



SAMRUDDHA
BHARAT

MANIFESTO INPUTS



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PREAMBLE

Babasaheb Dr. B.R. Ambedkar once argued that “a nation is not a people synthesised by a common culture derived from common language, common religion or common race...Nationality is a feeling of oneness which makes those who are charged with it feel they are kith and kin...It is a feeling of “consciousness of kind”...it is longing to belonging to one’s own group. This is the essence of what is called a nationality and national feeling”.

Giving shape to that vision, and stemming from their experiences of the freedom struggle, our founders consistently strived to forge a “consciousness of kind”. They ensured that each one of us was accorded equal opportunities to live with dignity and security, has equitable access to a better life, and is an equal partner in this nation’s growth. This has been the foundation of India’s rapid and inclusive growth in the last 70 years.

This was the basis for the Common Minimum Programme of 2004, which was primarily driven by the need to extend and enhance the inalienable rights and freedoms that were guaranteed to each one of us, regardless of caste, class, gender, or creed. This was to not only check economic, social and political inequalities, but also enhance the quality of life for every Indian. It also emphasised that democracy meant the rule of institutions and not of individuals, and that the government should work within the framework laid by the Constitution.

Unfortunately, the last few years have seen systematic attacks on India’s soul. Regressive forces are systematically dismantling each one of the institutions that have led us to commanding heights, by undermining the radical welfare architecture that was laid down over the last 70 years, and by destroying the pluralistic fabric of our nation. In collusion with the powers that be, these forces are aggressively pursuing the sinister agenda of homogenising India according to those very principles of hierarchy, patriarchy and fundamentalism that Mahatma Gandhi, Jawaharlal Nehru, Babasaheb Ambedkar, Sardar Patel, Maulana Azad, Jagjivan Ram, R. Amrit Kaur, Sarojini Naidu, Rammanohar Lohia and all our other founders so decidedly rejected at the birth of the nation. Rigid norms are being imposed with regard to food, clothing, language, mobility, religion and free speech. To borrow from Rohith Vemula, today the “value of a man (has been) reduced to his

immediate identity and nearest possibility. To a vote. To a number. To a thing. Never (is) a man treated as a mind. As a glorious thing”. This poses a grave threat to India’s inclusive conception of polity and citizenship.

We need to address these concerns urgently, and resist these attacks boldly. India needs to return to its noblest ideals, the spirit of its Constitution. We need to especially do this because the foundations of an effective and legitimate democracy rest on citizens who are *free from want*. We need to also do this because India needs a government that is responsive to her citizens, and which is sincere about the commitments it makes. To do this, we need to meaningfully re-think current social, political and economic paradigms by:

- Reasserting the fundamental principle of one person-one vote, one vote one value;
- Reclaiming our constitutionally guaranteed freedoms and rights, as well as a life of dignity and security.
- Comprehensively addressing the needs and aspirations of *all* Indians, especially those who are most vulnerable and marginalised, such as Scheduled Castes (SCs), Scheduled Tribes (STs), Other Backward Classes (OBCs), De-notified & Nomadic Tribes (DNTs), Women and Minorities (religious and ideological);
- Celebrating the fact that we are stronger together, and because of each other.
- Overcoming the divisive politics that attempt to pit caste against caste, class against class, and community against community.

As Pt. Jawaharlal Nehru once said, “at the dawn of history India started on her unending quest, and trackless centuries which are filled with her striving and the grandeur of her successes and her failures. Through good and ill fortunes alike, she has never lost sight of that quest or forgotten the ideals which gave her strength. We end today a period of ill fortune and India discovers herself again...To the people of India, whose representatives we are, we make appeal to join us with faith and confidence in this great adventure. This is no time for petty and destructive criticism, no time for ill will or blaming others. We have to build the noble mansion of free India where all her children may dwell”.

PROCESS OF DRAFTING

To safeguard and further the constitutional idea of India, 16 working groups were established and numerous *jan sunwais* were conducted under the aegis of Samruddha Bharat Foundation. Consisting of India's foremost academics, activists, professionals, policymakers from across party lines as well as ordinary citizens, these working groups met periodically over the course of eight months, to identify structural problems facing India, and recommend disruptive and innovative solutions to address these.

ABOUT SAMRUDDHA BHARAT FOUNDATION

Samruddha Bharat is an independent platform established as a follow up to the Dr. B.R. Ambedkar International Conference held in Bengaluru in July 2017. Samruddha Bharat strives to-

- Safeguard and further constitutional values throughout India;
- Forge an alliance of like minded forces to further the above mentioned values;
- Substantively rethink current social, political and economic paradigms;
- Encourage a transformative spirit in Indian politics and society.

Trustees: KTS Tulsi, Prof. Mridula Mukherjee, Dr. Syeda Hameed, Shyam Benegal, Vinod Sharma, Gurdeep Sappal and Pushparaj Deshpande.

