources to make elaborate preparations for the negotiating process. The issues of their interest take centre stage leading to frustration among developing countries. In WTO substantial negotiations are carried out in small groups in the absence of developing countries. Countries who have not participated are expected to agree when the results are brought forth in larger groups. Decision-making at this stage cannot stop and any such move by developing countries would mark them as obstructionists and have political repercussions.

Developed countries always take advantage of escape routes and loopholes in the agreements. For instance, the Agreement on Textiles was back-loaded and left the choice of products to the importing countries. Developed countries have been imposing restraints; they chose selective products for liberalization that were not under import restraints without liberalizing their textile imports until 2004. Similarly developed countries could reduce subsidies in agriculture despite actually increasing quantum of subsidy.

Developing countries see WTO as an institutional framework to extract concessions and obstructing their goals of development and self-reliance. Despite vast differences among the interests of member countries, the WTO remains the only international organization that provides a multilateral framework for international trade.

Apart from dealing in trade in goods, WTO covers a number of issues related to international trade, such as services, intellectual property rights, anti-dumping, safeguards, non-tariff barriers, dispute settlement, etc., making it comprehensive.

2 India's Foreign Trade Policy

India's Foreign Trade Policy (FTP) consists of schemes to provide the basic framework of policy and strategy for promoting exports and trade and to support the domestic exporting community. It further helps to set-up special trade and economic zones in different parts of the country.

In a very good example to understand where US filed a complaint against India at the WTO claiming violations of WTO obligations. US alleged that export promotion schemes of India are inconsistent with WTO rules prohibiting the export subsidies. The legal basis for the challenge was the provisions on Sub-sidies and Countervailing Measures (SCM Agreement) which, monitor subsidies, including exports. The WTO panel was established to examine and adjudicate the complaint. It was concluded that certain benefits arising out of India's export promotion schemes violate India's obligations to not maintain export subsidies.

This decision may impact India trade and business but the schemes challenged have always supported Indian exports and have provided incentives reducing the cost of exports and helped India in devising export strategies exploring new markets. The US-China trade wars including European countries etc. have bring uncertainties for businesses globally including in India.

2.1 Focus of India's Trade Policy

India's Foreign Trade Policy targets as announced in 2017 were:

- To increase India's share of global trade from the current 2.1 percent to 3.5 percent.
- To double its exports to \$900 billion.

The set targets can be achieved by overcoming the challenges and obstacles such as:

- Lack of knowledge and understanding of trade policy and its potential benefits
- A poorly developed manufacturing sector,
- Unsatisfactory results from regional trade agreements,
- Constrained relationships with trading partners.
- Economic reforms in trade policy for an open, competitive, and technologically innovative In-dian economy.

The government of India shall focus upon manufacturing sector to increase the Gross Domestic Product through efficient and effective implementation of government schemes and policies focusing upon:

- i. Export Promotion
- ii. Gains in efficiency
- iii. Changing Trade Profile
- iv. Provision for small and poor investors especially farmers
- v. More agricultural subsidies
- vi. Promote equality of competition
- vii. Appropriate patenting of living organism.
- viii. Skill Development
- ix. Innovation

It is highly important for India to work in collaboration with U.S. capital and innovation needs together with Indian resources and entrepreneurship for wider global trade partnership.⁵

2.2 India and Regional Trade Agreements

To have free and efficient trade its very much imperative to have successful regional trade with the neighboring countries and same can be achieved by agreeing on the terms and condition for the trading in regional setup. ASEAN members and countries like China, Japan, Korea, Australia and New Zealand including India give shape to Regional Comprehensive Economic Partnership Agreement (RCEP). RCEP aimed to be the world's largest free-trade agreement though India opted out in Nov 2019. The agreement have combined GDP of US\$49.5 trillion covering 39% of the global GDP, RCEP would cover nearly 3.4 billion people worldwide.

There are some unresolved issues of India till starting of Thailand summit held from 2-4 November 2019. India informed its intention to walk-out of the negotiations if its concerns are not addressed in a satisfactory manner. RCEP's joint leaders expressed their concern for India in a joint statement on 4 November 2019 and mentioned that all the participating countries will work jointly together to resolve India's issues in a mutually acceptable way. India's final decision to sign up or otherwise to the RCEP Agreement will depend on the outcome of the discussions to be now undertaken with the other participating countries.⁶

In Indian context, the agreement poses its own challenges and currently India has a goods trade deficit of US\$104 billion with 10 out of the 15 RCEP partners. India is concerned with the competition offered by the China products once the agreement is signed. So the only emergency safeguard available to India is to develop its exports in services trade. The developed RCEP countries have been unwilling to negotiate in services that can create new market access for trade in services.

