WE, THE PEOPLE
A Report by the Civil Society of India for the Decade of Action
2021–2030
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We, the people of India, having solemnly resolved to constitute India into a SOVEREIGN DEMOCRATIC REPUBLIC and to secure to all its citizens:

JUSTICE, social, economic and political;
LIBERTY of thought, expression, belief, faith and worship;
EQUALITY of status and of opportunity;
and to promote among them all
FRATERNITY assuring the dignity of the individual and the unity of the Nation:

IN OUR CONSTITUENT ASSEMBLY, this twenty-sixth day of November, 1949, do HEREBY ADOPT, ENACT AND GIVE TO OURSELVES THIS CONSTITUTION.
PREAMBLE TO THE CONSTITUTION OF INDIA

WE, THE PEOPLE OF INDIA, having solemnly resolved to constitute India into a SOVEREIGN SOCIALIST SECULAR DEMOCRATIC REPUBLIC and to secure to all its citizens:

JUSTICE, social, economic and political; LIBERTY of thought, expression, belief, faith and worship;

EQUALITY of status and of opportunity;

and to promote among them all FRATERNITY assuring the dignity of the individual and the unity and integrity of the Nation;

IN OUR CONSTITUENT ASSEMBLY this twenty-sixth day of November, 1949, do HEREBY ADOPT, ENACT AND GIVE TO OURSELVES THIS CONSTITUTION.
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On behalf of United Nations (UN) in India, I warmly congratulate Wada Na Todo Abhiyan and other Civil Society Organisations (CSOs) who have prepared this seminal report. It brings together diverse voices of vulnerable groups across India to inform the implementation of the Sustainable Development Goals (SDGs).

The CSOs in India have played many critical roles in India’s development history. There are numerous instances where civil society groups have been instrumental in bringing about transformation in society. Be it CSO movements working to protect the environment or associations focused on freedom of expression, be it organisations working to protect the marginalised and destitute or initiatives calling for more stringent transparency and accountability, the CSOs in India have led from the front in contributing immeasurably to India’s progress.

Maintaining an enabling environment for the CSOs to operate and engage in responsive, inclusive, participatory and representative decision-making is an integral part of the SDGs. In this regard, NITI Aayog’s proactive outreach to the CSOs to seek their knowledge, insights and suggestions in the formulation of the government’s Second Voluntary National Review Report on SDG progress speaks volumes.

Partnership with civil society is critical for achieving the aim of ‘leaving no one behind’, the founding principle on which the SDGs are built. The CSOs often work close to the ground, giving them unparalleled insights into the true experiences of the most marginalised and vulnerable, enabling last mile services and support. They are also often best placed to track and interpret the progress on the ground accurately.

This report is an example of the valuable contribution of the CSOs. Through the able coordination of the Wada Na Todo Abhiyan (WNTA), over thousand CSOs were activated to reach out across the country, listen to and collate the thoughts and feelings—the lived realities—of people and communities left behind.

The report also stands as a tribute to NITI Aayog’s pursuit of a ‘whole-of-society’ approach for accelerating SDG progress. The UN in India is proud to have partnered with both the NITI Aayog and the CSOs in building a better understanding of the realities of marginalised and vulnerable groups, so that the gaps may be closed quicker.

We remain committed to supporting and strengthening our partnerships with the government and the CSOs to accelerate SDG achievement together.

Renata Dessallien
UN Resident Coordinator, India
We, The People: Report by the Civil Society of India for the Decade of Action is a result of the collective effort of civil society organisations (CSOs) across the country to bring together community voices, especially those of the vulnerable communities, to reflect and share their aspirations for the Sustainable Development Goals (SDGs) and the 2021–2030 Decade of Action.

The civil society of India responded to NITI Aayog’s endeavour to adopt a whole-of-society approach for preparing the Second Voluntary National Review Report by designing and implementing a consultative process that enabled vulnerable communities to share their experiences on the development trajectory so far, reflect on the challenges, and offer recommendations for tackling them.

We express our gratitude to Ms Sanyukta Samaddar (IAS), Adviser (SDGs), NITI Aayog, Government of India and to Ms Renata Dessallien, United Nations Resident Coordinator (UNRC) in India, for remaining engaged with the above process and collaborating and cooperating at all stages, making an effort to participate and listen. We also gratefully acknowledge the support provided by the Foreign, Commonwealth and Development Office (FCDO) in organising these consultations through the office of the UNRC. We sincerely thank the team at the UNRC Office and UN agencies for their extensive support in planning and facilitating the consultative process.

We are grateful to the anchor organisations for co-designing the consultations and ensuring extensive outreach to bring in diverse voices of community members, CSOs, academia and other experts to inform this exercise. The anchor organisations also co-opted other co-anchor organisations, and together they organised subnational consultations to ensure in-depth discussions that subsequently fed into the national consultations. Their tireless efforts led to consultations with nearly 1,000 CSOs with 2,000 members participating across the 36 subnational consultations and 16 national consultations—(i) Adivasis; (ii) Adolescents, Youth and Youth Workers; (iii) Bonded Labour and Human Trafficking; (iv) Children; (v) Dalits; (vi) Denotified, Nomadic and Semi-Nomadic Tribes; (vii) Elderly; (viii) Farmers; (ix) Migrants and Urban Poor; (x) North-Eastern Region; (xi) People Living with HIV (PLHIVs); (xii) Persons with Disabilities (PWDs); (xiii) Sexual Minorities (lesbians, gay, bisexual, transgender, queer, intersex, asexual plus); (xiv) Women; (xv) Refugees and Asylum Seekers; (xvi) Religious Minorities—within the short span between November 2019 to February 2020.

We owe this report to the community leaders and organisations working with vulnerable communities over several decades, who generously shared their time and insights with us. Many civil society leaders who participated belong to the said communities and are witness to their journey over the decades. The report highlights the challenges and recommendations with respect to each vulnerable community.

It has been extremely challenging to capture the spirit of the conversations and the insights shared. We thank Lucid Solutions for supporting documentation of this process; their thoroughness in putting the document together brought further clarity to many points discussed in the report. Our sincere thanks to Mr Sundar Mishra, Consultant, NITI Aayog, for his inputs and insights, which helped in strengthening the report.
We hope this document will guide government, civil society, UN and private sector actions for accelerating sustainable solutions for India. The follow-up actions on recommendations offered here can promote faster and more equitable achievement of the SDGs for the vulnerable communities and also guide speedier inclusive recovery post-COVID. We hope that this continued engagement with the CSOs and institutionalisation of such processes will help translate the transformative agenda of the SDGs and make 2021–2030 indeed a Decade of Action to deliver the goals.

As oft said, India holds the key to the achievement of the SDGs globally, and for India to meet its commitments on SDGs, the vulnerable communities are central. The process has become even more complicated with the COVID-19 pandemic. What began as a health crisis has rapidly become the most significant human and economic crisis of our times. The pandemic has not only overwhelmed health systems but also severely impacted livelihoods. And amidst all this, the poorest and the most vulnerable are, as usual, at highest risk. The pandemic is having a profound impact on all the SDGs and not just the one on health.

India has already made substantial gains on a few goals. Looking ahead, the government must design a pathway that goes beyond income generation and enables progress on all the SDGs for all the population. Such an approach would genuinely allow us to ‘build back better’ after COVID-19.

**Annie Namala**  
Convenor, New Delhi  
*Wada Na Todo Abhiyan*  
2021
Setting the Context

Introduction

Agenda 2030 and India

On 25 September 2015, world leaders from 193 countries adopted a plan of action for people, planet and prosperity entitled ‘Transforming Our World: The 2030 Agenda for Sustainable Development’, marking a culmination of an unprecedented consultative process. The Sustainable Development Goals (SDGs) are an ambitious agenda of a world free of poverty, hunger, disease and want, free of fear and violence, with equitable and universal access to quality education, health care and social protection, to safe drinking water and sanitation encapsulated in 17 goals, 169 targets.¹

The SDGs, in an essential departure from the erstwhile Millennium Development Goals, embed important and distinct characteristics of its universal applicability for both developed and developing countries; indivisibility and interdependence of the goals requiring policy coherence and acknowledgement about trade-offs as well as the Leave No One Behind (LNOB) principle to reach the most vulnerable sections of the population, indicating a move towards a whole-of-society approach.

The Government of India is committed to the SDGs acknowledging that ‘India’s success in achieving SDGs will largely determine the global outcomes’ and has attempted to mainstream Agenda 2030 into India’s development strategy and plans. Despite all its efforts, India cannot undermine the enormous challenges it faces in achieving the SDGs. The fulcrum of this challenge lies in securing the SDGs for the vulnerable and marginalised (the LNOB) communities. A large proportion of Indians living below the national and global poverty lines face discrimination and social exclusion; they face barriers and constraints in accessing entitlements and state provisions and do not have the means to access private services. They are constrained in enjoying their human rights, citizenship and justice. However, some of these challenges are community-specific and intersectional, and therefore require government interventions that are strategically designed to overcome barriers and promote equity in partnership with the civil society and business sectors.

The national LNOB consultations for VNR 2020 led by civil society organisations

Civil society organisations (CSOs) play an important role in the achievement of SDGs by contributing to defining goals and indicators, reaching the vulnerable communities, monitoring and reviewing and forging and managing multi-stakeholder partnerships. Further, the civil society has also evolved national, regional and global networks and platforms for sharing, learning, peer processes and collective advocacy.

In India, the civil society has an extensive presence; it spans across the country ranging from small community-led and community-based organisations to national and regional ones. The CSOs bring domain knowledge and contribute in innovative ways to secure rights and development milestones for vulnerable communities. They also provide support in programme implementation and monitoring as well as generation
and management of resources. The CSOs engage through networks, platforms and campaigns across constituent communities, themes and geographies.

As a critical milestone in the SDGs journey, India has presented its Second Voluntary National Review (VNR) Report at the UN High-Level Political Forum in July 2020. The National Institute for Transforming India (NITI) Aayog, as the nodal government body anchoring the SDGs in India, coordinated the preparation of the VNR Report and expressed interest in including inputs from multiple stakeholders, particularly from the vulnerable communities. The CSOs welcomed the initiative to hold a series of national consultations with vulnerable communities of India to hear from them directly, how they viewed their progress on SDGs, the challenges they faced and the recommendations they had for the future, and the process resulted in this document aptly titled as We, The People.

The CSOs, in consultation with the NITI Aayog and with support from the UN Resident Coordinator’s Office (UNRCO) in India, identified 16 such vulnerable groups: (i) Adivasis; (ii) Adolescents, Youth and Youth Workers; (iii) Bonded Labour and Human Trafficking; (iv) Children; (v) Dalits; (vi) Denotified, Nomadic and Semi-Nomadic Tribes; (vii) Elderly; (viii) Farmers; (ix) Migrants and Urban Poor; (x) North-Eastern Region; (xi) People Living with HIV; (xii) Persons with Disabilities; (xiii) Sexual Minorities (lesbian–gay–bisexual–transgender–queer–intersex–asexual plus); (xiv) Women; (xv) Refugees and Asylum Seekers; (xvi) Religious Minorities. It is hoped that other vulnerable communities which could not be included in these consultations will be able to participate in the future when more such discussions are held.

Organisations with expertise and long-term working experience with the vulnerable communities were identified to coordinate these consultations to involve more CSOs and community members. While only national consultations were initially envisaged, the CSOs recognised the limitations in reaching across the length and breadth of the country and subsequently organised multiple subnational consultations to enhance the depth and scope of the inputs.

This entire process was coordinated by Wada Na Todo Abhiyan (WNTA), a national civil society platform with over 3,000 civil society members and network partners, to ensure high quality and productive consultations (Box 1).

**Box 1: Wada Na Todo Abhiyan**

The WNTA emerged from the consensus among activists and social action groups who were part of the World Social Forum in Mumbai in 2004, aimed to create an environment through forceful, focused and concerted effort, and to try and make a difference in India where one-fourth of the world’s poor exist and continue to experience intense deprivation from opportunities to learn, live and work in dignity. WNTA works on governance and accountability issues and aims to end poverty, social exclusion and discrimination. The campaign tracks and advocates along three pillars:

i. Annual Civil Society Report on the Constitutional mandates and election promises made by the Union government
ii. Peoples’ manifesto from across the country to the government before the union elections
iii. Achievement on the goals and targets set under Agenda 2030.

In all these processes, the concerns of the socially excluded and marginalised are centre stage.

The WNTA National Secretariat (in discussion with the NITI Aayog and UNRCO) led the CSOs in planning and designing the participation and documentation processes for the consultations. Over a thousand organisations participated in the consultation process from November 2019 to February 2020, and more than half of them also took part in the 16 national consultations.
The Consultations

Process design
Further to the preparatory discussions held by WNTA with the NITI Aayog and the UNRCO, a list of vulnerable communities and the anchor CSOs working with these communities were identified. NITI Aayog formally invited about 20 national CSOs for a consultation on 29 November 2019. The SDG Advisor to NITI Aayog, Ms Sanyukta Samaddar, presented the framework of the VNR Report and requested inputs from the civil society on possible engagements and contributions.

Further to this, two planning meetings were organised by WNTA at the Indian Social Institute in New Delhi on 7 December 2019 and 24 December 2019 for the anchor CSOs. The anchor organisations provided their inputs to the VNR process at these meetings. Also, the co-organisers for the consultations were identified, and guidelines to organise and document the consultations were developed. A template of the report for each of the vulnerable community was prepared to ensure uniformity in reporting. Also, demand-driven orientation sessions on the SDGs and the VNR processes for a few of the CSOs were held.

The planning and preparatory meetings engaged as many partners as possible to make the process inclusive and ensure a sense of ownership across all stakeholders and participants.

The 36 subnational and 16 national consultations engaged a broad audience, ranging from the LNOB community members to policy formulators in each domain (Annexe 1). Of the 16 national consultations, 11 were supported by UNRCO, UN Women, United Nations Population Fund (UNFPA), Joint United Nations Programme on HIV/AIDS (UNAIDS) and United Nations High Commissioner for Refugees. The remaining consultations (both national and subnational) were supported by International Non-Governmental Organisations (INGOs) and the NGOs. About 2,000 individuals contributed to the initiative, including over 1,000 CSOs and community-based/led organisations (CBOs/CLOs).

Analysis and documentation
The consultations reviewed the policies, provisions and progress of the SDGs for each LNOB group along the following dimensions:

1. Status of SDG progress
2. How the government has addressed the integrated and indivisible nature of the SDGs and to the principle of ‘leaving no one behind’
3. Gender dimensions—how gender dimensions are being addressed
4. Two or three examples of each of the following: good practices, lessons learnt, challenges encountered, and emerging issues.

Each LNOB group report emerged from an iterative process of planning and preparations, coordination across organisations and communities, background documents, data gathering, process reporting, report collation and many more engagements. Given the richness of the discussions, it became a challenge to include all the contextualised inputs in a short and succinct report. Though the anchoring CSOs have made the best effort possible to prioritise the most urgent action points for inclusion, the limitations in capturing the spirit of the engagement, the depth and nuances of the discussions and recommendations are acknowledged. This report reflects the complexity and intersectionality of issues faced by those most likely to be left behind. Readers are requested to view each report in its unique context and interpret the content and concerns reflected here distinctly.³

The inputs from the above consultations have already been taken onboard by NITI Aayog in drafting the standalone chapter on LNOB in the 2020 VNR Report.
Key Takeaways from the LNOB Consultations

As India completes the VNR process, the agenda must be taken forward. The learning points that emerged from these consultations must be considered by the national and state governments, concerned departments and ministries, to evolve strategies and mechanisms to translate the recommendations to action on the ground.

Directional takeaways

The consultations indicated the following overarching directions and approaches:

1. **SDGs need to be strengthened to create a universal sustainable foundation for all:** The SDG framework requires coming together of civil society, private sector, governments and others. It demands partnerships, peer learning and global collaboration. During the decade of action, various mechanisms to institutionalise the whole-of-society approach by including the vulnerable communities in deliberations and decision making need to be promoted extensively.

2. **Citizenship rights are human rights:** The state must protect the human rights of its citizens coded as citizenship rights. Even as individual countries evolve their contextual norms and legislative frames, global normative frameworks aimed at universalisation of human rights need to be followed in letter and spirit.
   a. The right to life for all vulnerable communities must be upheld using the context of the SDGs, the fundamental rights chapter of the Indian Constitution, and international human rights treaties and conventions, placing them at the centre of all planning, provisioning and monitoring processes. The state must ensure that everyone has the means and the opportunity to live a life with dignity.
   b. Elimination of all forms of exclusion, discrimination and stigmatisation of communities based on social/religious/ethnic identity, occupation, economic status, geographic location, sexual orientation, gender, age, health or any other conditions must be guaranteed.

3. **Protect and translate the social contract between the citizens and the government:** The social contract between the state and the citizens is defined in the Constitution of India. The available democratic spaces and mechanisms to promote participation and voice of the citizens need to be protected and promoted urgently. This alone can fill the knowledge gap that exists in decision making structures about people's contexts and needs. People's aspirations, strengths and needs need to be centre stage in the process to meet any goals—national or global.

4. **State provisions are essential to meet the needs of the vulnerable sections:** The poor and vulnerable need entitlements and state provisions they can claim and depend. Social, cultural and economic structures that keep poor and vulnerable in status quo require equitable and quality access to services to break the vicious cycle of poverty and inequality. And these can only be ensured by the state and cannot be left to private provisioning.

5. **Address discrimination and implement legislations:** India needs strong legislation to address the wide prevalence of discrimination, in particular, the forms that have seeped into administrative and governance institutions. Legislations to protect the vulnerable communities and promote their inclusion and equality must be strictly implemented to achieve the SDGs.
6. **Centre-staging the vulnerable communities in development design, planning, programming and reviewing:** The need to centre-stage vulnerable communities in the decade of action is more urgent than ever. Community-level disaggregated data must inform planning and provisioning. Spaces must be carved where community members can be heard and their agency to design and plan and direct multi-stakeholder partnerships supported.

7. **Strengthen multi-stakeholder collaboration:** Multi-stakeholder collaboration locally, nationally and globally, is an urgent need. Knowledge, resources and support are located at diverse points. The civil society is closest to and the first to reach the vulnerable communities; and therefore, civil society engagement is central to innovating and including the voices and the resources of the vulnerable communities. Creative collaboration needs to be explored.

The overall objective is to promote state accountability to protect the vulnerable at the centre of its plans. It is the state’s responsibility to understand, respect and consult vulnerable communities. Resources must be invested in public services for the people directly and not indirectly through private channels. Access to justice must be affordable, timely and real. Investment in young people and children, women and others who are vulnerable within these communities must be recognised as a national priority to reduce intergenerational and socio-economic inequalities.

**Action points for strengthening CSOs and community leadership**

1. **Strengthen CSO capacities to monitor SDGs:** CSOs should be able to participate in government planning and implementation process. Their roles should be expanded to monitor the implementation of government programmes and provide feedback to government at all levels.

2. **Continued engagement with communities a must to meet SDG targets:** Consistent and institutionalised engagement of NITI Aayog with vulnerable communities beyond the Voluntary National Review reporting would be a step in the right direction. This could be undertaken in collaborations with UN agencies, civil society organisations and academic institutions. A mechanism to evolve community-based consultations is needed.

3. **Strengthen data gathering and analysis processes to deliver better:** Monitoring and evaluation mechanisms within the government should be strengthened so that authentic and real-time data is available for apt decision making and policy implementation. Community generated data should also be promoted wherever feasible for monitoring. Systematic documentation of success stories should be encouraged and shared with the public for learning, awareness and replication.

4. **Steps for ensuring inclusion in all policies, schemes and programmes:** NITI Aayog should share this report along with the VNR with all the chief ministers and planning departments of their respective states for ensuring the inclusion of all marginalised communities in the SDGs. State governments should be encouraged to establish a CSO Committee on SDGs for follow up (through monitoring and capacity building) on implementation for LNOB groups and record the progress through formal reporting at regular intervals. The CSO engagement on SDGs can be shared with various stakeholders including NITI Aayog, respective secretaries and officials in the state, and other development partners for collective and collaborative strategy building and joint programming.
We, The People

The Charter of Recommendations

While recommendations specific to each vulnerable group are included in separate chapters, the following Charter lists the recommendations cutting across communities.

1. **Design and implement social equity measures**, recognising the intersectional dimensions including caste, gender, ethnicity, religion, disability, sexual orientation and geographic location—through targeted policies and provisions, affirmative action, special budget provisions and any other means to facilitate the escape of vulnerable communities from the cycle of historical exclusion, discrimination and disadvantage.

2. **Ensure local governments have the capacities and resources to deliver on SDGs and are accountable** to identify, track and report on the SDG achievements of the vulnerable communities in their jurisdiction.

3. **Build a robust framework for generating community disaggregated data for vulnerable communities** at the community level, engaging civil society organisations and community representatives to fill data gaps wherever necessary.

4. **Encourage and facilitate participation and agency of vulnerable communities** at all levels of governance and in all processes related to development planning and implementation.

5. **Strengthen public provisioning and public services** to ensure essential services such as education, health, water and sanitation, housing and employment to reach vulnerable communities.

6. **Build sensitivity among the duty bearers and decision-makers** to respect, consult and incorporate the values and knowledge of vulnerable communities in fulfilling their roles and responsibilities.

7. **Recognise and encourage partnership with CSOs in implementing the SDGs**, with particular reference to reaching the vulnerable communities.

8. **Translate the Government of India demand on climate justice at the international level towards a holistic domestic climate policy** to tackle climate change while being cognizant of the specific vulnerabilities of communities most at risk of being adversely affected.

9. **Regularise the national and state progress reports on the SDGs**, including annual reports to the people on the progress towards the SDGs at the national and subnational levels.

10. **Promote accountability for all agencies, government and private, to ensure that vulnerable communities are not left behind, and CSOs, media and the UN to integrate inclusion and human rights norms and standards in their work.**

**Note:** The National Education Policy (NEP) was released by the government in August 2020, nearly three decades after the previous policy (1992). Equitable, quality and inclusive education has been a concern raised across all LNOB consultations, given the primacy of education in the progress of the communities and for promoting dignity, equality and social justice. Historically too, luminaries such as Ayyankali, Jyotiba Phule, Savitribai Phule and Dr. B.R. Ambedkar have advocated for education for marginalised communities. While the civil society takes due cognizance of the NEP, given that it was released post the consultation process, the challenges and recommendations pertaining to education have been framed pre-NEP.

Civil society welcomes the NEP and recognises the many progressive strategies built into it such as
creating a ministry to focus on education, allocating 6 percent GDP for education, promoting education in the mother tongue, creating a flexible timeframe and additional opportunities to build one’s skills. However, LNOB groups are concerned about the inadequate recognition of the challenges faced by marginalised communities in accessing education. Students from these communities are not in a position to make use of the progressive, flexible provisions such as gap years and internship for lack of social and economic capital. A break year almost always leads to dropping out of the education system altogether. Further, there is every danger that education in vernacular medium (dominant language in a state) does not match the mother tongue/home language of the Dalit, tribal or nomadic children.

The policy needs a thorough review from the lens of social exclusion, discrimination, existing disadvantages, and the gaps in social and economic capital of the marginalised communities, with realistic equity, non-discrimination and inclusion measures put in place. We may well end up with the repeat of how the stork and the fox cheated one another of a good meal, well served without the ability to partake of it. The civil society organisations are readying for extensive consultations to develop inputs for the NEP before it is rolled out.

Implications of the COVID-19 Pandemic

India’s Constitution unequivocally recognises LNOB groups and their challenges and has therefore put in place values, principles and mechanisms to address these challenges. Over the years, the measures have been strengthened through various policies, legislations, fund allocation and additional mechanisms. Despite these efforts, large populations continue to bear the burden of poverty, hunger, malnutrition, unemployment, illiteracy, lack of potable water, inadequate housing, poor access to basic services, negligible social protection, exclusion and discrimination. Even as a set of vulnerabilities is addressed, new ones emerge in the form of disasters and pandemics.

The novel coronavirus ‘COVID-19’ pandemic starkly has highlighted some of the deep fissures and fractures in India’s society that now threaten to dismember it. The migrant workers walking away from the so-called ‘urban promise’ to the relative emotional and social security of their native villages in the face of the pandemic was a grim reminder of India’s failure to deliver on its promises to the poor. While rural India had no resources to sustain its vulnerable populations, Indian cities were not prepared to provide them with better alternatives. Over 90 percent of India’s working population engaged in the informal, unorganised sector was left to fend for itself during the COVID-19 lockdown.4

That is not to say that the pre-pandemic situation was any less precarious for the vulnerable groups, including scheduled castes and tribes and migrant. All of them, without exception, were at the risk of being left behind nationally and globally. The pandemic has exacerbated their vulnerabilities, and now threatens to push back progress by decades. The pandemic has also highlights the interconnected nature of our world, the need for collaboration across countries and diverse stakeholders, the need for state support and public service provisioning which is a right of the citizenry and not a favour bestowed upon it.

As India enters the Decade of Action (2021–2030), it is hoped that the government, multilateral organisations, private players, civil society and the media can come together to accelerate sustainable solutions for everyone in the face of all adversities, foreseen or otherwise.

Notes


2. *Wada Na Todo Abhiyan* translates to the ‘Break no Promises Campaign.’

3. Data and information presented here have been largely validated and references to secondary sources provided, wherever possible. Those using this document or quoting from it are encouraged to independently validate the data or information before using it.

Adivashi Population in India

*Adivasis*¹ (or early inhabitants) is the collective name for the tribal population of India. Post-Independence, groups and communities identified and enumerated as tribes during British rule came to be re-classified as Scheduled Tribes (STs) under Article 342 of the Indian Constitution, with distinct administrative arrangements under the Fifth² and Sixth Schedules³ of the Constitution in areas where they are numerically dominant. There are over 700 ethnic groups spanning 30 states/union territories that are notified as STs in India, and a majority of this tribal population is concentrated in eastern, central and western India.⁴ Within the broad classification of STs is a further sub-classification by the Government of India—the Particularly Vulnerable Tribal Groups—to enable improvement in the conditions of 75 identified tribal groups with particularly low development indices.⁵

As per Census 2011, the tribal⁶ population in India is around 104 million, constituting 8.6 percent of the total population.⁷ The sex ratio amongst the STs is 990 females per 1,000 males, significantly higher than the national average of 943 females per 1,000 males. Almost 90 percent of the tribal population resides in rural areas, mainly in forests and hills.

For centuries, the tribal population has lived in harmony with nature, employing traditional knowledge and practices about wildlife, nature conservation, sustainable agriculture and ethno-medicine. Though numerically
small, they represent an enormous diversity of groups with a rich repository of stories, literature, art, music and dance forms.

Given the significance of the tribal population and the diversity of issues they face, the Government of India set up a dedicated Ministry of Tribal Affairs in 1999 to focus on the integrated socio-economic development of the STs in a coordinated and planned manner. While there have been various development interventions in critical sectors for the tribal population, challenges remain.

To bring the voices of the community to the fore, a national consultation was organised by LEADS in Ranchi on 21 January 2020 with 168 participants from 12 states. The following sections record the issues and challenges faced by the tribal communities as well as recommendations that emerged from the consultation.
Key Challenges and Recommendations

Protecting, preserving and providing for Adivasis their jal (water), jungle (forests) and zameen (land)

Challenges
The Adivasi way of thought, belief and action is not aligned with the prevailing approach to development. Planners and implementers across various levels of government are primarily conditioned to think and plan from an urban, individual-led and competitive perspective, which is in contrast to the Adivasi way of life. Natural resources such as forests, water and land in Adivasi areas are continuously over-exploited for such ‘development’, not only reducing the overall wealth of the area but also without any meaningful benefits to the local population, along with environmental degradation. Further, proper and timely resettlement, rehabilitation, reparation and development of the displaced individuals and communities due to mining and development projects, along with the rejuvenation of trees, forests and water bodies in the affected regions, are often not met in letter and spirit by the corporate entities and the governments.

Recommendations
1. The Forest Rights Act, 2006 (FRA) should be fully implemented in and around all identified Adivasi habitats to ensure that they are able to legally reclaim their traditional access and ownership of jal (water), jungle (forests) and zameen (land). Conflicts due to interpretation and other legal provisos need to be speedily resolved, in keeping with the letter and spirit of the FRA.
2. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (RFCTLAAR Act, 2013) contains special provisions for STs, with land acquisition in Scheduled Areas to only take place as a demonstrable last resort with specific norms for safeguarding the needs and interests of the Adivasi population. Projects planned in the Fifth Schedule areas must therefore take cognizance of the provisions under the RFCTLAAR Act, 2013 to ensure that the rights of those displaced are protected with mandatory prior information and Gram Sabha consent.
3. Special provisions for the relief and rehabilitation for the STs to ensure minimal disturbance to their life and livelihood include: development plan prior to displacement; resettlement within the same Scheduled Area where possible; plan for fuel, fodder and minor forest produce within five years; higher monetary benefits if relocated outside the district; and access to entitlements like reservation.
4. Development of climate-resilient infrastructure in a carbon-negative or carbon-neutral way that leverages MGNREGA and other such provisions for rural populations in general.
and Adivasis in particular must be prioritised in Fifth Schedule areas in keeping with the over-awarding contracts to engineering, procurement and construction contractors who are also likely to use ecologically destructive means to develop such village infrastructure.

5. The tribal communities in the Fifth Schedule should also be made aware of related Acts like the Biological Diversity Act, 2002 and should be provided with equitable benefit sharing of India’s bio-diversity resources.

**Delivering quality education and health**

**Challenges**

As per the 2018 Multidimensional Poverty Index Report, while the poorest groups in India (such as Muslims and STs) have reduced poverty the most over 10 years from 2005–06 to 2015–16, they still have the highest rates of poverty with 50 percent of people belonging to STs being poor.\(^\text{12}\)

The high prevalence of poverty amongst the tribal population makes them susceptible to the risks of economic and physical exploitation as they may become victims of human trafficking. Additionally, Adivasi children in the age group of 0–5 years are most vulnerable from multidimensional poverty that results in malnutrition, lack of Early Childhood Care and Education (ECCE), poor quality primary education and health, and migration and trafficking.

While the literacy rate of the tribal population has improved from 47.1 percent in 2001 to 59 percent in 2011, there is still a gap of 14 percentage points in the literacy rates of the STs as compared to the all-India literacy rate, with many STs reporting very low literacy rates (below 30 percent).\(^\text{13,14}\) Further, there remains a huge gender disparity in literacy rates, with 49.4 percent Adivasi women being literate as opposed to 68.5 percent of Adivasi men. Lack of easy access to quality, enabling and empowering education due to distance or unavailability of teachers, educational resources and infrastructure has been a major reason for relatively poor educational attainment of Adivasis. This has, therefore, also not played the envisaged role in stopping or significantly reducing intergenerational transfer of multidimensional poverty in Adivasis.
Health indicators measured by the National Family Health Survey–4 (NFHS–4) in 2015–16 further underscore the vulnerable status of the tribal population in India. While the Infant Mortality Rate, Under-5 Mortality Rate, as well as the prevalence of anaemia in women and children from the ST population have shown a significant improvement since 2005–06, they still remain higher as compared to the national average (Table 1).

Further, water, sanitation and hygiene related practices have not substantially permeated the Adivasi community.

**Recommendations**

1. Anganwadi workers must be trained in ECCE with elements of early learning from Adivasi culture.

2. Long-term investment in customised and quality education will prepare Adivasi children and youth for a respectable livelihood and also help them and their families to gradually come out of the vicious cycle of intergenerational transfer of multidimensional poverty.

3. Improvement in the quality and commitment of teachers along with better and more accessible schools at primary and upper primary levels will significantly bring down dropout rates in secondary school and beyond.

4. Inclusion of specific community-based history and history of Indian Adivasis as well as elements from their own culture in school curriculum will develop a sense of pride in their own identity as Adivasis.

5. Designing and including customised content that focuses on communication skills, soft skills, life skills and critical thinking skills will enhance their worldview and prepare them to take effective and timely decisions.

6. Delivering a curriculum that will educate the Adivasi youth in fostering and creating equality, including gender equality, equality within Adivasi communities and equality with other inhabitants of Adivasi-dominated Fifth Schedule areas.

7. Long-term investment in customised, quality and accessible health services that incorporate elements of traditional nutrition, health and wellness practices will help improve healthy living practices. Health services to Adivasis must include local traditional knowledge of medicinal plants and curative forest and natural produce.

### Women’s empowerment

**Challenges**

Gender-based discrimination in tribal areas has not been fully and suitably documented or studied, cutting across the filters of tradition and culture and the fact that, historically, most of these communities remained closed to external influences and interactions. Even as the sex ratio among the tribal communities is higher than the national average, it varies across communities and locations (urban–rural) and needs to be understood in more nuanced ways. Tribal communities continue to operate within the overall patriarchal framework and

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**Table 1: Tribal Communities have Poorer Health Indicators than National Average**

<table>
<thead>
<tr>
<th>Health Indicators</th>
<th>National Average</th>
<th>Scheduled Tribes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Infant Mortality Rate (deaths per 1,000 live births)</td>
<td>40.7</td>
<td>44.4</td>
</tr>
<tr>
<td>Under-5 Mortality Rate (deaths per 1,000 live births)</td>
<td>49.7</td>
<td>57.2</td>
</tr>
<tr>
<td>Prevalence of anaemia among women (15–49 years) (%)</td>
<td>53</td>
<td>59.8</td>
</tr>
</tbody>
</table>

women experience multiple forms of discrimination and disadvantage. Women’s right to property is not recognised in many tribal communities. This is often coupled with other forms of social discrimination: for instance, widows and single women in Lahaul-Spiti (Himachal Pradesh) and Ladakh are often sent to nunneries.

**Recommendations**

1. Panchayati Raj Institutions (PRIs) have promoted women’s leadership at the Gram Panchayat level. Special efforts to enhance their understanding of the PESA Act, FRA and other gender related Acts and provisions could promote active engagement of women in their communities. Government functionaries at the Panchayat level should be made accountable to women leadership. Effort should be made to ensure that issues affecting women are identified and prioritised in the development processes.

2. Effective and quality participation of tribal women in forest rights committees and Gram Sabhas may be supported, with their opinions and suggestions recorded in the minutes and incorporated in the final decision-making and resolutions by these bodies.

3. Meetings of Gram Panchayats and Gram Sabhas should be organised at such times and venues that elected women representatives as well as women from the community can conveniently participate. Women’s safety should be ensured en-route to the meeting venue and during the meetings.

4. Gender sensitisation programmes should be organised for male members of Panchayats on the official roles of elected women representatives and the importance of cooperation to ensure that both work on an equal footing. Panchayats should develop an anti-harassment policy and the same should be disseminated to all in the village.

5. Further, to enhance their representation in the Lok Sabha and Vidhan Sabha, parties should allocate mandatory number of seats for tribal women candidates.

6. The FRA recognises tribal women’s right to own land on par with that of men, with provisions to register land titles jointly in the name of
both spouses. Further, the recent Supreme Court judgement granting coparcenary rights to women\textsuperscript{17} underscores the idea that women have equal rights to the economic resources of their natal families. In this context, all the traditional and elected Panchayats and judicial institutions in tribal communities must be informed of the rights and entitlements of women. Such aspects can be incorporated in the capacity-building programmes of all ministries and departments of the government, as well as Civil Society Organisations (CSOs), for elected and traditional leaders, officials and functionaries in tribal areas.

7. Discriminatory practices such as social out-casting/ostracisation (\textit{jati nikala} and \textit{jati milan}) of women victims of rape, witch-hunting, etc., and the systemic formal or informal recognition of such customs needs to be challenged. Concerted efforts should be made towards the capacity-building and training of tribal women organisations and leaders to take an active role in the governance of the community and work with other community leaders to challenge norms that discriminate against women.

8. \textit{Adivasis} derive 40–60 percent of their annual income from the sale of Minor Forest Produce (MFP), with most of the MFP collected and used/sold by tribal women.\textsuperscript{18} Given the strong linkage between the sale of MFP and tribal women’s financial empowerment, there should be special focus on strengthening women’s participation in the Van Dhan Yojana,\textsuperscript{19} with priority given to the MFP collected by women. The Tribal Cooperative Marketing Development Federation of India (TRIFED), as the nodal agency, should provide training and capacity-building support to tribal women to ensure that they are able to reap the maximum benefits from the sale of MFP.

9. Laws to prevent discrimination and atrocities against women as well as those that empower and enable them must be effectively implemented. Existing laws should also be evaluated and audited for their effectiveness, relevance and utility.

10. Tribal women Self-Help Groups (SHGs) should be actively involved in the development planning processes, as well as the monitoring and social audit of projects and schemes.

11. Residential schools meant for \textit{Adivasi} girls should be provided budgets in keeping with Jawahar Navodaya Vidyalayas to impart quality education to tribal girls and strictly monitored to prevent any form of sexual abuse.

Ensuring good governance for \textit{Adivasis} in and outside Fifth Schedule areas

Challenges

The extraordinary legislative and executive gubernatorial powers under the Fifth Schedule have rarely, if at all, been deployed to benefit the \textit{Adivasis}. States are yet to fully implement the Panchayats (Extension to the Scheduled Areas) (PESA) Act, 1996\textsuperscript{20} and FRA in letter and spirit because of which devolution of power has not taken place. \textit{Gram Sabhas} are not always functional in the areas under the PESA as the legal definition of a village is different under the PESA (Section 4B) and FRA (Section 2p) vis a vis the Panchayati Raj System under the 73\textsuperscript{rd} Constitutional Amendment Act. Allocation of resources is not in line with the requirements on ground. Also, tribal departments across states are quite often weak with limited mandate and budgets. \textit{Adivasis} are not fully cognizant of their rights and the processes involved in securing them under the FRA and the PESA. Consequently, the \textit{Panchayat} and the \textit{Gram Sabha} take decisions and undertake planning and development activities in the \textit{para/tola/mohalla} that are not informed by the positive features of these legislations. The \textit{Gram Sabha} is frequently held at the \textit{Panchayat} level where women
from smaller hamlets are unable to participate. The non-compliance with these legislations clears the way for the overexploitation of resources, further depleting the Adivasi culture and way of life in the area.

Additionally, left-wing extremist (LWE) groups are active in 90 districts across 11 states of India. Adivasi populations in these areas not only bear the brunt of the LWE excesses but also counter-insurgency measures of the state.

**Recommendations**

1. PESA must be implemented in letter and spirit in Fifth Schedule areas, with PESA Rules notified and implemented in each PESA State.
2. There is an urgent need to restructure and reorganise Adivasi villages as per the provisions of PESA.
3. Implementation of FRA in letter and spirit is essential to restore the faith of Adivasis in government authorities and officials. FRA officials should be sensitised and trained towards the issues and needs of Adivasis, as well as towards working in coordination with the Panchayats, Gram Sabhas and legally recognised traditional tribal institutions.
4. The traditional Gram Sabha needs to be given a decisive role in all developmental activities in areas inhabited by Adivasis in such a manner that the Gram Sabha has the final say.
5. Gram Sabha should be the primary policy making, funds management and programme implementation agency. Hence, there should be budget allocation to Gram Sabhas. This would ensure greater ownership, participation, monitoring and vigilance.
6. The basic institutional services need to be made accountable to the Gram Sabha to ensure greater ownership, participation, monitoring and vigilance. The norms of the 73rd Amendment Act and PESA providing for the planning and monitoring of resources and services under the Fifth Schedule must be protected, along with building skills of Panchayati Raj Institution (PRI) members and supporting them through government functionaries.
7. A system of single-window operation for service delivery needs to be made functional with adequate financial support.
8. Mechanism of Tribal Advisory Council needs to be strengthened to provide customised benefits to Adivasis in general and addressing their specific issues in particular.
9. There is also a strong demand to ensure access to rights, benefits and incentives to Adivasis outside Fifth Schedule areas. Where Adivasi communities constitute considerable population in a Panchayat outside the Fifth Schedule areas, they should be provided specific rights in keeping with the Fifth Schedule related to land/forests, livelihood, traditions and culture.