Advisors: Prof. Aakash Rathore, Dr. Dinesh Bahadur Singh, Jayant Chaudhary, Prof. Kancha Ilaiah, KC Ramamurthy, Prof. Manoj Jha, Dr. Nisha Agrawal, Prof. Sukhdeo Thorat, D. Raja, Tikender Panwar, Vivek Tankha.

Please see www.samruddhabharat.in for further details.

SAFEGUARDING THE PEOPLE

1. **Upholding the Rule of Law:** Pt. Nehru had rightly stressed that “freedom and power bring responsibility”, which every government is expected to adhere to. Given this, the State must be unequivocal in its protection of fundamental rights and constitutional values. To do this-
 - a. Irrespective of religious identities or institutional affiliations, the State needs to strictly reassert political and legal accountability for any violence. This is the only way to prevent lynchings, atrocities and crimes against women, as well as uphold the rule of law. Towards this objective, adequate penal safeguards should be instituted to ensure that accountability and disciplinary action is taken against the administration for allowing manifestation of violence based on religion, caste and gender in a geographical territory.
 - b. The police services must be freed from political control, and reformed by fully implementing police reforms, so that they become a service provider to citizens rather than a force to impose control.
 - c. Just like the Prevention of Sexual Harassment at Workplace Act, a special Act for the prevention of caste, religious and gender discrimination in educational institutions and work environments should be passed. This will prevent discrimination in admission, enhance access to quality education, and ensure equality as an integral part of the education process, along with ensuring fair growth in professional workspaces.
 - d. The State must uphold the Constitution in letter and spirit. Any attempt at reviewing the Constitution should be opposed forthwith.
2. **Protecting Individual Rights and Freedoms:** All provisions that place unreasonable restrictions constraints on freedom of speech, expression and individual rights should be reviewed and reformed. These include those on defamation, sedition, art/film censorship, social media and arbitrary invocation of section 144, which is often used to restrict peaceful and democratic forms of dissent.

STRENGTHENING DEMOCRATIC INSTITUTIONS

3. **Reaffirming Collective Responsibility:** In the last few years, Indian politics has displayed a disturbing move towards centralising all power, undermining the principle of collective political responsibility in a cabinet form of government and chipped away at the separation of power principle by strangling the courts and bypassing the legislature. To restore faith in our basic political institutions, it is imperative that unwritten constitutional conventions to ensure the principle of collective responsibility are codified in the form of written constitutional conventions to supplement the Allocation of Business Rules to ensure that individual ministerial responsibility and collective responsibility of the Cabinet is restored.

4. **Protecting independence of Statutory, Constitutional and Regulatory Bodies:** Establishing strong independent constitutional institutions that can balance the overreach of the Executive branch is crucial to maintaining our constitutional democracy into the 21st century. There is an urgent need to ensure transparency in appointments to oversight, regulatory and adjudicatory bodies, like the CVC, CBI, ECI, National/State Human Rights Commissions, Lokpal, Lokayuktas, Womens' Commissions and all other Statutory, Regulatory and Constitutional Bodies. Towards this end, the-
 - a. Appointment process should provide for specific measures including timely initiation of selection process before the occurrence of a routine vacancy; eligibility and short-listing criteria being publicly disclosed; names of short-listed candidates be publicly disclosed and the facts recording how each selected candidate meets the defined qualifications must be recorded.
 - b. An independent, objective and fair process of selection followed by a fair and non-partisan Selection Committee must be drawn up which is applicable to the selection of all members of Statutory, Regulatory and Constitutional Bodies.

5. **Reforming the Election Commission of India:**

- a. The Election Commission of India should be conferred with extensive regulatory powers to ensure that political parties mandatorily uphold fundamental rights and adhere to constitutional values, as well as comply with internal democratic procedures.
- b. The ECI must also ensure that religious beliefs and practices should not be mobilised in any form in electoral or governance practices.
- c. The Election Commissioners should be appointed by the President based on recommendations made by the Prime Minister, Leader of Opposition and Chief Justice of India (or nominee thereof).
- d. To ensure that faith is restored in democracy, it would be expedient to appropriately amend the Rules regarding the use of Electronic Voting Machines (EVMs) to provide for compulsory use of VVPAT- enabled EVMs and verifying count of VVPAT slips against EVMs, before declaration of results.

6. **Restoring Federal Institutions & Cooperative Federalism:** The principles of federal functioning developed over the past 70 years have been deliberately undermined, which has resulted in the impingement of the political, fiscal and administrative powers of the states. Institutional structures like the dispute resolution mechanisms, the National Integration Council, Finance Commission (which oversees the distribution of national revenue) and the National Development Council (the forum for negotiating over project funds) are in a deliberate state of decay. Consequently, almost all states perceive that their legitimate development concerns are being held hostage. Therefore-

- a. These institutions and conventions should be urgently restored and strengthened as effective instruments of cooperative federalism. They need to meet at least twice a year and in different states. These platforms need to be utilised to arrive at a national consensus on specific issues affecting the nation.