2.3 India Faces Significant Challenges in the Area of Trade Policy

India has been facing problem in the growth of trade due to various challenges with the trade policy. If India wants to grow and expand in its trading system, it needs to overcome significant trade policy challenges such as:

- i. Global Economic Slowdown,
- ii. Increasing Trade Protectionism,
- iii. Revive stalled mega-trade deals within time,
- iv. Government and industry especially the manufacturing sector engagement
- v. Global/sectoral standards supporting the World Trade Organization (WTO).

Today the United States is the world largest economy and world leader in influencing trade. The United States will impact and set standards to form the world Trade policy. But the US-China trade war has make it more competitive for the United States to achieve its trade objectives. United States needs to reshape its trading policies in the

⁵ India's Trade Policy Dilemma and the Role of Domestic reform By Hardeep S. Puri (February 16, 2017) Source: Getty, available on <https://carnegieindia.org/2017/02/16/india-s-trade-policy-dilemma-and-role-of-domestic-reform-pub-67946>.

⁶ Strategies of India to protect its Interest at WTO by Agneshwar Sen, Associate partner, Tax and Economic Policy (International Trade), EY India. (Also For all documents related to this dispute, see (a): DS541 – India – Export related Measures, available here (accessed on 8 November, 2019). See (b): The Economic Times, Is India ready for RCEP embrace? (29 October 2019) and See (c) Joint leaders' statement on RCEP, available here (accessed on 8 November 2019)

latest trade developing environment and global order. India should work effectively and efficiently to create space for itself to be leader at WTO in the absence of trade initiatives by United States or China etc. India shall take advantage of practices and trade reforms wisely in enterprising manner to showcase its might in the WTO trading mechanism and system.

3 Strategies to Safeguard India's Interests

3.1 Enhance Ties with India's Major Trading Partners

In present scenario trade will flourish with cooperation and global partnership among the member countries. The strong bilateral relationship between countries like India and United States lies in their core interest to enhance economic activity and trade. This can be reflected in the joint statements of the two governments: "In order to substantially increase bilateral trade, they pledged to explore new opportunities to break down barriers to the movement of goods and services, and support deeper integration into global supply chains, thereby creating jobs and generating prosperity in both economies".

But these announcements and statements cannot translate into meaningful cooperation and bilateral engagements unless and until the same materialize into reality and emerges as India's strong voice into the world of trade negotiations. The strategic convergence of the two countries does not reach down to the trade segment due to adversarial challenges. United States has been the engine of growth in trade negotiations and has been pushing for aggressive trade liberalization, focusing upon opening of markets, and mega-trading blocs based on WTO mechanism.

These two countries must work collectively with the other member nations of WTO to break the barriers for free flow of trade and movement of goods and services for the integrated market and supply chain across the world on WTO standard. India's Stance on Trade Facilitation, Agriculture, E-Commerce Etc.

India should exercise its right as a sovereign nation and WTO formation member to complaint and raise voice at WTO against Protectionist Tendencies of countries jeopardizing the very interests of India. India should raise its objection with the WTO and its forum like dispute settlement body along with other developing countries on trade negotiations and specially core and sensitive issues like agriculture, subsidy in food security etc.⁷

India is known for its agricultural and has been pushing agricultural issues at the WTO. The issue raised at WTO is of public stock holding including purchasing, stockpiling and distributing food by Governments in times of necessity and this step of the government of India is very important for India's food security. India has complied the guidelines and norms of WTO for stockpiling and distributing the agricultural products. WTO considers the purchasing of food by the governments at a price higher than the market price to be of trade distorting subsidy. The 11th Ministerial Conference held at Buenos Aires in 2017 did not come out with any permanent

⁷ India's Stance on WTO Reform by Shri S. K. Ashok Warriar, former Ambassador of India to the Democratic Republic of Congo, Source: <https://ged-project.de/trade-and-investment/indias-stance-on-wto-reform/>

solution to the issue of public stock holding. India has voted for permanent solution to the issue of stock holding. The issue raised here in the context of India is as to how the Minimum Support Price (MSP) is fixed.