**Ensuring quality livelihoods and delivering on development promises**

**Challenges**

From an economic standpoint, Adivasis lack cultivable land and irrigation facilities in many parts of the country and most Adivasis remain primary producers with very little value added, thus restricting their capacity to earn. They are unable to properly sell forest produce, especially non-timber produce, and this is further complicated with the involvement of middlemen, which leaves marginal benefits for the local population. The Adivasis face severe lack of funds and economic incentives to set up small businesses and this significantly hampers their entrepreneurial motivation.

Instances of poor budget utilisation and diversion of funds to infrastructure have deprived Adivasis of
targeted benefits from schemes and programmes. While funds for social sector infrastructure are promptly allocated and utilised as planned, funds demarcated for the delivery of services often remain unspent. Instances of underutilisation of Tribal Sub Plan (TSP) funds or diversion to other programmes have also been highlighted.

There is data deficit related to creating and implementing development programmes for Adivasis. The diversity of Adivasis and the Adivasi way of living poses major challenges in formulating an integrated data structure and capturing meaningful data. A proper periodic monitoring and evaluation of the schemes and programmes for tribal populations at the grassroots level is not taking place, even if provided for at a policy level.

**Recommendations on creating better livelihoods**

1. Better livelihood opportunities can be created by aggregating an inventory of unskilled and semi-skilled jobs and related skills training opportunities within a catchment area.

2. Efficient use of digital technology can lead to better mapping and linking of available jobs to existing skills and qualifications as well as skilling and reskilling opportunities for Adivasi youth.

3. Self-employment opportunities can be facilitated by educating the Adivasis on marketing, communication and entrepreneurial skills alongside skills for making or manufacturing products from forests and local area as well as traditional arts and crafts.

4. Agriculture should be given a status similar to industries as it is expected to attract investment and bring down the costs of operation. More importantly, people involved in the sector should be given the status of labourers.

5. Creating jobs by efficiently using locally produced goods and tapping traditional resources such as bamboo and fabric as a means of livelihood must be encouraged.

6. Livelihood initiatives will also need market access facilities, which schemes and programmes must incorporate and widely deploy.

7. Steps, including awareness campaigns, vigilance, monitoring, proper reporting and speedy justice, must be taken to break the nexus of agents and demand for cheap labour in cities.
that leads to human trafficking, especially for child labour or for sexual exploitation.

8. *Adivasis* facing job loss due to closure of tea estates in Assam, violence affected *Adivasis* of Chhattisgarh and other such groups need urgent attention and customised solutions for their specific problems.

9. Rights-based benefits such as food, education and healthcare to *Adivasi* families that have migrated to urban areas for livelihood should be continued through agencies including Integrated Child Development Services and urban local bodies.

Recommendations on outcome-oriented implementation of development programmes of the government

1. The Union Ministry of Tribal Affairs as well as related departments in the states and districts must play a proactive and an effective role. The forest department, revenue department and various other departments should take up development initiatives in tribal areas and communities. The Ministry of Tribal Affairs should be given role of the nodal agency to coordinate the various interventions, ensuring positive outcomes for the communities. Educated members, experts and CSOs from the tribal communities, who have close knowledge of the communities, should constitute more than half of any committees or bodies that are constituted for policy planning, implementation and monitoring.

2. Sensitisation of government officials and immersion in *Adivasi* culture will lead to greater familiarisation with tribal psychographics. All state officials placed in the Fifth Schedule areas should have a 15-day orientation when first deputed and 5 days in subsequent postings to familiarise themselves with and understand the tribal context and concerns. This will improve access to the communities and lead to better acceptability of plans and programmes.

3. There should be mandatory posting of at least three years for government officials in *Adivasi* areas, and incentives should be given to officials working in Fifth Schedule areas beyond the mandatory period.

4. The TSP fund should not be diverted to other programmes.

5. A bottom-up approach in planning, budgeting and beneficiary selection of all government plans, schemes and programmes should be adopted, and systematic transparency at every level should be brought into the planning and implementation of schemes and programmes.

6. The tribal communities are diverse in their culture, life skills and livelihood options, and require focused interventions for their development and inclusion. In keeping with the LNOB principle, the concerned district officials should be required to make specific plans with inputs from the communities and engage the local governance in their planned implementation and monitoring. Additional budgets under the TSP must be provided for the same.

7. Outcome-oriented budget with focus on specific areas must be made necessary for effective implementation of government programmes, especially in remote and difficult geographies.

8. Training programmes should be developed for *Gram Panchayats* and *Zila Panchayats* for preparation of better Village Development Plans (VDP) for submission to the government. The Gram Panchayat Development Plan (GPDP) should be developed as a bottom-up process as originally envisaged, building upon and budgeting based on the needs and rights
of the communities rather than a mere allocation of government schemes and budgets. Women SHGs and youth groups should be actively engaged in making the GPDP and monitoring the implementation.

9. Meaningful and effective participation of communities in monitoring, evaluation and feedback on every scheme in the form of a report card should be initiated.

10. Hyperlocal needs of infrastructure, services and facilities at village and community level should be linked to available MGNREGA activities with active participation of the community, Gram Sabha and Gram Panchayat.

11. The state must ensure appointment of Gram Rozgar Saathi and a full complement of frontline extension workers for better utilisation of the funds available with the Panchayat annually.

12. The state government should table a statement on the total funds allocated for tribal development in Adivasi dominated states in the state legislature.

13. While introducing outcome budgeting practice, community planning and budgeting must be respected in the states.

**Recommendations on bridging data gaps for better development delivery**

1. The government should identify relevant Sustainable Development Goal (SDG) indicators for indigenous peoples and include those in the national indicators list. Data-disaggregation and recognition of indigenous identity in national statistics as well as integration of community-based data from tribal communities will allow for assessing progress for Adivasis.

2. Cross-cutting dynamic data capturing individual, household and community level information will be necessary to plan, provide and protect the rights of Adivasis.

3. Proper and timely collection, recording and evaluation of granular, deep and quality multi-dimensional data on Adivasis will enable data-driven decision-making, better inputs planning for programmes and more effective funds utilisation.

4. Inclusion of SDG-related indicators in planning and budgeting by Panchayats will require targeted capacity building for at least three to four years.

5. Data-driven automatic inclusion of beneficiaries into government schemes and programmes where the data is periodically updated must be considered.

6. Unbiased social audit of development programmes should be conducted and mapped to underlying circumstances to identify factors of success and failure.

**Implementation of SDG components for Adivasis and the role of civil society organisations**

**Challenges**

As discussed already, the issues of the Adivasis across the 17 SDGs are poorly understood. Programmes developed and implemented for them don’t always succeed or demonstrate significant impact on ground.

**Recommendations**

1. A think tank to analyse, interpret, translate and research SDGs in the context of India—Indian states, districts and even villages— with a special focus on Adivasis should be established and nurtured.

2. Deeper engagement should be promoted with CSOs that are led by the Adivasi communities
and those that work closely with them to promote last-mile connectivity to the communities and include them in government schemes and programmes.

3. As crucial stakeholders in delivering the SDGs, capacity building of CSOs on SDGs, Adivasi culture and traditions should be undertaken. This will ensure more appropriate and structured responses to the challenges faced by the Adivasis, especially in remote areas.

4. The state and CSOs should maintain regular discourse on the SDGs so that the SDGs are reinterpreted in the local context and made to work for the benefit of Adivasis.

**Adopting the sustainable practices of Adivasis**

**Challenges**

For years, indigenous knowledge of Adivasis carried over for generations has been socially, culturally and politically undermined. The age-old Adivasi wisdom, including their spiritual way of life and traditional technical and scientific knowledge covering medicinal plants and traditional cures—what is known as Indigenous Traditional Knowledge (ITK)—has neither been systematically documented nor widely disseminated.

**Recommendations**

The inherent sustainability of the Adivasi way of life is recognised globally. Therefore, it is important to document, preserve, disseminate and promote ITK, the Adivasi world view and their spirituality for a better understanding of Adivasis outside their community, as well as learn from the relevant practices of the Adivasis that add to the sustainable development discourse. There is a need to understand, accept and disseminate (for replication after suitable adoption) the many models of sustainable development in the fields of education, health and environment that Adivasis have developed.

By protecting and promoting the rights of Adivasis, as reflected in the United Nations Declaration on the Rights of Indigenous Peoples, government will be able to address challenges faced by Adivasis and ensure that they are not left behind.
Notes

1. The Adivasi consultation in this chapter focused primarily on the Adivasi population in North and Central India, falling under the Fifth Schedule. A separate consultation for the North-east was held in Manipur to assess the SDG status and progress of the region, including tribal and other population in the region.

2. Administration and control of Scheduled Areas and Scheduled Tribes residing in any state other than the states of Assam, Meghalaya, Tripura and Mizoram.

3. Administration of tribal areas in the four north-eastern states of Assam, Meghalaya, Tripura and Mizoram.


6. Document uses the two terms, tribe and Adivasi, interchangeably.


8. The consultation did not include tribal communities from the Sixth Schedule areas and North-Eastern Region (NER) India which is covered under a separate consultation.

9. This Act accords legal recognition to the rights of forest-dwelling communities over forest land and other resources.


11. Mahatma Gandhi National Rural Employment Guarantee Act: A scheme that guarantees the “right to work,” legally providing at least 100 days of wage employment in rural areas.


13. Ibid.


19. A scheme under the Ministry of Tribal Affairs that seeks to improve tribal incomes through value addition of tribal products.

20. The PESA brings Scheduled Areas in nine states of the country under the purview of the National Framework of Panchayats.


22. A plan or strategy introduced by Government of India to ensure the socio-economic development of the tribal population of India. The funds given are in proportion to the ST population in the region.

23. A government welfare programme which provides food, preschool education and primary healthcare to children under six years of age along with their mothers.

**Major Tribes in India**

<table>
<thead>
<tr>
<th>State</th>
<th>Tribes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Andhra Pradesh</td>
<td>Andh, Sadhu Andh, Bhagata, Bhal, Chenchu (Chenchawar), Gadabas, Gond, Goundu, Jatapus, Kammara, Kattunayakan, Kolawar, Kolam, Konda, Manna Dhora, Pardhan, Rona, Savaras, Dabba Yerukula, Nakkala, Dhulia, Thoti, Sugali</td>
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<tr>
<td>Arunachal Pradesh</td>
<td>Apatani, Abor, Dafla, Galong, Momba, Sherdukpen, Singpho</td>
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<tr>
<td>Assam</td>
<td>Chakma, Chutiya, Dimasa, Hajong, Garos, Khasis, Gangte</td>
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<tr>
<td>Bihar</td>
<td>Asur, Baiga, Birhor, Birjia, Chero, Gond, Parhaiya, Santhal, Savar</td>
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<tr>
<td>Chhattisgarh</td>
<td>Agariya, Bhaina, Bhatta, Biar, Khond, Mawasi, Nagasia</td>
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<td>Goa</td>
<td>Dhodia, Dubia, Naikda, Siddi, Varli</td>
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<td>Gujarat</td>
<td>Barda, Bamcha, Bhal, Charan, Dhodia, Gamta, Paradihi, Patelia</td>
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<td>Himachal Pradesh</td>
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<td>Jammu and Kashmir</td>
<td>Bakarwal, Balti, Beda, Gaddi, Garra, Mon, Purigpa, Sippi</td>
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<td>Jharkhand</td>
<td>Birhors, Bhumij, Gonds, Kharia, Mundas, Santhals, Savar</td>
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<td>Adiyam, Barda, Gond, Bhal, Iruliga, Koraga, Patelia, Yerava</td>
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<td>Rajasthan</td>
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<td>West Bengal</td>
<td>Bedia, Bhumij, Bhutia, Kora, Lodha, Mahali, Munda, Oraon, Santal, Savar</td>
</tr>
</tbody>
</table>
Adolescents, Youth and Youth Workers

Young People in India

India is one of the youngest nations in the world, with around 65 percent of the population under 35 years of age. Currently, the youth (aged 15–29 years) constitute 27.5 percent of the population of India, contributing 37 percent to the Gross National Income (GNI). It is estimated that by 2020, the population of India will have a median age of 28 years with youth constituting 33.4 percent of the total population.

The much-publicised demographic dividend in India has the capacity to power economic growth. However, to convert this demographic dividend, the economy must have the ability to absorb the incremental labour force productively. As a corollary, the youth must have the appropriate education, skills and other enablers to be productively employable. Unless policies and programmes become more youth-centric, the demographic dividend may speedily become a demographic disaster.

As part of seeking young voices through the meaningful participation of adolescents, youth and youth workers in India’s Voluntary National Review of the Sustainable Development Goals (SDGs), four subnational consultations were held, the findings from which were discussed and deliberated at the national consultation...
held on 23 January 2020 in Delhi. The consultations, co-organised by ComMutiny and Pravah, and supported by ComMutiny members (Pranthakatha, Rupantaran Foundation, Centre for Social Equity and Inclusion and Audacious Dreams Foundation), saw the participation of more than 250 people. The key challenges and recommendations that emerged during these consultations across thematic areas of education, employment and entrepreneurship, health and well-being, and youth and leadership are presented in the sections that follow.
Key Challenges and Recommendations

Education

Challenges

The National Youth Policy, 2014 (NYP–2014) envisages empowering youth and adolescents with educational and training opportunities, employment and skills, including entrepreneurship and other national services. The National Education Policy (NEP), 2020 recommends aligning education with the UN SDGs and forging stronger partnerships between academia and corporate sector to not only ensure the effective implementation of NEP but also for achieving quality education for all in India.

Though India has significantly improved the enrolment rates across the country in primary education, quality of education delivery is still a challenge, with learning outcomes deteriorating and dropout rates increasing with higher grades. The Gross Enrolment Ratio in higher education remains at 26.3 percent, with marginalised communities such as Scheduled Castes (SCs) and Scheduled Tribes (STs) lagging at 23 percent and 17.2 percent respectively.

Despite the severe skills shortage and rising youth unemployment, youth participation in formal vocational/technical training remains extremely low at 2.8 percent, with a stark gender gap visible. As reported by the Periodic Labour Force Survey 2018–19, the total percentage of women in India aged 15–29 years who received formal vocational/technical training was 2.5 percent, much lower than that of men at 3.2 percent.

Recommendations

1. Education is a lifelong process, and therefore all curricula and syllabi should emphasise teaching appreciation of one's rights, understanding of social customs, and legal structures—all of which will help adolescent learners to analyse and exercise their agency critically. Along with these, there should be particular focus on equipping adolescents with life skills that are especially relevant in the current social and cultural context—skills such as collaboration, coping mechanisms and appreciation for diversity and inclusivity.

2. Teaching of topics related to entrepreneurship should be prioritised in the school curriculum to ensure that the 15–19 years age group is exposed to the idea early on.

3. Career counselling should be made compulsory across schools and colleges, and all other training and skill-building institutions.

4. The government should make affordable and quality education available to all sections of students. It should ensure that educational institutions for religious minorities are at par with the national standard. Education policies should also promote teaching in local
languages, especially in tribal areas, for better retention.

5. Reliable disaggregated data must be gathered for real-time monitoring of the education sector that will allow a proper assessment of inclusive education along with parity indices, such as gender, rural/urban/remote/hilly/conflict-affected areas, disability status, SCs/STs/Other Backward Classes (OBCs) and minorities.

6. The government should ensure better and effective dissemination of learning and scholarship opportunities in the rural and tribal areas. It should also create a virtual resource hub of scholarships relevant for different demographic groups with particular focus on young people from marginalised groups, such as LGBTQIA+ community, religious minorities, SCs, STs and OBCs.

7. In- and out-of-school adolescents should have universal access to rights-based Comprehensive Sexuality Education (CSE). Steps should be taken to embed CSE compulsorily in the school curriculum and restore normalcy into the discourse across spaces.

8. Sports should be mainstreamed as part of the curriculum for physical and mental fitness, especially promoting female participation for enhancing life skills.

9. Sports schools should be set up in the hinterland with more focus on tribal youth and those from economically backward sections.

**Employment and entrepreneurship**

**Challenges**

Corporate India observes that out of 15 million youngsters entering the workforce each year, just about 46 percent are employable. The state of employability has not improved over the last few years.\(^8\) The situation is made worse with limited actionable insights from credible sources available for candidates to gain an in-depth understanding of the market and prepare for opportunities accordingly. Though we have sufficient human resources, there exists an enormous skill gap between the demand from industries based on rapid economic growth and the kind of skill sets young people acquire during the course of their education and training. And as technology becomes even more pervasive than ever before and jobs evolve, the industry is urging the government to take steps to bridge this skill gap.

Poor infrastructure for training of trainers and assessors, and lack of competent master trainers have led to the deployment of inadequately qualified trainers in India’s vocational education and training ecosystem.\(^9\) Further, as highlighted in the India Skills Report 2020, there is an urgent need for concerted efforts among the government, industry and academia to upgrade India’s existing skills ecosystem, starting from secondary school until mandatory on-the-job training for the first two to three years of professional career.

One of the chief concerns of the skilling sector in India has been the quality of skilling and education in India’s academic institutions. HR leaders have cited problems of knowledge inaccuracy amongst candidates due to dated curriculum and lack of practical knowledge owing to existing emphasis on theory-based learning. There is a visible gap in the formal professional training of graduates due to the prevalent disconnect between the industry demands and courses offered by training institutes in India.

While most Indian youth long for global opportunities, India’s training institutes have not been able to impart skills at par with international standards.

The Skill India Mission has been trying to address this gap since its inception in 2015. The mission was developed under the aegis of the Ministry of Skill Development and Entrepreneurship to create convergence across sectors and states in terms of skill training activities and to achieve the vision of ‘Skilled India’. It aimed to achieve this by coming up
with regulatory policies, setting up implementing agencies such as the National Skill Development Corporation India, designing relevant and impactful programmes such as Pradhan Mantri Kaushal Vikas Yojana, and initiating action on the ground.

For any model to be successful, support from different stakeholders is imperative. And given the limited buy-in from the corporate sector, the progress of such initiatives is slow. While there are government schemes and programmes to address the skill gap and support entrepreneurship, civil society initiatives are few and, wherever present, localised. Though successful models are available, there is an absence of a large-scale model for adoption at the national level.

**Recommendations**

1. The youth should have access to meaningful employment opportunities according to agency, interest, capacity and capability. Additionally, there should be equitable opportunities for youth from marginalised communities, women, youth with disabilities and sexual minorities.

2. The state should focus on alternate livelihood and entrepreneurship in the rural sector to boost the local economy and arrest migration of the youth.

3. Active labour market policies need to provide the impetus for skill improvement and vocational training.

4. There should be increased budgets for entrepreneurship development and teaching employability skills beyond technical skills, such as values and attitudes required for sustainable employment and entrepreneurship.

5. For better productivity and efficiency among the employed, the industry leaders and corporates
will need to come to the fore, displaying active participation in re-skilling and training, and creating improved apprenticeship/internship programmes for fresh graduates. Businesses will need to work in tandem with academic institutions and government bodies to co-create practical, life-skill based curriculum, and co-fund infrastructure with high-end facilities for quality education and skill development of the students.

6. There should be greater synergy between the strength of pedagogic design that the civil society brings and the national footprint that government institutions can bring.

7. The government and corporate sector should invest in setting up incubators to promote and support not-for-profit and for-profit organisations initiated by young people.

**Health and well-being**

**Challenges**

India has led efforts in designing and implementing adolescent health policies and programmes. According to the Fourth National Family Health Survey (NFHS–4), in the age group of 15–19 years, 42 percent girls and 45 percent boys are underweight, 54.1 percent girls and 29.2 percent boys are anaemic, 4 percent girls and 5 percent boys are overweight, and 3 of 1,000 adolescent girls and 4 of 1,000 adolescent boys have diabetes. Adolescents are also highly prone to eating disorders such as anorexia or binge eating, mainly arising out of depression, anxiety, body-shaming by peers or low confidence about their looks and physique. Further, the use of social media is higher among the adolescent population (male adolescent usage is 87.2 percent, and female adolescent usage is 76.5 percent), which plays a vital role in their habit-picking and lifestyle patterns. Morbidity and mortality due to mental health issues amongst adolescents have increased manifold in recent years. Suicide among adolescents and youth is higher than any other age group, with the overall age-standardised suicide rates per 100,000 population being 26.3 for males and 17.5 for females (at ages 15 years and older). This suicidal behaviour is independently associated with factors such as school absenteeism, lack of support for independent decision-making, complexities arising out of premarital sex (such as unwanted pregnancies, sexually transmitted disease and lack of emotional support, all of which contribute to depression and anxiety in adolescents), sexual abuse, physical abuse from parents and mental health issues.

The last decade has seen multiple initiatives for improving adolescent health services; the Ministry of Health and Family Welfare launched the ‘Adolescent Reproductive and Sexual Health Policy’ in 2006, followed by the ‘Reproductive, Maternal, Newborn, Child and Adolescent Health (RMNCH+A) Strategy’ in 2013, and the ‘Rashtriya Kishor Swasthya Karyakram’ (RKS), the national programme on adolescent health, in 2014. However, despite the policy initiatives undertaken by the central government for improving adolescent health in India, structural barriers resulting in challenges such as early marriages, teenage pregnancy, anaemia and high incidence of maternal mortality among young mothers continue to persist, with future issues such as those of non-communicable diseases, injuries and substance abuse further compounding the situation. One of the main underlying factors behind limited success of adolescent health interventions is lack of evidence on the functionality of these interventions and the level of integration of ongoing programmes within the broader RMNCH+A context.

**Recommendations**

1. Young people should have access to quality health services that are non-discriminatory and where their dignity and choice are upheld. All healthcare providers must:
   a. be trained to deal with the health issues of young people from diverse backgrounds;
b. guarantee inviolable privacy and confidentiality of all young people;
c. respect the bodily integrity of all young people;
d. provide services to all without discrimination on any grounds; and
e. adhere to a patient and thorough approach while treating young people, especially adolescents.

2. All healthcare providers should be well equipped to deal with issues of mental health and sexual and reproductive health (SRH), and should be able to dispel notions of stigma around these in a reassuring manner.

3. Youth-friendly SRH services, including contraceptives, maternal health services and safe abortion, should be made readily available for young people.

4. Health services must be regulated and made available at affordable prices, keeping in mind that most young people may not be in a position to make decisions related to expenditure.

5. Information about the exact location and responsibility/scope/concern of all departments and facilities should be housed within the health centre. This is especially important in government health centres where all staff should additionally be well-informed about those facilities that are mandated by government schemes and policies.

6. Holistic programmes should be created to encourage meaningful engagement of young people. There should be an emphasis on ending gender-based violence and harmful practices, including child marriage, as a critical component of all SRH and Rights programming.

Youth leadership and development

All through history, the youth have been the harbingers of change—from winning independence for nations to creating new technologies that disrupt the status quo, to new forms of art, music and culture. Supporting and promoting the development of India’s youth must be one of the foremost priorities across all sectors and stakeholders. The NYP–2014 provides a holistic vision for the youth of India, which is ‘to empower the youth of the
country to achieve their full potential, and through them enable India to find its rightful place in the community of nations.\textsuperscript{13}

**Challenges**
Unfortunately, youth participation in socio-political spaces in India is mostly tokenistic, with lack of safe, non-judgemental forums for self-expression and intergenerational dialogue, especially about young persons’ agency and aspirations. Leadership spaces are mostly confined to civil society organisations, but even they cater to a limited number of young people. There is an absence of adolescent and youth participation in decision-making, with no clear policy strategies to either build the capacity of the youth to engage meaningfully or offer them a space to do so. Further, the forced conflation of youth affairs with sports under a single ministry diverts policy attention, effort and resources from youth issues that are nuanced, complex, sensitive and often poorly defined, towards sports that play out in conspicuous, measurable, rules-based and performance-driven arenas.

A holistic approach is therefore needed to address the concerns and aspirations of the youth of India.

**Recommendations**
1. The government should institute a dedicated Ministry for Youth Development with appropriate budget allocation. Youth should have representation and say in decision making within the institutional structure.
2. There should be budgetary allocations towards robust psychosocial programmes\textsuperscript{14} to support ongoing schemes for young people, as well as after-school programming on issues that are not covered through regular curricula, such as gender, citizenship and leadership.
3. It has been proposed that a democratically elected National Youth Council be formed
based on democratic values and governed by youth with a mandate to represent young people’s aspirations, dreams and realities at the national level.

4. Long-term programmes should be developed to create empowering spaces that connect to the needs of the youth rather than project-based interventions. These should also look at increasing partnership and collaborations between the government and youth-based organisations.

5. A centralised resource bank and portal for leadership opportunities should be created that will include volunteering and internship as a universal opportunity pool.

6. Government officials and stakeholders engaging with youth should be trained to ensure meaningful youth participation. Restructuring and revamping of organisations such as the National Service Scheme and Nehru Yuva Kendra Sangathan to suit the present-day requirements of youth leadership, with budgets made available for capacity-building of CSOs to engage in the revamping of these institutions.

7. Youth Parliaments should be institutionalised at different levels, and digital space should be leveraged for learning and experience on participation and decision-making.

8. The Youth Development Index should be comprehensively revised every five years to remain true to the current needs, aspirations and realities of young people.

Critical gaps remain in implementation and accountability of targeted youth programmes, which are significant impediments in realising the full potential of young people. This, compounded by the exclusions that the youth face and the lack of impetus for robust participatory planning processes with young people, makes for feeble programming targeted at a large population of the country. Young people, thus, remain vulnerable and somewhat marginalised despite the many efforts made to affect change. The state and civil society have a responsibility to gear up to meet the aspirations of our young people by making the right economic and psychosocial investment in ongoing and new youth schemes and policies.

Notes


8. Wheebox (2020), India Skills Report, 2020, Wheebox, Taggd, Confederation of Indian Industry,

10. The National Family Health Survey is a large-scale, multi-round survey conducted in a representative sample of households throughout India.


14. To transform mindsets of stakeholders.

15. Provides hands-on experience to students in delivering community service.

16. Largest youth organisation at the grassroots, channelising the power of youth on the principles of volunteerism, self-help and community participation.
Bonded Labour and Human Trafficking in India

Human trafficking is the acquisition and exploitation of people through means such as force, fraud or inducement. Out of the 17 Sustainable Development Goals (SDGs), human trafficking finds specific mention only under three goals—SDG 5 (Gender Equality), SDG 8 (Decent Work and Economic Growth) and SDG 16 (Peace, Justice and Strong Institutions). However, other SDG targets are relevant for comprehensively addressing human trafficking. This issue is deeply rooted in the discourse of poverty, poor health, lack of education, exploitative labour, gender inequality, migration and effects of climate change.

Article 23 of the Constitution of India prohibits the trafficking of human beings and forced labour. There are several national laws enacted to penalise human trafficking offenders and prevent exploitation of vulnerable communities. These laws include the Immoral Traffic (Prevention) Act, 1956; Bonded Labour System (Abolition) Act, 1976; Child Labour (Prohibition and Regulation) Act, 1986; Juvenile Justice (Care and Protection) Act, 2000; Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989; Protection of Children from Sexual Offences Act, 2012; and relevant provisions such as Section 370 of the Indian Penal Code.

India is a signatory to global commitments in combating human trafficking and bonded labour and has strong legislation to support its stand. The Bonded Labour System (Abolition) Act was passed in 1976. Subsequently,
a Centrally Sponsored Plan, Scheme for Rehabilitation of Bonded Labour was launched in May 1978 (albeit with some gaps) to support the state governments in dealing with the challenge of bonded labour. While the Bonded Labour System (Abolition) Act, 1976 recognises many forms of debt bondage and customary bondage, Section 370 of Indian Penal Code focuses on the trafficking of persons and related exploitation. In May 2016, as part of its 2030 Vision to ‘release and rehabilitate 18.4 million bonded labourers by 2030’, the government re-vamped the 1978 scheme as a Central Sector Scheme for Rehabilitation of Bonded Labour, 2016 and also introduced the Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill, 2016. The re-vamped scheme quintupled the financial outlay per unit of rehabilitation and additionally laid out non-cash benefits.

As a highly organised crime, human trafficking continues unabated, destroying the lives of the poor and the vulnerable in India. Trafficking of women, children and sexual minorities for commercial sexual exploitation are widely recognised, as is child trafficking for begging or child labour. The impetus of the law enforcement agencies to prevent these has been strong due to heightened national and international concern over the protection and care of children.

However, a full understanding of trafficking for forced labour, especially of the marginalised and disadvantaged groups, is still being developed. Globalisation has accelerated human trafficking from remote regions of the country to meet the increasing demand for cheap labour and services in the cities. Bonded labour contracts are imposed upon men, women, children and migrant workers, particularly from the Scheduled Caste and Scheduled Tribe communities. It is a facet of poverty and inequality that reinforces the inequitable social relations between labourers and employers in the informal sector. According to the National Crime Record Bureau (NCRB), in 2018, of the 5,788 victims of trafficking in India, 1,210 were trafficked for forced labour, domestic servitude and beggary.

To understand the experiences and challenges better in the context of the SDGs, nine subnational consultations were held across the country that culminated in a national consultation held on 29 January 2020 in Bhubaneswar. More than 340 participants engaged in these consultations, led by the International Justice Mission. The following sections present the significant challenges and recommendations that emerged from these consultations.
Key Challenges and Recommendations

Legislation and implementation

Challenges
Field information from states on the implementation of the Bonded Labour Rehabilitation Scheme, 2016 shows that full rehabilitation has been made available to the released bonded labour in only a handful of cases in the last four years. Most state governments deny the existence of bonded labour in their states and choose to describe the issue as instances of workers migrating for economic reasons or due to a lack of awareness of their rights. Since, on the face of it, the situation of a bonded labourer appears similar to that of a poor labourer where most of the workers are not even paid minimum wages, the crime is not easy to identify and distinguish among other forms of common labour violations despite its enslaving nature (Box 1).

One of the primary reasons for the poor implementation of the Bonded Labour Rehabilitation Scheme, 2016 is the fact that full rehabilitation is contingent upon the conviction of offenders, which is compounded by the poor centre–state collaboration regarding the rehabilitation and conviction procedures. In several cases, labourers rescued by officials from exploitative sites are not given ‘Release Certificates’ which documents proof of being in bondage under the Bonded Labour System (Abolition) Act, 1976. The lack of documented evidence not only disentitles a rescued victim of bonded labour from receiving welfare assistance from the government but also increases vulnerability to re-bondage. Even as the scheme for release and rehabilitation of bonded labour was re-vamped to a central scheme in 2016 and the quantum of relief and rehabilitation substantially increased, the allocation of funds by the central government during 2016–2019 was not encouraging. Further, the empathy of officials with the accused often results in high acquittals and low convictions. In 2018, the rate of conviction of persons arrested for human trafficking was merely 8.1 percent.

Human trafficking is an organised crime with transnational reach and connections; the response of the law enforcement agencies must therefore ensure culpability. Apart from stronger domestic legislations, victims’ access to justice must also be strengthened. Threat to life, intimidation, repeated recounting of past trauma and the expenses involved in registering and fighting cases are some of the reasons that make the public justice system inaccessible for victims. Further, long delays in the trial, lack of clarity in the procedure, and caste and class dynamics dictating problematic power structures lead to denial of justice to many victims.

Recommendations
1. Effective and immediate rehabilitation of rescued victims is mandatory under Articles 21 and 23 of the Constitution of India. Current
laws should either be updated or new legislations framed to prescribe time-bound procedures for rescue, rehabilitation and repatriation of victims of trafficking, and prosecution of all trafficking-related offences including accountability of authorities. The government should provide adequate funding and resources for the enforcement of the new laws.

2. The Central Sector Scheme for Rehabilitation for Bonded Labour, 2016 mandates that a percentage of the assistance budgeted for the beneficiary be released as immediate cash to the freed labourer because in the initial month following the release, the victim is most prone to re-trafficking and relapse into bondage. The government should also consider including incentives for time-bound delivery of non-cash assistance to the victims, such as easy access to Public Distribution System, enrolment under PMAY\(^5\) and MGNREGA,\(^6\) inclusion and livelihood training under NRLM\(^7\) and land entitlements.

3. Adequate budget must be set aside by both central and state governments for sensitisation and strengthening of the district and block level vigilance committees, police departments,
sub-divisional and district magistrates, anti-human trafficking units (AHTUs), child welfare committees (CWCs), and prosecutors and judges dealing with bonded labour.

4. Law enforcement agencies as well as AHTUs, CWCs and civil society organisations (CSOs) should be adequately trained and sensitised to ensure the victims of bonded labour and trafficking are awarded protection, compensation and effective prosecution. These AHTUs must be empowered adequately to conduct rescue operations and thorough investigations.

5. Capacity building of law enforcement officials regarding timely filing of FIRs, using scientific tools for proper evidence collection and receiving online investigative training will help in building stronger cases against offenders. The use of technology, such as video conferencing during a trial, must be promoted and internalised across the state for a speedy trial.

6. The law needs to keep up with the changing trends of the crime, such as online sexual exploitation, new forms of forced and bonded labour, and child trafficking through adoption/placement agencies for domestic servitude, sometimes in the garb of adoption.

7. Convergence meetings with the participation of the police, legal services authority, courts, CWCs, labour department and CSOs should be made mandatory to aid rehabilitation and prosecution processes. These meetings should be convened by an official agency that can demand accountability.

8. As the conviction of the offender has significant implication for ending impunity of the crime, the government must strengthen prosecution and speedy trial processes. ‘Rate of prosecution and conviction of offenders in bonded labour and trafficking cases’ should be included as an indicator of SDGs. Doing so will bring bonded labour and trafficking more effectively within the purview of India’s global commitments and strengthen enforcement of the laws against it.

Data collection

Challenges

Multiple organisations and agencies such as the NCRB, Ministry of Labour and Employment, Ministry of Women and Child Development and National Human Rights Commission, along with CSOs, collect and analyse data on human trafficking and bonded labour. Unfortunately, there is a lack of coordination amongst these agencies and the data collected is sporadic and insufficient. Consequently, poorly recorded data guides important policy decisions that are meant to deal with the challenges of human trafficking and bonded labour.

Gaps in government data hinder the designing and implementation of targeted interventions. For example, in keeping with its commitment to release and rehabilitate 18.4 million bonded labour by 2030, the government should be able to set annual targets of bonded labour identification, release, rehabilitation, awareness generation, and budget...
and release funds accordingly. However, the annual reports of the Ministry of Labour and Employment do not release data incrementally for each year but report cumulative figures (since the inception of Bonded Labour System [Abolition] Act, 1976) by state. The response to the Parliamentary Question 1093 raised in the Rajya Sabha in November 2019 reflects the wide variations in the implementation of the law, with the state share (in national) of bonded labourers released since 1976 ranging from nil to 22 percent. This type of aggregated data is not a very effective tool for annual target setting, planning and budgeting.

**Recommendations**

A standardised system for the disaggregated data collection on an annual basis of both victims and traffickers is imperative to accurately understand the scope of the problem region-wise and ensure coordinated action of all actors in combating human trafficking and eradication of bonded labour.

**Ensuring safe migration**

**Challenges**

Legislation loopholes and lax monitoring of migrant labour recruitment processes and movements across state borders result in millions of poor workers getting trapped by exploitative contracts and staggering debts, leading to situations of labour trafficking and bonded labour. As millions in India migrate for livelihood opportunities, many from the remote areas of states such as Gujarat, Rajasthan, Uttar Pradesh, Bihar, Jharkhand, Odisha, Chhattisgarh, Telangana, Andhra Pradesh, Maharashtra and Tamil Nadu are coerced or deceived during the recruitment or transit process and end up as bonded labour.

**Recommendations**

The Inter-State Migrant Workmen Act, 1979 should be strengthened to address trafficking and bondage of migrant workers. The Ministry of Labour and Employment should ensure the registration of placement agencies as well as of migrant workers at both the source and the destination to enable tracking and ensuring the safety and welfare of migrant labourers. Toll-free helpline numbers and workers unions for migrant labourers are some of the measures that can be implemented to ensure the safety of migrant workers.

Some steps taken in the right direction to help the victims of human trafficking and bonded labour are presented in Box 2.

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**Box 2: Good practices to help victims of trafficking and bonded labour**

**Prevention at Source**

With the expansion of internet access via smartphones, pornography and related social media content are increasingly contributing to a rise in child and women trafficking. In response, awareness programmes about child rights, the scourge of child marriage, and child and bonded labour are being run in schools and remote rural communities.

The Kanyashree Prakalpa scheme of the Government of West Bengal provides financial assistance to economically weaker families so that they don’t feel pressured to marry off their daughters before the age of 18. The Asian Sahayogi Sanstha India has successfully stopped 18 child marriages, trained 35 women and had 75 children participate in their advocacy programmes in Kolkata region in 2019.

These programmes engage with the community and provide spaces for women to express their views. They aim to create safe spaces for children and women, where they feel supported and protected against exploitation. Community (Contd.)
Box 2 (Contd.)

Medical programmes are also run in parallel. Through the training of the trainers, the ownership of the programmes is gradually transferred to the community so that they can run even when the implementation agency exits. Since the programmes are run in deep engagement with the community, forming close relationships with the members, and chinks within the community (such as potential trafficking agents) become conspicuous, informing planned anti-trafficking interventions.

**Prevention at Destination**

In destination locations (mainly cities), CSOs have been working closely with sex workers and their children to prevent the intergenerational transfer of exploitation. Some CSOs have opened drop-in centres near red-light areas which provide daycare for the children of sex workers. They help connect the children with schools and keep track of them to prevent them from being trafficked or becoming pimps. They also help connect the sex workers to hospitals and HIV clinics for medical support.

**Intervention (Rescue)**

To initiate a rescue, CSOs identify potential victims and work with law enforcement and community-based organisations (who understand local customs, practices and contexts) to conduct the operations. CSOs are now focusing on building the capacity of these community-based organisations in rescue/rehabilitation of the victims and prosecution of offenders in collaboration with the government. Through this partnership model in West Bengal, CSOs have carried out 22 operations between January 2018 and December 2019, rescuing 73 victims. Also, 806 persons were rescued from bonded labour through 36 rescue operations.

**Rehabilitation and Reintegration**

Rehabilitation programmes are becoming increasingly survivor focused, aiming at trauma counselling, informed care and mental health support. Some CSOs intentionally run smaller shelter homes to provide long term, intensive support to survivors. In the case of child-trafficking, support continues even after the survivor turns 18 and until such time that the survivor is fully integrated and mainstreamed socially and economically. Despite shortages in staff in this area, the government has improved its monitoring of shelter homes and has mechanisms in place for the managing of these homes.