- b. The State should strictly respect the letter and spirit of Article 370 of the Constitution that accords a special status to Jammu & Kashmir. In consultation with the democratically elected government of J&K, the State should engage with all groups and streams of thought in a sustained and constructive manner. This should be complemented with a comprehensive economic, political and humanitarian policy for the welfare of J&K.

7. Transforming the Banking Sector: As a result of the Non-Performing Asset build up, the banking sector is under severe stress, which has had an adverse effect on other parts of the financial system. This could prove damaging to India's ambitions to be a global economic power. So far, the NDA has dealt with our banking crisis with palliatives- this includes the weak Indra-Dhanush scheme, a non-functional Banks Board Bureau, a promising but complicated to implement Insolvency and Bankruptcy Code along with Asset Resolution Companies (ARCs), and a missed reform opportunity with the bank recapitalisation scheme. Addressing this malaise requires thoughtful and urgent policy reforms which include-

- a. Ensuring the banking system is more robust and well capitalised, expanding its capacity to extend credit, and improving incentives to lend to the most productive sectors.
- b. Cleaning up bank balance sheets by reviving projects that can be revived after restructuring debt.
- c. Improving governance and management at the public-sector banks and then recapitalising them. Governance reform is key to improved due diligence in future lending; Specialised teams may need to be built in a few banks, which service other banks.
- d. Finally, India will also have to seriously consider the feasibility of a "bad bank", which can quickly clean up the banking system so it can resume lending. If the latest tweaks in the

IBC, Project Sashakt and the asset resolution approaches fail, a “bad bank” could be a possible solution for which external financing will be needed.

8. Reforming and Strengthening the Reserve Bank of India: There is an urgent need to safeguard the autonomy of the RBI, to modernise the financial regulatory system, and reimagine the relationship between the Ministry of Finance and the RBI. Therefore-

- a. The RBI's role as the public debt manager can create a conflict of interest, since it also oversees the functioning of independent monetary policy. The debt management function should be either in the finance ministry or under an independent public debt management agency. Such a move would also need to be accompanied by eliminating the Statutory Liquidity Ratio (SLR) for the banks and by reducing public ownership in the banking system to manageable levels.
- b. At the same time, the RBI's regulatory role over state banks needs to be strengthened. This is imperative because the culture of compliance and rigour is absent in many state banks. There is a sense of mechanical appliance (checklist approach) of rules and regulations - especially among lower management - but without any sense of the bigger picture. Many of the issues that led to fraud were 'flagged' but not 'fixed' in audit reports and by the regulator.

9. Protecting Media Freedoms: Freedom of press is paramount for strengthening and deepening democracy. Today, the freedom of the press is compromised and individual journalists are under attack by fundamentalist elements and subject to tacit State censorship. Secondly, journalistic standards are also being systematically compromised. Thirdly, sections of the media are complicit in creating or exacerbating casteist and religious tensions. To ensure the media is able to function as a nation's conscience keeper, it is proposed-

- a. The Press Council of India (PCI) should be conferred with extensive regulatory powers to take suo-moto action against attacks on individual journalists and censorship. The PCI should also strive to ensure greater diversity in media houses by promoting representation of SC, ST, OBC, Minority and Women at all levels.
- b. This independent, statutory PCI could also address complaints to address issues of fake news, paid news, distribution of government advertisements and set up an appropriate mechanism to make news media accountable to Indian jurisdiction across platforms.
- c. The PCI can also be empowered to regulate corporate monopoly and cross ownership of media. Alternatively, a law can be passed to do so, and disagreements can be resolved through the judiciary and the Competition Commission of India.

10. **Empowering the Judiciary:** Restoring faith in the institutional delivery of justice will check social vigilantism, promote economic growth and enhance government accountability. Therefore, the State should work closely with the established judicial system, and only through consensus, strive to transform the court system through three simultaneous initiatives-

- a. Enhanced funding up to 1.0% of the budget;
- b. Separating judicial and administrative functions in the court system by creating a new independent administrative machinery responsible to modernise and professionalize the delivery of justice to the common man;
- c. By institutionalising a new model for the appointment of judges that ensures judicial independence and control while making the judiciary representative of the social diversity of India. Comprehensive legal system reform requires experimental and evidence based reform to the procedures of decision making that are grounded in the need to secure effective and relatively inexpensive access to justice.