3.2 Investment/Trade Facilitation

India has its own model investment code and as per the code India does not allow multinational companies or corporations to sue the government to international courts until and unless they exhausted its local remedy at national level through its domestic dispute settlement bodies for five years. This has been done because on earlier occasions the Government of India has been taken to international arbitration courts. WTO panel has allowed India to reshape its trade development and promotion such as through developing special economic zones (SEZ) to meet its developmental objectives. To take inputs from businesses and other stakeholders and to systemize its domestic regulators to help India firm keeping high its negotiating position and update its trade policy for the contemporary economic realities.⁸

3.3 Freeing E-Commerce

One of the most important areas identified for discussion at the 11th Ministerial Conference of the WTO was e-commerce. India has raised its objection freeing of e-commerce. India felt that digital penetration by India is successful and has remain in adequate. India also feels that Micro, Small and Medium Enterprises (MSMEs) will fail to compete with other countries in deeper internet penetration, who can gain better access to international markets. India wants the 1998 agenda to make rules and regulation to govern E-commerce.

4 Global vs Regional Trade Agreements

India needs to examine its current regional and global trade policies for a strong economic, strategic and vibrant trade and compare its trade policy comprehensively, keeping in view the India's investment patterns and industrial policies in mind framing new trade policy.

4.1 Regional Comprehensive Economic Partnership

RCEP was launched in Cambodia on December 20, 2012, as on Free Trade Agreement (FTA) between ASEAN countries and its FTA partners such as Australia, Brunei, China, Cambodia, India, Indonesia, Japan, the Republic of Korea, Laos, Myanmar, Malaysia, New Zealand, the Philippines, Singapore, Thailand, and Vietnam. As per reports and data available, these sixteen countries is equal to world's half population, covers 30 percent of global GDP, and 25 percent of world exports. RCEP has inspired the countries for a global and trustworthy partnership and encourages achieving a comprehensive and mutually beneficial economic partnership agreement covering trade in goods, services, economic and technical cooperation, competition, investment, intellectual property, and dispute settlement. India plays important role in participating with RCEP negotiations but with caution. There are many good and valid reasons as to why India should participate in RCEP:

⁸ Strategies of India to protect its Interest at WTO by Agneshwar Sen, Associate partner, Tax and Economic Policy (International Trade), EY India. (Also For all documents related to this dispute, see (a): DS541 – India – Export related Measures, available here (accessed on 8 November, 2019). See (b): The Economic Times, Is India ready for RCEP embrace? (29 October 2019) and See (c) Joint leaders' statement on RCEP, available here (accessed on 8 November 2019)

- i. Environmental and labor standards are not big issues in this agreement.
- ii. India gets excellent opportunity to negotiate with China, which cannot be done bilaterally.
- iii. India would recalibrate the demands of its professionals, for a positive and affirmative response from RECP partners.
- iv. India could include some common objectives on environment and nontariff barriers.

Having decided to not join the RCEP, India should focus upon the learning and experience gained from the RCEP negotiations while working on other free-trade agreements. In this regard the Government of India has taken proactive steps such as:

- i. A new WTO compatible export support scheme
- ii. Remission of Duties or Taxes on Export Products (RoDTEP)
- iii. To replace the primary export incentive scheme that has been declared ultra vires by the WTO dispute panel.
- iv. Careful drafting by government policy makers to show compliance with WTO-rules,
- v. Industry/experts to provide details/peculiarities of their sector to the government.

4.2 Asia-Pacific Economic Cooperation

Just as India chose not to participate in the RCEP, it has also not a member of the Asia Pacific Economic Forum (APEC) is a forum for twenty-one member economies and aims to promote free trade through-out the Asia Pacific region. It is good and ideal time for India to participate in APEC and take its membership for the benefits and promote a healthy trade- economic environment among APEC members.

The benefits India would enjoy acquiring membership in APEC:

- i. “Greater access to foreign markets, sources for investment, and value chains to improve manufacturing industries and create jobs in home country,” with its Government’s development programs.
- ii. Prepare new leadership, entrepreneurs and businesses for the transformed economy of the world.⁹

5 Conclusion

India and the United States are the founding member of GATT in 1947. The agreement’s preamble stands valid even today for the purpose of trade policy. The first two paragraphs focus goals of “raising standards of living, ensuring full employment, and steadily growth of real income.” The second paragraph focus on modalities for achieving them, including “reciprocal and mutually advantageous arrangements to reduce tariffs and other barriers to trade and to the elimination of discriminatory treatment in international commerce.”