Survivors of trafficking find it very difficult to land jobs when they are sent back to their communities. Organisations such as Destiny Foundation and Sari Bari employ such survivors and help them stabilise means of livelihood so that they don't get re-trafficked. This long-term engagement of the CSOs has reduced the re-trafficking rate of girls rescued from sex trafficking.

**One-stop Crisis Centres**

In 2019, Tamil Nadu State Legal Services Authority, in collaboration with International Justice Mission, conducted a state-wide programme on Awareness on Human Trafficking and launched the One-Stop Crisis Team (OSCT) in Tamil Nadu. As a result of this, the OSCT has rescued 122 victims of human trafficking in Tamil Nadu including bonded labourers, child labourers, child bonded labourers and beggars. Apart from rescue operations, OSCT has inspected several worksites, conducted numerous awareness programmes and also organised training to sensitise government officials and the community.
Notes


2. NCRB (2018), Crime in India 2018 (Volumes 1, 2, and 3), National Crime Record Bureau, Ministry of Home Affairs, Government of India.


5. PMAY: Pradhan Mantri Awas Yojana. This government scheme promises housing for all by 2022.

6. MGNREGA: Mahatma Gandhi National Rural Employment Guarantee Act is a flagship scheme of the Government of India that guarantees the ‘Right to Work’, legally providing 100 days of guaranteed wage employment in a financial year to rural households whose adult members are willing to do unskilled manual work.

7. NRLM: National Rural Livelihoods Mission is a Government of India programme for promoting poverty reduction in rural India.

Children in India

India is home to the largest child population in the world, with persons aged 0–18 years constituting almost 40 percent of the total Indian population. It thus becomes important to prioritise children in the endeavour to achieve the Sustainable Development Goals (SDGs) as the Sustainable Development Agenda has enormous implications for the rights of children.

The Constitution of India guarantees Fundamental Rights to all children in the country and empowers the state to make special provisions for them. The Directive Principles of State Policy specifically guide the state in securing children from abuse and ensuring for them opportunities and facilities for healthy development with freedom and dignity. The state is responsible for ensuring that childhood is protected from exploitation and moral and material abandonment. The National Policy for Children, 2013 was adopted to affirm the government’s commitment to a rights-based approach in addressing the continuing and emerging challenges in the situation of children.

Children constitute one of the most heterogeneous LNOB groups. While there are specific well-recognised vulnerabilities among children (emerging from factors including caste, religion, area of residence, state of residence, gender and disability), there are some particular groups of children that are at higher risk of exclusion and denial of rights, as compared to their peers. They are children:

- of vulnerable parents such as those living with HIV, commercial sex workers, prison inmates, single parents, and those belonging to the LGBTQIA+ community;
• belonging to communities that are stigmatised and discriminated against like Denotified, Nomadic, or Semi-Nomadic tribes or *Musahar* (Mahadalit);³
• affected by humanitarian crises or conflict;
• suffering from diseases such as HIV and thalassemia;
• who are victims of sexual abuse;
• out of school;
• living in street situations, with or without parents;
• living in conflict-affected zones;
• rescued from difficult conditions and identified as being in need of care and protection;
• in conflict with the law;
• who are drug users;
• in refugee communities;
• in childcare institutions;
• who are married; and
• in bonded labour or child labour, particularly in hazardous jobs such as brick kilns, mining and firecracker factories.

The subgroup of children listed above are the most marginalised groups and invisible, and therefore excluded from the benefits of various policies and schemes. As the existing schemes have limited impact on these children, it is important to understand the specific vulnerabilities of each subgroup and develop customised interventions to address them.

Towards this, a National Consultation on Children was held in Delhi on 16 January 2020. The consultation was anchored by Nine is Mine, Save the Children India and World Vision India, and had participation of almost 100 people.

The following are the key issues and recommendations that emerged from the consultation.
Key Challenges and Recommendations

Identification of children for inclusion in LNOB strategy

Challenges
Schemes and programmes of the government can be effectively implemented and monitored if comprehensive, disaggregated and updated databases on affected vulnerable communities are available for functionaries to carry out a thorough situational analysis. Though data on vulnerable children has improved somewhat in the recent past with the availability of district-level data under the National Family Health Survey (NFHS) for health, nutrition and education, there are gaps in data related to child protection and child participation. Additionally, sub-district level data as also data on highly vulnerable children's groups such as those living in street situations or those on the move is hard to come by.

The paucity of robust data on LNOB children is owed to many causes:

1. Their parents or families rarely register LNOB children at birth or at the Anganwadi centre.
2. Data gathered by civil society organisations (CSOs) on the ground is often at wide variance with the official government data, leading to conflicting claims.
3. Children from migrant families frequently remain unregistered at both the origin and the destination, excluding them from the service delivery mechanism and exacerbating their vulnerability. Diverse administrative systems across states do not align or corroborate their records in consultation with the vulnerable or migrant children and end up excluding them.
4. Families tend to hush up instances of child abuse instead of reporting them, leaving the survivors uncounted and without recourse to medical or psychological support.

Recommendations

1. Improve development plans and programmes for the LNOB-children group. Children should be considered an important intersectional constituency within every LNOB group. Specific strategies should be designed to reach out to children excluded from the service net through integrated village planning with a multi-sectoral focus. Redress and resource for these children should be formalised in Gram Panchayat Development Plans. Vulnerability mapping of children should be conducted by the Panchayats; they could then be categorised into groups by risk (high or low). Appropriate interventions could then be designed and accountability of stakeholders identified accordingly.

2. Gather and disseminate disaggregated data on LNOB children.
   The government should:
   a. make more investments to create a credible data source and data analysis
mechanisms that can inform progress on policy and programme implementation;

b. collect data on every child, especially the LNOB children, to track their progress against relevant SDG targets;

c. ensure that the data in the public domain on the implementation status and effectiveness of programmes targeting LNOB children are robust and updated;

d. invest in creating a data centre/ knowledge hub for planning for children who do not identify with their society’s traditional gender and sexual orientation norms;

e. include child protection issues and SDG monitoring indicators for children within national surveys (e.g., NFHS, Census and NCRB) and conduct disaggregated analysis of these data sets to identify and address vulnerabilities;

f. promote standardised definitions and data collection methodologies to ensure collation of data between departments and with other non-government data sources; and

g. integrate formal mechanisms of data quality audit that helps in strengthening the quality of data being captured through government systems.

Ensuring greater child participation

Challenges

Child participation is associated with the realisation of all the SDGs directly related to ensuring the rights of children. The National Plan of Action (2016) recognises the need for enabling children to be actively involved in their development and all matters concerning and affecting them.⁴ School Management Committees (SMCs) at schools and Village Level Child Protection Committees (VLCPCs) in communities are supposed to play a facilitation role in ensuring the participation of children (Box 1).

Some state governments (such as Kerala, Karnataka, Rajasthan, Odisha and Andhra Pradesh) have formalised Bal Sabhas. On the whole, however, Children’s Parliaments, Assemblies and Federations, as forums for children to participate in policy and programme development, remain tokenistic.⁵ There are existing provisions that mandate engaging children in platforms like SMCs, VLCPCs, Ward Level Child Protection Committees and Gram Sabhas. However, the procedure of the meetings is not supportive for children to raise their issues and speak in front of teachers, parents and elders. Additionally, the exact level of child participation is difficult to measure across subgroups in the absence of a robust body of disaggregated data.

Box 1: Sarathi Development Foundation

Sarathi Development Foundation works on participatory development principles to prioritise and address the issues of children, adolescent girls and women in the sphere of integrated community development such as dropping out of school, child labour, child marriage, health, nutrition, water, sanitation and hygiene, social norms and behaviours, and public service provisions. It also maps availability of mandated government service provisions such as Anganwadis, health visits by Accredited Social Health Activists and Auxiliary Nurse-Midwives (ANMs), safe drinking water sources, schools and adequate sanitation facilities.

It has devised five days participatory methodology for integrated village planning which provides a platform to the community to identify their needs, plan the action and build linkages with government service provisions. It has institutionalised feedback as a dynamic process to upstream community voices, interconnect community and government actions, change behaviours, and enrich work strategies and approaches effectively.
**Recommendations**

1. Prioritise child-centric policies and institutions that engage them in designing, implementing and monitoring their programmes.

2. Include a child delegate within national delegations attending and participating at the United Nations High-level Political Forum on Sustainable Development and provide space for him/her to express children’s views and recommendations.

3. Ensure meaningful participation of children in bodies like SMCs and VLCPCs, and provide children the space and ecosystem to include their opinions and suggestions in policies and programmes that cater to them.

4. Strengthen and expand good practices of exclusive platforms for children’s participation such as Children Parliaments, Meena Manch, and Children and Adolescent Groups.

5. Form Child Cabinets in all schools. These should be entrusted with the responsibility of choosing child representatives for SMCs and VLCPCs.

6. Identify and felicitate agents of change at the grassroots (like Child Champions identified by child rights organisations) including children who voice their concerns, or young adults who can support children in being heard and ensuring structural support through service providers such as Anganwadi workers.

**Zero hunger**

**Challenges**

According to the NFHS–4 (2015–16), 38 percent children under five years of age in India are stunted, a sizeable improvement from 48 percent in 2005–06. In absolute numbers, approximately 24 million children are wasted, 40 million children are underweight, and 43 million children are stunted. The NFHS–4 also brings out large scale state-specific variations in these figures, highlighting that children from Bihar (48.3 percent) may be at least twice more vulnerable to malnutrition as compared to those in Kerala (19.7 percent). Similarly, a report by HAQ: Centre for Child Rights mentions that out of 604 districts in the country, 239 (39 percent) have stunting levels above 40 percent. Therefore, to address malnutrition at a large scale, it is important to identify such pockets and address the causes of malnutrition specific to these pockets.

**Recommendations**

The government should develop innovations and operational guidelines to improve access to quality complementary food and improve inter-sectoral convergence of nutrition-specific and sensitive departments at district and sub-district levels.

**Good health and well being**

**Recommendations**

India’s under-5 mortality rate (U5MR) at 39 per 1,000 live births now matches the global average, but there remains a huge potential to reduce it further by targeting high U5MR pockets identified by NFHS–4 such as:

1. Scheduled Castes (56 deaths per 1,000 live births), Scheduled Tribes (57 deaths per 1,000 live births), and Other Backward Classes (51 deaths per 1,000 live births).

2. Lowest wealth quintile (72 deaths per 1,000 live births)

**Education**

**Challenges**

Education is widely understood to be a means to break out of poverty and to secure better livelihood opportunities. It leads to reduction in child labour and child marriage and furthers enhancement in children’s civic engagement.

India has noted remarkable progress in bringing children to school with near 100 percent enrolment and minimum (4.13 percent) dropout at the
primary level. However, the dropout rate increases significantly to 17.06 percent at the secondary level.\(^9\) Particularly in cases of children with disability, the dropout rates are higher. A large number of vulnerable children remain out of school, for example, children in street situations. Many of the out-of-school children are likely to be engaged in child labour.

Once again, there is a wide variation in the percentage of out-of-school children across states as 75 percent of the out-of-school burden is shared by six states—Uttar Pradesh, Rajasthan, Bihar, Madhya Pradesh, Odisha and West Bengal.\(^{10}\)

**Recommendations**

1. Strengthen the implementation of the Right to Education Act, 2009 and increase its coverage to include children from pre-school level to Class XII.

2. Given the importance of recreation for children’s holistic growth and development, specific focus is needed to ensure regular physical education and recreational activities for children as mandated in the Right to Education Act 2009.

**Gender equality**

**Challenges**

The government has taken several positive steps for promoting gender equality. However, the sex ratio at birth remains low at 881 girls per 1,000 boys (far below NITI Aayog’s target of 954),\(^{11}\) indicating sex selection through pre-natal tests, particularly in Punjab, Haryana, Rajasthan and Delhi, which are the worst performers.

Incidence of child marriage as an indicator of gender equality has made significant progress with the percentage of women aged 20–24 years found married before the age of 18 years reduced from 47 percent in NFHS-3 (2005–06) to 27 percent (still a reasonably high number) in NFHS-4.
Decent work

Challenges
Census of India 2011 reports that 10.1 million children in India are engaged in labour of which a third are from Uttar Pradesh and Bihar. ‘Child labour rates in India are highest among Scheduled Tribes at 6.7 percent and Scheduled Castes at 3.9 percent. In both groups, children from rural areas are more likely to work than children from cities.’

Peace and justice

Challenges
Crimes against children increased in absolute numbers from 129,032 in 2017 to 141,763 in 2018, and crime per 100,000 children increased from 28.9 in 2017 to 31.8 in 2018. In 2018, major crimes against children such as kidnapping and abduction constituted 44.2 percent of the cases, followed by those under the Protection of Children from Sexual Offences (POCSO) Act, 2012, which accounted for 34.7 percent of the cases.

General

Recommendations
1. Enhance convergence between different departments and ministries, particularly for sharing of data and information, leading to tracking and reporting of socio-economic development of different groups of children.
2. Facilitate single-window access to services as in the case of the Bhamashah Scheme of Rajasthan (single window for all social protection schemes in the state).
3. Institute an exclusive ‘Child Budget’ for comprehensive growth and development of children and realising SDGs for children.
4. Strengthen the National and State Child Rights Commission(s) in line with the National Human Rights Commission. Invest in all child-focused systems and bodies, such as Integrated Child Protection Scheme, District Child Protection Unit, Child Welfare Committee, Juvenile Justice Board and Bal Mitra-Child Friendly Police stations, to make these more functional and robust.
5. Identify a stronger role of Panchayats in monitoring the service delivery for children and marginalised groups and ensure its implementation through supportive supervision and regular reporting.
6. Partner with CSOs for improving the functioning of SMCs and VLCPCs.
7. Engage with CSOs and other non-governmental bodies to develop disaggregated/community-generated data to input into planning and monitoring child rights.

Notes
2. Ibid.
3. One of the most economically backward communities among the Scheduled Castes in India.
5. Ibid.


14. Ibid.
The *Dalit* Community in India

The word ‘*Dalit*’, which in classical Sanskrit means ‘broken’, is the self-identity chosen by the sub-communities within the Hindu caste system who have historically faced deprivation, oppression and extreme social exclusion on account of their perceived ‘low caste status’. The term *Dalit* has come to symbolise self-respect, assertion, solidarity and opposition to the caste system. The legal term Scheduled Castes (SCs), first used by the British in the Government of India Act, 1935, refers to the members of the said lower castes. In independent India, SCs are those notified by the President under Article 341 of the Indian Constitution. With over 201 million SCs in India, this community accounts for 16.4 percent of the total population of the country (Census 2011).\(^1\)

India is the only country in the world that recognises birth and descent-based discrimination and addresses them through Constitutional provisions and specific budgetary allocations. The nation acknowledges that historical injustice and discrimination have pushed *Dalits* into deep poverty and aggravated their marginalisation and vulnerability. Various measures have been adopted by the Government of India to protect, promote, safeguard and accelerate the development of the community. However, even after more than 70 years of independence, the *Dalit* community continues to face physical and mental harm, assault, murder and the destruction of property.
Swadhikar and the National Campaign on Dalit Human Rights (NCDHR) organised two subnational consultations, the findings of which were discussed in a national consultation in Delhi on 28 January 2020, which brought together more than 80 representatives of the Dalit community from 13 states to deliberate on the progress made in achieving Sustainable Development Goals (SDGs) for the community. The following sections record the key challenges and recommendations that emerged from this consultation.
Key Challenges and Recommendations

Traditionally, Dalit communities have been considered as unclean communities, assigned to serve the other castes. Earlier referred to as ‘untouchables’, these communities have faced servitude for thousands of years, resulting in socio-economic backwardness. These factors have played a crucial role in perpetuating the vulnerable status of these communities throughout history. Even today, despite constitutional and legal safeguards, Dalits are excluded, segregated and discriminated against with violence.

While the broad issues and challenges faced by the community are common across the country, the manifestation of these is varied and nuanced within each sub-caste, state and region. To find effective solutions to the challenges, it is essential to understand the gaps first. And to bridge the differences, it is crucial to focus on specific groups and specific issues, which will be possible only if there is disaggregated data available.

Implementation of the existing laws, policies and schemes needs to improve to ensure that the Dalits are not left behind within the SDG framework. Several new requirements and suggestions have emerged regarding legislations and schemes that are more pertinent to the present-day context. Some of the challenges and related recommendations are discussed below.

The perpetuation of manual scavenging

Challenges

The scourge of manual scavenging is far from being eradicated. More than 90 percent of the manual scavengers in the country are from the Dalit community. Despite legislations and schemes such as the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013, state governments have been unsuccessful at ending manual scavenging and rehabilitating the people engaged in this activity. In July 2019, a Parliament response by the Ministry of Social Justice and Empowerment stated that the government had identified 54,130 manual scavengers from 170 districts across 18 states in the country. States like Tamil Nadu, Uttar Pradesh and Rajasthan have a high incidence of manual scavenging. However, the data collected by the state governments have been challenged and questioned repeatedly by the media as well as civil society as it is strongly felt that the incidence of manual scavenging is officially underreported.

It is well acknowledged that even though state governments declare their state free of manual scavenging, many public sector undertakings such as Indian Railways as well as private entities routinely employ manual scavengers, often at meagre pay (Box 1).
Box 1: Case study: SDG status of manual scavengers in Tamil Nadu and Puducherry

A study by the Human Rights Advocacy and Research Foundation looked at 100 families from the manual scavenging community and collected data on SDG indicators. About 93 percent of the scavenging community are SCs. The study revealed that manual scavengers continue to face caste-based discrimination and social exclusion. Even though various schemes and laws have been initiated since 1993, their plight continues to be dismal, with little or no access to rights and entitlements. Some of the key findings are given below:

**SDG 1**: The manual scavengers are paid well below the government notified wage of ₹224 per day. The average wage they receive is ₹100–₹150 per day.

**SDG 4**: A large number of women are uneducated. None of the community children received admission in private schools under the Right to Education Act that earmarks 25 percent reservation for the Disadvantaged & Economically Weaker Section category. Parents of school-going children are not part of any school management committees.

**SDGs 6 and 7**: These are the only two indicators which do not look bleak. More than 70 percent of the households in the community have toilets, which is at par with the current national average. Almost all households have access to clean fuel (92 percent) and electricity (98 percent).

**SDG 16**: The community faces harassment, including physical abuse, from the police as well as from the government officials. Those who wanted to be registered as manual scavengers before the Safai Karamchari Commission reported that they were called by the district collectors and strongly dissuaded. The state did not want to record the number of manual scavengers as it would then reflect poorly on the state's efforts to end the practice.

**Recommendations**

1. Stricter implementation of all the provisions of the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act (PEMSRA), 2013 is recommended.

2. If Section 36 of the Factories Act, 1948 can be included as part of the PEMSRA, it will lead to fewer deaths and probably end the practice.

**Poor access to schemes**

**Challenges**

Dalit communities face severe challenges in accessing development schemes of the government. Often, they find it challenging to access schemes for lack of necessary documents, gaps in information and support to access schemes, inability to provide sureties and securities for loans/schemes, neglect and discrimination by duty bearers, and non-cooperation by banks and other financial institutions.

Untouchability and discriminatory practices are routinely reported in the use of public facilities like water sources and services like PDS shops, old age and widow pensions. Untouchability and discrimination by duty bearers in schools, health facilities and local administration also act as barriers for them to access the schemes. Children report discrimination at school and women at health centres. Dalit children are often deprived of essential vaccinations as are pregnant Dalit women of the benefits under the Janani Shishu Suraksha Yojana. As a result, the incidence of anaemia among Dalit women and children remains higher than the general population.
Seasonal migration of Dalits to other states in search of work leads to loss of benefits. For instance, Dalits from Bundelkhand migrate en masse seasonally, giving up on benefits at the origin because they need to seek livelihoods elsewhere and missing out on schemes at the destination for the lack of documentation. Though they return to their native villages annually, the break in the claim of benefits leads their names to drop off the list.

**Recommendations**

1. In light of the government’s shift towards private-public partnership, it is recommended that the government continues public provisioning of basic services, especially regarding sanitation, health and education.

2. Rigorous implementation and monitoring of all schemes are a necessity. Monitoring mechanisms at district levels should be set up to ensure that education, health, food security and other welfare schemes as well as public distribution system of food, cooking fuel, etc. are appropriately implemented. Village Panchayats play a critical role in programme implementation. Therefore, alongside the state and central government machinery, the local government should also be monitored for the progress of the SDGs. It was also suggested that all information regarding implementation and status should be shared at the Gram Sabhas and the Urban Local Bodies (ULBs).

3. It was suggested that a monitoring tool be developed based on the SDGs and the various indicators. Such a tool will help in identifying the areas where discrimination and untouchability practices persist. Activists at the grassroots could be trained to monitor the indicators for the SDGs. A working group could be set up to formulate these monitoring tools.

4. It is essential to ensure that entitlements under various health and education schemes and scholarships are released to the beneficiaries on time so that Dalit students, or the ill and the elderly don’t suffer. Budgets set aside for the welfare of Dalits should be
fully utilised and not be allowed to lapse owing to under-spending. If all the allocated money is appropriately used as intended in even the 100 aspirational districts, it will be a significant achievement.

5. Portability of government schemes was recommended so that people can benefit from them wherever they are. The Panchayats should maintain the data of the number of people migrating so that when they return they may continue to avail the benefits of these schemes. This data should be maintained at Panchayat, block and district levels. The ULBs should also maintain their documents.

Access to justice

Challenges

Despite a robust institutional process initiated by the government (the Scheduled Castes and Scheduled Tribes Prevention of Atrocities Act, 1989), crimes against Dalits continue and over the past five years, more than 40,000 cases have been recorded annually. More than 139,000 cases are pending trial since 2017. This can be illustrated with an example—in Gujarat, there are 118 cases pending under the Prevention of Atrocities (PoA) Act, but no action has been taken. The overall judicial process for the Dalits truly reflects the scenario of ‘justice delayed is justice denied.’

Dalit women and girls are victims of violence and atrocities across the country, and access to justice for them is even more difficult. Only 14 percent of cases of violence against Dalit women have seen police and judicial action and only 1 percent of these have seen any kind of conviction. More than 13,000 cases of atrocities against Dalit women were recorded in 2017–18. The 157 designated special courts set up for taking up cases under PoA Act are inadequate, and the 1998 recommendation by National Commission for Scheduled Castes and Scheduled Tribes to set up executive special courts for speedy trial of atrocity cases is yet to be acted upon.

Recommendations

1. The state should ensure the establishment of exclusive police stations and special courts to facilitate speedy trials of the large number of pending cases under the PoA Act. There should
be higher transparency and accountability of the judicial system.

2. Fast-track tribunals should be set up to deal with the large number of cases for SCs/STs pending with the revenue court. Various provisions for vigilance and monitoring embedded within the PoA Act at the district and state levels need to be effectively implemented.

3. The intersectional vulnerability of Dalits among Christians, Buddhists and Muslims (religious minorities) should be acknowledged and the violence they face recognised under the PoA Act to ensure they have access to justice.

Access to education

Challenges

The overall literacy level for the Dalit community is at 66.1 percent, despite reservation in the educational sector for Dalits. This is 7 percent less than that of the overall population of the country. With only 31.5 percent literate adults, the community has a high dropout rate (50 percent) in the country. The dropout rate for the Dalit girl child is even higher.

While the Post-Matric Scholarship Scheme under the Ministry of Social Justice and Empowerment is an essential scheme for promoting higher education among Dalits, it is plagued by non-allocation, non-implementation, bureaucratic procedures and delays in financial flows. The pending scholarship amount of ₹6,000 crore accumulated over 5–6 years was released only in 2018–19. Along with this, bureaucratic procedural complexities, delayed processing of applications, and caste-based discrimination continue to be major roadblocks in availing the benefits under this scheme.

Many higher education institutes do not reserve seats for SCs despite taking grants from the government and being mandated by law to do so. With the rising fiscal deficit, the government is gradually retreating from the provision of public education and higher education institutions are getting increasingly privatised. Private institutions are under no obligation to provide reservations to the SCs/STs/Other Backward Classes (OBCs). It is yet unclear what the recourse for SC/ST/OBC students displaced by such privatisation will be.

Recommendations

1. Education should be made free till class 12 to ensure a lower dropout rate. Also, schools should be closer to the village to ensure the attendance of the girl child. More often than not, girls drop out of schools owing to the distance they have to travel to get to school and family concern for their safety.

2. Residential schools on the lines of Navodaya schools should be set up in each block to allow children from extremely poor and remote areas access school education.

3. It will be greatly helpful if the outreach of post-matric scholarship could be made 100 percent for SC/ST students, irrespective of whether they are studying in a private or public institution. It should cover fees, education materials and residential costs.

Gaps in SDG data

Challenges

Development inequalities persist across sub-groups among Dalits, and tracking of SDG progress is limited due to the lack of disaggregated data by subgroup. Even a high performing state like Kerala fares poorly when it comes to SDG indicators related to subgroups among its Dalit and Adivasi populations. There is little disaggregated data on various additional intersectionalities within them such as women, elderly, children, persons with disabilities and sexual minorities within the Dalit community. Caste and gender intersectionality affects Dalit women the most. They are not only targeted by the so-called upper castes but are also oppressed by patriarchy within the community.

Also, Christian and Muslim converts among Dalits are doubly discriminated against as they cannot
access government provisions and legislations meant to protect the Dalits (who are assumed to be victims of a primarily Hindu practice).

Absence of disaggregated data implies a lack of proper information, and these groups and their issues remain ignored. In the absence of disaggregated data, it is impossible to determine the population of each subgroup and the challenges that are specific to them.

**Recommendations**

1. The government should collect appropriately disaggregated data (by subgroup and SDG). This data should be cross-tabulated by subgroup (gender, religion, the incidence of disability and age, among others) and SDG (livelihood, education, health, justice and so forth).

2. The government should put in place a robust system where community data can be generated by community-led organisations and used to supplement national and state data sets to develop evidence and need-based policies and programmes.

3. Community-based organisations should be supported to take the lead in generating data and indicators by creating relevant questionnaires for the Dalit community. Disaggregated data will help identify the gaps better and allow focus on the development of specific groups and issues.

4. There is always a gap between government data and the data collected from secondary sources; it has been therefore suggested that the government should encourage and consider third party data and community monitoring data to be part of the formal setup for collecting disaggregated data.

**Access to decent work**

**Challenges**

Public sector jobs have 15 percent reservation for SCs and 7.5 percent reservation for STs but there are no reservations in private sector jobs. Community representatives reported that potential employers in the private sector were well-known to avoid inviting Dalit candidates for job interviews. In rural areas, the unemployment rate for men was 2 percent for SCs, 1.7 percent for OBCs, 1.8 percent for others and 1.3 percent for STs. Several caste-based occupations related to cleaning continue to be imposed upon the community. Further, the job opportunities available to the Dalits are typically lower-paying than the jobs for the general population. A large number of university teaching positions, especially in rural colleges that are reserved for the SC and ST communities remain vacant. The bonded labour community is predominantly Dalit, and members of the SC community have filed almost 78 percent cases under the Bonded Labour System (Abolition) Act.

**Recommendations**

1. Reservations for SCs and STs should be extended to the private sector and public-private partnerships. Annual orientation to address caste-based discrimination in the private sector should become a part of the appraisal forms of employers/employees and be tied to career growth and promotion.

2. The Bonded Labour System Abolition Act, 1976, along with the provisions of the amendment in 1985, bringing contract and migrant labour exhibiting bondage characteristic into its fold, should be implemented strictly.

3. All forms of caste- and gender-based discrimination at the workplace should be dealt with strictly, with consequences on the employment, promotion and remuneration of the persons who discriminate.

4. Panchayats and ULBs should register all persons who migrate in and out of their administrative area to ensure that fundamental human rights and development benefits including education benefits, health benefits, food and ration benefits and pensions remain
portable and can be delivered irrespective of the location of the beneficiary.

5. Women should be given skill development and enhancement opportunities so that they too can earn a living while staying in the village. Opening handicraft or tailoring centres will help these women utilise their skills and earn a decent livelihood.

Allocation of public finance

Challenges

Lack of accountable and transparent public finance management for the welfare of the SCs is a significant area of concern. Less than 10 percent of the welfare schemes ostensibly targeting SCs are of actual direct relevance to them. The rest are notional schemes whose funds are diverted to unrelated projects like building of road infrastructure, prison complexes or police quarters. Of the ₹1,16,000 crore (₹1,160,000 million) budgeted for such SC welfare schemes in FY2020, only ₹23,000 crore (₹230,000 million) was spent at the national level for the protection, welfare and development of the scheduled castes.21

Recommendations

1. The Scheduled Caste Sub-Plan Budgets should be commensurate with the population proportion as mandated by the plan. It should be allocated and utilised and when not used, consolidated into a fund that is not lapsable.

2. The government should work with various civil society organisations that are tracking the Scheduled Caste Sub-Plan Budgets and evolve relevant and timely schemes for bringing the community at par with other communities in development.

3. Only those schemes should be taken up which directly benefit SC individuals, families and habitations. Funds meant for SCs should not be spent on general welfare and development schemes of the government. A basket of relevant schemes in diverse areas for the landed and the landless, skill-based activities and entrepreneurship should be developed for easy application.

Notes


5. Safai Karamcharis are persons engaged in or employed for sanitation work. The National Commission for Safai Karamcharis is a statutory body that oversees the conditions of these workers and makes recommendations to the government to promote their welfare.


7. A scheme to provide better health facilities to pregnant women and sick neonatal children and eliminate out-of-pocket expenditure.


9. Ibid.

10. Ibid.

11. Ibid.

12. Ibid.


14. Ibid.


Denotified, Nomadic and Semi-Nomadic Tribes in India

The term Denotified Tribes (DNTs) refers to communities who came within the purview of the colonial era Criminal Tribes Act, 1871 and other such renditions of the Act. These Acts were repealed by the Indian government in 1952, thereby ‘DE notifying’ these communities. Apart from DNTs, several other Nomadic Tribes (NTs) and Semi-Nomadic Tribes (SNTs) were also affected by colonial-era policies and nomenclature, which aggravated the social conflict.

These tribal communities have a long history of extreme poverty, marginalisation, neglect and oppression—first during colonial rule, and subsequently in independent India. Through the enactment of the Habitual Offenders Act by various states between 1952 and 1976 and the Bombay Prevention of Begging Act, 1959, the post-colonial Government of India ended up perpetuating the systematic branding of these groups as criminals, delinquents and vagabonds, furthering the consequent harassment of these communities till date. These tribes remain invisible due to the lack of requisite documentation, awareness and the capacity to demand and secure rights and entitlements. As a result, they have limited access when it comes to availing
state-led interventions for marginalised communities in education, healthcare, skills/livelihoods development or reservations in schools, colleges and government jobs.

It is important to note that the DNT–NT–SNTs do not have a uniform classification across the country. They are not recognised as a separate social category under the Constitutional schedules like the Scheduled Castes (SCs) and the Scheduled Tribes (STs). Instead, they are part of SCs, STs and Other Backward Classes (OBCs)\(^1\) in different states. Some of them are not even listed under any recognised marginalised category, resulting in non-uniformity across the country. There are some estimates of DNT–NT–SNT population done by activists, civil society and academics working with the communities across India. While there is no official data since they are not separately enumerated in the Census, it is estimated that there are nearly 1,500 NTs and SNTs and 198 DNTs, comprising a population of 150 million DNT–NT–SNTs in India.

Over the years, the Indian state has made several attempts to understand better the life of anonymity and exploitation of these communities through special commissions with the express mandate of making recommendations for pulling them out of poverty and deprivation. These are the Criminal Tribes Enquiry Committee Report, 1947; the Criminal Tribes Enquiry Committee Report, 1949–50; Kalelkar Commission, 1953; G.N. Devy-led Technical Advisory Group Report, 2006; Renke Commission Report, 2008; and the latest Idate Commission Report, 2017. Besides these, there are micro, community- or geography-specific studies that have been conducted by civil society organisations (CSOs) over the years.

One such study, titled ‘*Mera Baap Chor Nahin Hai*\(^2\) was conducted by the National Alliance Group for DNT–NT–SNT along with Praxis-Institute for Participatory Practices across eight states in India (Bihar, Delhi, Gujarat, Haryana, Rajasthan, Madhya Pradesh, Uttarakhand and Uttar Pradesh), with data gathered from 522 respondents. It was a community-based data collection and analysis process to deliberate on and understand the role of the government in realising the Sustainable Development Goals in the context of the DNT–NT–SNTs. This was the third annual edition of such an undertaking where tool designing, data collection and analysis were done not by external academics or researchers but by a team that drew its members from the educated youth belonging to the DNT–NT–SNTs.

A national consultation organised in Delhi on 14 January 2020 provided a forum for the team to present its findings and make recommendations. The consultation also served as a platform for other delegates from the communities and CSOs active in the field to share their points of view. The following section records the key challenges and recommendations that emerged from the consultation.
Key Challenges and Recommendations

Stigmatisation and institutionalised discrimination

Challenges

Since Independence, many of the hereditary professions of DNT–NT–SNTs, such as street dance and acrobatic performances, are not allowed to be performed in public by the police as assembling of people is considered a threat to law and order. Consequently, it led to a high number of cases being registered against these communities. The perpetuation of the ‘stigmatised’ and ‘criminal’ identity attached to the communities and their professions has led to deep-rooted discrimination by the police and state authorities and is further exacerbated by the media.

According to the respondents of the study, in terms of institutions or stakeholders, maximum discriminatory atrocity against the communities was meted out by the police, followed by dominant caste teachers and children in schools, government officials, affluent neighbours and staff in government hospitals.

Recommendations

1. The Habitual Offenders Act across states should be repealed. This Act is a revised version of the Criminal Tribes Act, 1871 in its draconian provisions, criminalising and de-humanising specific communities.
2. The Bombay Prevention of Begging Act, 1959 and similar laws in urban areas across India should be re-examined as they criminalise and de-humanise street performing nomadic communities such as acrobats, tight-rope walkers, dancers and singers. While they should be treated as folk artists eking out a living from their cultural tradition and skills, they are categorised as beggars instead under the Act.
3. In all tribal customs, use of country-brewed liquor in religious ceremonies forms part of their cultural rites. Provisions in excise laws that prevent brewing and selling of traditional liquor could be reviewed. The DNT–NT–SNT communities should be kept out of excise law and given the status of cottage industries to legalise production and selling of liquor through guidelines and licensing as done in the case of liquor brewing companies.
4. Provisions of rehabilitation should be inbuilt under the Prevention of Cruelty to Animals Act, 1986, and specific rules that prohibit nomadic communities from engaging in street entertainment with the help of animals like bears, monkeys and snakes should be re-examined.
5. Legal provisions under the Wildlife Protection Act, 1972 and the Forest (Conservation) Act, 1980 that prohibit grazing of cattle, collection of minor forest produce, fishing in forest ponds, hunting of small game for food, and growing of staple food through shifting cultivation by
nomadic communities need to be understood from the perspective of co-existence with nature. Appropriate area-specific guidelines must be established to balance human and ecological needs. Therefore, due recognition should be given to the DNT–NT–SNT communities regarding access to forests and minor forest resources under the Forest Rights Act, 2006.¹

**Protection against violence**

**Challenges**

The institutional bias of law and order, as well as the justice systems against DNT communities, has resulted in a higher prevalence of detentions, arrests, imprisonments and court cases against the community members. Around 45 percent of the households surveyed during the *Mera Baap Chor Nahin Hai* study affirmed that a member of their family faced police charges, with 22 percent of them being arrested and 14 percent facing detention.

**Recommendations**

1. The DNT–NT–SNT communities should be included in the Scheduled Castes and Scheduled Tribes Prevention of Atrocities (PoA) Act, 1989 so that they are covered under the protective measures from violence and exploitation. Similar laws should be introduced for the protection of human rights, dignity and property of a large number of DNTs that do not come under the category of either SCs or STs as per the Constitution of India.

2. The Legal Services Authority should be proactive in providing legal aid support and counselling to members of DNT–NT–SNTs facing criminal charges. It should also offer community-based training to DNT–NT–SNT youth in constitutional rights, including the right to protection from violence.

**Access to schemes and entitlements**

**Challenges**

According to the study undertaken, the biggest hurdle for DNT–NT–SNTs in accessing entitlements was the absence of caste certificates. Almost 44 percent of households did not have caste certificates, resulting in the denial of entitlements...
such as ration cards in urban areas. About 46 percent of respondents had no land entitlements, 45 percent did not have their own house, and 16 percent did not have any family member that had ever been to school. Significantly, almost 9 percent of respondents did not even have a voter identity card, depriving them of their fundamental right to vote.

There is still a need for substantive allocation of funds and specific initiatives by the government to uplift the socio-economic status of the DNT–NT–SNTs. In the absence of reliable data about the population group—geographical distribution, rural-urban ratio and human development indicators—it becomes extremely complex to plan an effective intervention strategy to restore the dignity and rights of the DNT–NT–SNTs.

Being landless and nomadic, the communities face problems even in burying their dead. The local inhabitants do not allow them to bury their dead in the community burial grounds. They are often forced to bury the dead within their huts.

**Recommendations**

1. Procedural reforms in obtaining caste certificates should be undertaken wherein presenting records from as far back as 1950 and identity of the father should not be mandatory. The application process should be more user-friendly, and a timely response must be given to grievances.

2. Special provisions should ensure land entitlements (in the woman’s name) to every DNT–NT–SNT household, creating deeds for the land where the families have been living for a long time. Further, the settlement colonies (set up during colonial times) should be transferred to the DNT–NT–SNT families for their housing and homestead purposes.

3. The local administration should be held responsible for ensuring burial facilities to the communities.

4. A National Housing Mission for DNT–NT–SNTs should be set up informed by a proper needs assessment exercise. One estimate by the Technical Action Group suggested that at least 4 million dwellings should be constructed for the DNT community. This may be further examined by the Ministry of Rural Development and the Ministry of Housing and Urban Affairs for relevant action. The existing National Mission for Housing should also look at legalising the dwellings that DNT–NT–SNTs presently own/occupy as they often get displaced from their dwellings for want of legal documents pertaining to the land, rendering them homeless and further impoverished.

**Access to education**

**Challenges**

The discrimination and stigmatisation faced by DNT–NT–SNT children in schools deter them from pursuing their education, leading to high dropout rates of children from these communities. Absence of known vernacular as a medium of instruction in schools also acts as a learning barrier for DNT–NT–SNT children, leading to discontinuation of education. Additionally, the difficulty faced in accessing proper documentation, such as caste certificates, creates an additional hurdle for children to get admission under the Right to Education Act.

For many DNT–NT–SNT children, particularly those belonging to forest-dwelling communities, access to higher education remains out of reach since they are often required to travel long distances or live in different cities for the same. This increases their cost of education, which many of them cannot afford.

**Recommendations**

1. There is an urgent need to create a baseline of out-of-school DNT–NT–SNT children. The Samagra Shiksha Abhiyan must create the relevant base of data disaggregated by
community and state on a mission mode. Accordingly, block/cluster level planning for enrolment, retention and attainment would need to be made. The baseline would also help in planning for residential education of DNT children, with proactive measures to enrol children in Welfare Hostels and Ashramshalas (residential schools). Further, given that DNT children are highly vulnerable to child labour, specific activities must be undertaken to prevent the same.