ENSURING RESPONSIVE GOVERNANCE

11. **Deepening Right to Information:** The State must establish institutionalised mechanisms for citizens to participate in all aspects of decision making in governance. This is the essence of a participatory democracy. As mandated under Section 4 of the RTI Act, there must be a transparent and participatory pre-legislative process for soliciting citizen feedback before laws are passed.
12. **Mandatory Social Auditing:** Social audits wherein citizens and beneficiaries evaluate the impact and performance of public programmes must be extended to all areas of governance.
13. **Grievance Redressal Act:** A legal framework for ensuring time bound grievance redress through a comprehensive architecture that is independent and decentralised, and incorporates provisions of social audit, public disclosures, codified citizen charter and job charts and citizen facilitation should be passed. This will ensure that the Right to Information organically becomes into the government's "Right to Inform".
14. **Social Accountability Act:** To move from transparency to accountability, and empower every citizen to hold government accountable to its mandate, the State should pass a Social Accountability Law, which will lay out a practical framework of accountability to the people. While doing so, it ensures that citizens are empowered to define, participate and monitor the work of the administration in carrying out of their duties.
15. **Ensuring Delivery of Public Goods & Services:** The State is constitutionally mandated to deliver public goods and services to every citizen. These are essential preconditions of leading a life of dignity, or one free from want. Therefore any shortcomings in Aadhar based biometric

authentication system should be thoroughly reviewed and addressed, and alternate arrangements need to be institutionalised to ensure citizens can access services and entitlements.

CAPITALISING ON INDIA'S DEMOGRAPHIC DIVIDEND

Roughly five million young Indians are entering the labour force per year, and this will keep increasing until 2030. Hence, the pace of non-agricultural job creation, which was a robust 7.5 million per annum between 2004-'05 and 2011-'12, but has since dropped drastically, will have to increase. This is how unsuccessful 'Make in India' has been (which has been confined in any case to two goals: ease of doing business and increasing foreign direct investment into India). To create new jobs, it is imperative to-

16. **Create Synergy between Industrial and Trade Policy:** China has been vacating many labour-intensive sectors in export-oriented manufacturing, but Vietnam, Bangladesh and Cambodia are capturing those spaces, not India. To take the lead in these spaces, India requires a coherent industrial policy, aligned to her trade policy, with a view to job creation. It is therefore important to create an industrial policy that will encourage the creation of jobs in manufacturing, construction, as well as modern services (tourism, banking, insurance, pension, telecom, health and education). Currently, the two work at cross purposes and undermine each other's objectives. Furthermore, excessive imports and an inverted duty structure have been decimating Indian manufacturing.

17. **Establish Special Packages to Support Labour-Intensive Industries in Creating Jobs:** The five labour intensive manufacturing sectors in India are food processing, leather and footwear, wood manufacturers and furniture, textiles and apparel and garments. These sectors account for 62% of total manufacturing employment. All these sectors were adversely impacted

by demonetisation. Furthermore, only two sectors (apparel and garments and leather) have received any attention from this government. This needs to be urgently addressed. These sectors have the potential to generate jobs for which they require special new packages to meet both growing domestic and export demand.

18. Enhance Cluster Development in Micro Small and Medium Enterprises (MSMEs):

Three-fourths of non-agricultural employment in India is in the unorganised sector. Most unorganised sector employment is in MSMEs, which tend to be concentrated in 5500 clusters across India. The cluster development programme (CDPs) under this government are poorly funded and designed. To address this, it is imperative that the State increase financial allocation to CDPs through a new holistically designed Centrally Sponsored Scheme which focuses on i. technology development; ii. Actual utilisation of priority sector lending through industry associations at cluster level; iii. Market development and design support.

19. Make India the Skills Capital of the World: The skills ecosystem has been expanding rapidly, but mainly in the form of private standalone vocational training providers (private Industrial Training Institutes and NSDC-funded ones). But employer-industry engagement in skilling has not grown commensurate to need, nor is much funding from employers/industry going into skilling. The State should work towards ensuring that employer-engagement in vocational education/training increases, without which the skills mismatch with industry requirements will continue, and employability will not improve. Second, millions of India's 500 million large workforce entered work without acquiring any formal vocational skills. The State should develop a credible programme of recognition of prior learning throughout the skills ecosystem, which include ITIs; secondary/higher secondary schools; NSDC-funded vocational training providing; and the 20 other ministries that conduct training. This programme will also engage industry-employers in a constructive way, so that India genuinely becomes the skills capital of the world.

20. **Enhance Skills of Workers in the Unorganised Sector:** Convert the current three month training (conducted by NSDC) into Recognition of Prior Learning courses (RPL) for workers in the unorganised sector. Such RPL should target poorly educated, and uncertified workers. These will aim at providing three kinds of skills in such courses- a. a bridge course to ensure functional literacy and numeracy to informal workers currently in the workforce; b. some transferable skills (e.g. knowledge of English, some communication skills, etc); c. upgrade their vocational or technical skills.
21. **Halfway Homes to Support Employment:** Tier I and II cities should have public funded half-way homes to provide low cost accommodation for all youth who secure employment in cities till they find accommodation or three months (whichever is earlier).
22. **Creating Industrial Estates to Incentivise Middle Size Firms:** Currently, India's manufacturing sector is characterised by a few large firms at the capital intensive end of the spectrum, which account for a significant proportion of manufacturing value, but relatively little employment. To ensure faster growth in manufacturing requires a renewed focus towards middle size firms that typically employ 100 to 300 persons, and which can potentially provide quality employment. To incentivise this sector, modern industrial estates, which provide ready land and should be established since they provide economies of agglomeration.