India chose to accede to only some of the agreements. India found comforts in MFN trade, and have faith in it—the scheme which extends concessions and preferences on

⁹ 3.1-3.5-India’s Trade Policy Dilemma and the Role of Domestic reform By Hardeep S. Puri (February 16, 2017) Source: Get-ty, available on <https://carnegieindia.org/2017/02/16/india-s-trade-policy-dilemma-and-role-of-domestic-reform-pub-67946>

a unilateral basis are its exceptions. India participated in the scheme so long as it is benefitted. India has always protested the scheme, if India has been subjected to conditions.

India is encouraged to take good decision based on India's national interests on all trade related issues. India needs to have a vibrant and coherent trade policy with full proof strategy to transform India into world economy. India is also focused and exploring much better ways to streamline and priorities its global trade. India has been rapidly growing for many years and India will remain the fastest growing economy for the next years ahead. India supports WTO's 'one nation one vote' system than avoiding talks.¹⁰

India has been very vocal WTO Secretariat's participation in the report 'Reinvigorating Trade and Inclusive Growth' which was brought by the World Bank and IMF. The report has created doubts on the efficiency and efficacy of trade talks involving all member countries. The report has suggested plurilateral instead of multilateral trade talks which was against the trading interest of India. India supported that institutional reforms of the WTO should be given in the hands of members and not to the WTO Secretariat. India highlighted the increasing trade disputes and the shrinking Appellate tribunal, which affects dispute resolution.¹¹

WTO cannot be changed overnight and it will take time. To change WTO it need to solve the tension between two world giant economies, the US & China and adopt a clear strategic direction to help the WTO in its grey areas. Change requires commitment, will power and common consensus on the part of the major economies of the world, represented by the G20, and deeper engagement with China and the United States as positive step ahead. The World Economic Forum (WEF) Meeting in 2019 was held under tough times for WTO and global trade. To control over a Western-centric organization is the battle to be fought by WTO. The time has come for the emerging economies and the developing world to have a better voice and strength to shape multilateralism and its institutions'.

WTO to work as an institution par excellence needs its own independence and transparency with democratic functioning free from any rigidity or bias against any country or group of countries only focusing upon its principles and values it stands for. Negotiations are the only solutions available for any country even if cumbersome, painstaking and incremental they are. WTO is a referee as an institution and always strives to become better and more effective referee. It is very surprising that WTO could not achieve much due to pressure, politics, competition, hegemony, calls for protectionism etc. but its image as a referee has always led the way forward for the world trade. WTO should focus upon the common problem of the member countries and make consensus on issues among the nations to pave the path for a hassle free and sustainable world trading system. This is the time for India to reform its trade policies and practices in order to gain from the decisions and agreements of the world institutions WTO.

Apart from strengthening its position in the WTO through the series of steps suggested in this article, India should continue to study the effect of its decisions not to join the RCEP and the APEC, respectively, on both trade and investment. If indeed the effects are

¹⁰ India's Trade Policy Dilemma and the Role of Domestic reform By Hardeep S. Puri (February 16, 2017) Source: Getty, available on <https://carnegieindia.org/2017/02/16/india-s-trade-policy-dilemma-and-role-of-domestic-reform-pub-67946>

¹¹ 3.12-3.14, India's Stance on WTO Reform by Shri S. K. Ashok Warriar, former Ambassador of India to the Democratic Republic of Congo, Source: <https://ged-project.de/trade-and-investment/indias-stance-on-wto-reform/>

adverse, it would be appropriate to recon-sider the decision to stay out of these major regional groupings. As Prof Anita Inder Singh said¹², “[In-dia’s] absence from the Regional Comprehensive Economic Partnership (RCEP), which will be the world’s largest free trade area, raises questions about its role in Asia.”

We have to take a view whether being Atma Nirbhar means being a closed economy or dealing with the world from economic strength, which can only come if we open ourselves and learn to handle global completion both domestically and abroad.



¹² <https://timesofindia.indiatimes.com/blogs/toi-edit-page/post-rcep-where-does-india-stand-indias-absence-from-southeast-and-east-asian-economic-progress-could-be-isolating/>



RAJIV GANDHI
INSTITUTE FOR CONTEMPORARY STUDIES

Rajiv Gandhi Institute for Contemporary Studies

Jawahar Bhawan,
Dr Rajendra Prasad Road,
New Delhi 110 001
India

Please visit us at:

web: www.rgics.org



<https://www.facebook.com/rgics/>



<https://www.youtube.com/user/RGICSIndia>