2. The Commission for Scientific and Technical Terminology, Central Institute of Indian Languages, National Council for Educational Research and Training, and State Council of Educational Research and Training may be entrusted the task of developing textbooks, reference books, supplementary reading materials and terminologies in the languages of these communities. Such educational material should be made available in schools where they are enrolled.

3. The school syllabus should have a chapter on DNT, NT and SNT communities to build a positive image of these communities, and similar measures should be taken for the higher education institutions as well.

4. Strict action should be taken regarding cases of caste-based discrimination in schools/educational institutions. The Department of Education should make frequent inspections of schools to inspect seating arrangement, midday meals and attitude of the teachers towards DNT, NT and SNT children.

5. Provision of scholarships up to higher education should be considered to reduce the dropout rate. The scholarship amount should meet all necessary costs at the very least, including food, house rent, books, education materials, equipment, travel and maintenance cost.

6. Communities such as Bhat, Nat, Kalbelia, Gadia Luhar and Kanjar traditionally perform and entertain to earn a living. Children from these communities have special extra-curricular interests and steps should be taken to groom their talent. Seats should be reserved for them in institutes such as National School of Drama, the Fine Arts departments of universities, and National Institute of Design so that they get an opportunity to leverage their talent for dignified livelihoods as adults.

7. National Commission for Protection of Child Rights should pay special attention to children from these tribal communities and ensure they do not fall into child labour.

8. Particular attention should be given to DNT–NT–SNT girl students, ensuring their education is free and seats reserved for them at the Kasturba Gandhi Balika Vidyalayas, Navodaya Vidyalayas and Kendriya Vidyalayas so that they are not pushed into early marriage, child labour or sex work.

Lack of identity and legal status

Challenges

Most members of DNT–NT–SNTs do not have primary citizenship identity documents such as voter identity cards, ration cards, domicile certificates, caste certificates and birth certificates. Lack of legal documents hinders their participation in democratic political processes and acts as a barrier to accessing welfare schemes. With DNT–NT–SNTs being denied the fundamental rights guaranteed by the Constitution, they are deprived of their fundamental rights as citizens.

Recommendations

1. The Census of 1931 as well the Criminal Tribe Enquiry Committee Report 1952 (better known as the Ayyangar Committee) provides a listing of all the denotified communities. These sources should be used for an updated enumeration and listing of the communities.
2. The Anthropological Survey of India may be asked to survey the DNT–NT–SNTs to build a shared and collective identity of these communities. The same community is often referred to by different names across states and listed under different categories; such duplication and anomalies should be corrected.

3. Maharashtra and Tamil Nadu have an official listing and comprehensive classification of DNT–NT–SNTs, which can be used as a model by other states.

4. The district administration or similar authority should be empowered to issue caste certificates to DNT–NT–SNT communities in both rural and urban areas in a proactive manner. Also, the process of issuance and verification must be hassle-free.

**Enumeration of DNT–NT–SNTs in the Census**

**Challenges**

Since DNT–NT–SNTs are not separately enumerated in the Census, there is no official data on the people from these communities. They are not recognised as a separate social category under the Constitution and are, instead, spread across categories such as the SCs, STs and OBCs in different states. Further, with some DNT–NT–SNT communities not even listed under any recognised marginalised category, there is no uniformity in their enumeration and classification across the country.

**Recommendations**

1. DNT–NT–SNTs should be included as a separate category for enumeration in the Census. This will establish their presence numerically in different regions of the country, as well as a further aid in planning for their development.

2. DNT–NT–SNTs should also be included as a separate category in the National Family Health Survey and the National Sample Survey to address their differential human development needs and ensure adequate provisioning of financial resources by the states.

**Lack of livelihood, skills and entrepreneurship**

**Challenges**

The criminalisation of the traditional occupations of the DNT–NT–SNT communities with no alternative
employment options deprives them of livelihood. The stigma of criminality results in further marginalisation and discrimination, hindering their ability to access education and skill development opportunities, or even engage in trade. Additionally, legal provisions under the various forest and wildlife preservation laws hamper their access to forest produce as a source of livelihood.

**Recommendations**

1. The government may constitute a special mission along the lines of the Bihar Mahadalit Vikas Mission to look into the specific development rights of the DNT–NT–SNT communities.

2. The Development and Welfare Boards for the DNT-NT-SNT, at both the national and state levels, are yet to be adequately operationalised. They should be provided with sufficient budget to develop livelihood, skills and entrepreneurial capabilities among the youth of DNT–NT–SNT.

3. NTs and SNTs engaged in pastoral activities should be encouraged to form cooperatives and given financial incentives to set up food processing units.

4. All market spaces, including malls, should reserve 5 percent of the space for the DNT–NT–SNT communities to sell their produce/wares and the government should provide open spaces (free of cost) for performing artistes from the communities.

5. Under the Mahatma Gandhi National Rural Employment Guarantee Act, 2005, members of the DNT–NT–SNT communities should be given special job cards that can be used across the country. Similarly, DNT–NT–SNT community members should be given licenses under the Street Vendors Act to vend anywhere in the country.

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**Gender-based discrimination and violence against DNT–NT–SNT women**

**Challenges**

The women from the DNT–NT–SNT communities not only bear the stigma associated with historically discredited community identity but also face violence at home, within their communities and at a societal and state level. These communities are mostly patriarchal, with male members exercising authority and imposing brutal sanctions on women. The women from the DNT–NT–SNT communities have borne the most violent and repressive brunt of the stigma of criminalisation, continued violations, societal non-acceptance and failure of the polity to include them in the mainstream social and economic fabric of the country. With the criminalisation of traditional occupations of the community, women are often compelled to engage in sex work to support their families. The National Crime Records Bureau is yet to take cognisance of crimes against women from the DNT–NT–SNT communities. Since DNT–NT–SNT women do not constitute a significant vote bank or a strong economic and political lobby, violence against them tends to remain invisible. The gravity and contours of injustice take a prominent dimension for DNT–NT–SNT women as academic literature and research, national- and state-level debates on violence against women, budgetary allocations and policies, state machinery and justice delivery systems are marked by the stark absence of DNT–NT–SNT voices and issues.

**Recommendations**

1. Concerted efforts should be made to bring the voices of DNT–NT–SNT women to the fore and to report cases of gender discrimination and violence against these women.

2. There is an urgent need for legislation along the lines of the SC/ST PoA Act to protect DNT–NT–SNT women.
3. Appropriate policies with adequate budgetary allocations should be formulated for gender sensitisation of state machinery and justice delivery systems, as well as scholarships to promote education among DNT–NT–SNT girls.

**General**

**Recommendations**

1. **Institutional arrangements**: A permanent national-level ‘DNT–NT–SNT Commission’ should be set up on the lines of the SC and ST Commissions. The chairman of this national-level commission should preferably hold a ‘cabinet minister’ rank. In states with more than 25 lakh (2.5 million) DNT population, a similar state-level commission should be set up, while in other states DNT–NT–SNT boards can be formed. Members of these bodies should primarily and largely be DNT–NT–SNT members too.

2. **Role of human rights institutions**: The National Human Rights Commission, along with the State Human Rights Commissions, should provide training on DNT–NT–SNT sensitisation to the police, central and state civil servants, and members of the judiciary. Additionally, all national and state institutions should have a special cell working to further rights of different segments of the DNT population. These cells may set up working groups to support the proposed ‘DNT–NT–SNT Commission’.

3. **Participation in local governance**: Special provisions should be introduced in the 73rd and 74th Constitutional Amendment Act (for local self-governance) to promote DNT–NT–SNT participation in local governance. Reservations for DNT–NT–SNTs can be introduced to encourage the same.

4. **Corporate sector participation**: Reservations should be introduced for DNT–NT–SNTs for jobs in the private sector. Corporate social responsibility should include DNT–NT–SNT as an important category for development engagement.

**Notes**

1. Collective term used by the Government of India to classify castes that are educationally or socially disadvantaged.


3. Grants legal recognition to the rights of forest-dwelling communities over forest land and other resources.
4. Under the Criminal Tribes Act, 1871, members of the DNT–NT–SNT communities were placed in settlements and policed regularly.

5. Integrated scheme for school education, extending from pre-school to Class XII to ensure inclusive and equitable quality education at all levels of school education.

6. Residential secondary schools for girls from vulnerable communities.

7. A system of schools for talented students, particularly from rural India.


9. The report was submitted in 1950 and the Criminal Tribes Act was repealed in 1952.


11. For the educational, social and economic development of the Mahadalit caste (most marginalised sections of the Scheduled Castes) in Bihar.


13. The Act guarantees 100 days of wage employment in a financial year to rural households whose adult members are willing to do unskilled manual work.

14. Regulating street vendors in public areas and protecting their rights.

The Elderly in India

Demographic trends of India suggest that it will soon join the league of nations where the percentage population more than 60 years of age is large enough to pose a socio-economic challenge for its policymakers and administrators. Life expectancy projections by United Nations Population Fund (UNFPA) combined with other expected demographic changes show that the elderly population will increase from the 104 million (8.6 percent of the population)\(^1\) in 2011 to 425.5 million (25.7 percent of the population) in India by 2061.\(^2\) Every fourth person in India in 2061 will be elderly.

The Census of India 2011 indicates that almost 70 percent of the elderly live in rural areas,\(^3\) and it is more than likely that majority of the 425.5 million seniors will continue living in rural areas in 2061, despite factoring in urbanisation trends. Additionally, studies by UNFPA (under its *Building a Knowledge Base on Population Ageing in India* series), show that high poverty co-exists with low social security coverage among the elderly, leading to the inevitable conclusion that most of India’s senior population will indeed be living in poverty in 2061.\(^4\) Also, women are expected to outnumber the men, especially after the age of 70 years.\(^5\)

While Census\(^6\) and NSSO\(^7\) reports do provide information on the number of elderly persons, longevity, gender, area of residence, marital status, living arrangements and disability, there is no authentic periodic
data published by the government on the number of elderly living Below the Poverty Line (BPL) and their access to public healthcare facilities. The significant factors that render the elderly population vulnerable are income, livelihoods, health, nutrition, morbidity, mortality, healthcare-seeking behaviour, mobility, disability, gender, accessible and enabling environment, social security, informal and institutional care system, and the real-life complexities produced by the intersection of some or many of these factors.

HelpAge India anchored consultations on 19 December 2019 (Delhi) and on 29 December 2019 (Kerala) with almost 50 participants to deliberate on the issues that emerge around the inclusion of the elderly in the Sustainable Development Goals (SDGs) in India. The key challenges and recommendations highlighted during the consultations are presented below.
Key Challenges and Recommendations

Eliminating poverty in all its forms everywhere

Challenges
Poverty in old age is a foregone conclusion borne out by the universal experience that older workers face a loss of jobs and narrowing of gainful employment opportunities. Along with Constitutional provisions for the elderly in India, the Indira Gandhi National Old Age Pensions Scheme (IGNOAPS) provides for a central government contribution of ₹200 per month to the poor elderly in the age group of 60–79 years and ₹500 a month to those aged 80 years and above. The states contribute according to the funds available, and the monthly pension thus ranges between ₹200 and ₹2,050 across the country. According to UNFPA in 2012, over 70 percent of elderly persons were aware of IGNOAPS, but only about 18 percent drew a monthly allowance under it. The pension amount is neither sufficient to ensure a dignified quality of life, nor is it linked to inflation, so its purchasing power reduces every year.

In the domain of contributory pensions, there are schemes like National Pension Scheme (NPS), Atal Pension Yojana and other social security schemes like provident funds. These schemes cover persons employed in the organised as well as the unorganised sector; despite efforts of the government, their uptake has fallen short of expectations. As per data provided by the National Pension System Trust, NPS has a subscriber base of 13.4 million covering central and state government employees, employees of central and state autonomous bodies, corporates, non-resident Indians and individuals. In contrast, the Atal Pension Yojana has a base of 22.3 million subscribers, mostly people from the unorganised sector. While the coverage of the schemes has improved, it still falls significantly short of universal coverage.

Recommendations
1. **Universal coverage for a non-contributory pension to end poverty**: According to government estimates, 50 million senior citizens of India were BPL in 2011. Given the economic fallout of the COVID-19 pandemic, the number of BPL households in India could only have increased and significantly so. In such a scenario, a universal pension is essential to end age-related poverty.

2. **Periodic review of the monthly pension amount to make it meaningful**: As observed by the Supreme Court in 2018, while the National Social Assistance Programme is prima facie a good scheme, implementation gaps and an abysmally low rate of disbursal of pensions cause hardships for the beneficiaries. Further, the pension amount of ₹200 a month is too paltry given rising inflation to make it worth the while even to take the trouble of collecting it.
3. **Senior-friendly processes of application and benefit disbursal:** Digitisation does not always help the most dispossessed poor elderly as they do not have access to computers, smartphones, internet, or even electricity. As it is expensive for them to have to pay for these services, application and disbursal processes should be designed keeping their constraints in mind.

4. **A maximum number of workers should be encouraged to enrol in these schemes** so that they do not turn BPL in old age.

**Eradicating hunger and ensuring food security**

**Challenges**

Poverty and hunger are causally related. While precise data on the incidence of chronic hunger among the elderly is not available, field experience of voluntary organisations demonstrates that in poor households, the elderly being the ‘least productive’, often go hungry when there is less food to go around. This is particularly true for the senior women, exacerbated by circumstances of widowhood and disability (multiplying disadvantage at the intersection). As the working-age rural population migrates increasingly to the cities, the aged left behind, living alone or even rendered homeless, become more likely to lose access to adequate food and nutrition.

**Recommendations**

1. With increasing longevity and feminisation of the ageing population, the government should ensure nutritional security for the elderly, particularly the women, the poor, the disabled and the oldest of the old, according to the provisions under the Right to Food and the National Food Security Act.

2. Age and gender-disaggregated data on food distribution should be collected through the Public Distribution System (PDS) and Annapurna Scheme. Nutritional deficiency in old age should be addressed explicitly under the National Programme for Health Care of Elderly (NPHCE), including both information dissemination and periodic checks.

3. PDS should supply not just food grains (rice and wheat) but also locally available millets (such as jowar, bajra and ragi) and pulses (which are a protein source) at affordable prices to the elderly among the poor, prioritising the women.

4. The National Centre for Disease Control (NCDC) should do a regular screening of nutritional deficiencies in older persons and report the same for effective action. Coordination between NCDC and NPHCE is needed for better implementation.

5. The destitute, the disabled and the oldest of the old amongst the elderly should be brought under the Mid Day Meal Scheme of the government, where the elderly who are physically fit and capable could be invited to cook, in the process retaining some of the traditional recipes that are dying out.

6. Sustainable agricultural and horticultural practices (kitchen gardens) should be encouraged to ensure food security and necessary nutrition to the elderly locally, thus reducing their dependence on markets. Elders’ self-help groups (SHGs) in Odisha have successfully experimented with this.

**Ensuring good health and well-being**

**Challenges**

The Government of India takes particular cognizance of the significance of good health in the lives of the elderly. It identifies it as a principal area of intervention in the National Policy on Older Persons and the Maintenance and Welfare of Parents and Senior Citizens’ Act, 2007. The NPHCE, launched by the central government in 2010, is a public geriatric healthcare scheme. Furthermore, the Pradhan Mantri Jan Swasthya Yojana or Ayushman Bharat is
a health insurance scheme for the poor, including the aged amongst them. However, there are implementation and data gaps that need to be filled for these schemes to be successful.

**Recommendations**

1. In the context of NPHCE, gender and age disaggregated data should be collected on the incidence and treatment of tuberculosis and pneumonia, the two diseases relevant for the elderly under Target 3.3 of SDG 3. While strategising for India’s long-term development, the government should include immunisation for the elderly and monitor the benefits from such an inclusion. Steps taken by the government to make affordable vaccines available to older persons should be periodically shared in the public domain.

2. Universal health coverage under Ayushman Bharat could facilitate recording and reportage of age and gender-disaggregated data. The data should also reveal how much benefit accrued to older persons from the treatment of catastrophic illnesses under the scheme. In the context of NPHCE, district-wise data on hospitals with geriatric facilities (out- and in-patient care), beds allocated and courses on geriatrics for medical and paramedical professionals available should be reported.

Progress of Health and Wellness Centres under Ayushman Bharat should be reported across:
   a. prevention, screening and management of non-communicable diseases,
   b. screening and essential management of mental health ailments, and
   c. elderly and palliative healthcare services.

3. Specific services for the aged should be introduced in the Primary Health Centres (PHCs) at the Panchayat level. Preventive healthcare and screening for diseases should be taken up in PHCs and by the Accredited Social Health Activist (ASHA). Village community health workers such as the VridhMitra or VayoMitra (‘Friends of Elderly’) in Kerala could be trained in other states to supplement the work of the ASHA.

4. Particular focus should be given to the mental health and well-being of the aged through dedicated programmes to encourage their social inclusion. Trained professionals should be available at the NPHCE centres for such services.

Inspiration could be taken from the programmes designed by the Government of Kerala for service delivery to the elderly (Box 1).

**Box 1: Good practices of the Government of Kerala in elderly care**

i. The ‘Arogyakeralam Palliative Care Project’ is a homecare service with community participation being successfully run in 400 Panchayats.

ii. The ‘Vayojana Clinic’ is a comprehensive healthcare service providing physiotherapy, camps of medical specialists, daycare and recreation facilities.

iii. ‘Vayomithram’ provides free medical counselling and palliative care through mobile services.

iv. ‘Vayo Amrutham’ provides health, palliative care and counselling in 15 nursing homes.

v. ‘Mandahasam’ is an initiative providing free dentures for senior citizens. The services are made operational through listed dental colleges and centres.

The Panchayats and NGOs have collaborated with the PHCs and the Anganwadi to provide these services to the senior citizens. Anganwadi workers in Kerala work on a ‘3G concept’, that is, to work with the 0–5-year-olds; with adolescents, and with senior citizens.

**Promoting gender equality**

**Challenges**

As mentioned earlier, two segments of the aged population, the oldest of the old and senior women, are likely to increase in proportion as the population
ages. The concerns of older women found a place in
the National Policy on Older Persons and resonated
in the review recommendations of the Dr Mohini Giri
Committee.15
Elderly women are likely to face more challenges
than aged men because of the social and economic
handicaps imposed on them throughout their life.
The list could include poor health and nutrition, in-
adequate access to healthcare, lack of income or
access to livelihood opportunities, inability to man-
geage resources and negotiate terms and conditions of
employment, limited access to social security ben-
efits, discrimination due to widowhood, singlehood,
social and cultural stigma, and legal disabilities.

Recommendations
1. Age and gender-disaggregated data on poverty,
health, discrimination and violence against
older women in India should be collected and
reported.
2. Skill development, adult literacy and digital
literacy programmes should include older
people, particularly older women. Elders’ SHGs
should be formed to help them realise their
collective strength in earning a living without
depending on others for sustenance.
3. Each Panchayat should take up awareness
generation initiatives to ensure that the seniors
living within its jurisdiction are fully aware of
the provisions of the Maintenance and Welfare
of Parents and Senior Citizens Act, 2007 and
know how to make effective use of it. Outreach
facilities for older women afflicted by violence/
distress should be instituted along with the
provision of short-stay homes.
4. India is a signatory to various global pro-
grammes such as the Beijing Platform for Action
and the Programme of Action of the Interna-
tional Conference on Population and Develop-
ment as well as to the outcome documents of
their review conferences. Government of India
should, therefore, ensure universal access to
sexual and reproductive health and reproduc-
tive rights, following its commitments to these
programmes. Programmes on post-sexual
and reproductive health issues of women
should also be included in the indicators of
health.
5. Widow pensions under the National Widow Pension Scheme should be expanded to cover all single women.

6. Special programmes for elderly widows should be instituted so that they do not face destitution and seats should be reserved in old age homes for such women.

Ensuring inclusive and sustainable economic growth and decent work for all

Challenges

Elderly are not considered employable and hence have limited opportunities for gainful employment. In the formal sector, the retirement age is set, and there are not many opportunities for re-training or re-employment. In the informal sector, work often entails hard manual labour which pushes the elderly to the margins sooner than later. Though the 60-plus labour force participation rate is high in India, the aged rural poor generally engage in lowly paid jobs in the informal sector, either as casual workers or as self-employed in low-skilled or unskilled occupations.\(^{16}\)

The government has two initiatives: the Mahatma Gandhi National Rural Employment Guarantee Act, 2005\(^ {17}\) which has provisions for the employment of elderly women at the same wage as the others for providing child care support to the young mothers at work, and the Deen Dayal Antyodaya Yojana–National Rural Livelihood Mission (NRLM)\(^ {18}\) which mandates that at least 10 percent of the SHGs be constituted by members who are 60-plus in years. However, these initiatives do not sufficiently address the problem of providing viable employment for the elderly in need of livelihood options in India.

Recommendations

1. Given the population ageing facts and figures, the National Policy on Older Persons and the Madrid International Plan of Action on Ageing, the elderly should be treated as a resource and equal participant in economic development. There should be opportunities available for them to contribute to economic growth and development.

2. NRLM, which mandates that 10 percent of all SHGs be constituted by the elderly, should present periodic reports on budgets and achievements. Additionally, data on financial inclusion of older persons across the board should be collected and reported.

3. Kerala’s ‘Kudumbashree’ programme ensures the creation of elderly women’s SHGs that provide livelihood, palliative care and digital literacy to the members. This may be taken as a good example to replicate across other states.

4. Many senior persons are not covered under any social security schemes and have to work to earn their living. It thus becomes essential to re-train them and increase their employability. The elderly should be covered under the Pradhan Mantri Kaushal Vikas Yojana.\(^ {19}\)

Making cities and settlements inclusive, safe and sustainable

Challenges

Goal 11\(^ {20}\) is one of the most important SDGs as far as senior people are concerned as it focuses attention on creating an enabling environment that is crucial to good quality of life for the burgeoning number of the elderly in the future.

With increasing longevity, the elderly are likely to suffer from dementia, frailty and stiff joints. At present, our cities are not safe or inclusive for senior people. Most outdoor spaces are not designed to suit the senior population with stairs, lights and signage not being elder-friendly. With urban areas prioritising vehicular traffic, the walking environment is poor and often dangerous. Public facilities are
difficult to access with public transport crowded and mostly absent in many cities.

**Recommendations**

1. An Index for Smart Cities should be developed that is sensitive to the requirements of the ageing population. Inclusive planning of cities is important to facilitate the ability of the elderly to live independently with dignity, care, fulfilment and social inclusion.

2. Integrated housing complexes should be developed so that the senior people are not isolated. Public spaces should be so designed that they encourage the inclusion of the elderly. The principle of universal design should be incorporated into all buildings and places.

3. Implementation and monitoring of existing initiatives for the aged should be supported by regular reporting on elder-friendly features under schemes like the Atal Mission for Rejuvenation and Urban Transformation, the Smart Cities Mission, Mass Rapid Transport System and the Metro Project.

4. The Kerala government has initiated the vision of ‘Age-friendly Kerala’ to make cities, villages and hamlets accessible to all ages. These cities and villages have created accessible health centres, palliative care to bedridden patients, mobility and access to public transport and public parks. This should be an example to follow in other parts of the country too.

**General**

**Recommendations**

**CLOSE DATA GAP**

1. Age and gender-disaggregated data should be collected and reported on implementation for all SDGs.

2. The National Institute of Social Defence should document good practices in age-care policies, schemes and laws.

3. Monitoring of all schemes about older persons should be stepped up, with specific timelines and participation of older persons and their representatives.

4. NSSO should survey older persons on their health, income and living arrangements every three years.

5. Data on older persons may be included in the National Family Health Survey to gain a better understanding of their conditions.

**IMPROVE IMPLEMENTATION**

Due to demographic transition, the overall population of the elderly, as well as its proportion of the national population, is going to increase several-fold, which will have a policy and programmatic implications in terms of burden of disease, requirements for health and care personnel, financial resources required and other aspects.

1. NITI Aayog should create an Index on Ageing in India, to be reported annually. Age-Friendly District Index should be developed, and age-friendly districts reported. Indicators to be used for developing the index for which data is available from most of the states/districts must be mapped in consultation with other stakeholders. Administrative data needs to be strengthened to improve the quality of data for use in developing the index. If required, new indicators should be included in the national indicators framework. This will help solve the issue of insufficient data on SDGs for the elderly, and also help measure the progress across states on different SDGs and relevant parameters. The disparities among states in the implementation of senior-friendly policies and schemes should be documented.

2. Just like gender budgeting, there should be elderly budgeting. The cue may be picked up from local self-governments in Kerala where all Panchayats are mandated to utilise at least 5 percent of the budgets for the welfare of the
There are many Panchayats in the state that have spent more than 20 percent of funds towards the welfare of senior citizens. All Panchayats had prepared lists of senior citizens and held camps to ensure that all documentation is available for the senior citizens to get various government pensions; some of them also conducted special Gram Sabhas for discussing issues of the aged.

3. A ‘Special Plan of Action for the Most Marginalised among the Elderly’ should be drawn up targeting the aged members of Scheduled Castes and Scheduled Tribes, widows, disabled, the oldest of the old, seniors living alone, the homeless and the destitute.

4. Data on older persons affected by natural disasters and conflicts should be collected, and their needs met.

5. Data from the SECC\textsuperscript{21} should be used for the identification of poor elderly for inclusion in various welfare schemes. Third sector partners should be actively involved in the process of identification.

6. Partnerships should be developed between government, civil society organisations, elderly forums and non-governmental organisations working on ageing. Another area of importance is the engagement of young people. For example, Kerala has engaged the National Service Scheme (NSS) throughout the state on sensitising college students about the issues of the elderly, encouraging them to visit the aged in their homes and collect funds to support the needy. This initiative, called the ‘Vayohitam’ programme, was undertaken by the Kerala Institute of Local Administration along with the NSS.

Notes


2. “Life expectancy will increase, for women from 69.4 in 2011 to 79.7 in 2061 and for males from 66.0 in 2011 to 76.1 in 2061” in Argentina Matavel Piccin (2019), ‘India’s shifting population profile: Working people will continue to grow, but we also
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8. Social security (and not just for the elderly) is provided for in the Constitution of India under Article 246, Item 24 of the Concurrent List. Furthermore, Article 41 of the Directive Principles of the State Policy under Part IV of the Constitution of India mandates the securing of the human rights of the citizens in the country. In 1995, the Government of India announced a non-contributory old-age pension scheme under National Social Assistance Programme which has continued over the years, though with many changes.


10. NPST (2020), Assets under Management and Number of Subscribers, National Pension System Trust.


13. Providing food security to senior citizens who, though eligible, remain uncovered under the National Old Age Pension Scheme.


17. The Act guarantees 100 days of wage employment in a financial year to rural households whose adult members are willing to do unskilled manual work.

18. Mission by the Government of India to reduce poverty by providing access to gainful self-employment and skilled wage employment opportunities.


20. Make cities and human settlements inclusive, safe, resilient and sustainable.

Farmers in India

Agriculture was the backbone of the Indian economy at independence, with the primary sector contributing over 50 percent of the national Gross Domestic Product (GDP) in 1950–51 and employing 62 percent of the workforce. While the value share of the sector (16.5 percent of Gross Value Added in 2019–20) as well as employment share has declined over the years, it remains a source of livelihood for 43 percent (2019) of the working population in India—the Indian farmers.

Since the Green Revolution in the 1960s, food production in India has increased 3.7 times while the population has expanded 2.55 times, transforming India from a food-deficient nation to a net food exporting country and one of the world’s leading agricultural producers. Today, India is the largest producer of pulses, milk and jute, and has the second largest population of cattle in the world. It is also the second-largest producer of fruits, vegetables, rice, wheat, sugarcane, cotton and groundnut.

On the flip side, the 146 million farmers of India are spread across 166 million hectares of cultivated land. Small and marginal farmers with less than two hectares of land account for 86.2 percent of all farmers in India but own just 47.3 percent of the crop area. The predominance of smallholdings creates unique challenges in yield maximisation, aggregation, transportation, demand forecasting and wastage reduction. Furthermore, Indian agricultural practices are highly resource-intensive, posing severe sustainability issues. Increasing
stress on water resources, desertification and land degradation also pose major threats to agriculture in the country. Additionally, climate change, deteriorating water availability, decreasing access to forests and political apathy towards farmers and agriculture are the major causes of the poor condition of farmers. Somewhat ironically, therefore, despite often bountiful agricultural production, India ranks poorly in the Global Hunger Index (placed 102 among 117 countries)\(^1\) and accounts for more than 190 million undernourished people,\(^2\) many of whom are farmers. As the National Sample Survey Office (NSSO) data shows, more than one-fifth of rural households with self-employment in agriculture have income less than the poverty line.\(^3\)

National consultation on farmers was held in Jaipur on 24 January 2020. Led by the Centre for Community Economics and Development Consultants Society, the consultation witnessed the participation of more than 200 farmers and all the major national farmers’ organisations. It delved into the challenges and vulnerabilities of the often left-behind farmer groups. Rising indebtedness, continuing farmer suicides, land alienation and landlessness, disappearing commons, the feminisation of agriculture, lack of attention to the situation of the rain-fed farms, tenant farmers, landless farm labour, women farmers, forest farmers, and deteriorating soil health and farmers' health due to use of harmful chemical fertilisers and pesticides were some of the significant challenges identified.

The key challenges and recommendations that emerged from the consultation are as recorded below.
Key Challenges and Recommendations

Rain-fed farmers

Challenges

‘About 61 percent of India’s farmers rely on rain-fed agriculture, and 55 percent of the gross cropped area is under rain-fed farming.’ Rain-fed farmers, primarily cultivating millets, pulses, oilseeds and cotton, tackle challenges of mixed topography, varied agro-climatic zones, poor soils (unsuitable for green revolution crops), significant risk of crop loss due to extended dry spells and floods, limited access to institutions, underdeveloped market access, little funds for input investments, and small farms. They mostly have only one crop per year.

Rain-fed agriculture is immensely diverse and vastly different from irrigated agriculture with respect to the risk involved, climate change exposure, water availability, soil quality, crop input, crop pattern, topography, eligibility to avail subsidies under current policies and access to institutional and market support. Even though rain-fed agriculture contributes to 60 percent of the value of agriculture GDP of India, there is a clear-cut bias towards irrigated areas when it comes to public investment and policymaking in agriculture in the country. High-yield seed varieties pushed on account of the Green Revolution are more expensive, tend to consume more water (and hence suitable for irrigated agriculture), and are less resilient to weather events—factors that work against the rain-fed farmer. Foreign breeds of livestock (also encouraged by the state for higher milk yields) are more susceptible to diseases and require greater care and nutrition (compared to local breeds), which could be under stress in poor rain-fed farmer households.

While farmers in the irrigated areas earn 60 percent of their income from agriculture, their counterparts in the rain-fed regions only earn around 20–30 percent of their income from agriculture. While the average yield is around 1.1 tonnes/hectare (t/ha) in rain-fed areas, in irrigated areas, it stands at 2.8 t/ha. Rain-fed districts are characterised predominantly by tribal populations, high poverty, hunger and malnutrition.

Recommendations

1. The government should formulate an exclusive policy dedicated to rain-fed farming that takes realistic cognisance of the constraints of such a farmer into account.

2. The government should also prioritise extensive and contextual investment in watershed and springshed development over large-scale water projects.

3. Policies and schemes should be developed that promote investment in traditional/indigenous livestock for sustainable livelihoods.

4. Farmers should be encouraged to practice natural farming to reduce the use of chemical fertilisers. The allocation under Paramparagat Krishi Vikas Yojana, which seeks to encourage
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chemical free agriculture, needs to be enhanced over and above the recommendations of the Ministry of Agriculture and Farmers Welfare (2016) to incentivise farmers doing natural and organic farming.

5. The state should introduce innovative technologies to manage groundwater and common water resources. Various iterations of National Water Policies have given more emphasis on governance and oversight without looking into participatory management and regulation of ground water. It is hoped that the new water policy (proposed) will address social and ecological dimensions too.

6. The state should create programmes to impart education and capacity-building for community water management and invest in research on climate resilient rain-fed agriculture.

7. The state should help in creating avenues that would enable diversification of income for rain-fed farmers.

8. Agriculture policies and schemes should ensure seed security against climate variability by creating community-based banks of traditional and drought-resistant seed varieties. The present Seed Village programme can be modified to integrate it with seed subsidies of various schemes. Farmers’ organisations can manage the programme in close partnership with the Ministry of Agriculture and Farmers’ Welfare.

9. The government should set a different Minimum Support Price (MSP) for rain-fed produce that takes into account the ecosystem services provided by rain-fed farming and the risks involved. Extensive inclusion of rain-fed produce in the Public Distribution System (PDS), Mid Day Meal Scheme and Integrated Child Development Services (ICDS) will also help meet the nutritional needs of the population.

10. The government should also set up and invest in regional research centres dedicated to rain-fed agriculture.

11. The state should help create an infrastructure for rain-fed produce that will reduce losses and waste across the value chain.

12. It should develop and strengthen local Farmer Producer Organisations (FPOs) on aspects of resource and infrastructure management, value addition, market linkages, accessing inputs and credit.

13. The government should create and promote infrastructure for local processing and marketing of agricultural products.

14. A dashboard should be developed for rain-fed districts with appropriate indicators along the lines of the aspirational district dashboard.

**Tenant farmers**

**Challenges**

Poor tenant farmers constitute one of the most vulnerable and ‘left-behind’ groups today. Given the restrictive tenancy laws in the country, land-lease arrangements for agriculture are mostly informal, leaving most tenant farmers out of the ambit of government programmes and schemes. Tenancies are thus seldom formally recognised and for programme purposes, it is generally (and often erroneously) assumed that the landowner is also the cultivator. At 10.41 percent, the area cultivated under tenancy makes up a significant portion of the total cultivated area today, but other crucial data required for the identification of tenant farmers and the assessment of their status concerning the Sustainable Development Goals (SDGs) remains unavailable.

**Recommendations**

1. The state’s first priority should be the identification of tenants across the country. Given the diversity of problems and concerns faced by
landless and small-scale land-owning tenants, these categories need to be identified separately and disaggregated data made publicly available.

2. The state should also maintain a digital database of tenant farmers. As historical and social reasons prevent landowners from acknowledging tenants, such a database must be de-linked from identifying data such as land survey numbers, allowing tenant cultivators to be recognised without the use of lease agreements. Gram Sabhas and other village organisations can ensure accurate identification of tenants in their village through a social audit process conducted every season.

3. While the Model Tenancy Act, 2019 recommends the liberalisation of tenancy laws, it should also make the state accountable both for recognising tenant farmers as well as ensuring that they get access to services.

4. Legalisation of tenancy with the Model Tenancy Act, 2019 has done little to incentivise landowners to formally recognise tenants, leading to their continued exclusion from state services. Support services intended for cultivating farmers, like direct benefit transfers, should be de-linked from land ownership to ensure access for actual cultivators, which includes small tenants. It should also make the state accountable both for recognising tenant farmers as well as ensuring that they get access to services.

5. The state should set up a credit guarantee fund to ensure that formal credit institutions are willing to further loans to tenant farmers. Other states must follow the example of Andhra Pradesh, which sets targets to reach tenant farmers through priority lending.

6. Further steps can be taken to ensure sustainable livelihoods for tenant farmers. Allied livelihood opportunities should also be made available for landless and small-scale farmers to distribute risk and diversify income sources.

7. Women farmers are mostly landless and are generally ineligible for government programmes. Tenancy agreements should recognise women partners in the household to ensure eligibility for and access to government services.

8. Low cost of cultivation as a result of low-input agriculture may also reduce short-term financial risk for cultivators and improve long term resilience of agricultural ecosystems. Thus, states should take special care to include
tenants in sustainable agricultural programmes and tailor support systems accordingly.

9. The central and state governments should adopt all recommendations within a three-year time frame for India to ensure that tenant farmers are also able to reach SDGs by the target year of 2030.

**Women farmers**

**Challenges**

In rural India, around 80 percent of women depend on agriculture for their livelihoods; they comprise 33 percent of cultivators and 47 percent of agricultural labour. Women cultivators seldom hold land titles; consequently, participating as unpaid subsistence labour, they are rarely recognised as farmers. Hence, they are unable to gain access to formal credit and benefits from state programmes and schemes. Rural women continue to cluster around the poverty line, where the smallest nudge from the climate, the market or the economy pushes them far below it.

As against a target of 50 percent land ownership by women, operational landholding by women was merely 13.9 percent in 2019. Since in the land records the primary ownership resides with the man in most cases, the woman's independent ownership remains tenuous. Women farmers are not recognised as a separate sub-category within farmers. There are no indicators related to women farmers except their land ownership in the SDG Index developed by the NITI Aayog.

**Recommendations**

1. The state should provide incentives within the procedural acts such as the Stamp Registration Act to minimise registration costs in cases where husbands are either gifting a part of their share to their wives or asking for land partitions in their wives’ names (like in Maharashtra, Gujarat and Uttar Pradesh).

2. The state should also provide disincentives for registering release deeds made by women in favour of men. These should be strictly monitored, and all such release deeds should have a punitive measure attached. It should also be explored if such a specific clause can be added to the succession law itself to protect the entitlements of the woman.

3. Legislations should be introduced to ensure the issue of joint titles compulsorily in all land grant programmes, including the rights recognised under the Forest Rights Act, 2006 (FRA). Legislation should also be introduced to make insertion of the name of daughter/widow during mutation, resurvey and settlement mandatory.

4. States should set up fast-track courts to settle claims on private property by widows, especially in districts where the incidence of farmer suicides is high.

5. The government should look at de-linking land ownership from the definition of ‘farmer’ and create an alternative farmer registration system for increasing access of women farmers to government schemes and services.

6. States should allocate separate budget to set up Women’s Land and Productive Resource Centres (Women Farmers’ Guidance Centres/Women’s Resource Centres) at the block level to provide support to ensure implementation of the succession laws and access to entitlements around productive resources for women farmers. These Women’s Resource Centres should be technologically equipped to maintain a database of all the property-related cases that are received by them so that they can monitor progress about claims settled, apart from supporting women farmers to access government schemes.

7. All registered FPOs should have at least 50 percent female membership. Here, the
definition of a ‘farmer’ should be linked to self-declaration as ‘farmer’ rather than to land title ownership. Such an affirmative policy of at least 50 percent space for women farmers should also be made mandatory for the governance structure of the FPO.

8. Ministry of Women and Child Development and Department of Land Resources should monitor the implementation of succession laws and put out the data on progress in the public domain down to the Gram Panchayat and ward level.

9. Government agencies should monitor indicators specific to women farmers in the farming, forest, pastoralist and fisheries sectoral groups, especially to capture changes in ownership, access, income, capacities, representation and leadership.

**Landless farmers**

**Challenges**

The Census of India, 2011 shows that while the number of farmers in India has dipped by 8.6 million in the past decade, the number of agriculture workers has increased by 37 million. Of the total people employed in agriculture (263 million), the majority are agricultural labourers, a trend observed for the first time in four decades. The Socio-Economic Caste Census 2011 put the households with no land at 56.41 percent of the total rural households. With the mean household size of 4.9 in rural India, the number of landless comes to 494.9 million. The Committee on State Agrarian Relations and Unfinished Task of Land Reforms pointed out that landlessness had witnessed a phenomenal rise from about 40 percent in 1991 to about 52 percent in 2004–05. The land alienation among the Scheduled Castes and Scheduled Tribes, whose land rights have been protected in various tenancy acts, is on the increase and recent data is not available for the same.