**DEEPENING PROMISE OF INDIA FOR SCHEDULED CASTES (SCs),
SCHEDULED TRIBES (STs) AND OTHER BACKWARD CLASSES (OBCs)**

23. **Scheduled Caste Special Component and Tribal Component Legislation:** A national legislation to ensure that a portion of the budget equal to the population proportion of SCs & STs to support schemes to bridge the gaps in development of SCs & STs when compared to rest

of the society should be brought out by the central government. These funds should be directly and exclusively meant for the welfare of SCs and STs, and not include generic expenditure.

24. **To stop attacks on SC/ST (PoA) Act:** There have been numerous attacks on SC/ST (PoA) Act. To counter this, it is important to bring SC/ST (PoA) Act under Schedule IX of the Constitution to prevent attacks and undermining by enforcement authorities.
25. **Immediate Publishing of Socio-Economic Caste Census:** The State should immediately publicise the results of the Socio-Economic and Caste Census undertaken in the urban and rural areas.
26. **Reservations in the Private Sector:** To curb discrimination against SC/ST/OBCs, and to ensure diversity in all sectors, the State should bring in a legislation guaranteeing reservations for SCs, STs and OBCs in the private organised sector. On the supply side, a scheme needs to be developed to enhance skill and professional capacity and thereby the employability of these communities for formal jobs.
27. **Reservation in Promotion:** The State should amend the Constitution, if necessary, so as to ensure reservations in promotion for SCs/STs/OBCs in all government and semi-government sector. This will end the discrimination faced by Scheduled Castes in getting promotions.
28. **Representation of SC/ST/OBCs in the judiciary:** To ensure that the judiciary is robust and reflective of the social realities in India, reservations for SCs/STs/OBCs in the higher judiciaries must be institutionalised. Furthermore, as per the recommendation of the National Judicial Commission, an All India Judicial Services should be created with provisions of reservation for SCs/STs/OBCs.

29. **Reservations for OBCs in Assemblies and Parliament:** In line with reserved seats for Scheduled Castes and Scheduled Tribes, the State shall amend the Constitution to reserve seats for OBCs in Assemblies and Parliament in proportion to their population.

30. **Equitable Access to Reservations:** The State shall put in place an appropriate institutional mechanism to ensure all the sub-castes among SCs & STs enjoy equal access to benefits of reservations.

31. **Enhancing quality of education for SC/ST/OBCs:**

- a. **Universal Access to Hostels for SCs, STs and OBCs:** To empower and give flight to their aspirations, access to hostels should be universalised for all SC/ST/OBC students.
- b. **Universal Secondary Education with special provision for SC/ST/OBCs:** Building on the Right to Education, secondary education should be universal. The State should especially focus on ensuring universal enrolment and retention of SC/ST/OBCs. Special schemes to address the needs of female students should be launched for promotion of secondary education.
- c. **English Medium Education:** To ensure the SC/ST/OBC communities are able to stand as equals with forward castes, the State shall ensure access to quality English medium education from secondary school level onwards.
- d. **Reservations for SCs, STs and OBCs in Private Higher Educational Institutions:** Considering the expansion of higher educational institutions in the

private section, reservations for SC/ST/OBCs in these institutions should be made mandatory.

- e. **Rohit Vemula Act to prevent discrimination in educational institutions:** Just like the Prevention of Sexual Harassment at Workplace Act, a special Act for the prevention of caste, religious and gender discrimination in educational institutions should be passed. This will prevent discrimination in admission, enhance access to quality education, and ensure equality as an integral part of the education process.
- f. **Study of Life & Work of Inspiring Social Reformers:** To inspire and educate future generations on ideas and movements of social justice, the State should ensure that the curriculum in schools mandatorily include the study of the life and work of Birsa Munda, Komaram Bheem, Kanhu Murmu, Mahatma and Savitribai Phule, Dr. Ambedkar and and EV Ramaswamy Periyar.
- g. **Specialised scholarships for OBC students:** To empower and give flight to their aspirations, hostels and specialised scholarships (at both the Pre and Post Matric levels) should be established for OBC students in every state, in line as the PMS scholarships for SC/STs. In addition, the State shall ensure the uninterrupted disbursal of existing scholarships.
- h. **Incorporating Adivasi Cultures & Knowledge Systems in Curriculum:** The State shall revise current pedagogy to address linguistic and cultural barriers faced by Adivasi children. Elements of Adivasi cultures and knowledge systems be incorporated in the curriculum, and ensure education in their mother tongue in the initial years of schooling. Furthermore physical infrastructure, especially in residential/ashram schools shall be upgraded.
- i. **Reviving Gotuls:** The State shall revive traditional institutions like Gotuls to foster peer learning, impart life skills to the youth and complement the role of public schools.