Those farming on the land of others, such as tenant farmers, Dalits or Adivasis, do not get any benefits of farm and agriculture-related schemes, programmes, training, capacity building or insurance. Other landless groups such as small fisherfolk or forest dwellers dependent on Minor Forest Produce are not considered farmers. They are therefore not eligible to get the benefits of government schemes and programmes for farmers. Also, there is no account of landless farmers who have been displaced from one state to another.

Socio-economic, environmental and climate change impacts are real for the landless farmers because like rain-fed farmers, they do not have savings or significant other income to fall back upon. Moreover, since they cannot produce a land title, landless farmers are often deprived of government schemes and programmes that are related to agriculture.

**Recommendations**

1. The state should take up the process of land redistribution and land allotment on priority.
2. Policies should be made to de-link access to and the benefits under the government schemes from ownership of land.
3. The state should ensure effective implementation of the Minimum Wages Act, Equal Remuneration Act and other Labour Acts, with proper accountability of government officials. It should also look into the appropriate implementation of the FRA and the Panchayat Extension to Scheduled Areas Act.
4. NITI Aayog should create a land reform cell which should work closely with the Department of Land Resources, Land Revenue Departments of the state governments, Ministry of Tribal Affairs and other relevant departments.
5. The government should provide employment for at least 200 days instead of 100 days under the Mahatma Gandhi National Rural Employment Guarantee Act 2005 (MGNREGA).
Livestock farmers and pastoralists

Challenges
Livestock plays a vital role in the Indian economy. About 20.5 million people (two-thirds of the rural population and 8.8 percent of the population in India) depend upon livestock for their livelihood. The livestock sector contributes 4.11 percent GDP and 25.6 percent of the total agriculture GDP. The vast majority of these livestock farmers produce milk, eggs, meat and wool in a way that is not very resource-intensive and therefore sustainable. The distribution of livestock is more equitable than the distribution of land in India. Women meet more than three-fourths of the labour demand in livestock production. However, livestock farmers/herdsmen face multiple disadvantages in the form of lack of infrastructure facilities in rural areas like veterinary clinics and breeding centres, fodder and water, neglect of indigenous breeds and focus on exotic strains, decreasing pastures, and lack of institutional credit and insurance coverage. Further, climate change impacts on livestock are discouraging farmers from keeping livestock. Only 2.8 percent of the total agriculture budget is allocated for the development of the livestock sector.

Recommendations
1. The government should map and design programmes and policies for the holistic development of Common Property Resources and grasslands.
2. The government should extend MGNREGA to the livestock keepers, integrating the need for water for livestock in the watershed development projects and promoted especially in the rain-fed areas of the country.
3. It should also develop a national fodder policy and states’ fodder policies, and design mechanisms for fodder production on commons, cultivable fallows and forest lands. Fodder development programmes should be implemented in every state with the support of forest and revenue departments in a community-based, participatory approach.
4. The state governments should look at creating new markets for livestock products. They could follow the example of civil society organisations.
working with Raikas (a camel-herding community) of Rajasthan and Gujarat wherein they have created new markets for camel milk by changing the policy and getting the approval of the Food Safety and Standards Authority of India.

5. Governments should recognise grasslands as unique habitats; this would help assert the customary grazing rights of pastoral communities over grasslands, alpine meadows and forests across the country.

6. The state should discourage artificial insemination of indigenous livestock breeds with exotic/crossbreeds, and instead characterise, register and take measures to improve such indigenous breeds with the allocation of enough funds.

7. The government should acknowledge the indigenous knowledge of the pastoral communities. It should undertake proper research and documentation to recognise the economic, ecological and environmental contributions of mobile pastoralism and transhumance at the policy level.

8. In addition to research and development, the government should make significant financial and human resource investments towards technological innovation and infrastructure development to revive the domestic wool industry and improve the efficiency of draught power.

9. A significant number of women are engaged in the livestock sector. The government should commission a study on the issues and challenges faced by pastoral women and frame policies and schemes that include them as direct beneficiaries.

10. The government should significantly increase the budget allocation for the livestock sector.

**Adivasi farmers**

**Challenges**

As per Census 2011, the tribal population in India is around 104 million, constituting 8.6 percent of the total population, and 89.97 percent of them live in rural areas. India’s tribal population is over-dependent on agriculture and forest-related livelihood sources, with 66 percent of the tribal population surviving on these primary sector livelihood sources. At the same time, in recent decades, the number of tribal farmers has come down while the number of tribal agricultural labourers has increased. In the past decade, 3.5 million tribal persons have quit farming and related activities. Between 2001 and 2011 census reports, tribal cultivators reduced by 10 percent while the number of agricultural labourers increased by 9 percent.

Land loss and dispossession have been a significant feature of Adivasi livelihoods in the last two decades as per NSSO surveys, including the 66th Round (2009–10), 68th Round (2011–12) and 69th Round (2012), and the various Censuses of India. Data shows that the proportion of rural Adivasi households that do not own any land—not even homestead land—increased from 16 percent of all Adivasi households in 1987–88 to 24 percent in 2011–12. Common property resources, which are very important to the livelihoods and survival of Adivasis, are an essential part of the land wealth that Adivasi households have lost.

**Recommendations**

1. The government should recognise the socio-economic benefits of forests and its multifunctionality. The forests are not merely genetic ‘resources’ but count as food and play a vital role in growing our food, such as the bees for pollination and earthworms for regenerating soil fertility.

2. The government should also recognise the people whose food cultures are intrinsically...
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linked to forests. The National Forest Policy, 1988 acknowledges the symbiotic relationship between tribal communities and forests. The Ministry of Tribal Affairs needs to move forward on the proposed ‘National Tribal Policy’, which remains on the shelves. Many of the Scheduled Tribes listed in the Constitution (Scheduled Tribes) Order, 1950 are forest-based. If people are not recognised, then their dependency on forests could remain unacknowledged.

3. An exclusive policy dedicated to Adivasi farmers is needed. Adivasi agriculture is vastly different and immensely diverse from mainstream agriculture. Research should be done to understand the effectiveness of traditional agriculture of Adivasi communities in the context of the climate crisis.

4. The government should look at providing a separate MSP for produces of Adivasi farmers commensurate with the risk and ecosystem services provided by them. It may be surmised that such produce is organically grown and hence more nutritious for supplying to the poor through the PDS, Mid Day Meal Scheme and the ICDS systems.

Notes

16. Ibid.
17. Guaranteed minimum prices and an assured market to farmers by the Government of India.
protect farmers from unwarranted fluctuations and an excessive fall in price during bumper production years.


23. Accords legal recognition to the rights of forest-dwelling communities over forest land and other resources.

24. Brings Scheduled Areas in nine states of the country under the purview of the National Framework of Panchayats.

25. The Act guarantees 100 days of wage employment in a financial year to rural households whose adult members are willing to do unskilled manual work.

26. Data quoted from Bhoomi Suthar, Rachana K. Bansal, and Pooja Gamit (2019), ‘An Overview of Livestock Sector in India’, Indian Journal of Pure and Applied Biosciences, 7(5), pp: 265–271. However, no other pan-India census, survey or study was done by the Government of India could be found to verify this data.


Migrants and Urban Poor in India

The poor in the cities of India, many of whom are interstate rural–urban migrants, fuel the economy by carrying human capital to the regions where it is most needed. They are the ‘city makers’ as the city runs on their services as construction workers, household helps, railway workers and hawkers. Ironically, they remain invisible, vulnerable, deprived and often destitute.

According to the Census of India 2011, the migrant population stood at 454 million\(^1\) and as per the National Sample Survey Office, comprised 28.3 percent of the workforce.\(^2\) There is very little current data available on the migrants. To review the status of the Sustainable Development Goals (SDGs) for migrants and urban poor, seven subnational consultations were held, the discussions of which culminated in a national consultation held in Delhi on 21 January 2020. The consultations were led by Youth for Unity and Voluntary Action (YUVA) and Indo-Global Social Service Society (IGSSS) in collaboration with partner organisations and saw over 260 participants highlighting the challenges faced and good practices in the implementation of the SDGs.
This report has been divided into three main sections:

1. Access to adequate, safe and affordable housing and services
2. Protect labour rights, and promote safe and secure working rights
3. Enhance inclusive and sustainable urbanisation and capacity for participatory governance

Each section records critical challenges and recommendations that emerged from the discussions, along with some good practices that may be emulated going forward.
Key Challenges and Recommendations

Over the years, migrants have experienced exclusion or poor integration into the prevailing social, economic and political rights framework in India. Additionally, the absence of safe and affordable housing and land rights deprives them of political voice because they lack domicile papers and identity at their worksites in the cities. As a result, they are often unable to vote for representatives to urban local bodies. This interlinks with the creation of ineffective government schemes, whether it be housing, basic amenities or financial support, and a lack of proper monitoring systems for the same.

In many cities, mandatory norms on construction and maintenance of buildings are not followed, and this often results in building collapse, fires and other accidents. The urban poor are the most affected by such incidents, losing life and property in these mishaps. All these pose severe challenges to the lives of the migrant poor who are struggling to earn a livelihood in cities. Further, lack of education and skilling reinforces the vulnerability of the urban informal sector workforce, which already has no job security, insurance or assurance of minimum wages. While government schemes and programmes are aimed at inclusion, they paradoxically exclude access based on individual and family documentation.

Access to adequate, safe and affordable housing and services

Challenges: Land ownership and alternate housing in Jharkhand

The urban poor in Jharkhand have no way of securing rights over the land they live on primarily because the land is either owned by corporates in entirety (for example, Tata in Jamshedpur and Bokaro Steel in Bokaro) or tribal lands in urban peripheries are protected by law through the Chotanagpur Tenancy Act, 1908 and Santhal Pargana Tenancy Act, 1949. As a result, the idea of owning land in the city remains elusive and nearly impossible for the urban poor population in the state. Housing programmes in the state for the urban poor have generally witnessed poor offtake and acceptance. Progress has been slow and implementation inadequate.

Slum development guidelines are weak, and the number of slums is increasing as more and more villages are brought into city boundaries. Since the residents do not own the land, it is an uphill task to get the official conversion done for land use, such as converting agricultural land to housing land. Additionally, the smallest construction work or a simple installation (such as a community water tap or the boundary wall of a school building) in such an area requires a complex and long-drawn process of permissions and negotiations with the corporate houses even before the relevant government department can be approached.

Further, housing provided through schemes such as the Pradhan Mantri Awas Yojana-Urban (PMAY-U), Basic Services for Urban Poor Scheme (BSUP) or the Rajiv Awas Yojana (RAY) are not culturally acceptable as these houses are not seen to be sensitive to the cultural markers that the people want their dwellings to represent. Another reason for the failure of these housing programmes is the inability of the government to recognise the importance of in-situ rehabilitation. Promised in-situ
housing programmes turn into alternative housing programmes where the dwellers are asked to move out to city peripheries, taking them away from their places of work and livelihood.

In addition to all of this, mining towns such as Jharia, which are close to open mine blasting sites, face issues related to land subsidence and subterranean fires that routinely destroy homes. Rehabilitation programmes in such towns are also slow and inadequate.

**Challenges: Urban housing schemes in Telangana and Andhra Pradesh**

The much-publicised two bedrooms, hall and kitchen (2BHK) scheme in Telangana for rehabilitating the urban poor has found few takers. The pilot project under the scheme was completed in thirteen months but five years on, ownership of the flats is yet to be allotted. These rehabilitation projects provided multi-storied units with shared facilities such as water tanks and lifts, which proved to be inadequate for the number of families that were to be rehabilitated. For instance, only two lifts were provided to service 362 flats and the common water tanks had no water connection from the municipality, highlighting the sparse thought spared for planning and maintenance of the infrastructure. Additionally, poor residents are often unable to free up cash for maintenance of lifts and lights in the stairwells.

Further, multi-storied flats are unsuitable for small businesses in the unorganised sector such as dairy farming, welding and carpentry since these businesses need space to house cattle, tools, machinery and sometimes inventory.

With 90 percent of these newly built houses or proposed housing projects in the city outskirts, people who have to travel to the city for work find it difficult to commute.

Also, people have had to re-apply for a house under a particular scheme repeatedly owing to various reasons such as the division of the state, change of governments, or the scheme being renamed or re-introduced.

**Challenges: Basic services for urban poor in Guwahati**

Assam, primarily an agricultural state, has encountered rapid urbanisation in recent years and has been quite ill-equipped to deal with the seemingly fast pace of development in its cities. Guwahati, the largest city in the state, houses people not only from other states but also from its neighbouring villages who came to the city for work and became its residents. Despite launching several urban development schemes, the government has been unable to effectively reach out to the urban poor, especially those living in non-notified slums.

With no regulation in place, housing rentals are skyrocketing with rapid urbanisation. Poor people are therefore compelled to use their meagre earnings to settle in the existing slums, hillside slums and wetlands.

Non-notified slums, such as those along railway lines, do not get any housing scheme benefits, leading to overcrowding. Further, open defecation is a common practice as non-notified slums are not included in the Swachh Bharat Mission (Urban). Food security is also threatened as the state stopped below-poverty-line (BPL) cards in 2015 (which gave the poor access to the public food distribution system) in a bid to filter out fake or bogus cards. Though the process of redistributing new application forms started in 2016, new BPL cards are yet to be issued.

Necessary facilities, such as water and electricity, are not adequately provided for. While the water crisis is common for all residents of Guwahati, it is particularly severe for slum dwellers, who have to purchase drinking water daily. Electricity connection is shared or rented in most slum settlements, with permanent electricity connections out of reach due to lack of land ownership.

**Challenges: Urban homeless in Delhi**

The homeless urban poor are typically left out of the Census and end up living as faceless entities
in megapolises such as Delhi. The plight of Delhi’s homeless population is no different. Construction of the Delhi Metro and numerous flyovers has rendered many slum-dwellers shelterless. A Public Interest Litigation filed in 2009 for the rehabilitation of these displaced people was activated four years later in 2013. However, it eventually saw the Supreme Court give a directive to the state government to build shelters for the homeless population. Today, Delhi has more than 270 night-shelters, the highest in any single city in India. While the successful advocacy for night-shelters and the active involvement of the Chief Minister of Delhi in improving the lives of its poor has yielded good results, its share of issues remains.

Though Delhi has one of the most active State-Level Shelter Monitoring Committees, there is still an 80 percent deficit in shelter space in the city. Further, of over 270 shelters, only around 98 are permanent shelters, and each shelter is still overcrowded as the shelter space is far less than the prescribed norm of 50 square feet per person.

There are, however, a few good practices undertaken by various agencies that have befitted the urban poor regarding housing and services (Box 1).

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**Recommendations**

1. State authorities should ensure better monitoring of implementing agencies and accountability mechanisms, including setting up ward sabhas (under the 74th Amendment Act) that are mostly missing in several states. Further, there should be periodic monitoring and course correction of government schemes such as PMAY-U because poor implementation leads to higher displacement of the urban poor communities than their actual rehabilitation.

2. The government should allocate land/patta rights to the urban poor (as done in Odisha and Nagpur) and assist them through schemes like Pradhan Mantri Awas Yojana (Urban) Beneficiary-Led Individual House Construction or Enhancement or PMAY (U)-BLC to help them build houses. Land should be allotted to people who have been residing in an area for an extended period so that even if they migrate for work, they can have a place to come back to.

3. As per the guidelines under the National Urban Livelihood Mission, adequate shelters should

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**Box 1: Good practices in affordable housing**

i. The HelpAge India Village in Cuddalore is an example of such an initiative, where all homeless elderly are granted shelter and the surrounding village community looks after them, including raising funds through donations.

ii. In Odisha, local bodies have given patta or land rights under the Odisha Land Rights to Slum Dwellers Act, 2017 to the people residing in slums. In Nagpur, too, the government has made provision of individual land titles (malkipatta) for slum residents.


iv. The present Delhi government has helped in creating numerous night shelters in the city.

v. The Cuddalore district model of the community taking care of its elderly poor facilitates hopes of an alternative approach to housing issues for destitute.

vi. In Madurai, there are safe-net zones for the homeless where only NGOs participate in implementing the schemes. A common group for welfare and protection of the homeless has been created. Roles and responsibilities are demarcated for various activities such as advocacy and training for caregiving.
be constructed immediately. However, ‘shelter’ is not a permanent solution. Hence, as a next step, housing programmes should facilitate in-situ rehabilitation instead of relocating the poor (including the homeless) to the periphery of the city. The participation of people is crucial to decide whether their current area of residence is suitable or not for in-situ rehabilitation.

4. There is a need to create efficient and relevant housing programmes as models and replicate the same. Housing programmes should also consider the specificities of states to avoid a one-size-fits-all approach.

5. The right to adequate housing is a human right and means more than just a roof over one’s head. Housing must be affordable, safe, secure and protected from arbitrary eviction, with access to basic services (clean energy, water and sanitation) and available to all, free from discrimination based on race, gender, sexual orientation, ethnic origin, religion, age or disability.

6. Given the lack of a common definition of homelessness and the shortage of reliable data and research in this field, the problems specific to homeless persons are not adequately addressed. The first step in this process is to adopt globally agreed upon language to describe and define homelessness, which should then pave the way for reliable data and comparative measurement. The proposed definition of the Nairobi Expert Group on ending homelessness, endorsed by the civil society, could be considered for the same.

7. Homeless people fall under different categories, all of whom experience several layers of discrimination such as those living in streets or open spaces, those living in temporary or crisis accommodations, people living in severely inadequate or insecure accommodations, and people who lack access to affordable housing. These categories are fluid and interrelated as people move from one category to the other and back again; they cannot be considered in isolation. Given the specificities of the issues faced by homeless persons, the Ministry of Housing and Urban Affairs needs to prepare and implement a ‘National Policy for Urban Homeless’, which should be adopted by the states. This policy should be inclusive and further linked to housing and other urban development schemes.

**Protect labour rights, and promote safe and secure working rights**

**Challenges**

Community or caste certificates are not valid across state borders, thereby depriving the migrant poor of related benefits and facilities at their worksite. Further, lack of portability of government entitlements such as the Public Distribution System has led to poor access to food and ration.

Exploitative working conditions and squalid living conditions at the destination worksites of construction workers go largely unnoticed by the state and officials who have a mandate to monitor labour welfare. Further, the lack of remittance, as well as financial inclusion, has prevented their access to a better livelihood. Most construction workers are unaware of the provisions under the Building and Other Construction Workers (BOCW) Welfare Act, 1996 and are therefore not registered under the Act to avail of the benefits. There is also a lack of clarity regarding the utilisation of the collected BOCW Board cess. For instance, in Delhi, a significant part of the cess collected goes towards education scholarships for children of migrant workers. At the same time, other critical areas, such as health and skill development, remain neglected.

Planning for public transport in large cities has been prioritising Metro rail and Rapid Transport Corridors which are too expensive for the urban poor to use. Additionally, the construction of flyovers, Metro rail lines and expansion of roads inevitably involves
the eviction of slum dwellers and urban poor, who are not adequately rehabilitated and therefore left homeless. There has been scant attention paid to how migrant workers commute, which is usually by walking, cycling or buses. Road accident data highlights that pedestrians and cyclists, who are mostly migrant workers, are commonly the victims. In almost all cases, the death of an earning member pushes the family into penury, affecting their overall livelihood.

Hawkers and street vendors form the second largest workforce in the informal sector, and they too face government apathy despite the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 that was passed unanimously by all political parties. They face a constant threat of eviction due to the lack of domicile certificates, and eviction without proper relocation remains one of the biggest challenges. There has been poor implementation of the Street Vendors Act, 2014 across most states. They face violence and harassment from the police and municipal authorities, including demands for gratification. Further, powers of local committees, such as the Town Vending Committees, are being taken over by the Municipal Corporations and increasingly hawking zones are being declared as ‘no-hawking’ zones.

A few state governments have taken some steps to help migrant workers and vendors in cities (Box 2).

**Recommendations**

1. Migrants should have voting rights and voice in their city of work so that they can present their issues and demands to the government in a way that is heard.

2. Providing education and skills training to the migrant workforce will expand livelihood options. The government should have schemes and programmes for the welfare and social security of the families that male migrants leave behind in the village.

3. The universality of essential services, such as the Public Distribution System (PDS), is necessary to ensure that migrant poor have access to the same. Portability of social services should be smooth and should also be applicable for short durations and across multiple states.

4. Sustainable and inclusive transportation for the migrants should be looked at holistically, linking it with housing, livelihood and welfare of the migrant poor. The government should invest in the public transportation system without a profit motive; only then will it be affordable for the migrant poor.

5. For construction workers, serious efforts should be made to ensure that labour registrations are done as a mandatory requirement under the BOCW Act.

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**Box 2: Good practices in promoting safe and secure working rights**

i. Waiving off fares for women travellers in DTC Buses in Delhi is a welcome step towards making transportation more inclusive for women, and more importantly, the migrant women workers.

ii. The government enacted the Unorganised Workers’ Social Security Act, 2008, which provides for the constitution of a National Social Security Board. While budget allocations for the Board are yet to begin, registrations of construction workers have started.

iii. West Bengal has the best floating market run by street vendors who were displaced due to broadening of roads and flyover construction. Similar practices could be adopted by other states as well, wherever possible.
6. There should be a survey of hawkers, based on which space for hawkers should be reserved in the city’s master plan keeping the Street Vendors Act, 2014 in mind. Evictions affect the dignity of hawkers and therefore it is crucial to look at the rehabilitation of hawkers and vendors.

7. The National Legal Aid Services and other bodies should be engaged in extending the necessary assistance to the homeless, hawkers, vendors and migrant workers to deal with the violence meted out by various authorities.

Enhance inclusive and sustainable urbanisation and capacity for participatory governance

Challenges

While the 74th Constitutional Amendment Act confers Constitutional status to local self-governments in urban areas, a critical shortcoming has been that no ward committees have been created as required by the Act. Urban Local Bodies (ULBs) in many Indian cities have no elected representation. Moreover, most cities have not devolved all the 18 functions listed in the Act to the ULBs. The inability of ULBs to raise sufficient funds on their own (and even non-utilisation of funds in some cases), along with lack of human resources and capacities further hamper the process of implementation.

There is a considerable gap in the monitoring process. The District Planning Committees, whose function is to consolidate the plans and review the implementation of development programmes, are non-functional. While the states' submission of the Urban Environment Report is compulsory under the 74th Amendment Act, there is no tracking or monitoring of the same.

Intensive urbanisation has also put immense pressure on the environment leading to adverse climate change outcomes. The increase in natural calamities such as floods, cyclones and extreme weather has had the worst impact on the poorest of the poor. In the face of any natural disaster, informal settlements, which are primarily temporary structures, are destroyed first, again giving rise to displacement and homelessness. The poor have few resources, financial or otherwise, to deal with natural catastrophes.

A significant percentage of the migrant women population is engaged in the informal sector and contributes to the city’s economy but these women are forced to make labour market choices that are not in their favour, with most migrant women engaged in the informal sector where labour rights are often ignored and worksites are not always safe and secure. As mentioned by Visalakshi (2016), ‘Health hazards due to unpleasant working conditions, worsening of work burden on women and increased risk to sexual harassment migrant women who opt for self-employment as vendors and service providers remain invisible in official labour statistics and hence are unprotected by national labour legislation.’

Violence against women in urban slums is widespread. Within habitations, on the streets and in workplaces, adolescent girls are particularly vulnerable.

Some states have implemented a few good practices that help the urban poor and migrant workers access certain schemes and facilities (Box 3).

Recommendations

1. The 74th Constitutional Amendment Act envisages that the functions of urban poverty alleviation, improvement of slums and their upgradation, including the provisioning of basic amenities to the urban poor, should be the focus of the municipalities. The ULBs should prepare city-specific urban poverty alleviation plans, and this process must bolster participatory planning processes through the Act. It is imperative that legislations under the 74th Amendment Act are implemented and monitored diligently.
2. It is time to re-think the terminology of a SMART city as this terminology brings the city identity and infrastructure development to the forefront and the urban poor tend to get pushed to the fringes. Urban planners should create different terms that highlight the crucial aspects of sustainability and inclusivity of cities.

3. The holistic understanding of gender is quite crucial in the context of the urban poor. Gender disaggregated information must be taken into consideration when devising policies related to a decent working environment. The central and state governments should focus on not only making cities sustainable and inclusive but also gender-sensitive where migrant women workers and others find decent work, safety and security.

In Conclusion

The overall status of the SDG implementation process is not going to improve by 2030 unless some urgent steps are taken. There is a significant need to bring in revised and new relevant schemes, effectively linking them to the SDG process through a bottom-up approach, from the local to the global.

Inclusive and participatory processes need to be encouraged to set the local agenda for the SDGs and thereby plan for its implementation. In this process, the capacity-building of the stakeholders is essential. Such stakeholders include civil society organisations that work with the urban poor in promoting awareness and supporting access to rights and entitlements, focusing on domestic workers, construction workers and sewage workers, as also vulnerable populations like street children, children, elderly and the homeless, among others. Also significant is the contribution made by people’s bodies like the Hawkers’ Federation, Street Vendors’ Association, Domestic Workers’ Association, Homeless People’s Forum and Slum-dwellers’ Welfare Committees in the achievement of SDGs. Further, given the implications of climate change, particularly in the context of urban vulnerability, sustainable urban resource management is the need of the hour.

Notes


3. Prohibiting the transfer of tribal land to non-tribal population.

4. Housing for all by 2022.

5. “Slum Free India” with inclusive and equitable cities.

6. Flagship scheme of the Government of India to make urban India open-defecation free and achieve 100 percent scientific management of municipal solid waste.


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**Box 3: Good practices in enhancing inclusivity**

i. In Vijayawada (Andhra Pradesh), Aadhar cards have made the process of getting ration cards easier for homeless people who have been living there for the past 25 years.

ii. In Patna, the homeless are now able to send their children to schools.

iii. Odisha launched the *Jal Sathi* initiative in December 2019 that aims to ensure the supply of clean drinking water to consumers through piped water connections.

iv. The Odisha government has engaged more than 5,000 women volunteers as ‘Jalasathis’. This is seen as a significant step towards the economic empowerment of women in the state.
9. The Building and Other Construction Workers Welfare Act, 1996 aims to regulate the employment and conditions of service of building and other construction workers and to provide for their safety, health and welfare.


North-Eastern Region

North-Eastern Region—Context, Present and Past

The North-Eastern Region (NER) comprises of eight states of the Indian Union—Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim and Tripura and is a unique melting pot of South, Southeast and Far East Asian cultures. It is also one of the biodiversity hotspots of the world with rich flora and fauna.

In the pre-colonial era, the fertile river valleys and the lower Himalayan ranges of the NER were home to indigenous peoples—tribes ranging from a few hundred to hundreds of thousands. The 19th-century British colonial rule brought in the commercial exploitation of the region. Tea plantation, oil extraction and mining at an industrial scale were initiated. Hundreds of thousands of indentured workers and migrants were settled to work in the new industries and serve in the colonial administration and paramilitary forces.

When the British left India in 1947, the indigenous peoples asserted their right to self-determination leading to widespread unrest which the state governments found difficult to control. The post-colonial Government of India (GoI), in its wisdom, imposed the Armed Forces (Special Powers) Act (AFSPA), 1958 to contain the conflagration, giving armed forces the power to maintain public order in ‘disturbed
areas. The implementation of the Act left behind a trail of violence, with frequent violation of human rights.

To accommodate the aspirations of some of the indigenous peoples of the region, special governance institutions were introduced in the Sixth Schedule of the Constitution of India in certain parts of the states of Assam, Meghalaya, Tripura and Mizoram. Statehood, as a federal unit of the Indian Union, was also granted to Nagaland (1963), Manipur, Meghalaya and Tripura (1972), Sikkim (1975), and Mizoram and Arunachal Pradesh (1987). As negotiated settlement with several indigenous political formations, special provisions were introduced under Article 371 of the Constitution. A dedicated Ministry of Development of the North-Eastern Region (MDoNER) was formed in 2001 to function as the nodal department of the GoI to deal with matters related to the socio-economic development of the region. Despite the sustained central assistance and some progress, the region has many yet unfulfilled social, political, economic and human aspirations.

In education, Arunachal Pradesh (65.38 percent) and Assam (72.19 percent) were the only exceptions below the national average of 74.04 percent literacy in 2011. In 2018, all the states of the NER—barring Assam and Arunachal Pradesh—were above the national average on health, income and education indices. Manipur (7), Mizoram (10) and Sikkim (13) were ranked high on Education Index among the 36 Indian states and union territories while Sikkim (7) and Manipur (8) were high on the Health Index. Sikkim, Mizoram and Nagaland are also among the cleanest states of India according to the Swachh Survekshan—Gramin (Cleanliness Survey—Rural) 2016. The NER also has some of the greenest states of India, such as Arunachal Pradesh with 79.63 percent forest cover (25.19 percent very dense forest) and Sikkim with 47.11 percent forest cover (15.53 percent very dense forest).
The NER has around 220\(^6\) diverse ethnicities and dialects drawn from three language families—Sino-Tibetan, Austro-Asiatic and Indo-Aryan. Its socio-cultural moorings are equally varied, and economic activity ranges from moderately industrialised Assam to mostly agrarian Manipur and Arunachal Pradesh. Mining and plantations in the NER have continued since the colonial era. In terms of Gross State Domestic Product, while Assam compares to mid-sized Indian states such as Uttarakhand, Chhattisgarh, Odisha and Bihar, the rest of the NER states are much smaller economies. However, in terms of per capita income, Sikkim is fourth behind Goa, Delhi and Chandigarh. In NITI Aayog's Sustainable Development Goals (SDG) India Index (2019), Sikkim is a ‘Front Runner’ state alongside Kerala, Himachal Pradesh, Andhra Pradesh, Tamil Nadu, Telangana and Karnataka among others. Manipur, Meghalaya, Mizoram, Nagaland and Tripura are ‘Performer’ states, along with Maharashtra, Gujarat, Uttarakhand, West Bengal, Madhya Pradesh and Uttar Pradesh among others.\(^7\)

The youth population of the NER of India is estimated at 4 percent of the country’s total youth population—proportional to the population in the region as a share of Indian total. However, given that unemployment among the youth in these states is higher, there is increasing outmigration in search of skillling opportunities and jobs.\(^8\) Students and professionals from the NER travelling to other parts of the country find it difficult to get employment, accommodation and hospitable living conditions. They routinely contend with taunts, harassment, violence and discrimination from host communities owing to differences in physical appearance, culinary and cultural practices.

The NER is the crucial land bridge for the GoI’s Act East Policy that links India to the fast-growing Southeast Asian economies. This opportunity has led to considerable infrastructure development and connectivity in recent decades. However, opening up of the natural resources-rich region also entails some severe environmental implications. The perennial Himalayan rivers are seen as potential sites for large hydroelectric projects in the ecologically sensitive region. Extractive petroleum, natural gas, uranium, chromium and limestone industries are likely to be accelerated. Additionally, tourism push may also put a strain on resources.

However, how all this will play out for the indigenous peoples—having been kept in the margins of development for long and often caught up in violent, protracted tussle for self-determination—is yet to be seen. How would the policy and projects impact these geographically disparate micro-ethnic communi-
ties? How would the millions of settlers (since the 19th century) in the region be treated? How will the SDGs translate for the NER? How would these vulnerable communities participate in the development process to attain the SDGs? Can civil society be the critical bridge with these vulnerable communities for the purpose?

To answer these questions, 90 participants met for a two-day national consultation organised in Manipur by Human Rights Alert, along with a range of civil society groups and academicians across the region on 1–2 February 2020. The key challenges and recommendations that emerged from the consultation are given in the following sections.
Key Challenges and Recommendations

Eradicating poverty, eliminating hunger and providing livelihood opportunities

Challenges

Participants highlighted that while the Sixth Schedule of the Constitution institutionalised traditional (tribal) self-rule through Autonomous Councils, they are mostly ineffective, resulting in weak policy linkage of a village in the NER to the Parliament. This stems from:

1. absence of bottom-up approach in institutional local governance;
2. lack of capacity in communities to operate in a comprehensive and cohesive way; and
3. unavailability of allocated resources in a timely and targeted manner.

Development projects seldom seek the prior informed consent of the local populations. Employment—other than locally hired casual labour—and profits from such projects often go to big firms based outside the NER. Poor human resource development, absence of necessary economic linkages, and lack of awareness also leave out the local population from positive and impactful development that could otherwise lead to inclusive growth.

Little understanding of the traditional use of natural resources by communities of the NER and the traditional practices of managing these resources deter sustainably responding to ecological issues in the region while simultaneously addressing livelihood issues of local populations. Although the state governments have the responsibility to manage some policies related to natural resources, mostly projects are initiated under the aegis of the central schemes which restricts community ownership and participation.

Rivers changing course, climate change-related weather phenomena and urbanisation directly impact the lives of an estimated ~3 million people in the NER. The region is contiguous with Myanmar through the Iravathy river system and Bangladesh with the Barak river system. There is a sensitive environmental cohesion in the region. A considerable population in the region depend upon rivers and lakes for their livelihood. Their livelihoods are being affected by state policies building dams across rivers, promotion of tourism, and hydro-electric projects being initiated in the region. Silting in the Loktak Lake has affected the people who depend upon the lake for their livelihood. The dams have negatively impacted the bio-diversity in the region, disturbing the natural spawning of fish species which used to swim upstream seasonally. SDG 14, while focused on life below water, does not have targets and indicators to ensure sustainability of freshwater resources.

Monoculture (plantations) practices have shrunk skills and livelihood while also reducing food diversity, posing multiple challenges on nutrition, hunger and poverty dimensions. Although the region has been a surplus producer of rice, the
Public Distribution System (PDS) rice is mostly produced outside the region—marginalising the local peasantry.

Many civil society organisations (CSOs) pointed out the absence (or ineffective implementation) of poverty eradication schemes by respective agencies and government departments in the region. Projects by institutions such as the North-Eastern Council and North-Eastern Development Finance Corporation Limited, too, often do not deliver the desired impact. The reasons were attributed to limited participation from people, private players and CSOs from the NER.

**Recommendations**

1. It has been a long-standing demand of the tribal populations that the regional/district councils be directly centrally funded through the consolidated fund of India. Also, these councils have no significant decision-making powers. In keeping with the spirit of the Sixth Schedule, grant financial autonomy and control over land and forest to these councils in the NER. The GoI must effectively implement the Sixth Schedule framework for self-rule via autonomous councils and build adequate capacity of institutions and communities to bridge the grassroots-level governance gap and enable participation of people in policy.\(^9\)

2. For the more significant impact of schemes, projects and programmes, the states and the GoI (and its departments) needs to ensure local participation in all development work with the prior informed consent of the indigenous peoples.\(^10\) It should roll out awareness and sensitisation campaigns about rights, policies, schemes and programmes for communities (and individuals) for empowerment, deeper participation and greater access to benefits.

3. For an effective bottom-up approach, local communities should be consulted before approving indicators for planning, budgeting and implementing policies, schemes, projects and programmes. Planning for proper rehabilitation, resettlement, reparation, skilling and alternate livelihood opportunities for the people impacted by a development project should be done by engaging with them at the very first stage of project initiation. Also, the implementation of compensation schemes should be ensured and monitored.

4. Localisation of central schemes with local community level ownership is necessary for the NER. This entails devising a unique mechanism of translating central schemes to address local needs and accordingly deploying resources to fulfil sustainable development needs at the local level and achieve state-level indicators and SDGs for India.

5. The GoI should seek an innovative mechanism to restore collective (or individual) rights over lands effectively—traditionally owned and managed by the indigenous communities. Such measures will secure livelihoods (inclusive growth), especially for the most vulnerable and deprived groups. It will also be in line with India’s commitment to ILO Convention No. 107 on Indigenous and Tribal Populations (1957).\(^11\)

6. Policies must emphasise self-reliance by producing various goods and services that the NER needs. This needs to be accompanied by a proper and effective distribution mechanism. Prioritising local produce to meet the consumption needs of the region, especially under the PDS, could effectively address both poverty and unemployment. Inclusion of more traditional local food items, especially vegetables, in midday meals instead of only dal and rice will positively impact nutrition, hunger, health and employment.

7. SDG 14, while covering life below water, is focused on oceans, marine life and coastal sustainability, thus neglecting issues related to life under fresh water. The NER has a rich river-water system which sustains the environment,
economy and livelihood in the region. India should take a lead in developing indicators for life under fresh water under SDG 14 and share it at a global forum.

8. Labour-intensive food processing sector should be promoted, incentivised and facilitated by the GoI and its departments and agencies. This is pertinent given the agrarian nature of the NER and the prevailing levels of unemployment in and outmigration from the region.

9. A job-oriented skilling policy allowing the NER youth to pursue a preferred vocation needs urgent formulation and implementation to reduce unemployment and mitigate poverty.

10. Young people in the region have exhibited great talents in art, culture and music. The state must invest in institutions to promote their talents and include these in the career planning of the young people here.

11. The United Nations, in collaboration with CSOs, could undertake a comprehensive human rights education programme to empower the vulnerable communities with the knowledge of their rights and entitlements. The initiative will also build the capacity of the policymakers, technocrats, CSOs and community leaders from the NER.

12. The government should also expand the existing initiatives and launch new ones—factoring in resources that can be raised through CSR activities—to bridge policy and implementation of schemes, projects and programmes aiming to achieve SDGs 1, 2 and 8 substantially in the NER by 2030.13

Ensuring good health for all

Challenges

Most NER states lack necessary health infrastructure and institutions to support the SDG 3 targets
that include offering treatment and overseeing the progress of health and well-being of their people. Specific challenges include poor health and well-being practices, the general response of tribal people seeking traditional healing (not modern remedies) to manage diseases, and non-availability of accurate data (except Assam) on indicators such as Maternal Mortality Ratio and Infant Mortality Rate.

There are frequent shortages of antiretroviral therapy drugs and diagnostic kits that are necessary to prevent tuberculosis in patients with HIV-related illnesses. Targets to eradicate Hepatitis C, TB, HIV infection and malaria by 2030 may not be achieved in the current trajectory of progress compounded by inefficient supply chains, which results in stalling treatment and precipitating drug resistance.

Water-borne diseases, mainly due to the presence of micro-plastics and antibiotics in water, are a serious health hazard for people of the NER. Other challenges include non-availability of generic medicines, stockouts of essential medicines, lack of access to healthcare for remote populations, inadequate healthcare staff, and stalled programme implementation.

Poor awareness and information dissemination about welfare schemes and non-accessibility of these schemes to persons with disabilities (PWDs) further limit benefits to the populations.

**Recommendations**

1. The government should ensure universal access to quality healthcare by developing innovative and basic low-cost health infrastructure on priority basis and hire health professionals to run them efficiently. Also, mobile medical units should be designed for screening, vaccination and treatment.
2. Mental disorders should be a part of basic healthcare and health services delivery and must address the special needs of PWDs as well.

3. Effectiveness and efficiency of the supply chain should be improved to ensure quality and availability of generic medicines, vaccines and life-saving drugs at government-approved rates, and at the same time, avoid zero stockout situations.

4. State-specific investment plans, funding requirement and regulations for private partners are necessary to facilitate the development of comprehensive healthcare facilities that pave the way to meet SDG 3 targets in the NER.

5. States could benchmark their healthcare plan and expenditure against other states or international standards to improve and achieve a minimum per capita healthcare spending.

6. Proper, accurate and timely data gathering and updating mechanisms should be established to support information-based decisions in achieving health-related targets.

7. Disease-specific (HIV-related, hepatitis C, tuberculosis, malaria, and so forth) and state- and NER-specific strategies should be developed and implemented, involving CSOs and UN agencies.

8. To achieve the National Viral Hepatitis Control Programme goals, it is imperative to bridge the awareness gap for the millions of people who have hepatitis but do not know that they do, and this would require a massive campaign along with treatment facilities.

9. Every NER state should formulate a drug policy for a progressive and evidence-based solution to the specific challenge of access to psychotropic substances for legitimate treatment while preventing abuse and addiction. Also, treatment facilities for drug users and alcoholics should be enhanced to meet the 2030 target.

10. The GoI and state governments should involve CSOs in the planning and implementation of health schemes for better reach and dissemination.

Access to education

Challenges

There has been a decline in the education budget in the last five years, with non-implementation of schemes and policies, absence of value-based education, a sharp rise in the number of proxy teachers in government schools located in remote regions, and flawed process of teacher recruitment.

Village Level Child Protection Committees (VLCPCs), under the Integrated Child Protection Scheme (ICPS), remain inactive due to lack of any budgetary support, jeopardising activities such as enrolment and data gathering.

It is the right of the indigenous people belonging to the NER to not only learn about their own history and culture but also be able to do so in their respective mother tongues. This has been a long-standing expectation. The National Education Policy 2020 only partially addresses this requirement.

Further, students from the NER who take admission in institutions of higher education in cities of mainland India are often discriminated against based on their physical appearance and cultural practices.

Recommendations

1. Training, monitoring and advocacy on Right to Education by CSOs should be expanded to reach the vulnerable communities and spread awareness.

2. Re-enrolment and special educational support should be provided to school dropouts, especially to girls and children from other vulnerable communities and groups.

3. Provision to include 30 percent regional content in textbooks must be strictly enforced.
4. Context-based material and resources should be made available for teaching as well as learning, especially for primary level education. Early years teaching-learning should be in the mother tongue and focus should be on learning local and regional history, culture and languages to give every child a sense of self and identity. Pedagogy should be designed to build skills of critical and creative thinking, problem-solving, enquiry and research, etc., to enable students to go beyond rote learning. Content and quality of teacher education should include more contemporary learning methods.

5. The number of residential schools in remote areas of the NER should be increased while factoring in the availability of well-trained teachers.

6. Local teachers with comparable competence should be given preference during recruitment to minimise absenteeism.

7. State governments should ensure mainstreaming education of children with special needs by suitably provisioning for teacher training, infrastructure, educational aids and other support facilities.

8. Adequate provisions of crèches, Anganwadis and other Early Childhood Care and Education facilities should be made at the community level to release elder siblings, particularly girls, from child care activities and attend to their education. This may be done through community participation with some government support through resources, schemes and policies.
9. State governments should increase budgetary allocation for education by 100 percent as the current allocation is inadequate and has seen a reduction over the past years. Budgetary allocation, provisioning and disbursement for VLCPCs under the ICPS need to be properly implemented, monitored and audited regularly.

10. Value-based education must be leveraged to address NER-focused issues such as addiction or ecology–economy balance. State- or ethnicity-specific models must be designed to impart comprehensive knowledge and skills for ‘sustainable development’ for the youth, drawing from traditional knowledge, belief and practice. A NER-focused university should be established for this purpose with support from corporate entities (through CSR), CSOs and University Grants Commission.

11. Concerted effort should be made to address all forms of discrimination and violence against students from the NER who are studying in other parts of the country and ensure zero tolerance for such incidents.

Achieving gender equality

Challenges
Challenges faced by women include malnutrition and anaemia in low-income families, lack of access to health services, lack of hygiene facilities resulting in poor cleanliness practices, and maternity benefit schemes limited to only 3–6 months, (which is much lower than the other states). Further, women in the NER are mostly unable to access government-sponsored schemes, such as those provided through Accredited Social Health Activists (ASHA) or Anganwadis.

Women of the NER, especially those belonging to the hilly and remote areas, lack access to participate in mainstream politics, muting their voice in the decision-making process. With the system of Pradhanpati in the NER, even though the woman is elected as the head of the Panchayat, the real decision-making power is invariably wielded by the husband.

Men indulging in substance abuse tend to give up their regular work, forcing women to bear the double burden of earning and caring for their families. Cases of domestic violence and sexual abuse have been on the rise. The dowry system, which was never traditionally practised in the NER, has now crept in from mainland India, becoming another source of physical and mental harassment for women. Child marriage continues to be prevalent in the NER, as does the prevalence of female foeticide, resulting in a skewed sex ratio, further accentuated by immigration in the 1960s and 1970s. Many tribal customary laws and practices are patriarchal, with some communities practising polygamy.

Recommendations
1. The Pradhanpati system should be stopped immediately. Women from the NER should seek real political participation with representation in the state assembly and the Parliament. Governments should extend 33 percent reservation (or 50 percent as is the mandate for Panchayats) for women in all democratic institutions, from the Parliament to the Autonomous Councils with the indigenous population.

2. Gender inequality should be tackled on all fronts—economic, political and social—with particular attention to early childhood when the seeds of such disparities are sown at the household level, in both boys and girls. States should develop customised gender policies supported by gender budgeting.

3. The role and capacity of CSOs should be enhanced so that they design projects and proposals in a gender-sensitive manner, especially for the most vulnerable in the NER. There should be a focus on gender advocacy in state-specific contexts.
4. Tribal customary laws must be reviewed to remove gender bias, including the safeguarding of the right to inheritance of tribal women.

5. School curriculum should be revised to make it contextually gender-inclusive, gender-balanced and gender-sensitive.

6. Alternate livelihood opportunities should be created for vulnerable women and capacity building programmes should be designed to develop their livelihood skills as well as soft skills, including communication skills. Placement and recruitment support should also be provided to create an ecosystem for economic empowerment of women.

7. Even as the region has a history of matrilineal communities, patriarchy still persists as the overarching societal system. Various issues of domestic violence, abuses and the deprivation experienced by vulnerable women need greater attention. The conflict situation makes women particularly vulnerable to physical and sexual abuse. The members of the women's commissions in the region need to have greater sensitivity to the specific concerns of women in the region. Women also need more institutional support mechanisms to access justice in cases of violence against them, support against some of negative cultural norms, short stay homes for immediate support, relief and rehabilitation in cases of drug abuse, etc. The issues are particularly stark for women in the hill districts and regions.

8. Government response to the weak legal and judicial interventions should be stronger and speedy trials should be ensured in case of crime against women. Women lawyers and judges should oversee trials involving women and girls.

9. Robust steps need to be taken to stop trafficking of girls and women. Also, victims (girls and women) of inter-state trafficking must be provided with transit homes, and victims of sexual and domestic violence must be appropriately rehabilitated.

10. Transgender Welfare Boards may be set up under the Transgender Persons (Protection of Rights) Act, 2019 to ensure human rights of this community.

Clean Water and Sanitation; Industry, Innovation and Infrastructure; Sustainable Cities and Communities; and Responsible Consumption and Production

Challenges

Barring a few valleys and plains in Assam, Manipur and Tripura, the NER is primarily a water-stressed area due to its predominantly mountainous terrain. Although water supply schemes have been upgraded in some areas of the NER, and a few states have formulated water policies, ensuring availability and sustainable management of water and sanitation for all has not been achieved. While the community is responsible for water resource management in most of the NER, consensus on a positive initiative such as rainwater harvesting could not be built in Manipur despite the GoI and state government support.

Even though Guwahati (Assam) stands on the banks of the Brahmaputra, urban development and construction in the city draw heavily upon groundwater, depletion of which increases the impact of earthquakes (Guwahati is in a seismic zone) and other disasters. Furthermore, the Brahmaputra floods routinely contaminate the groundwater (also used for drinking), resulting in serious hygiene and sanitation issues. Despite the high incidence of flooding, loss of topsoil, and massive displacement of human habitats around the Brahmaputra annually, there are no long-term goals or policy in terms of water usage, no data on displacement, and no documentation of the livelihood issues faced. There is an absence of Water Resource Sharing Policy, causing water sharing conflicts in the region.
Periodic, reliable and timely data on water resources and its evolving demand is not available to plan usage or investments. Mineral exploration, cement factories and illegal coal mining have negatively impacted the river ecosystems and human habitats around them in states such as Meghalaya and Nagaland. Institutions that exist in the NER for water testing and reporting on water quality are few and far between, not easily accessible to the community or even the state governments.

The NER states (being cash-strapped) are unable to invest in industry, innovation and infrastructure. Consequently, the region is saddled with skeletal and rudimentary scaffolding for secondary economic activity that would leverage their rich natural resource base. There is an acute shortage of livelihood opportunities, higher education, healthcare services, physical infrastructure (such as roads, power and utilities), and centres of innovation and excellence in the region. Few jobs due to underdeveloped industrial base are a significant cause for outmigration. The sizeable human resource of the NER has suboptimal productivity due to lack of skill ing facilities and poorly developed economic sectors, limited livelihood opportunities, and very few centres for higher education and innovation. Scarce physical infrastructure and shortage of skilled medical and paramedical staff result in inadequate and poor healthcare in the NER states. Absent roads, air, railroad and waterways infrastructure (or their poor condition) hampers transportation across the NER and within the states. While national highways are being built, roads do not efficiently link remote villages and hamlets. Outdated grids, distribution systems and inadequate overall energy infrastructure in the NER are unable to cater to the growing
needs of the region, even though hydroelectric power projects are being undertaken in the area. The NER states are unable to buy the energy they need. Together, these set off a vicious cycle of below-par industrial and economic development.

Cities in the NER are growing out of villages and small towns. These congested hilly urban spaces are mostly unplanned and are replicating development models that are suitable for megacities such as Delhi. Solid waste management (SWM) remains a significant issue for a rapidly urbanising NER due to lack of basic infrastructure and its challenging terrain. Absence of proper sewage treatment plants in the cities or towns of the NER often causes flash floods. It leads to the dumping of solid waste in water bodies, causing water contamination. Managing traffic in NER faces a significant planning and implementation challenge due to limited space. The National Urban Mobility policy does not address space constraint of mountain states nor is public transport in the NER inclusive for groups that may be mobility impaired in some way, such as the PWDs, children and the elderly. Flagship programmes such as Pradhan Mantri Awas Yojana (Urban), Swachh Bharat Mission (SBM), Pradhan Mantri Ujjwala Yojana, Pradhan Mantri Gram Sadak Yojana (PMGSY) and National Urban Livelihoods Mission (NULM) do not reach vulnerable groups living in unrecognised informal settlements of the NER cities. Migrants and casual workers (such as street vendors and hawkers) lack access to social security, legal entitlements, government schemes or city’s resources such as space for vending, water supply and waste disposal, and face challenges such as natural disasters, dated cadastral surveys and evictions.

With the media forcefully pushing for unsustainable consumption, the push and pull factors are stacked
up against responsible consumption and production. The influx of basic food and other consumables coming into the NER are often not organic and are rarely produced in an ecologically responsible manner. The packaging is invariably environmentally unfriendly. Organic farming remains a major challenge for the NER farmers as productivity falls, and consequently, the product is priced out of the market. The traditional diversity of local agricultural and forest produce is compromised. The non-existence of any documentation of traditional farming and ecologically responsible production and consumption practices of indigenous communities prevent the promotion of best practices as well as results in the uninformed import of potentially harmful practices. Getting industries and mining sector to produce responsibly is not always an easy task either.

**Recommendations**

1. There is an urgent need to recognise water and sanitation as human rights 19 (also, acceptance of the tenure system on community lands 20) to emphasise the central role of communities in managing water resources.

2. States should devolve policy formulation, budgetary decisions and implementation to the community with funding support from government and CSR resources. Villages and towns should be encouraged to evolve their water and sanitation consumption and management policies. The local community should be involved in water conservation—micro watershed, springshed and rain harvesting projects—as well as in preventing pollution of rivers and lakes.

3. Data-driven decision-making on water demand and real-time mapping of water availability should be established in tandem with interstate water sharing arrangements to optimise demand fulfilment. Also, water testing and treatment facility must be installed in each district headquarter.

4. Appropriate technologies must be leveraged to map, conserve and manage water resources. Where necessary, new international water-sharing treaties should be drawn up. Effective early warning system and protocols for all transboundary rivers must also be developed and coordinated with Bangladesh, Bhutan and China.

5. Initiatives such as Start-up India, Skill India, Udaan—Regional (air) Connectivity Schemes, Smart Cities, Act East Policy and NULM should be promoted to build high-quality industry, innovation and infrastructure in the NER.

6. State governments should promote, incentivise, facilitate and offer loans to niche industries they have identified, such as sports, music, horticulture and fashion, while fostering a robust start-up ecosystem of innovation, incubation and acceleration.

7. Exchange opportunities with established players and centres of excellence should be set up to build innovation and entrepreneurship capacity to stimulate motivation and aspiration of the youth and farmers with government or private (CSR) support.

8. The concept of Smart Cities should be adapted to address terrain-related challenges in housing, traffic management and SWM for space-constrained cities and towns in the NER. The Smart Cities plan for the NER should consider the following points for inclusion.

   a. Provide connectivity for residents of nearby hamlets to come, sell their produce and return daily. This will prevent migration, making cities more sustainable, instead of indefinitely expanding them to accommodate migrants.

   b. Considering the seismic, ecological and geopolitical sensitivities of the NER, Disaster Risk Reduction (DRR) protocols should be compulsory for all infrastructure projects to ensure that cities are sustainable.
9. Given the ecologically sensitive NER, the government should take into consideration local resources, traditional seeds and local traditional knowledge to formulate regional economic policy roadmaps. Imports must be regulated to promote and protect the localised, small-scale economy character of the NER. Similarly, industrial development, including mining, must strictly adhere to principles of SDG 12 as well as SDGs 14 and 15.21

10. Awareness programmes should be designed to educate producers and manufacturers to produce responsibly. Similarly, consumers should be educated about responsible and sustainable consumption. Policies that encourage sustainable consumption and production of traditional foods from natural resources instead of processed and packaged products should be implemented in the NER.

Managing climate change

Challenges
Methods and technology for new infrastructure development are not scientifically (ecologically) sound. Poor and rudimentary physical infrastructure in the NER leads to disruptions during extreme climate events, with communities living in remote areas getting cut off from the rest of the region. Poverty due to climate events and emergencies is impacting the livelihood of local communities, resulting in the impoverishment of those living on the margins. Further, policies are not responsive to climate vulnerability of small groups and communities.

Replacement of marshes, wetlands, dense forests and diverse food crops in favour of inedible plantations, such as rubber and palm oil, exposes the NER’s fragile ecology to disaster and puts the vulnerable communities at risk of malnutrition, hunger, poverty and livelihood insecurity. Lack of policies and rules to prevent bio-piracy is also a concern as some species could outgrow indigenous flora, endangering the local fauna. Unabated use of charcoal and fossil fuel in the NER continues to degrade land, air and its resource ecosystem. Replicating global best practices without adapting to the specific conditions of the NER may also pose a risk to life on land.

Recommendations
The GoI, along with the state governments of the NER, should consider the following suggestions to deal with the impact of climate change in the NER ecosystem.

1. Assess infrastructure from climate change and DRR protocol perspectives and prepare plans for climate-resilient infrastructure.

2. Develop policies regarding the conservation of ecologically sensitive areas including wetlands and biodiversity hotspots.

3. Conduct climate change vulnerability census mapping for all communities in the NER and prepare and periodically update the database. Maximise coordination between the Urban Development Department and disaster management department/authority to implement proper DRR protocols and respond cohesively during an emergency.

4. Formulate policies to mitigate climate change impact and develop sustainable green and local livelihoods for communities, synergising with rural and urban livelihood missions.

5. Develop and promote the usage of bamboo as well as practices around other sustainable local natural produce for mitigation of climate change impact.

6. Prepare all-weather roads under PMGSY, linking district headquarters to the last hamlet to put into action effective, all-weather health services and evacuation plans.

7. Re-invent monoculture plantations in the NER in the form of more sustainable multi-cropping to align with SDGs 1 and 22 as well as address micro-climatic conditions.
8. Develop policies to (a) create seed banks reviving and promoting indigenous crop varieties and (b) monitor and control invasive non-indigenous species.

9. Regulate inland shipping, dredging, sludge and industrial and municipal waste treatment and sand mining, and hold such companies accountable under the targets for SDG 14.

10. Restrict unauthorised use of bio-resources that are not indigenous to the NER.

11. Design strategies to prevent bio-piracy and to stop excessive use of fossil fuels.

**Building partnerships**

**Challenges**

The Hydrocarbon Vision 2030 for the NER in India was released in 2016, and in line with that around 40 MoUs were signed for mining, energy and hydroelectric projects, among others. An international collaboration of such nature has its procedure and protocol. However, there are no simple procedures and protocols by which the civil society could collaborate internationally in the context of development projects, with geopolitics and government restrictions making it much too complicated. For instance, for the Brahmaputra–Mekong river systems project, Indian CSOs which need to connect with their counterparts in China are faced with a host of restrictions.

The NER is home to indigenous communities with distinct cultures and practices. Even as the GoI voted in favour of the UN Declaration on the Rights of Indigenous Peoples (UNDRIP), it does not recognise the communities in the NER as indigenous communities of that region despite demands from...
the people for the same. Further, in not recognising the indigenous communities and not subscribing to the UNDRIP, the government also does not like the civil society and academia to engage with such forums. It has to be noted that indigenous people are not defined only on the terms of their settlement, but also by their lifestyle and the specific problems that they encounter.

The NER is governed under the Sixth Schedule with autonomous and district councils in the hill regions. Though the councils comprise of people’s representatives, their decisions are often strongly influenced by state and central government directives rather than addressing the concerns of the local people. This is at slight variance in Manipur where the hill councils are empowered to take decisions autonomously in a few specific areas.

The NER is disproportionately governed by laws such as AFSPA and the Unlawful Activities (Prevention) Act (UAPA), with limited freedom and liberty to the people. The everyday life, livelihood and security of ordinary citizens are critically affected by this in the absence of any mechanism for them to articulate their challenges before the government. When CSOs do so and highlight concerns about development policies and human rights violations, it is perceived as challenging and critiquing the state. Further, CSOs face increasing administrative and legal repercussions for raising these issues, such as FCRA cancellation/non-renewal, income tax harassment, freezing of bank accounts, ban on travel, prohibitions to attend international forums, among others. The repercussions are greatest when raising concerns around mining, hydro-electric projects and disturbances in sensitive ecosystems. Open dialogue between the government and academic-civil society is necessary to promote an environment of trust and collaboration.

**Recommendations**

1. The GoI should take proactive measures to share and promote understanding about the rich culture and traditions of the people of NER in other parts of the country.

2. The GoI and state governments of the NER must explore ways to use CSR funds (as investments and grants for buying expertise and paying for capacity enhancement, skills training and jobs) in a significant manner across various SDGs in the region.

3. Facilitated by the MDoNER, state governments must form partnerships with national agencies such as the National Research Development Corporation, Indian Institute(s) of Technology, Indian Institute(s) of Management and relevant UN agencies to foster grassroots innovations.

4. The UN or any other suitable agency needs to build the capacity of CSOs (a) to engage with the authorities at the local, district and state levels in terms of advocacy, planning and implementation of programmes; (b) for effective engagement with the representatives in the Indian Parliament, as the central government has a major role in the NER; and (c) for sharing of knowledge, ideas, practices and cooperation at the international level.

5. There is a need to explore the potential for international collaborative research in botany, ecology, etc., with neighbouring countries that form a contiguous geo-physical ecosystem.

6. The GoI should review and suitably amend the Foreign Contribution (Regulation) Act, 2010 and Income Tax Act, 1961 to facilitate the participation of the CSOs in the SDGs without funding constraints.

**Establishing peace and justice**

**Challenges**

The GoI is currently engaged in peace negotiations with 17 indigenous armed groups in the NER and one such peace pact has been signed with Bodo militants of Assam.
often, armed—pivot around many contentious issues, central being the right to self-determination (and administrative autonomy) for the indigenous peoples. With wider awareness and accountability, driven by human rights movements, the archaic and uncompromising national security edifice—a vestige of the colonial times—is gradually giving way to relatively greater flexibility. However, there is still a long way to go.

Institutions that are supposed to oversee justice for conflict victims, such as state-level Human Rights Commission (HRC) and Minorities Commission, are not functional in all the states in the NER. Even though the HRC formally exist in Assam and Manipur, they are not effective due to an acute lack of resources and staff. As under the Right to Information Act, 2005, certain organisations are exempt from providing information under the Act. For instance, in Assam and Manipur, the Special Branch, the Civil Police and the Indian Reserve Battalions, among others, are exempt from disclosure. However, the number of public authorities who are exempt from providing information under the Right to Information Act, 2005 is steadily going up, practically subverting the objectives of the Act.

With the recognition of the extra-judicial killings, direct deaths due to conflict have significantly reduced. However, the use of the National Security Act, 1980 (NSA), UAPA, sedition law (Section 124A of the Indian Penal Code) and delay in trials have increased. For instance, 34 percent of the people arrested under the UAPA belong to Manipur even when the state hosts only 0.4 percent of the population in the country (NCRB 2019). People of the NER are discriminated against in getting bail under the UAPA. Usually, arrested persons are
freed under ‘default bail’ if the charge sheet under the Criminal Procedure Code is not filed within 60–90 days. However, for the people of the NER, this period for filing a charge sheet is increased to 120–180 days.

Further, the vacancy in the judiciaries have made it difficult to access justice. Even though Manipur and Tripura have their own high courts, a severe lack of appointed judges leads to serious delays and high pendency of cases. At times, even critical PILs are not heard as they cannot be heard without a bench of two judges.

Currently, there are no clear criteria for declaring an area as disturbed and the decision is totally dependent on the prerogative of the administration, which is often at variance with the people’s understanding. Declaring an area disturbed gives powers to the police to curb the freedom and liberty of the people in that area. In 1997, the Naga People’s movement for human rights had filed a PIL in the Supreme Court, asking for criteria to declare an area disturbed. The Supreme Court, however, ruled that the administration can declare an area as disturbed based on their assessment. This has made it possible for the administration at the centre to extend AFPSA in Nagaland even when the state cabinet asked for its removal.

Economic inequality has increased over time, receding hopes for economic equality and justice for the vulnerable communities, and pushing them further into the margins. Government schemes, projects and programmes like the Integrated Child Development Services, Mid Day Meal Scheme, National Food Security Act, 2013 or Mahatma Gandhi National Rural Employment Guarantee Act, 2005 (MGNREGA) are not implemented
effectively. Many cases have been filed with the HRC in Manipur for better implementation of these schemes. Corruption in the MGNREGA is prevalent with delayed payments and siphoning of funds being commonly reported.

The CSOs have been demanding a state policy on combating the drug menace in the region. The state interventions are directed along three dimensions—harm reduction, demand reduction and supply reduction. However, in the absence of a clear policy, the administration is disproportionately focused on ‘demand reduction’; building rehabilitation centres and arresting the small vendors. Civil society recommendations demand more focus on ‘supply reduction’; looking especially at suppliers worth ₹10 crore (₹100 million) and above, and handing over the trial to a central agency. There is collusion among the state authorities to let the big cartels run their drug businesses freely. A collective of ‘user groups, journalists and CSOs’ has filed a PIL before the High Court in this regard.

**Recommendations**

1. Develop a committed and irrevocable roadmap towards the repeal of AFSPA\(^27\) and other laws, including the Citizenship Amendment Act, UAPA, NSA and sedition laws that have been unduly harsh on the people of the NER.

2. The centre and NER states can explore additional and alternate measures to bring peace and normalcy in the region alongside the peace talks with the major militant groups. For instance, in 2001 in Manipur, Maj. Gen. Iqbal Singh announced a one-month unilateral ceasefire during the festival of Holi, allowing militants to come home and take part in the festival season. This was welcomed by the then chief minister and also the society at large. More such measures can be explored to integrate militants back into society.

3. The current surrender and rehabilitation package for militants is arbitrary and not transparent. They are administered by the military and often the surrendered militants get re-engaged in the conflict activities.

4. Build clear criteria and guidelines for declaring an area disturbed.

5. Establish strong and effective HRCs in all the NER states and grant them adequate power and resources to function effectively as per the Paris Principles.\(^28\)

6. Strengthen the legal aids services authority so that victims can get quality legal aids services and decent compensations by establishing the victims’ compensation scheme.

7. Protect human rights defenders so that they can carry out their work freely.

8. Institute a transitional justice process in keeping with the rights of the victims and focus on providing closure for them during the reconciliation processes undertaken by the GoI while documenting the memories of violence and atrocities.

9. Reduce pendency of cases in the courts, strengthen justice delivery in the lower courts and tribunals in the NER. The state should set up special courts to hear cases of extra-judicial executions along the lines of special courts set up for drug-related offences and violence against women. Currently, extra-judicial cases are heard in the regular courts, alongside other cases causing undue delay in the extra-judicial cases.

10. Upgrade efficiency and professionalism of state police departments. Strengthen institutions to maintain vigilance and strengthening anti-corruption measures at the state level. The blockade and general strikes reflect long-pending grievances of the communities in the NER. These should be taken as indicators to strengthen the system and address the grievance and pending cases of the people.
11. Update the data on slums, migrant population and informal workers, and conduct a cadastral survey to ensure proper land use policy formulation and implementation.

12. In solving issues around the right to self-determination, where conflicting perceptions are at play, the government invariably becomes the arbiter of peace and justice. The focus must shift to the spirit of peace and justice within and between peoples—be they ordinary citizens or representing the government. More effective and less damaging methods need to be found for better outcomes.

Recommendations to the UN

1. Prepare a dossier of alleged perpetrators of human rights violations and debar them from any engagement or employment under the UN, such as in peace-keeping missions.

2. Assist the GoI to set up the transitional justice process for the NER.

3. Encourage the GoI to report on several pending human rights treaties bodies including the International Covenant on Civil and Political Rights, Convention on the Elimination of all Forms of Discrimination Against Women, and Convention on Elimination of all Forms of Racial Discrimination; allow UN Special Rapporteurs to visit the NER; and accept and implement Universal Periodic Review recommendations.

Recommendations to CSOs

1. Led by the initiative of CSOs and also with participation from the GoI, awareness about the previously censored information about the various peoples’ struggles for self-determination in the NER has gone up. This should be continued and made more effective through new campaigns, reports and dissemination.

2. Wider and greater awareness of the SDGs and its linkages with government policies is necessary for the NER states through campaigns. CSOs should contribute to contextualising information for a state or ethnicity and disseminate the same in local languages (instead of Hindi or English) for easier understanding of and better communication with the indigenous peoples of the NER.

3. The CSOs in the NER should monitor the SDGs by collecting evidence-based data and using it.
for advocacy. They should collectively strive to achieve the SDGs, supported by the creation of an SDG Regional Hub for them to sustain the process. In doing so, the governments, the United Nations and the private sector must be co-opted.

4. The CSOs need to remain proactive throughout the planning, budgeting and implementation stages of a programme. They should proactively participate in the process of approving state-level indicators—launched by some NER states and being undertaken by others.

5. The CSOs in the NER also need training on preparing micro plans to address the targets under the SDGs such as climate change, food security, education and human rights at the village or local levels.

Notes

1. Administration of Tribal areas in the states of Assam, Meghalaya, Tripura and Mizoram.

2. Global Data Lab, Subnational Human Development Index (4.0), Institute for Management Research, Radboud University. https://globaldatalab.org/shdi/2018/indices/IND/?levels=1%2B4&interpolation=0&extrapolation=0&nearest_real=0.


12. CSR: Corporate Social Responsibility.

13. SDG 1: No poverty; SDG 2: Zero hunger; SDG 8: Decent work and economic growth.

14. SDG 3: Good health and well-being.

15. Rural healthcare centre for mothers and children.

16. Trained female community health activist.

17. During the National Register of Citizens exercise in Assam, migrants and homeless did not have documents to prove their citizenship.

18. Related to laws of land ownership and defining and property boundaries.

20. Villages and towns in the hilly areas of the NER depend on upstream community lands for their water.

21. SDG 12: Responsible consumption and production; SDG 15: Life on land; SDG 16: Peace, justice and strong institutions.

22. SDG 1: No poverty; SDG 2: Zero hunger

23. MoU: Memorandum of Understanding

24. For the prevention of unlawful activities of individuals and organisations.

25. Information relating to deployment and movement of force, security arrangements in respect of individuals/organisations/vital installations, information relating to operation against extremists/terrorists/insurgents/outfits and anti-national elements, information on details of ceasefire and negotiations, identity of informers giving information on extremists, terrorists, insurgents and anti-national elements, information as regards activities and movement of extremists, terrorists, insurgents and anti-national elements, identity of officers involved in operations against extremists, terrorists, insurgents and anti-national elements are also exempt from disclosure.


27. As recommended by UN Human Rights Committee, CERD Committee, Convention on the Elimination of all Forms of Discrimination Against Women Committee, Committee on Economic, Social and Cultural Rights, all the Work Groups of Universal Periodic Review I, II and III, as well as the Government of India’s committees and commissions.

28. The Paris Principles are the international minimum standards that all national human rights institutions—regardless of size or structure—must meet if they are to be legitimate, credible and effective in promoting and protecting human rights.
Persons Living with HIV in India

In 2017, 2.1 million persons were living with HIV (PLHIV) in India (41.9 percent of which were women) with HIV prevalence among adults (aged 15–49 years) at 0.2 percent. Incidence of HIV per 1,000 uninfected persons among people of all ages was 0.1 with 88,000 people newly infected with HIV and 69,000 people dying from AIDS-related illness.¹

India has the second-largest HIV treatment programme in the world and has made significant progress with a 56 percent decrease in AIDS-related deaths and a reduction in new HIV infections from 120,000 to 88,000 since 2010.² The National Health Policy 2017 promises to achieve the global target of ‘90:90:90’ for HIV–AIDS by 2020, that is, ‘90 percent of all people living with HIV will know their HIV status, 90 percent of all people diagnosed with HIV infection will receive sustained antiretroviral therapy (ART), and 90 percent of those receiving ART will have viral suppression.’³ However, while 79 percent of PLHIV knew their status in 2017, only 56 percent of those were on treatment.⁴

The HIV response in India has shown that collectivisation of the community at the state and district levels through formal PLHIV networks and community-led advocacy can have a significant impact on the country’s
programmes and policies. Such contributions include those relating to the HIV and AIDS (Prevention and Control) Act, 2017, access to free ART, adoption of the ‘test and treat’ policy, and implementation of the Greater Involvement of PLHIV/AIDS (GIPA) principles. Positive speakers and individuals from the community have given a human face to HIV and helped to create a bulwark of psycho-social support, strengthening preventive measures and improving care and treatment, thereby contributing to the achievement of the global 90:90:90 targets.

At the same time, addressing the causes and manifestations of stigma and discrimination can result in further reduction of human rights violations and violence against key populations at higher risk. However, poverty, unemployment, gender inequality, poor nutrition and lack of access to healthcare and education are factors that continue to hinder progress.

To understand the status of the Sustainable Development Goals (SDGs) for PLHIV in India, a two-day national consultation was held on 29–30 January 2020 in New Delhi. Anchored by the National Coalition of People Living with HIV in India, the consultation saw over 40 participants from 17 states across India. The deliberations and discussion points were consolidated to inform state-specific action plans. Some of the key challenges and recommendations are provided in the following sections.
Key Challenges and Recommendations

**Challenges**

Limited availability of viral load machines and facilities in most districts hampers effective monitoring of health and HIV care aspects. Further, stockouts and supply chain issues regarding ART medicines hamper the attainment of the goal of viral suppression.

Adolescents and children living with HIV are often left out. Gender discrimination, even in the same family, impacts health and education outcomes. Gender non-conforming children are most vulnerable in these situations.

The community does not have a full understanding of new treatment guidelines, protocols, drug regimens, government schemes and emerging global developments related to PLHIV. District- and state-level PLHIV networks are not adequately supported and communication channels for community engagement restricted.

Data on available social protection schemes and the number of PLHIV accessing these schemes is hard to come by. Many PLHIVs have shared their experiences of being denied timely services by the district administration and concerned officials.

While the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) has led to reform of patent laws and regulations, it has also caused drug stockouts related to patents.

There are, however, some positive steps that have been taken by a few state governments to support the PLHIV network (Box 1).

**Box 1: Good practices in support of PLHIV**

i. Empowerment of PLHIV community leaders and strengthening of second-line leadership has enhanced meaningful community involvement in shaping national policies and practices.

ii. The Himachal Pradesh government has increased insurance cover for PLHIV registered with ART centres to ₹2 million to meet expenses for diagnosis and treatment. Besides, the state offers a housing scheme and life skills training for PLHIV. Life skills training is also provided by the governments of Madhya Pradesh and Uttar Pradesh.

iii. In Manipur, free treatment for hepatitis C has been made available through the National Health Mission and is being accessed by PLHIV co-infected with hepatitis C.

iv. In varying degrees, state governments provide PLHIVs access to pension schemes, scholarships and other social protection schemes. A comprehensive updated database would help states to initiate good practices and aid the community in advocating for the same.

**Recommendations**

1. There should be a proper collection of disaggregated data specific to PLHIVs to enable a deeper understanding of ground realities and help policymakers develop better programmes for the community. The Ministry of Statistics and Programme Implementation may be requested to engage with stakeholders
to build a robust tool to gather and collate such data.

2. The government should ensure that all PLHIVs are covered under the Ayushman Bharat scheme and other social health protection schemes. Also, HIV co-infection with hepatitis C and tuberculosis should be addressed, ensuring accurate information on treatment protocol and medications. It has been proposed that there should be smart-card-based access to all health services and government schemes.

3. The PLHIV community should work more closely with other ministries and departments besides the Ministry of Health, such as the Ministries of Social Justice and Empowerment, Women and Child Development and Human Resource Development. It will also be essential to work with the relevant civil society organisations and non-governmental organisations to map schemes under these ministries (such as nutrition support, pension, self-help groups and microfinance schemes, travel allowance and national skill-building programme) that will help the community and work out a plan of action for their implementation. This plan of action should include a comprehensive database on government schemes and entitlements that can be easily accessed by the
PLHIV. This database should be shared with relevant ministries and state departments for improved delivery systems.

4. While the HIV and AIDS Act secures the rights of PLHIV, its provisions and implications need to be more clearly understood and appropriately implemented by relevant ministries. Ministries and departments should also ensure the sustainability of programmes and increase budget allocation for the same.

5. The government should ensure consistent advocacy and action on the incidence of stigma and discrimination by documenting cases of human rights violations and facilitating access to appropriate grievance redress mechanisms. It should also look at the formulation of rules and regulations as well as setting up an ombudsman system to exercise the powers entrusted under the HIV and AIDS Act.

6. Procurement through TRIPS should be revised as per the latest laws and regulations to avoid the drug stockout of ART medicines and other commodities.

7. There is a need for intensified dialogue and interaction between different networks across national, state and district levels to enhance sharing of information and good practices, and to work towards increasing partnership-building with a broader cross-section of stakeholders across the country.

8. New strategies should be developed and implemented to combat rising HIV infection among the young and the elderly and should include coordination with other stakeholders and vulnerable groups.

9. An ‘Advocacy Plan’ aligned with the SDGs 2030 should be developed in the context of PLHIV. The following points should be included in the proposed plan:

   a. Promote greater public awareness on the themes of no new infections, cure for HIV, viral load suppression (undetectable = untransmittable), economic empowerment, gainful employment, zero stigma and effective mainstreaming of PLHIV.

   b. Showcase the political commitment for the PLHIV community in India wherein a representative is appointed to share the issues of the community in the Parliament.

   c. Increase efforts to ensure equal opportunities for Adolescents and Young People Living with HIV for education and skill development programmes.

   d. Develop and implement effective community-led monitoring programmes on the ground to provide timely feedback to the government’s schemes and service delivery mechanisms. Community-based organisations should be nurtured for sustainable support to such programmes.

   e. Explore new partnerships and opportunities such as those within the corporate social responsibility mandates to develop additional programmes for the PLHIV community.

Notes

5. Aims to prevent and control the spread of HIV-AIDS and prohibits discrimination against PLHIV in India.

6. To provide antiretroviral therapy to all HIV+ people.

7. This policy aims to effectively ensure the meaningful involvement of PLHIV to reduce the spread of HIV and mitigate its impact in India.

8. The most extensive government-funded healthcare programme in the world.
Persons with Disabilities in India

There is no consensus on the baseline number of Persons with Disabilities (PWDs) in India. According to the Census of India 2011, the number is 26.8 million (2.2 percent of the population),\(^1\) the World Health Organization (WHO) estimates it at 200 million (15 percent of the population),\(^2\) while civil society organisations (CSOs) peg the number between 70 and 100 million.\(^3\)

Even if we go by the lowest estimate of 26.8 million PWDs, the number is higher than the total population of three-quarters of the world’s nations. Therefore, India’s disabled population carries significant weight for the achievement of the Sustainable Development Goals (SDGs). India is obligated to implement disability-inclusive development; the failure to include and integrate PWDs in development programmes will mean failure to achieve the SDGs.

The Constitution of India applies uniformly to every citizen, and it provides a robust legislative framework to empower, protect and enable PWDs. The SDGs align with two new disability laws enacted by India based on the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)—Rights of Persons with
Disabilities Act, 2016 (RPWDA) and Mental Healthcare Act, 2017 (MHCA). There are two laws that focus on rehabilitation—Rehabilitation Council of India Act, 1992 (RCIA) and National Trust Act, 1999 (NTA). Disability is also included in several other legislations related to social welfare and empowerment including Right to Education (RTE) Act and Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA). However, enforcement of these laws and provisions for PWDs need to be strengthened.

India’s policy framework has so far seemed to have ignored PWDs. The SDG India Index, 2018 included no indicators relevant for PWDs and the 2019 Index had only one. Many government department collect data on disability but the data has not been included in the SDG India Index. The National Indicator Framework of the Ministry of Statistics and Programme Implementation has only four indicators for PWDs, which is substantially lower than the UN’s SDG Indicator Framework. Civil society believes that there are over 200 indicators where data could be disaggregated for disability.

To amplify the voices of PWDs, a two-day national consultation was organised by the National Centre for Promotion of Employment for Disabled People and SightSavers India on 17–18 January 2020. The consultation saw over 80 participants from more than 25 states and union territories in India who reviewed statistics, laws, policies and programmes in the context of the SDG framework, and identified challenges, best practices and recommendations to outline the way forward to promote the implementation of SDGs for PWDs.
Key Challenges and Recommendations

**Challenges: Poverty alleviation**

Though there is a direct link between disability and poverty, existing social protection schemes are yet to be enhanced to increase their reach, and no new schemes with a specific focus on PWDs have been introduced.

There is no information on the number of PWDs living below the poverty line. Additionally, the poverty line estimates do not consider the cost of living with a disability. Social protection schemes such as the Indira Gandhi National Disability Pension, which is a meagre ₹300 per month, and state disability pensions, which range from ₹300 to ₹3,500 per month, are inadequate and inaccessible for PWDs.