32. **Economic Empowerment of SC/ST/OBCs:**

- a. **Reserving Shares for SC/ST/OBCs in PSUs:** Like the Malaysian model, the State shall also reserve at least 10 percent of Stakes/Shares in PSUs/Corporations/Companies, for SCs/STs/OBCs to enhance their participation in the economic activities of the State. For this, the State shall create a special corpus fund for SCs/STs/OBCs to buy these stakes/shares. To actualise this, a Financial Corporation to help SCs buy shares and debentures needs to be established to increase their ownership in the capital of private companies and public sector companies. This will drastically increase the ownership of capital and allow the poor to benefit from capital gains.
- b. **Reservations in government procurement:** The State shall introduce reservations in government procurement and contracts for up to 100 lakhs for SC/ST/OBC entrepreneurs.
- c. **Mahatma Phule Udhyami Yojana:** The State shall create a special fund to promote entrepreneurship from, and enhance skills of OBC communities engaged in traditional occupations (e.g. weaving communities, teli communities, cattle rearing communities etc.). The Skill Development ministry should establish a special corporation for this.

- 33. **Permanent, not Contractual Employment:** SC/ST/OBCs in the rural and urban local bodies employed under contract system should be provided permanent employment, by abolishing contract system.

- 34. **Right to Shelter and Housing:** A Right to Shelter and Housing to guarantee homestead in rural India and urban areas for the poor. Special care should be taken to secure these rights for SC/ST/OBCs.

35. **Accelerated Development of Habitations with High SC, ST, OBC and DNT populations:** Like the Multi-Sectoral Development Programme, the State will roll out a special programme to ensure that every SC/ST/OBC household will get access to basic civic amenities, including power supply, tapped water, sanitation and connectivity within five years.
36. **Separate Ministry for OBCs:** Given OBCs constitute a sizeable population of India, the State shall create a separate ministry to work for the upliftment and empowerment of the 3,742 OBC communities across India.
37. **Bharat Ratnas for Mahatma Jyotiba & Savitribai Phule, and RV Ramaswamy Periyar:** The State shall recognise the significant contributions of Mahatma Jyotiba and Savitribai Phule, RV Ramaswamy Periyar towards the upliftment of vulnerable communities by granting them the status of Bharat Ratnas.
38. **Repealing Compensatory Afforestation Fund Management and Planning Authority Act, 2015:** The State should repeal the CAMPA which effectively strikes against the Forest Rights Act by diluting the role of the *gram sabha*. This will ensure the transfer of control over funds exceeding Rs. 66,000 crores accumulated over the last four decades for afforestation, prevent the diversion of revenue and permit the access of degraded forests for afforestation to the commons.
39. **Amend the Mines and Minerals (Development and Regulation) Amendment Act, 2015:** The State should amend the MMRDA Amendment Act to provide for mandatory consent of *gram sabha* for grant of clearance, mining license. Furthermore, the state still bring in an amendment to reinstate the diluted provisions pertaining to the District Mineral Fund.

40. **Repealing Habitual Offenders Act:** The State should repeal the Habitual Offenders Act used to routinely harass De-notified and Nomadic Tribes.

41. **Special Tribunal to Ensure Time bound Review of all Individual & Community Forest Rights:** A special tribunal should be institutionalised to ensure a complete and time-bound review of all rejected Individual Forest Rights/Community Forest Rights claims under the Forest Rights Act in order to ensure that Adivasis are not deprived of their land and resources. This tribunal can also ensure that all lands and *pattas* belonging to STs are restored back in a time bound manner.

42. **Van Adhikar Abhiyan:** The Ministry of Tribal Affairs should also launch a national mission (*Van Adhikar Abhiyan*) to effectively implement FRA. This would mean that streamlined coordination between MoTA and state governments to address issues of implementation including Community Forest Resource rights, ownership rights over minor forest produces, rights of PVTGs, nomadic and pastoral communities, rights of other traditional forest dwellers, women's rights, rights of displaced communities and conversion of all forest, un-surveyed villages etc.

43. **Limiting Eminent Domain:** As highlighted in "Reclaiming the Republic", it is important to "enact comprehensive legislation to recognise communities as trustees, custodians and shareholders of their natural resources, and to involve communities in biodiversity conservation by empowering them to conserve and govern their local ecosystems and natural resources, with legally mandated tenure, rights and responsibilities over them, as in the Forest Rights Act. It would also be expedient to restructure the Forest Department and other relevant agencies to service such governance".