The social security provisions included in the RPWDA, such as 25 percent higher quantum of assistance and 5 percent reservation in all poverty alleviation schemes, are not implemented and several others are yet to be even formulated, for instance, health insurance schemes.

Inadequate data and monitoring mechanism hamper inclusion in key flagship schemes, such as the Pradhan Mantri Jan Dhan Yojana, Ayushman Bharat, National Food Security Act, Targeted Public Distribution System and Pradhan Mantri Awas Yojana.

**Challenges: Health and well-being**

Persons with disabilities need increased medical, nutritional and rehabilitation attention. While the RPWDA and the MHCA have strong provisions for access to health services, enforcement of these remains a challenge.

There is a considerable gap in the sensitisation process of doctors and healthcare professionals on how to interact with PWDs. Doctors are invariably reluctant to treat people with disabilities such as leprosy and mental illness due to the stigma attached to the same.

Further, access to affordable healthcare remains a challenge as universal health coverage of PWDs is limited. Private insurance companies deny insurance to PWDs and schemes primarily focusing on disability, such as the Swavalamban Health Insurance Scheme, are dysfunctional. Additionally, the Niramaya Health Scheme of the National Trust, though functional, is limited in scope and needs strengthening.

Ayushman Bharat, India’s flagship scheme on universal health coverage is yet to track coverage of PWDs and does not include product features for people across all disability groups. It does not address the specific health needs of PWDs to procure and maintain essential assistive products; afford caregiver services; purchase ongoing medicines including disability-specific nutritional supplements; and access preventive, rehabilitation, maintenance and corrective procedures for all disabilities including for those with secondary and degenerating health conditions.

Essential medicines for multiple sclerosis and thalassemia are not included in the drug price control
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list, making them unaffordable for most. Additionally, the process of assessment and issuance of disability certificates is too complicated with multiple gatekeeping, making it difficult for PWDs to access these certificates.

**Challenges: Education**

There is limited investment in the human resource development of PWDs, with 45.5 percent of the 26.8 million PWDs in India being illiterate according to the Census of India 2011. Of the Children with Disabilities (CWDs) in the 5–19 years age group, 39 percent were currently out-of-school with 27 percent never having attended school. The percentage of five-year-olds among CWDs never to have attended school is as high as 72 percent.

Further, the number of children enrolled in school drops significantly with each successive level of schooling. Even within CWDs, there is gender disparity, with fewer girls with disabilities in school than boys with disabilities. Thus, even though successive government schemes and programmes have brought large numbers of children with disabilities into schools, significant gaps remain to be addressed.

The RTE Act and the National Education Policy, 2019 do not adequately address barriers such as inaccessible school infrastructure (including toilets, libraries, laboratories and playgrounds), unaffordable books and study materials, a paucity of learning materials suitable for the visually or hearing impaired, absence of assistive technologies and transport facilities, denial of reasonable accommodations, inadequate teacher training on inclusive education, and negative and negligent attitude of school staff and parents.

Guidelines and management/monitoring procedures for special schools and home-based education have not been brought under the ambit of the Ministry of Human Resource Development (MHRD) for content and quality of education. The MHRD neither has a dedicated disability cell to report disability disaggregated data nor has it introduced special schemes for students (especially girls) with disabilities.

Further, institutes of higher and professional education do not adhere to the provisions of the RPWDA to provide accessible infrastructure, information and communication technology (ICT), reading materials and reasonable assistive services such as readers, scribes and sign language interpreters, among others, to PWDs.

**Challenges: Girls and women with disabilities**

Globally, women with disabilities are subjected to multiple forms of disadvantages and discrimination on account of their gender, impairment, community, economic status and geographic location, among others. In India, evidence illustrates that they are being excluded from the development agenda. For instance, they are less literate: only 45 percent of disabled women are literate as compared to 62 percent of disabled men. Women with disabilities find fewer employment opportunities as well: 32 percent of disabled women find employment as compared to 64 percent of disabled men.

Women with disabilities are at heightened risk of suffering sexual violence as compared to those without disabilities. They are subjected to forced sterilisation, abortions and hysterectomy procedures without free and informed consent, often following requests from parents and caregivers. There are also no shelter homes for women with disabilities, which is a critical unmet need. Further, women with disabilities also face discrimination in adoption and custodial rights after divorce. Crimes against women and girls with disabilities are not closely monitored. Separately, there is a lack of disaggregated data to track the progress of women and girls with disabilities in terms of SDGs.

Disability legislations, such as the RPWDA and MHCA, have specific provisions for women with disabilities. However, there remains a strong need for women-specific laws, such as the Domestic
Violence Act, to include women and girls with disabilities and adequately address issues of accessibility reasonable accommodation and sexual and reproductive rights.

Participation of women with disabilities in key decision-making positions in Parliament and State Legislatures, law enforcement and corporate houses is very low, exacerbating their exclusion and marginalisation.

**Challenges: Water and sanitation**

Millions of toilets have been constructed under the Swachh Bharat Mission rural and urban programmes, but accessibility remains an afterthought. Gaps remain in the official data published by the concerned departments on the number of disability-friendly toilets constructed.

The PWDs do not have easy access to clean drinking water either. In many parts of the country, clean drinking water is sourced at community centres located at a distance, making it difficult for PWDs to access the same. Further, people with physical impairments are unable to collect water for themselves, with some unable to carry water the distance required and others finding well walls and water taps too high. Even if some PWDs could carry water, they would not be able to bring the amount needed. Also, not all water sources in public places are accessible, with some built at greater height or even barricaded, making access difficult for wheelchair users.

PWDs also face stigma and discrimination when using household and public facilities owed to a commonly held superstition that PWDs will contaminate water sources.

**Challenges: Employment opportunities**

Discrimination continues to remain a significant barrier to employment for PWDs. The RPWDA promotes skill development and jobs for PWDs, mandates reasonable accommodation in private and public sectors, provides for 4 percent reservation in the public sector, and gives incentives to the private sector for hiring PWDs. Yet, only 37 percent of PWDs in the age group of 15–59 years have employment. Further, the RPWDA does not extend any reservation to people with blood disorders and neurological disabilities.
Only a fraction (mere 10 percent) of total jobs are identified as suitable for PWDs, and even these identified positions are not filled. Despite the 3 percent reservation in MGNREGA, less than 0.6 percent of the MGNREGA beneficiaries were PWDs in the five years up to 2019–20.

Reservation in government and public sector jobs includes people with intellectual disabilities, autism, psychosocial disability and multiple disabilities. However, there is no data available to show the number of people employed from these groups.

The job identification system is yet to focus on increased employability with reasonable accommodation at the workplace, with vocational training currently rehabilitating a small number of PWDs.

**Challenges: Assistive products for PWDs and accessible ICT**

There are considerable gaps in accessing assistive products and technologies for PWDs in India due to lack of availability, accessibility, affordability and information about the same. The quality of assistive aids and appliances distributed through the ADIP camps are a cause for concern. Between 15 percent and 40 percent of beneficiaries do not use their aids and appliances as they are unsuitable for their disability needs or are of poor quality.

The Accessible India Campaign focused on only a few government initiatives, leaving out many other websites and mobile apps of central and state governments and those created by the private sector. Further, the Smart Cities Mission, Digital India and e-governance initiatives do not incorporate the accessibility needs of PWDs in their programmes and schemes.

**Challenges: Legislative reforms**

Implementation of existing disability laws, such as the RPWDA, is inadequate: many states are yet to notify the rules, constitute advisory boards and district-level committees, sanction state funds, designate special courts or appoint full-time Disability Commissioners.
India is yet to align the provisions under the RPWDA, MHCA, RCIA and NTA with the UNCRPD and remove contrary stands, such as guardianship and legal capacity. There are more than 100 current laws that discriminate against PWDs, especially those affected by leprosy, speech and hearing disabilities, and psychosocial disabilities.

**Challenges: Cities and settlements**

With no accessibility standards set for Smart Cities, PWDs find it difficult to access public buildings, bus stands, railways, airports, sports facilities, cultural and heritage sites, transport across roadways, railways, airways and waterways, and all other initiatives under the Smart Cities Mission. There are standards and parameters included in the National Building Code and Harmonised Guidelines but they lack dissemination and enforcement by all states, municipal or local bodies. And unfortunately, none of the recommendations under the Guidelines on Accessibility has been implemented by any ministry in the country.

Universal design and accessibility are not yet mandatory while procuring, building or refreshing any infrastructure projects, with accessibility experts and PWDs not included in planning, developing and auditing. As of now, the 5 percent reservation for PWDs in Housing for All schemes has not been implemented as per the RPWDA along with the universal design and accessibility standards.

**Challenges: Disaggregated data on disability**

Lack of data and research on PWDs severely constrains tracking and monitoring the ground situation. Census and National Sample Survey Office (NSSO) Disability Survey, which are essential sources of disaggregated data on disability, are infrequent. The Census exercise happens once in ten years, and the 2018 NSSO Disability Survey was conducted after more than 15 years.

Not all government departments, either at the state or central level, collect and report disaggregated disability data. Sometimes there is no disaggregated data for schemes or policies introduced for PWDs.

There is no data with the Directorate General of Income Tax on the number of taxpayers availing income tax benefits for disability, nor is there any disability data included in the NSSO employment/unemployment surveys.

The Unique Disability Identity Card is one of the most important sources for data-collection for PWDs. Unfortunately, the initiative has been slow to take off and challenging to access.

Nevertheless, the government has taken up a few initiatives to support PWDs through inclusive programmes and schemes (Box 1).

**Recommendations**

1. A **disability index** should be developed to collect and report disaggregated data on disability as a sub-set of the SDG India Index to monitor the well-being of PWDs in comparison to persons without disabilities. The index should synthesise and disaggregate data from all data sources of socio-economic parameters on a real-time basis, such as the population census, civil registration, all surveys conducted by various ministries and departments at the state and central levels, and all social schemes including MGNREGA, National Rural Livelihood Mission and National Urban Livelihood Mission. The index should provide double disaggregation to achieve the SDGs for those who experience disadvantage based on more than one aspect of their identity, such as gender, income and type of disability.

To improve the quality of disability data and make it internationally comparable, agencies should consider adopting the Washington Group’s short set of disability questions; the Model Disability Survey developed by the World Health Organization; and a child functioning module developed by the United Nations Children’s Fund.
2. **Disability cells and budgets** should be created in all relevant ministries and government departments, including NITI Aayog, based on clear technical guidelines, along with robust partnerships between disability and sectoral experts, and the reporting of disability disaggregated results made mandatory across the system. Nodal agencies should ensure that the development initiatives are designed, implemented and monitored in a way that is PWD-inclusive and disaggregated data reported. Specific disability budgets should incorporate accessibility on all fronts and focus on supporting assistive technology, community-based services, social protection programmes and employment assistance. Most importantly, PWDs should be actively engaged in all these processes.

3. A high-level monitoring committee should be constituted at NITI Aayog for **monitoring the progress** of SDG implementation for PWDs.

4. All schemes and policies announced by the government must be **inclusive of and accessible to PWDs** and must be aligned to the RPWDA. Social audits of all schemes and policies should be carried out regularly. The National Social Assistance Programme caters only to people with 80 percent disability and above; this should be amended to include people with benchmark disabilities as stated in the RPWDA.

5. **Capacity-building** programmes on UNCRPD, RPWDA and MHCA should be initiated with focus on disability-related concepts, such as accessibility, universal design, reasonable accommodations and disability-specific health care system, alongside collection, analysis and reporting of disaggregated data. Capacity-building should include Members of Parliament and Members of Legislative Assemblies, all ministries and government departments concerned with human development including NITI Aayog, MHRD, Ministry of Home Affairs, Ministry of Women and Child Development, NGOs, academics, civil society, the private sector and PWDs.

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**Box 1: Good practices in support of PWDs**

i. **Inclusive elections**: The Election Commission of India (ECI) substantially increased focus on inclusive elections, with accessible polling booths, Electronic Voting Machines with Braille, provision for transportation, wheelchairs and personal assistants, among other measures. ECI also set up a disability cell, appointed a disability consultant, declared 2018 as a year of accessible elections to draw special attention to inclusive elections, and forged several partnerships with the Department of Empowerment of PWDs (DEPWD), state election commissions divisions, various national and state civil society organisations, and disabled persons organisations.

ii. **Disability legislations**: National legislations protect the rights of PWDs through constitutional, anti-discrimination and other national disability legislations. These laws, especially RPWDA, include the private sector as well and mention timelines for making buildings and services accessible, provide the right to home and family, to live in a community, protection from abuse and violence, and access to justice.

iii. **Accessible India Campaign**: Introduced in 2015, this campaign has helped to draw attention to issues of accessibility across the three focus pillars of websites, built environment and transport.

iv. **Mission mode schemes to reduce disability prevalence**: The Ministry of Health has introduced several successful mission modes schemes, such as National Leprosy Eradication Programme (NLEP) and National Programme for Control of Blindness and Visual Impairment, to curb the occurrence and spread of disabilities. Owing to the NLEP, India was declared leprosy-free over a decade ago.
6. **Partnerships:** The government should forge a multi-stakeholder collaboration with various central and state government departments, the DEPWS, NITI Aayog, concerned state welfare departments for disabilities, NGOs, Disabled People's Organisations, PWDs, private sector and international agencies such as the UN. Disability-inclusive development is an essential pre-condition for a sustainable future. If PWDs from India are not included as both agents and beneficiaries of development, then globally, the SDGs would not be regarded as a success.

**Notes**


4. The Act guarantees 100 days of wage employment in a financial year to rural households whose adult members are willing to do unskilled manual work.

5. The SDG Index is documenting progress made by Indian states and union territories towards achieving the 2030 SDG Targets.


7. Financial inclusion scheme of the Government of India to provide poor people access to bank accounts.

8. The most extensive government-funded healthcare programme in the world, aimed at achieving universal health coverage.

9. A flagship programme of the Government of India to provide housing for all by 2022.

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12. Ibid.

13. Ibid.


20. ADIP: Assistance to Disabled Persons for Purchase/Fitting of Aids and Appliances Scheme by the Ministry of Social Justice and Empowerment, Government of India.


Sexual Minorities—
LGBTQIA+

Sexual Minorities in India

The LGBTQIA+ persons figure among the most marginalised and near-invisible communities of India.¹ Sexual minorities faced multiple challenges and, for the longer part of 70 years since independence, have faced a legal battle against Section 377 of the Indian Penal Code (IPC 377).²

The challenges faced by this community are multifold—lack of parental and societal acceptance, bullying in educational institutions, disinheretance, eviction, physical assault, sexual assault, forced heterosexual marriages, honour killings, discrimination in the job market especially during recruitment, absence of mechanisms for grievance redress at the workplace, inadequate legal recourse in case of harassment, lack of same-sex spouse benefits, and deprivation of the right to form a family or even to adopt a child. Additionally, there is no pan-India data available for the LGBTQIA+ population and they are not included in welfare schemes (except for a negligible proportion of the transgender community that is included in some schemes, implementation of which continues to be a challenge).
To understand the status of the Sustainable Development Goals (SDGs) for the LGBTQIA+ community in India, a national consultation facilitated by Humsafar Trust was held on 7 February 2020 in Delhi. The consultation saw the participation of around 30 representatives from the LGBTQIA+ community from across the country. The discussions highlighted the key challenges and emerging issues faced by the community and also identified good practices and lessons learned. The key deliberations from the consultation are given below.
Key Challenges and Recommendations

**Challenges**

Although the Supreme Court delivered a progressive judgement on IPC 377 in 2018 and de-criminalised same-sex relationships, civil rights, adoption rights and same-sex marriage rights have still not been provided for by the government. The Adoption Rights Act as well as the Surrogacy Bill bar same-sex couples and even single homosexual men from adopting children. As a result, freedoms and equality before law granted by the Constitution of India are non-existent for the individuals from the LGBTQIA+ community.

Sex Reassignment Surgery (SRS) does not qualify as a 'life-saving' intervention, while the community perceives it to be so. As a result, the services are not readily available, accessible or affordable for the community. Even in metropolitan cities, only a limited number of hospitals provide the above services. While the National Legal Services Authority judgement on transgenders advocated for providing SRS under essential public healthcare services, it is yet to be translated into action. There are no specific anti-bullying or anti-harassment laws to protect the LGBTQIA+ community. Even the recent Transgender Person's Protection of Rights Act, 2019 provides for only up to two years of imprisonment for sexual assault on transgenders, compared to seven years of imprisonment for the rape of a woman.

Medical colleges in India are yet to include the specific health issues of the LGBTQIA+ community in their curricula. With some textbooks still labelling homosexuality as a disease, the medical curriculum in India has not evolved to keep pace with the latest scientific knowledge related to sexual and gender orientation. Formal school curriculum does not include gender and sexuality sensitisation either. Also, most schools and colleges do not have provisions for an ombudsman or counsellors to address the issues of LGBTQIA+ students.

Very recently, some states like Odisha, Chhattisgarh, Kerala and Gujarat have initiated housing schemes for the transgender community. However, there are no dedicated shelter homes for the LGBTQIA+ even though many young people belonging to this community run away from homes due to suppression and denial of gender expression.

The community faces complex mental health issues owed to gender confusion and imposition of gender identities, stereotypification, familial and societal rejection, stigma and discrimination. The emotional and psychosocial impacts of forced heterosexual marriages and sexual assaults on the LGBTQIA+ persons are rarely addressed as only a handful of mental health professionals (limited to large metropolitan cities) have the expertise to do so.

India still does not have any data matrix to track LGBTQIA+ community on areas such as HIV incidence, treatment coverage, stigma and discrimination, national suicide mortality rates, the proportion of persons suffering from depression and anxiety, alcohol and drug use, proportion accessing
affordable medicines, and coverage of essential services by sexual orientation, gender identity and expression, and sex characteristics.

There is no research or data on issues affecting the LGBTQIA+ community such as domestic violence, suicide and homicide cases, cyberbullying, sexual offences and rape, and there are no effective monitoring systems to control or prevent the same.

There are limited avenues for access to health funding, particularly to address cervical and breast cancers that are diagnosed later in lesbian, bisexual and transgender populations.

In terms of providing support to achieve economic stability and security, skill-building and entrepreneurial assistance to the LGBTQIA+ community has not been adequately addressed.

A few steps have been taken in recent years that, in some way, lend support to the community (Box 1).

**Recommendations**

The understanding of SDGs concerning the LGBTQIA+ community should be broader and deeper across various institutions—government departments, educational institutions, non-governmental organisations, community-based organisations (CBOs) and the community—to facilitate dialogue and constructive action. During the consultations, a broad cross-section of stakeholders was identified who could make a difference to the lives of the LGBTQIA+ community through right and timely action. These stakeholders included government ministries and state departments, particularly the Ministries of Health and Family Welfare, Human Resources Development, Women and Child Development, Social Justice and Empowerment, Law, Home and Panchayati Raj, along with National Commission for Women, NITI Aayog, National AIDS Control Organization, India Network for Sexual Minorities, Indian Council of Medical Research, educational institutions, legal bodies, NGOs, CBOs, private healthcare practitioners, local bodies, UN agencies and development agencies.

A concerted approach towards ensuring the attainment of SDGs by the LGBTQIA+ community requires the following measures.

1. Gender reaffirmation guidelines and documentation processes should be uniform across the country. Laws concerning domestic violence, blackmail, harassment and rape should be gender-neutral in order to protect LGBTQIA+ people effectively.

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**Box 1: Good practices that have supported the LGBTQIA+ community**

1. In 2018, the Supreme Court passed a judgement on Section 377 of the IPC, de-criminalising same-sex relationships.
2. In 2019, the Transgender Protection Act was passed and despite its limitations (such as no explicit definition of discrimination covering a range of violations faced by the transgender community; inadequate punishment for sexual abuse of transgenders; and no reservation provisions, among others), was a much-awaited step in the right direction.
4. The Mental Health Act, 2017 recognised sexuality and gender issues.
5. Corporate organisations such as Tata Consultancy Services and Salesforce India recognised same-sex partners and extended policy benefits to such persons.
6. In Punjab University, several measures have been taken to ensure inclusion of the LGBTQIA+ community, such as the formation of sexual harassment committees for LGBT, construction of separate hostels, a celebration of Pride Week, and installation of separate washrooms for transgender persons.
2. Gender affirmation and SRS should be included as essential services and viable options should be provided for alternative assisted reproductive technologies to LGBTQIA+ people intending to become parents.

3. There should be sustained and meaningful discussions on issues of diversity and inclusiveness with the legal fraternity as it would facilitate the process of making the Transgender Persons (Protection of Rights) Act a reality in terms of implementation.

4. More shelter homes for the rehabilitation of transgender persons should be started with the help of community-based organisations to ensure acceptance and safe transition, as done in Tamil Nadu and Kerala. Also, safe houses and help lines should be set up for LGBTQIA+ people affected by violence.

5. Community members should be suitably supported to obtain the requisite legal documents and facilitate recognition of same-sex partners.

6. Access to the government’s social protection schemes and skill development programmes, including food security through the Public Distribution System (PDS) and health insurance, should be enhanced for the community.

7. Educational institutions should ensure zero tolerance for bullying and harassment of LGBTQIA+ persons and promote gender-neutral facilities and environment. There should be gender sensitisation of teachers and staff, and the LGBTQIA+ community should be represented in managing boards. Issues related to the community should be included as part of comprehensive sexuality education and Positive Deviance stories should be included in school textbooks.

8. Comprehensive education on LGBTQIA+ issues should be introduced in medical colleges as well with a focus on specific health issues of LGBTQIA+ people. Training and sensitisation of healthcare practitioners on sexual health issues are also of vital importance. Along with this, social infrastructure should be strengthened to address mental health issues of the community. Serious efforts should be made to stop conversion therapy immediately as it adds to the psychological trauma of LGBTQIA+ people.

9. Capacity building of police personnel and LGBTQIA+ groups to document instances of hate crime against the community should be made a priority.
10. Drug abuse among persons from the LGBTQIA+ community must be tracked and monitored, supplemented by dedicated rehabilitation support.

11. Transformative and affirmative workplace policies should be introduced for the employment of LGBTQIA+ people, particularly transgender persons. Post-operative care and post-gender affirmation processes should be protected by law, particularly in the workplace environment.

12. Appropriately disaggregated data on the LGBTQIA+ community across all sectors should be captured to build a body of evidence-based research that will allow for smarter and effective interventions.

13. The government must acknowledge that the progressive realisation of economic, social and cultural rights under the international human rights treaties, which India is a signatory to, must extend not just to children and persons with disabilities but also to LGBTQIA+ people.

14. Non-discriminatory and gender-inclusive language needs to be a part of SDG 5 so that it becomes relevant not just for women and girls but also for sexual minorities.5

Notes
1. LGBTQIA+: Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, Asexual; the plus sign covers all others who identify themselves as sexual minorities.

2. Section 377 of the Indian Penal Code came into force in 1862 and criminalised consensual, gay sex. It was struck down by the Supreme Court of India in 2018.

3. The National Legal Services Authority vs Union of India was a landmark judgement by the Supreme Court of India in 2014, which declared transgenders as the ‘third gender’, asserted their right to self-identification and affirmed that the Fundamental Rights guaranteed by the Indian Constitution were equally applicable to transgenders.


Women in India

‘Gender equality and the empowerment of women’ as a stand-alone goal and priority cuts across all the 17 Sustainable Development Goals (SDGs). Therefore, a gender lens must be applied while planning interventions and assessing achievements under all the SDGs. Women constitute 48.5 percent of the total population of India. At 405.83 million, rural women constitute the majority (69 percent) of the total female population. Women belonging to Scheduled Castes (SCs) and Scheduled Tribes (STs) make up about 25.5 percent of the total female population. Young women in India constitute a sizeable population with women aged 15–29 years representing more than 30 percent of the total female population in the country in 2017. While elderly women (60 years and above) constitute around 8 percent of the female population (2017), women with disabilities constitute 1.9 percent of the total female population.

India draws upon its Constitution that has established a powerful mandate for equality of women in its Preamble, Fundamental Rights and the Directive Principles of State Policy. India is a signatory to several UN Conventions, including the Universal Declaration of Human Rights, 1948; Convention on Elimination of all Forms of Discrimination against Women (CEDAW), 1979; International Conference on Population and Development—Programme of Action, 1994; the Beijing Platform for Action, 1995; and Convention on Rights of the Child, 1989, thus underscoring its commitment to gender equality. Further, the Department of Women and Child Development, Government of India, earlier under the Ministry of Human Resources Development,
came into existence as a separate ministry with effect from 30 January 2006. The ministry was constituted with the prime intention of addressing gaps in state action for women and children towards promoting inter-ministerial and inter-sectoral convergence to create gender equitable and child-centred legislation, policies and programmes.

There have been some efforts over the years which reflect the Government of India’s commitment to gender equality. These include flagship programmes such as Beti Bachao Beti Padhao, Jan Dhan Yojana, Sukanya Samriddhi Yojana; the institution of gender budgeting by the union government and some state governments; adoption of laws against harmful practices, such as foetal sex selection, child marriage and domestic violence; establishment of One-Stop Centres, helplines and Mahila Thanas; increased representation of women in local governance; and greater availability of data on forms of violence through the National Crime Records Bureau and the National Family Health Survey (NFHS). However, women, girls and sexual minorities continue to endure inequality and discrimination in all aspects of life in their homes and public places. The violence they face is structural as well as physical, sexual and emotional. As a result, they fare poorly on all development indicators. Critical challenges remain in the absence of disaggregated data across gender, age, disability, caste, class, tribe, marital status, occupation and location; as well as gaps in the implementation of laws and policies along with inadequate budgetary allocation for programmes and schemes for women and girls.

For any development to be just and sustainable, the significance of the ‘leave no one behind’ or LNOB principle is of paramount importance. The Sustainable Development Goals (SDGs) provide a broad framework for fresh thinking and bold initiatives to correct the historical imbalances, formulate policies and programmes, and create spaces for women and girls to realise their potential as equal human beings and citizens. A sharper focus on gender in all SDGs is critical to understand better, examine and address the systemic barriers that leave women behind.

To bring forth the voices of the people, a national consultation on women, anchored by Jagori, was organised on 2 February 2020. The consultation brought together 74 participants from 45 organisations/networks, working across 20 states in urban, peri-urban, rural and tribal areas from diverse sectors. The aim was to track the progress of SDGs and identify gaps in and barriers to achieving these. The following section provides a summary of the key challenges and recommendations that emerged from the consultation.
Key Challenges and Recommendations

Achieving gender equality and empowering all women and girls

Challenges in formulation, implementation and amendment of laws

There is lack of recognition of everyday economic, social, political and cultural discrimination and violence faced by women, especially by women from marginalised sections such as Dalits, Adivasis, LGBTQIA+, women with disabilities and sex workers.

Additionally, several policies that seek to address the oppression of women are gender regressive. For instance, the Immoral Traffic (Prevention) Act and Section 370 of the Indian Penal Code criminalise trafficking of women but end up criminalising sex workers and sex work. The sex workers are often ‘rescued’ and sent to shelter homes, depriving them of their livelihood. Violence against sex workers remains invisible and therefore goes unrecorded. Similarly, the Prevention of Sexual Harassment Act, 2013 does not have mechanisms to address anonymous complaints or complaints made after three months of the alleged incident of harassment. The law allows the employer to take action against the woman complainant if the complaint is classified as ‘false’ or ‘malicious’, a provision that can be leveraged by the employer to harass the complainant.

Women from Dalit, Adivasi and other highly marginalised communities are discriminated against for their ‘low’ social positions and routinely denied adequate healthcare, housing and sanitation facilities. As a result, they face increased risks of disease and mortality.

States like Assam have initiated steps to help women with conflict resolution and such measures can be replicated by other states too (Box 1).

Box 1: Gramin Mahila Kendras as an alternative community space for conflict resolution

The North East Network, Assam, has set up three Gramin Mahila Kendras (GMKs) or Rural Women’s Centres in select districts of Assam. Women facing domestic violence are provided socio-legal counselling through trained barefoot counsellors in these centres. This support has enabled women to navigate through the criminal/civil justice system at different stages, thereby providing a safe space for survivors of domestic violence to share their experiences and negotiate for their rights.

The GMKs have become popular meeting places for women and girls to talk about gender-based discriminatory practices in their communities and build collective responses for prevention and elimination. Women’s Helpline (181), Mahila Samitis (women’s committees) and local police stations have been referring cases of violence against women to these GMKs. They are now registered as Service Providers under the Protection of Women from Domestic Violence Act, 2005 and work together with the District Social Welfare Department and other stakeholders.


**Recommendations**

1. Adoption of a ‘National Policy for Women’ should be a top priority.

2. Adequate central and state financing should be ensured for gender equality measures. Gender-responsive budgeting, including its implementation and monitoring, could significantly strengthen interventions for the safety of women and girls.

3. The Transgender Person (Protection of Rights) Act, 2019 should be amended according to the guidelines issued in the 2014 Supreme Court judgement (National Legal Services Authority vs Union of India).

4. The Immoral Traffic (Prevention) Act, 1956 should be repealed and sex work should be decriminalised. Sex workers should also find mention as a target group across all SDG indicators to reverse the process of invisibilisation and ensure rights, entitlement and dignity.

5. The age of consent under the Protection of Children from Sexual Offences Act, 2012 should be revisited to prevent the criminalisation of consensual sexual relationships of young people.

**Challenges in eliminating harmful practices**

Harmful practices like Female Genital Mutilation (FGM) and witch-hunting continue to exist. The government has ignored the existence of FGM, and this has negated all possibility of any state-led research and for allocation of funds in the Budget to combat the practice.

**Recommendations**

1. The government should recognise and ban the practice of FGM among girls belonging to communities like Dawoodi Bohra.

2. It should also formulate a national law banning witch-hunting. The legislation can be informed by experiences from the states of Assam, Rajasthan, Jharkhand and Odisha where such laws are in place.

**Ensuring decent work and economic growth**

**Challenges regarding vulnerability and gender lens**

India’s position in the Global Gender Gap Report, 2020 has slipped from 108 to 112. The female labour force participation rate has fallen to 23.3 percent in 2017–18, a fall from 28.15 percent in 2011–12. Of those employed, 81.6 percent are engaged in the informal sector and are disproportionately represented in low pay, vulnerable occupations with the least protection. Additionally, wage inequality remains high, with the gender wage gap at 34 percent in 2011–12. According to a survey conducted by the *Economic Times* (2017–18), among regular women employees, 63 percent earn less than ₹10,000 a month. Further, in rural India, this figure stands at 55 percent while in urban India, it is 38 percent. About 73.2 percent of rural women are farmers, and yet only 12.8 percent own the land holdings, as per the Agriculture Census Report, 2015. Women farmers are not officially recognised as farmers and are instead considered under the category of homemakers or ‘others’. Consequently, farmer benefits provided by the government do not reach these women.

Presence of mobile phones in homes does not necessarily translate into women having control over their usage. Less than half the women in the country own the mobile phone that they use. In India, women spend an estimated 297 minutes per day on unpaid care work as against 31 minutes per day spent by men. Similarly, girls are expected to assist their mothers in household chores, giving them less time to pursue their studies. The National Commission for the Protection of Child Rights reports that of the total population of
out-of-school girls aged 15–18 years, around 65 percent are so due to engagement in household activities or begging.¹²

Women constitute 59 percent of the beneficiaries for the National Social Assistance Scheme but the actual benefit is meagre. The old-age pension is ₹200 per month and the security for widows and people with disabilities is ₹300. Further, intersectional marginalisation is aggravated due to poor implementation of key laws such as the Rights of Persons with Disabilities Act, 2016 impacting women with disabilities. Dalit sex workers are denied caste validation certificates. Only 0.8 percent of the Union Budget 2020–21 has been allocated for Dalit women and 0.34 percent has been earmarked for tribal women.

**Recommendations**

1. Reliable statistics should be collected on women's earnings from self-employment, ownership of business and management, and entrepreneurial behaviour.

2. Data should also be gathered on women's access to childcare, expectations and perceptions about the economy, saving and spending patterns.

3. Gender-wise information should be collected on ownership of assets and utilisation of essential amenities to understand the intra-household distribution of resources and power, the effectiveness of laws in changing social structures, and empowerment of women.

4. The National Sample Survey Office should also focus on gendered patterns of access and use of digital technologies, including the internet.

5. Governments should ensure implementation of Section 42 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 that retains reservation benefits for tribes, particularly community rights over the forest. This is particularly important for Dalit and Adivasi women.

6. A comprehensive labour policy should be formulated that helps bring more women to the workplace. Crèches should be initiated across the country, and the Integrated Child Development Scheme that provides food and pre-school education for children should run till 6 pm.

7. In shelter homes, vocational training that challenges stereotypes about women's work should be encouraged.
8. The state should ensure access to continuous education to adolescent girls and reform school curricula to include gender, rights and career education that would support their ‘school-to-work’ transition.

Ensuring healthy lives and promoting well-being for all

Gender differentials are visible not just in life expectancy, levels of disease burden and healthcare needs of men versus women, but are also significantly loaded against women in access to healthcare and control over household resources. Women and girls are particularly disadvantaged due to their unequal nutritional and health status. They also face gender-specific health risks such as complications during pregnancy and childbirth.

Challenges regarding vulnerability and gender lens

There are widespread inequities in health outcomes with significant differences in morbidity and mortality across socio-economic status, caste, class, gender and geographic location. Nuanced policy analysis to address health and related needs of vulnerable communities, such as women migrants, single women, homeless women, elderly women, women living with HIV/AIDS, sex workers, women with disabilities and LBTQIA+ persons among others, is not possible because disaggregated data is unavailable.

There are no specific strategies/programmes supported with appropriately costed state and district plans to address the needs of the most vulnerable groups. In cases where they exist, they tend to remain as a notable intent without being translated to action, leading to a ‘policy to practice’ gap.

Recommendations

1. A differential approach is needed to address the healthcare needs of women, including sex workers, women living with HIV, single women, tribal women and migrants, among others.

Challenges regarding maternal health, pregnancy and delivery

Though maternal mortality ratio has reduced over the years, nearly 32,000 women in India still lose their lives during pregnancy, childbirth and post-natal convalescence each year. More than half the women in the country are anaemic and 22.9 percent of them have body mass index below average.

Reporting of maternal death continues to be low, with governmental maternal death reviews in each district still not made public. Less than a quarter of the deaths are reported in the maternal death review, only two-thirds are reviewed, and there is no real-time transparent data on how women are dying of childbirth in the country.

While the Janani Suraksha Yojana has increased the number of women having institutional deliveries, the quality of maternal health services is still a challenge. Community Health Centres in rural areas do not include any reproductive and sexual health services, and emergency obstetric care is not available. Additionally, institutional delivery schemes, such as the Pradhan Mantri Matru Vandana Yojana, can be availed of only for the first pregnancy, limiting its access and usefulness.

Recommendations

1. Reporting of maternal death should be improved by accurate counting and making the findings public. Social autopsies of maternal deaths looking into social determinants and health system contributors from a human rights perspective, such as the Dead Women Talking initiative, will help understand the causes of maternal deaths better.

2. Quality of antenatal care should be improved. Also, capacity building of healthcare providers for women should be undertaken, especially mentoring for changing mindsets and attitudes in the labour rooms. The gap between neonatal
care and post-natal care in case of institutional deliveries must be filled.

3. Maternal benefits schemes should be universal and unconditional.

**Challenges regarding reproductive and sexual health information and services**

Reproductive and sexual health needs of single women, migrant women workers, women living with HIV/AIDS, female sex workers and post-menopausal women are grossly neglected.

Antenatal care and post-natal care for women living with HIV/AIDS are de-prioritised at public health facilities as pregnancies among them are discouraged and abortion advised by counsellors. They are rarely counselled on contraceptives and other reproductive and sexual health needs.

Women seeking healthcare services, especially in the small towns and villages, are often advised needless hysterectomies unrelated to the health condition for which they are seeking medical help.

Health interventions for sex workers are limited to sexually transmitted diseases and HIV, and other issues, including but not limited to reproductive health, are neither recognised nor addressed by the health system.

There is very little awareness about sexual and reproductive health and reproductive rights in the context of the transgender community. For instance, sex reassignment surgery continues to be categorised as cosmetic surgery rather than a life-saving intervention for transpersons.

**Recommendations**

1. All women should necessarily have access to reproductive and sexual health-related information and services, irrespective of age. A single window mechanism integrating HIV and reproductive and sexual health issues should be evolved to ensure equitable treatment to sex workers.

2. States should expand abortion services (including awareness generation programmes) till the village level, ensure adequate supply for approved abortion drugs, and increase the number of trained service providers.

3. Knowledge and awareness about legality, public health importance, various abortion methods and availability of related health services should be disseminated widely amongst community and health workers to reduce the stigma associated with abortion.

**Challenges regarding adolescent health**

Access to sexual and reproductive health information and services is particularly limited among adolescents and young people as well as people living in remote rural areas. Lack of access is accentuated in case of adolescents from vulnerable communities (for example, needs of unmarried tribal adolescents—for whom children out of marriage are an accepted social norm—are not addressed, and they do not have access to contraceptives).

In terms of implementation, menstrual hygiene programmes primarily focus on the promotion of products often without a disposal strategy.

The Rashtriya Kishore Swasthya Karyakram (RKS) programme is silent on addressing reproductive and sexual health needs of adolescents with disabilities and LBTQIA persons. Further, health workers accord low priority to the RKS programme as compared to their other responsibilities. They do not necessarily provide information and services to adolescents in a confidential and non-judgmental manner.

**Recommendations**

1. The holistic concept of RKS and Adolescent Friendly Health Clinics should be implemented immediately with due acknowledgement of needs of LBTQIA and disabled adolescents.

2. Menstrual health management knowledge and life-skills training should be provided to
adolescent girls. The government should also ensure implementation and awareness about the Adolescent Reproductive Sexual Health Programme.

3. The RKSK programme should be converged with livelihood and other youth-focused initiatives.

**Challenges regarding non-communicable diseases**

The Ministry of Health and Family Welfare, with support from the World Health Organization, has formulated a National Multisectoral Action Plan (2017) for prevention and control of NCDs. The action plan has an implementation timeframe of five years (2017–2022).

Though there is clear evidence to suggest that gender affects the causal pathways for non-communicable diseases (NCDs), programmes and policies on women's health primarily focus on Reproductive and Child Health, invariably ignoring NCDs. Gender differentials exist in exposure to NCD risk factors, vulnerability in terms of developing NCDs and consequences (that is, different outcomes for the same disease). For instance, obesity rates are higher in women; also, cancers in men and women are quite different. However, NCDs are not examined from a gender lens in either India or the rest of the world.

Women have a better chance of being diagnosed with diabetes or hypertension while undergoing investigation during pregnancy (though not so for the elderly). They are less likely than the men to be on treatment once diagnosed and more likely to use free public health services rather than high-end private healthcare when treated. Biomass cooking fuels put women at a higher risk of chronic obstructive pulmonary disorder, heart disease, lung cancer, stroke and pneumonia.

Cultural factors coupled with gender have an impact on exposure, vulnerability, treatment and consequence for women with NCDs, with research highlighting that women are less likely to be given the same quality of care as men by healthcare providers as well caregivers at home.