EMPOWERING CIVIL SOCIETY

44. **Introducing the term civil society in the Indian Constitution:** Civil Society Organisations should be a defined term in the Constitution as was done for Cooperative Societies under Part IX-B inserted by the Constitution (Ninety-seventh Amendment) Act, 2011, w.e.f. 15-2-2012. Not-for-Profit Educational, Healthcare, Cultural, Sports and Media institutions as well as not-for-profit social enterprises must be brought into the ambit of CSOs.
45. **Making the Directive Principles a conjoint responsibility of the state and civil society:** The State should amend Articles 38 to 51 (except article 50) to read as follows: “The State shall strive, directly as well as by involving and enabling civil society institutions, to promote the welfare of the people...” (the addition in the original clauses is indicated in italics for Article 38 (1) onwards till Article 51).
46. **Establishment of an Independent, non-ministerial government department accountable to Parliament:** This department would be similar to the Charity Commission of England and Wales or the Australian Not-for-Profit and Charities Commission. It would be responsible for creating and maintaining a register of all eligible organisations established for social impact purposes and coordinating reporting to various authorities, taking enforcement action when there is malpractice, misconduct, criminality or violation of constitutional values; ensuring social impact organisations meet their legal requirements, including providing information on their activities each year; making appropriate information about each registered social impact organisation widely available and providing services and guidance to help social impact organisations run as effectively as possible and strengthening the sector as a whole.
47. **Creation of a Civil Society Development Fund:** Government and civil society to support research, capacity building and convening within civil society and between civil society and other stakeholders, and investments in civil society infrastructure will contribute to this fund

equally. The fund could be funded via a cess on net investment income from philanthropic endowments.

48. **Rationalise and streamline registration:** The sector needs to have a rationalised and streamlined registration, clearly differentiating between types of organisations including clubs, associations, service delivery organisations such as schools, colleges or hospitals, development NGOs, campaigning/advocacy organisations, grant-making organisations, research organisations, think-tanks, social enterprises and the like. Membership based organisations like trades union and co-operative societies, among others, need also to be clearly differentiated and also religious organisations.
49. **Institutionalise participatory governance mechanisms:** Participatory governance mechanisms that permit citizens to contribute, evaluate and collaborate with processes of policy design and implementation must be institutionalised at all levels of government. A Parliamentary caucus focused on amplifying the concerns of civil society at the highest levels of policy debate would be extremely valuable.
50. **Revision of laws and policies placing unreasonable constraints on communication and protest offline and online:** Ensuring that the core democratic rights to expression, assembly and association are respected may be the most fundamental duty of all arms and levels of government. All policies likely to hamper these, including onerous registration procedures, intrusive monitoring, unreasonable constraints on communication and protest offline and online, need revision. Norms on protection of data, due process, proportionality and right to redress when these rights are violated, must be developed with adequate transparency and inclusive participation by civil society. Further, the definitions of terms like ‘activity of a political nature’, ‘interests of national security’ etc. are not well defined and need to be urgently revised to ensure core freedoms are not being abridged. Critical to ensuring these freedoms must be the repeal of legislation that muzzles free expression, assembly and association like laws on sedition (IPC 124A), UAPA, AFSPA and the NSA.

51. **Right to Access Resources:** Ensuring this right entails providing incentives, which promote domestic, and diaspora philanthropy as well as rational policies with regard to international donors. Government actions, over the past decade in particular, have eroded tax incentives to domestic giving and deterred international funding. The philanthropy sector in India, though still relatively small at an estimated Rs. 70,000 crores, has shown growth over the past decade. Individual donations have grown 6 fold over the past 6 years.
52. **Increasing Tax Incentives on philanthropic contributions:** Tax incentives signal government support for giving. On comparing India's incentives with that of other Asian countries' a huge gap is revealed with Singapore at one end, where tax incentives touch 250%, to Myanmar where they are at 0%, with 8 of the 15 countries surveyed offering incentives of at least 100%. The ceiling on the percentage of income deductible, currently at 10% in India, should also be abolished, as is the case in the UK, Australia, Ireland, Pakistan, Singapore, and Vietnam. Philanthropy can also be incentivised through deductions linked to estate duty/wealth tax; these also spur redistribution of wealth by letting resources revert to society through philanthropy and not only taxes.
53. **Restore tax exemptions available to charitable contributions:** India has narrowed the tax exemptions available to non-profit organisations on their own income. They are required to expend 85% of each year's income or face taxation; these policies have the effect of making the already precarious subsistence of social impact organisations, even less sustainable.
54. **Redefine Charitable Purpose:** A coherent re-definition of 'charitable purpose' to bring it in line with 21st century modes of intervention is necessary. The inclusion, in Australia, of the promotion of, or opposition to, changes in laws, policies and practices (wherever the change furthers or opposes other charitable goals), as a legitimate charitable purpose, is exemplary in this regard.

55. **Ease of doing Civil Society (Similar to the Ease of Doing Business Index):** Ensure 'ease of doing civil society' and access to international resources equivalent to ease of doing business. Modelled on the ease of doing business rankings, which ranks countries on a conducive regulatory environment for starting and running a local firm; a similar ranking should be established for civil society organisations.
56. **Enable Civil Society representatives to be Observers in Elections:** Amend Section 20(B) of the Representation of People's Act, 1951 to enable qualified CSO representatives to become Observers in elections, to catch electoral malpractices as they happen and make Political Parties more accountable to CSOs.
57. **Curriculum design and building partnerships between educational institutions and civil society organisations:** Providing support to educational institutions, which nurture talent in the domains of social work, social enterprise, philanthropy, non-profit management would go a long way towards attracting young talented Indians to the sector, enhancing the availability of skills and commitment dedicated to these domains.
58. **Nurturing Citizen Participation:** This can be done via volunteerism, civic action, financial support, responsible consumption, environmental consciousness, participation in governance etc. Inculcating awareness of these and providing opportunities for tangible engagement should, therefore, be a vital component of education at all levels from primary school through to university and beyond.