**Recommendations**

1. NCD data should be disaggregated by sex and NCD programming, including health promotion messages, should have a gender perspective.
2. Efforts should be made to integrate maternal and child health services that have a high level of coverage with NCD screening, management, treatment and education, and for detecting vulnerability to NCD risk factors.

3. Primary healthcare services should be strengthened for NCDs so that older women outside the net of maternal and child health services can also be served well.

4. Policies that limit out-of-pocket costs would especially be beneficial for women, who may otherwise be unable to afford essential NCD medication and treatment.

Challenges regarding occupational health

Occupational health and safety of workers, especially women workers in the unorganised sector, is a neglected area. Specific health and safety issues of women workers (especially migrants) are missing from the government discourse. For instance, silicosis as an occupational health hazard of significant dimension among workers in stone quarries and crushers, quartz mining, foundries, sand blasting, ceramics industries and gem cutting does not receive adequate recognition. There is no provision in the law for compensating victims of employment-related health issues.

Recommendations

1. A ‘National Policy and Programme on Safety, Health and Environment at Workplace’ should be developed, including the unorganised sector in its ambit.

2. Health impact assessment should be compulsory in all factories, mines and thermal power stations.

3. Occupational health laws, such as the Factories Act, 1948 and Mines Act, 1950, should be implemented appropriately, and accountability and responsibility of officials in charge of monitoring occupational health hazards should be clearly defined.

Challenges regarding universal healthcare (including essential medicines)

The Pradhan Mantri Jan Arogya Yojana\(^2\) only provides for hospitalisation and not outpatient care that most people need. The thrust towards public–private partnership models, including plans to hand over district hospitals to private medical colleges, can considerably reduce access to healthcare for vulnerable groups and also lead to incurring of out-of-pocket health expenses.

Research on government-sponsored health insurance, for example, Rajiv Arogyasri in Andhra Pradesh, showed that women had a lower share of hospitalisations (42 percent), bed-days (45 percent) and hospital costs (39 percent) for sex-neutral conditions than men.\(^2\)

The exceptional hard work of frontline workers, such as the auxiliary nursing midwives, nurses, Anganwadi workers and accredited social health activists is seldom officially recognised. The pay is low, the workload is heavy and the profile not exciting enough for people to feel motivated to join this workforce. Regular capacity building of the health workers in service also poses challenges.

Recommendations

1. Tax-funded public health expenditure should be increased and effectively implemented. Efforts should be made to recruit well-trained healthcare workers and also introduce capacity building programmes for them.

2. A Right to Health Act should be introduced with a clear set of entitlements including free diagnostics, medicines and a grievance redress system.

3. Mental health facilities and services for women should be integrated with general health services at all levels (village, block, district) and qualified practitioners should be made available for consultations.

4. A universally applicable free medicines scheme should be implemented that would guarantee
that every citizen has access to essential and life-saving medicines.

5. Integration and synergies should be leveraged across the health system. For instance, tuberculosis care could be integrated into reproductive health services, including family planning, antenatal and post-natal care. Similarly, integrating NCD with maternal and child health services; and HIV screening with reproductive and sexual health services will go a long way in ensuring better health for all women.

Making cities and human settlements inclusive, safe and sustainable

Challenges to including women’s voices in master plans and local area plans

Planning of city spaces is not gender-responsive and is done without consultative processes with women. The Smart Cities Mission, for instance, misses out the gender perspective in all its sub-components. Most of the Smart City Detailed Project Reports do not talk about gender inclusivity and provisions are mostly restricted to security and safety concerns.

Master plans often fail to address women’s and girls’ needs to safety and access to basic amenities, including water, sanitation and waste management. The impact of inadequate services manifests in different forms for women and girls such as time poverty, unpaid care work, lack of access to opportunities, loss of social reputation and a threat to safety and security.

Recommendations

1. Poly-centric cities should be planned with mixed land use having gender-sensitive physical and social infrastructure while ensuring the safety and inclusion of women and girls.

2. Urban planning should prioritise the needs of women, especially in the informal sector, including domestic workers, street vendors, sex workers, home-based workers, waste collectors and construction workers.

3. Spatial planning of industrial and economic areas must account for gendered employment patterns.

Challenges in ensuring women’s safe and affordable access to housing

Structural barriers and gender inequities in the labour and credit markets discourage women from realising their right to adequate housing. Government schemes for Housing for All 2020 (Pradhan Mantri Awas Yojana) leave provisions like the allotment of housing for women open to interpretation rather than making it mandatory.

Further, the needs of homeless women are sought to be addressed through temporary measures, such as shelters, rather than working towards providing safe and affordable housing in the long term.

Recommendations

1. Informal settlements should be upgraded with services and in-situ rehabilitation undertaken in participation with residents. Resettlement and relocation should only be considered as the last option as it is detrimental to women’s lives.

2. While planning for upgrading slums or building housing colonies, women and their perception of safety should be paramount.

3. The government bodies should promote residential typologies with well-lit corridor spaces. Planning should include lift areas and low-rise walk-up apartments with external stairs and corridors that are safer for women.

4. The aim should be to provide safe, secure and affordable housing to violence survivors.

Challenges regarding safe and inclusive access to transport and last-mile connectivity

Given shortage of suitable public transport, women spend many more hours than men walking to their
destinations, aggravating their time poverty. An analysis of the travel to the place of work data in Census 2011 by The Urban Catalysts revealed that 45 percent of the 22.18 million women walked to their place of work. The same analysis showed the estimated annual cost of time poverty from transport on women's earnings in Bihar to be around ₹42 crore (₹420 million). This is indicative of the enormous opportunity cost borne by women due to the shortage of adequate, affordable and safe public transport.

Women and girls often travel longer distances with higher costs in search of safer transport options to avoid sites of harassment and violence such as bus stops. Safetipin undertook a study in 2019 in Bhopal, Gwalior and Jodhpur which showed that absence of streetlights, poor or no lighting at transport stops, ineffective pedestrian infrastructure, overcrowding or lack of seats, or lack of lights in public transport facilities could make women feel unsafe. Further, road safety policy is mostly geared towards the needs of men.

**Recommendations**

1. The entire trip chain from home to destination needs to be made safe and accessible for women, girls, LBTQIA persons, persons with disabilities and other vulnerable groups.

2. The transport as well as street infrastructure should be friendly for women and girls with disabilities, pregnant women, elderly and other vulnerable groups. For example, to access the rapid transit system, accessible feeder buses and compatible bus shelters are needed.


4. The government should conduct gender sensitisation workshops for transport crew, professional drivers, safety marshals and traffic police.

5. Further, women need to be visible across the transport sector; they need to be employed in jobs, including those related to operations and management department, and not be restricted to the housekeeping department.

**Challenges for women’s leadership in disaster management**

The vulnerability of women increases in disaster situations. Women are the last to leave their homes in the wake of a disaster as they spend precious moments assisting vulnerable family members such as the elderly, the disabled and the children, gathering up essentials and securing the household to the extent possible. While the men step out promptly for rescue purposes, the women, even when they sense the impending danger, are generally not empowered to take an independent decision of leaving the home. In most post-disaster situations, the number of women-headed households increases exponentially because the men move out in search of livelihoods and income streams. Global data indicates that in post-disaster situations (including the COVID-19 pandemic), the incidence of domestic violence rises as the men vent their frustrations of livelihood loss and insecurities on the women and children.

**Recommendations**

1. Women’s leadership is critical in creating local level disaster management plans, conducting risk assessments, monitoring and evaluation.

2. There needs to be coordination between government, local women leaders, women’s groups and community-based organisations for disaster management programmes.

Some civil society organisations have been proactive in making cities safe spaces for women. These programmes and models can be replicated by others (Box 2).

**General**

**Recommendations**

1. Gender equality and social inclusion action plans should be made integral to all policies and programmes.
We, The People

2. The government should collect and analyse disaggregated data on gender and its intersections, such as caste, class, disability, regional focus, worker categories and transgender.

3. The set of questions formulated by Washington Group of Disability Statistics should be followed while collecting data on women with disabilities.26

4. Community-based monitoring and social audits should be part of all government policies.

5. A consistent partnership of NITI Aayog and UN agencies with women’s organisations should be established to follow up the consultation with periodic and sustained dialogues.

Notes


3. Sexual minorities in this chapter refer to lesbians, bisexuals, transpersons, queer, intersex, asexual and others (LBTQIA+).

4. The consultation was not only limited to issues of women empowerment but also provided a platform for sexual minorities and their concerns. In addition, a dedicated consultation was also held with Sexual Minorities (Chapter 13).


Refugees and Asylum Seekers

The primary definition of a refugee is contained in Article 1(A)(2) of the Convention Relating to the Status of Refugees (1951), as amended by its 1967 Protocol. It defines a refugee as someone who: ‘owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence, is unable or, owing to such fear, is unwilling to return to it.’

Status of Refugees in India

India has historically provided protection to those fleeing persecution and seeking refuge—a shared value embedded in many religious and cultural traditions, and now part of the international law. Civil society organisations (CSOs) engage with government authorities and a wide range of stakeholders in cooperative efforts to address issues of exclusion and marginalisation of vulnerable communities, including refugees, as well as advocacy for support to host communities.
Refugees and asylum seekers have rarely been identified explicitly in national data collection instruments, so there is currently negligible baseline data (primary or secondary) to monitor progress towards achievement of Sustainable Development Goals (SDGs) for refugees as a marginalised group. The little available evidence indicates that they generally live in poor socio-economic circumstances.

Four main factors explain the marginalised circumstances of refugees and asylum seekers population in India.

**Governance and laws**

The Constitution of India, human rights treaties signed by the Government of India (GoI) and administrative guidelines issued from time to time guide the framework for the protection of refugees in India. India has not yet signed the 1951 Refugee Convention and there is no domestic refugee legislation. It has, however, shown interest in participating in the development of an international refugee framework.

In the absence of refugee law, the entry, stay and presence of refugees in India are governed by complementary laws such as the Foreigners Act, 1946 and Passport Act, 1967/ Rules, 1980. The present law in operation does not differentiate between different categories of persons—foreigners, refugees, migrants and the stateless.

**Status as refugees**

The status of the different groups of refugees in India varies. While some refugees from neighbouring countries are formally provided protection by the government and have access to essential services often at par with nationals, the presence of others is tolerated, with limited access to essential services and without formal recognition of their status by the government. The United Nations High Commissioner for Refugees (UNHCR) undertakes refugee status determination on an individual basis under its mandate.
Vulnerability

The trauma and loss of assets and capital experienced during displacement and the lack of adequate legal and social protection mechanisms in countries of asylum make refugees and asylum seekers particularly vulnerable. Since they are often forced to flee without proper documentation, they are prone to being incarcerated and detained as illegal migrants by the border patrol, which adds to their vulnerabilities. Within refugees, the groups at the following intersections are at the most significant risk of being left behind—persons with disabilities, women and girls, sexual minorities, and those in detention and child care institutions. People in such circumstances are vulnerable to abuse, neglect, abandonment, exploitation, health problems and family separation.

The protracted process of inclusion in society

Majority of refugees in India live in urban areas, barring Sri Lankan refugees who stay both in camps and in urban areas. Some refugee groups in India live in what can best be described as an indefinite state of limbo. Their lives may not be at risk, but their basic rights and essential economic, social and psychological needs remain unfulfilled. Their inability to achieve self-sufficiency leads them to remain dependent on humanitarian aid and the goodwill of a few individuals.

A CSO-led national consultation on refugees was organised on 28 January 2020, supported by the UNHCR. To facilitate broader participation in the process leading to the national consultation, a series of pre-consultations took place between CSOs and refugee communities, which provided an opportunity to share viewpoints on progress made towards SDGs and challenges faced along the way, as also to develop practical solutions and recommendations. Written contributions were also received from CSOs throughout the process of the consultation.

The consultation discussed a wide range of national and local systems and services, such as education at all levels (including language learning), health, protection (including government systems for the protection of children and women), market access, financial and social inclusion, as well as topics of legal identity and
legal documentation for refugees and asylum seekers. The need to develop mechanisms to afford protection to those in detention and defence against prosecution was also discussed. The CSOs acknowledged that a consultation on refugees as an LNOB\(^2\) group within the SDG framework is an appropriate step towards ensuring an inclusive approach. The challenges and recommendations discussed during the consultations are recorded in the sections below, along with the good practices that were highlighted by the participants.
Refugees and Asylum Seekers

Key Challenges and Recommendations

**Challenges**

Refugees and asylum seekers face challenges concerning their legal recognition and in obtaining government-issued documents. This often leads to difficulties in accessing basic services, including financial services. Further, due to the lack of legal documentation and prospect of solutions, some refugees and asylum seekers are detained for a prolonged period.

Centralised data collection and standardised evidence on refugee issues are scarce and disorganised, impeding processes of analysis, planning and inclusion of refugees in programmes implemented by different stakeholders, including the government. Further, there are significant concerns regarding data privacy and disclosure of refugee data. The root cause is seen as the lack of a common legal definition of refugees and recognition of persons in need of international protection.

Due to their nebulous legal status and lack of government-issued documents, refugees are excluded from financial services and deprived of access to formal jobs. They mostly live in cities and work in the unorganised sector, with its many challenges. They often fall victims to trafficking, lured by the promise lucrative jobs in exchange for payment.

Women, along with children, are the worst-affected, and therefore the most vulnerable victims of war, violence and natural disasters. There is a shortage of women’s shelters that are willing to accommodate refugee women. Most of them are turned away on account of lack of space and documentation.

Psycho-social care and support for refugee children are not readily available. They drop out of school, especially when they are unable to produce government-issued documentation to appear for exams. For refugee youth, accessing higher education is equally difficult as they are treated at par with other international students and charged higher fees that they cannot afford.

Box 1 presents some of the good practices in India, primarily led by the CSOs in supporting the refugees and asylum seekers.

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**Box 1: Good practices of CSOs in supporting refugees**

CSOs, with the support of the government, have taken the initiative to ensure that refugees and asylum seekers can access basic services, with a specific lens on vulnerable groups within the refugee populations. The efforts have helped avoid the creation of expensive parallel systems, avoid conflict with host communities and contribute to national development. Some local community and faith-based organisations also assist refugees through donations, including food and clothes.

(Contd.)
Due to the combined efforts of the CSOs and the government, many refugee children have been enrolled in primary schools and obstacles to immunisation have been overcome. The National Commission for Protection of Child Rights (NCPCR) has made significant contributions to protecting refugee children. According to UNHCR India, in 2017, over 800 children among refugees and asylum seekers benefited from access to schools in the absence of unique identification number as per the order issued by the NCPCR and the notification issued by Delhi Government.

CSOs in border states, the North-Eastern Region and other locations in India have assisted refugees in the form of legal advice. As a result of continued advocacy, access to legal aid through the legal services institutions and pro bono lawyers to ensure adequate representation at courts has also been achieved. Measures have been adopted to sensitise the stakeholders and the persons concerned regarding their rights, which continue to be a priority and need protection.

Some of the notable work done by CSOs for the refugees is highlighted below.

i. **Creation of community spaces and centres**: BOSCO\(^3\) Refugee Assistance Programme uses the following platforms to engage with communities to empower them and work together:
   - Children's clubs: 10 children's groups with 430 members (209 boys, 221 girls)
   - Youth groups: 11 youth groups with 913 members
   - Women's groups: 10 groups with 491 women members
   - Elderly clubs: 3 clubs with 166 members (99 men, 67 women)

   BOSCO provides language classes, bridge/tuition classes, life skills training and support to access services through its refugee support centres. It uses sports and cultural activities (music and dance) as a means to bring youth together, exchange good cultural practices and promote peaceful co-existence.

ii. **Empowering community volunteers and community-based structures**: Save the Children India (SCI) has used a community-based approach to work with refugees and asylum seekers in Hyderabad and Jammu. They work with community structures such as child protection committees, children's groups, self-help groups, WASH Committees\(^4\) and community leadership structures. The SCI nurtures leaders from within the community and recognises them as 'children champions' and 'change-makers'. It works with the community to develop their self-reliance through various 'entrepreneur development training'.

iii. **Targeted interventions and outreach**: JRS\(^5\) Education Project, Tamil Nadu (Nellai, Kovai, Trichy and T.N. Malai Zones) supports Sri Lankan refugee children enrolled in schools to develop their academic and personal capacities through academic and extra-curricular teachings. The JRS also provides vocational and life skills training to Sri Lankan refugee adolescent girls and women to improve their livelihood opportunities and become self-reliant. Through academic research and organised advocacy work, the JRS aims to explore possible solutions to the protracted Sri Lankan refugee situation in India and suggest future options for voluntary repatriation.

iv. **Access to legal advice and aid for asylum seekers and refugees**: Commonwealth Human Rights Initiative works together with authorities in West Bengal and the North-Eastern states to ensure that individuals who claim to be refugees have access to legal aid.

v. **Sustainable livelihoods**: Silaiwali is a Delhi-based social enterprise which upcycles waste fabric generated from mass clothing manufacturers to create handcrafted products by working with Afghan women refugees. It showcases the generation of sustainable income through sustainable livelihood.

(Contd.)
vi. **Theatre based psycho-social support:** Pandies’ Theatre, Delhi has been working with refugees, using theatre to strengthen the community and keep youth gainfully occupied by providing training in theatre.

vii. **Community centres:** Children’s Emergency Relief International has set up an Education Centre through a community-based initiative, ‘Ummid Ki Udaan’. It provides free after-school programmes, social and emotional learning programmes, and vocational training for refugees and asylum seekers.

viii. **Local integration opportunities and solutions:** Afghan–Sikh/Hindu refugees have been able to integrate more easily because of their ethnic and cultural alliances and opportunities for solutions in India.

**Recommendations**

There is a clear link between refugee protection and the SDGs, the Universal Declaration of Human Rights, the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities. The success of the SDGs will depend on ensuring meaningful progress for all. It is imperative to ensure that policies are inclusive of age, gender and diversity considerations. This is essential for upholding the LNOB promise of the SDG framework.

Considering that refugees are not counted in national surveys and so far, were not included in SDG progress reports, they remained at risk of being neglected in the pursuit of the SDGs. A combination of mutually reinforcing measures is recommended for inclusion of refugees in the development process, which include the following suggestions.

1. Conduct a baseline study on refugees as an LNOB group under the SDGs. This will bring a range of relevant stakeholders together to identify critical gaps in data and indicators to develop frameworks for collecting data and evidence-based findings related to the SDGs.

2. Create and support a policy environment that includes refugees in national development and sectoral plans. Harness the SDGs to promote policies that enable refugees to become self-reliant, such as access to financial services, quality social services, access to the labour market, and freedom from violence and discrimination. A task force can be set up to study the situation of displaced communities in India and make some recommendations to the government.

3. Provide temporary protection to refugees present on the Indian territory, issue long term visa to regularise their stay, and provide legally recognised documents. This will be a powerful protection tool against harassment and exploitation and enable refugees to access basic services. For this purpose, designate an identified expert authority with the responsibility of defining the various categories of displaced populations, for examining applications of individuals claiming to be refugees and the issuance of documents. The Unique Identification Authority of India could be involved to ensure that technological innovation and digitisation benefit the refugees and asylum seekers.

4. In coordination with the UN and Wada Na Todo Abhiyan, organise regional level capacity-building training and workshops for CSOs and engage with various institutions at all levels on issues of the displaced communities. It is expected that such an initiative will promote respect and tolerance towards refugees, ensure the correct use of terminology that distinguishes refugees and migrants, and view refugee issues from a humanitarian perspective. This will ensure that CSOs and local communities are better prepared to extend and adapt services and systems to asylum seekers.
and refugees, to the specific needs they might have, and to foster tolerance.

5. Support and upscale innovative initiatives (such as Silaiwali) to promote self-reliance of refugees in a manner that takes into account the skills and capacities of both the host communities and the refugees. The solution lies not in marginalising refugees, but in enabling them to be productive members of the society in which they live.

6. It is important for state governments, district administrations and CSOs to closely work with host communities in areas where refugees and asylum seekers live to promote understanding and peaceful co-existence. CSOs must also design their programmes in a manner such that both the host and refugee communities’ needs are addressed.

7. While it is acknowledged that the government has a duty and a legitimate interest in national security, care must be taken to ensure that such security measures are not implemented at the expense of persons forced to leave their home countries due to threats to their lives and safety, often caused by war and persecution. Security considerations need to be reconciled with humanitarian principles.

8. Detention may be considered as a last resort and only on an individualised determination of its necessity, reasonableness and proportionality to a legitimate purpose, both initially and over time. Guidelines should be framed by the government to address this issue.

The consultation opened up space for discussing the issues surrounding refugee protection and foster positive change. Efforts will continue to build on the momentum gained through this process and advocate for the implementation of the recommendations proposed by the participants.

Notes


2. LNOB: Leave No One Behind.

3. Bosco Organization for Social Concern and Operation (BOSCO), Delhi, is part of the Don Bosco international organisation dedicated full time to the service of the poor and disadvantaged.

4. WASH: Water, Sanitation and Hygiene.

5. The Jesuit Refugee Service is an international Catholic organisation with a mission to accompany, serve and advocate on behalf of refugees and other forcibly displaced persons, that they may heal, learn and determine their future.
Religious Minorities

Religious Minorities in India

India is considered the birthplace of some of the world’s major religions, enriching its tremendous ethnic, cultural and social diversity. Religious minorities are recognised as a distinct population group in India, with direct reference made in Articles 29 and 30 of the Constitution of India. The National Minorities Commission (NCM) Act, 1992 formally notified five sections as religious minorities—namely Muslims, Christians, Sikhs, Buddhists and Parsis. In 2014, the Jain community was also accorded legal status as a religious minority under the NCM Act. These six statutory religious minorities of India constitute almost 20 percent of the Indian population.

While India has made significant progress in growth and development since Independence, there are indications that not all religious groups have equally shared the benefits of the growth process. In light of this, a separate Ministry of Minority Affairs was constituted by the Government of India in 2006 for the formulation of policies, schemes and programmes for the welfare and socio-economic development of minority communities.

The demographic of religious minorities, comprising more than 250 million people, has been widely acknowledged as a vulnerable section from the perspective of the Sustainable Development Goals (SDGs). A national consultation was organised by the Indian Social Institute, Delhi on 22 January 2020 supported...
by Wada Na Todo Abhiyan (WNTA) and the UN Resident Coordinator’s Office. The consultation was
joined by more than 50 civil society organisations (CSOs), including WNTA, Institute of Policy Studies and
Advocacy, Quill Foundation, Confederation of Voluntary Associations and Organization Functioning for
Eythams Respect, among others, working for the development of religious minorities in India and to assess
the progress made on the SDGs. Further, eleven consultations were also held in Delhi, Lucknow, Patna,
Kolkata, Jaipur, Indore, Nagpur and Hyderabad in order to gain a better understanding of the issues at the
subnational level.

Some key challenges and issues faced by the various religious minority groups emerged from these
consultations. These, along with some recommendations regarding their development in context of the SDGs,
are presented in the sections below.
Key Challenges and Recommendations

Self-assessment by the participants during the consultation on key development parameters regarding the vulnerability of different religious minorities highlighted a very bleak status of their development and progress. The perception amongst the Muslim minority is that it is highly vulnerable to rampant poverty, educational backwardness and economic disparity. The Buddhists fared only slightly better. While Parsis, Christians and Sikhs were generally perceived to be better off than the Muslims and Buddhists in terms of education and economic conditions, certain groups within them such as the Christians in rural areas, the Sikh farmers and youth addicted to drug use, and the elderly among the Parsis were noted to be most vulnerable.

Challenges

Lack of data: The most common assessment of all minority groups, at both the national and subnational levels, has been the utter paucity of disaggregated data that can lend a pragmatic view about religious minority communities in the wake of SDG implementation in India. This inadequacy further hinders the identification of the most vulnerable sections within them.

Identity: Religious minorities perceive that rising majoritarianism and cultural nationalism in the country is making it difficult for them to preserve their distinct religious practices, languages, cultures, traditions, places of worship and institutions. Hardships also endure beyond identities—in education, employment, business, consumption and civic life. Religious minorities hold the view that religious freedom is declining in India and violence against minority communities increasing, a perspective held by many contemporary political observers and commentators as well.5,6

Discriminatory laws: Even though India is the largest democratic and secular nation in the world, its religious minorities often face barriers in development due to some discriminatory laws. The most pertinent examples are the Hindu Marriage Act, 1955; the Hindu Succession Act, 1956; and the Hindu Minority and Guardianship Act, 1956—all of which use the word ‘Hindu’ to include Sikhs, Buddhists, Jains and others, even though it is evident that these are all separate religions with their unique practices and social codes.

Further, the government is perceived to be interfering with the Muslim Personal Law by insisting on a Uniform Civil Code.

The Presidential Order, 1950 debars Muslim and Christian Scheduled Castes (SCs) from reservation in government jobs and educational institutions.

Parsis find contradictions in their religion and in the Parsi Marriage and Divorce Act, 1936. For instance, the Parsi law has always made divorce easier but the Act has made it difficult, particularly after its 1988 amendment.

The most vital entitlements of government schemes depend on caste certificates, which are extremely important for vulnerable population groups. However, the rules for issuing these certificates are so
complex and often peculiar that a large section of religious minorities hardly has access to them. In several states, Muslims of backward castes have been asked to produce 50-year-old documents to get the OBC certificate, though the same conditions do not apply to the non-Muslim OBCs there. There are misgivings among minority groups that the National Population Register/National Register of Citizens may leave millions of people stateless—particularly those from vulnerable communities such as SCs, Scheduled Tribes (STs) and religious minorities—depriving them of citizenship rights under the new legislative regime and any hope of entitlements in government schemes in the future.

**Inequalities**: Income inequality in India has been on the rise, with an Oxfam survey reporting that 1 percent of Indians own 73 percent of its wealth, whereas 670 million citizens, comprising the country’s poorest half, saw their wealth rise by just 1 percent. According to the World Inequality Database, upper castes have the greatest advantage in terms of household incomes, highlighting social disparity.

Within religious minorities, Muslims are the least upwardly mobile group in India, facing discrimination and relatively low living standards. The 68th round (2011–12) report of the National Sample Survey Office stated that the average per capita consumption expenditure (used as an indicator of income) among Muslims was just ₹32.66 per day, which was the least among all religious groups.

Muslims, Christians and Buddhists view inequalities to have reduced only nominally over the past five years, with their inclusion in policy-making no better than before.

**Administrative bias**: The administrative system seems to be the stronghold of upper caste Hindus, who are seen to maintain their dominance through better education and comparative prosperity. The discrimination prevalent in society seeps into the administration, undermining the rights and development of the minority communities. The reservation of SCs, STs and OBCs in services opens some avenues for diversity in the entry levels in the administrative system of the country; however, the numbers dwindle as one reviews employment in higher ranks. The inadequate social diversity in government jobs and the judiciary leads to serious gaps in policy-making, injustice, discrimination and enhances apathy of the system towards religious minorities in the country.

The following section presents the challenges specifically in context of the SDGs.

**Eliminating poverty and hunger**: Among the religious minorities, Muslims and Buddhists constitute the poorest religious communities and suffer from multidimensional poverty. With 25 percent of their respective populations falling in the poor category, their poverty heightens their vulnerability and susceptibility to hunger. The Christian community is also vulnerable to poverty, particularly in the rural areas, where 22.2 percent of their population is poor.

Amongst the Sikhs, it is the farmers and those with drug dependence who face acute poverty, which has worsened over the years. The Parsi community has a significant proportion of senior citizens. Elderly Parsis face functional poverty due to lack of regular incomes and a high dependency ratio (many elderly members in a family depending on one or two earning members).

Further, not all deprived families eligible for below-poverty-line cards or caste certificates are able to obtain them to leverage associated benefits, such as public distribution of food, Anganwadis for early childhood development and the Ayushman Bharat Scheme for healthcare. While the laws are not discriminatory, most minorities experience exclusion in practice.

**Achieving good health and well-being**: While maternal and child mortality rates have decreased, less than 5 percent of Muslims, Christians and Buddhists are covered under health insurance. Minorities as a collective group are at a greater
risk of, and more susceptible to, issues relating to mental health, with depression and anxiety being highly prevalent.

Due to inadequate entitlement registration, religious minorities are unable to enjoy proper access to healthcare schemes. Further, persistent religious discrimination deters them from accessing healthcare facilities.

**Accessing quality education:** Despite the Constitutional guarantee of elementary education through the Right to Education Act, access to education remains a severe challenge for minority communities. As per Census 2011, 42.7 percent of Muslims in India are illiterate, the highest illiteracy rate for any single religious community in the country.

Further, religious minorities face challenges in terms of access to higher education and are characterised by high dropout rates, resulting in lesser representation from these groups in the field of academics and research. Since knowledge production remains in the hands of the ‘majority,’ this leads to a further distortion of history and counterfactual narratives. While scholarships for minorities have immensely helped in righting this wrong, problems continue in renewal and inadequacy of coverage and funds.

Additionally, religious minorities face various bottlenecks in recognition, affiliation and financial support to their educational institutions.

**Achieving gender equality:** Gender inequality within religious minorities is related to the patriarchal setup of the society, which prevents women from availing the benefits offered to them. In the religious sphere, male domination in leadership goes unchecked in the absence of structural mechanisms to ensure gender equality. Even religions such as Sikhism and Zoroastrianism, which claim to be gender neutral in their social codes, are practiced within the patriarchal framework in India.

Women from religious minorities are further disadvantaged on account of their gender and religion, facing oppression from both within and outside their communities.

Further, there has been a rise in instances of external discrimination and violence against women from minority communities, with high levels of sexual violence and targeted assaults.

**Finding decent work and economic growth:** Owing to their religious affiliation, minorities tend to be discriminated against at various levels of employment in both the public and private sectors.
With a decline in public sector jobs leading to a reduction in opportunities for religious minorities, there is an increasing trend to resort to contractual work which tends to be exploitative, resulting in financial and economic instability.

Per capita income among Muslims and Christians has only nominally increased, with Muslims generally engaged in the unorganised sector with low incomes and no job security.

Buddhists view that their per capita income has decreased over the past five years. Only 2–5 percent of their youth were able to avail of government-sponsored skills training.¹⁴

The absence of alternative employment opportunities due to lack of proper education and training compels a large section of the Sikh community to remain in agriculture. Almost 15–20 percent of Sikhs are engaged in the low-paid unorganised sector.¹⁵

**Access to justice and judicial systems:** Alongside socio-economic factors, the state plays a very crucial role in maintaining peace and security and ensuring justice to all. However, in the perception of the religious minority groups, the divisive politics, persistence of hate crimes against minorities, lackadaisical attitude of the law enforcement and justice machinery, and a biased role by the media in dissemination of information have all made the general atmosphere that of animosity which often bursts into acts of violence.

Almost all religious minorities in the consultations reported discrimination at the hands of police officials. Additionally, the judicial mechanism is often exploited to delay and subvert justice. The general perception is that institutions of justice and human rights have either weakened over the past five years or been compromised.

**Recommendations**

1. India’s success in achieving the SDGs depends heavily on the progress of the significant demography of religious minorities. The Government of India should work towards the inclusion of religious minorities in the development agenda through a well-designed package—with due policies and fiscal provisions for the same at par with SCs/STs—for the progress of religious minorities.

2. Recommendations of the Sachar Committee to establish Equal Opportunity Commission, Diversity Index and Databank on Minorities should be implemented as soon as possible.

3. Recommendation of the National Commission for Religious and Linguistic Minorities chaired by Justice Ranganath Misra to reserve 15 percent of the government jobs and educational opportunities for minorities, with sub-quotas according to their demographic composition, should be implemented.

4. The government should withdraw the Presidential Order, 1950 which excludes Christian and
Muslim SCs from the provision of reservations available to Hindu/Buddhist/Sikh SCs. This is a discriminatory order as SC Christians and Muslims continue to suffer the social biases, indignity and violence owed to their caste identity and fare poorly on development indicators.

5. The Ministry of Minority Affairs should be made the nodal ministry for strategic implementation of SDGs for religious minorities. It should carry on its present schemes for the development and welfare of minorities with increasing efforts, innovation and due financial allocations. The ministry should consider a scheme like the Telangana Residential Minority Schools in minority-concentrated localities by providing incentives to state governments and CSOs working for the educational empowerment of minorities. Good practices such as minority scholarship schemes should be further enhanced.

6. The Ministry of Law should consider the exclusion of Sikhs, Buddhists and Jains from the umbrella term of ‘Hindus’ under different Acts as they are all distinct religions. Further, the Muslim Personal Law and the Parsi Personal Law should be made in consonance with the tenets of their respective religions.

7. NITI Aayog should include people-oriented planning and implementation of SDGs along with its present stance of systemic reform and alignment of governmental policies and programmes. It should also designate religious minorities as vulnerable communities under the SDGs. Additionally, the government should ensure effective, transparent and inclusive planning and execution of affirmative action intended for the development and welfare of minorities at all levels.

8. Institutions such as the National Human Rights Commission, National Commission for Minorities and the National Commission for Minorities Educational Institutions should be strengthened and mobilised to play an effective role in safeguarding the Constitutional rights of minorities. Efforts should be made to identify and remove various barriers encountered by religious minorities.

9. Capacity building of CSOs should be undertaken so that they can identify data gaps, collect and collate data, and support implementation and monitoring of the SDGs and related advocacy. Disaggregated data should be ensured for better planning and monitoring.

10. As desired under the SDGs, the government should develop tourist places of minority cultures in order to generate sustainable tourism for job creation.

11. Philanthropic leverage should be effectively utilised for the targeted interventions for the minorities.

Notes

1. Cultural and Educational Rights in the Indian Constitution—Article 29 mandates no discrimination in educational institutions on grounds of religion, race, caste, language, or any of them; Article 30 mandates that all minorities, whether based on religion or language, shall have the right to establish and administer educational institutions of their choice.


7. OBC: Other Backward Classes.


14. Ibid.

15. Ibid.
## ANNEXES

### Annexe 1: Consultation Schedule

<table>
<thead>
<tr>
<th>Vulnerable communities</th>
<th>Date and Address</th>
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<th>Sub-National Consultations</th>
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## Annexe 2: List of Anchor/Co-anchor Organisations

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<td>• Organization Functioning for Eythams Respect (OFFER)</td>
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| **Adolescents, Youth and Youth Workers** | • ComMutiny Youth Collective, New Delhi  
• Pravah | • Audacious Dreams Foundation (ADF)  
• Centre for Social Equity and Inclusion (CSEI)  
• Pranthakatha  
• Rupantaran Foundation |
| **Bonded Labour and Human Trafficking** | • International Justice Mission, New Delhi | • Action Against Trafficking and Sexual Exploitation of Children (ATSEC) India  
• Aide et Action  
• Anthodaya  
• Association for Rural Development (ARD)  
• Foundation for Sustainable Development  
• Jai Bhim Vikas Shikshan Sansthan  
• Jan Sahas  
• Justice Ventures International (JVI)  
• Mukti (Alliance to end Human Trafficking and Bonded Labour)  
• National Coalition to Eradicate Bonded Labour and Human Trafficking (NCEBHT)  
• People's Vigilance Committee on Human Rights (PVCHR)  
• Prajwala  
• Prayas  
• Rashtriya Garima Abhiyan  
• Save the Children  
• Shout for Freedom  
• Social Development and Management Society (SDMS)  
• Voice of People – UP  
• Volunteers for Social Justice  
• World Vision |
| **Children**                   | • Save the Children, New Delhi India  
• NINE IS MINE  
• World Vision India | • Child Fund India  
• Child Rights and You (CRY)  
• National Coalition for Education (NCE)  
• Plan India  
• SOS Children's Villages of India  
• Terre des hommes |
| **Dalits**                     | • National Campaign for Dalit Human Rights, New Delhi (NCDHR) | • Asia Dalit Rights Forum (ADRF)  
• Dalit Human Rights Defenders Network (DHRD Net)  
• Indian Institute of Dalit Studies (IIDS)  
• Jan Shahas  
• National Coalition for Strengthening SC/ST PoA Act (NCSPA)  
• National Federation of Dalit Women (NFDW)  
• Safai Karamchari Andolan (SKA) |
| De-notified, Nomadic and Semi-nomadic Tribes | • Praxis: Institute for Participatory Practices, New Delhi, India  
• National Alliance Group for De-notified and Nomadic Tribe (NAG-DNT) | • Bharatpur Ghumantu Yuva Sangathan  
• Bharatiya Van Samta Parivar  
• Bhumi Gramutthaveevam Sehhbhagi Gramin Vikas Samiti  
• Budhan Theatre  
• DNT Adhikar Manch  
• Jan Kalyan Parishad  
• Kota Heritage Foundation  
• Maji Badhilakhi  
• Muskan  
• Naya Jeevan Gyan Parchar Sewa Samiti  
• Nomad Film Trust  
• Nomad Times  
• Partner in Change (PIC)  
• Paschim Banga Kheria Sabar Kalyan Samiti  
• Sambhawana Welfare Society  
• Towards Advocacy, Networking and Developmental Action (TANDA)  
• Vajra Mahila Sangathan |
| Elderly | • HelpAge, New Delhi, India | • Kerala Institute of Local Administration (KILA)  
• United Nations Population Fund (UNFPA)  
• United Nations High Commissioner for Refugees (UNHCR) |
| Farmers | • Centre for Community Economics and Development Consultants Society (CECODECON), Jaipur, Rajasthan | • ASHA (Alliance for Sustainable & Holistic Agriculture)  
• Kisan Sewa Samiti Mahasangh  
• Movement for Advancing Understanding on Sustainability and Mutuality (MAUSAM)  
• Public Advocacy Initiatives for Rights and Values (PAIRVI) |
| Migrants and Urban Poor | • Youth for Unity and Voluntary Action (YUVA)  
• Indo-Global Social Service Society (IGSSS) | • ActionAid  
• Adarsh Seva Sansthan (for Ranchi)  
• Centre for Child and Women Development (CCWD)  
• Indian Institute of Education and Care  
• Sahabagi Vikas Manch  
• Youth for Social Development |
| North-Eastern Region | • Human Rights Alert, Manipur, India | • Community Network for Empowerment (CoNE)  
• Indigenous Perspectives (IP)  
• Manipur University (MU)  
• North East Institute of Social Science and Research (NEISSR)  
• North East Social Trust (NEST)  
• United NGO Mission Manipur (UNM-M)  
• Women in Governance Network (WinG) |
| Persons Living with HIV | • National Coalition of People living with HIV in India (NCPI+), New Delhi | • United Nations Programme on HIV and AIDS (UNAIDS)  
• World Health Organization (WHO) |
| Persons with Disabilities | • SightSavers, New Delhi  
• National Centre for Promotion of Employment for Disabled People (NCPEDP) |
### We, The People

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### COORDINATION, COMMUNICATION AND EDITING TEAM

#### UN in India
- Amrah Ashraf—Communications Specialist, UNRCO
- Kiri Atri—Programme Officer, UNHCR
- Meenakshi Kathel—Programme Coordination Specialist, UNRCO
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- Annie Namala—National Convener
- Lubna Sayed Qadri—National Campaign Coordinator
- Aditi Joshi—Research and Documentation Associate
- Naresh Kumar—Admin and Account Assistant
- Usma Chakma—Communication Officer
### Annexe 3: Participating Organisations in the National Consultations

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We, The People

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Wada Na Todo Abhiyan
C-1/E, 2nd Floor, Green Park Ext.,
New Delhi (India)
110016