DEEPENING THE PROMISE OF INDIA FOR RELIGIOUS MINORITIES

59. **Comprehensive Anti-Discrimination Law:** In order to promote inclusion, and provide legal redressal for widespread and systemic discrimination against all deprived and

discriminated groups - whether on the basis of gender, caste, religion, race, ethnicity, disability, sexual orientation, or any other - the State should commit to enacting a comprehensive Anti-Discrimination Law. This anti-discrimination law must protect against multiple forms of discrimination and cover multiple spheres of activity— in both the public and private sectors. These include, but are not limited to, the arenas of employment, education, housing, financial sector services such as banking and loans, and provision of public services.

60. **Equal Opportunities Commission:** Given widespread inequities which include underrepresentation of SCs, STs, OBCs, DNTs, Women and Minorities in employment, the State should establish an Equal Opportunities Commission which should adopt creative strategies and policies to achieve equity in the public and private sectors. The Chairpersons of the National Commissions for Scheduled Castes (SCs), Scheduled Tribes (STs), Socially and Educationally Backward Classes and Women shall be members of the Equal Opportunities Commission. The Commission should also study the needs and aspirations of dominant communities, and propose ways to address them.

61. **Diversity Index:** A wide variety of incentives can be linked to this index so as to ensure equal opportunity to all Socio-Religious Categories in the areas of education, government & private employment and housing.

62. **Introducing Gender Budgeting, Minority Development Plans and Disability Plans:**

The Five-Year Plans need to be re-introduced to secure greater developmental equity. There should therefore be processes to subject every plan to a gender audit, to review if there are adequate allocations for women and girls, and for gender minorities. The Minority Area Development Programme that was introduced after the Sachar Committee needs to be augmented, and also amended to ensure adequate resources as well as that all expenditures under this programme are made for public services and improved educational and health services in villages, hamlets and urban settlements with high populations of religious minorities, especially Muslims.

63. **Reparations for Lynching and Hate Crimes** - Lynching and hate crimes are not ordinary crimes, as they build on hate and prejudice. This requires also an “atonement model” of reparations, in which public apology is central and monetary and other reparations are necessary. Compensation should include:

- a. A minimum of 15 lakh rupees to the nearest beneficiary of those who were killed; and monthly pensions of 5000 rupees to the widows of men who died and, in case the men who were not married, to the mothers of those killed;
- b. Scholarships for children of persons killed, or seriously disabled during hate violence, up to higher education;
- c. Full reimbursement of medical expenses or treatment for disability or injury resulting from hate attacks for as long as the treatment lasts, including lifetime medical support;
- d. Compensation for persons whose real or personal assets of moveable and immoveable properties, such as cattle, trucks, vans, shops, farms were lost or damaged during hate attacks, covering the real value of these assets.

64. **Ensuring Legal Protections:** The partisan role of the police in investigating hate crimes against religious minorities and disadvantaged castes also requires early implementation of the Fifth Report of the Second Administrative Reforms Commission envisaging a clear separation of the investigation functions of the police from its law and order functions; and the creation of independent District Grievance Redress Councils to deal with complaints against the police.

65. **Reverse Burden of Proof for NRC in Assam:** Unlike the Foreigner’s Act, the Illegal Migrants (Determination by Tribunal) Act, applicable only to Assam has so far put the burden of proof of someone being a foreigner, on the accuser and not on the accused. However, in 2005, the Supreme Court struck down IMDT Act. The NRC now unfairly places the burden of proof on the alleged undocumented migrant to prove citizenship based on documents to establish their pre-1971 roots. Due process principles require that the burden of proof should shift back to the state authorities that claim that the person is a foreigner. For this a law should

be passed in Parliament. Also only retired judicial officers should be authorised to sit on the Foreigners' Tribunals.

66. **Reform Personal Laws:** Jains, Sikhs and Buddhists are covered under the Hindu Code. There is a demand from these communities to enact their own specific personal codes. Reforms also need to be facilitated in personal laws by involving different stakeholders so as to make them gender just and decriminalise family laws.

67. **Observe Section 9(1)(c) of the Delimitation Act:** As per the provisions of Section 9(1)(c) of the Delimitation Act, 1972 and 2002, constituencies in which seats are reserved for the Scheduled Castes shall be distributed in different parts of the State and located, as far as practicable, in those areas where the proportion of their population to the total is comparatively large. But according to the Justice Sachar Committee report, invariably these constituencies, which are reserved for Scheduled Castes, have a low percentage of SCs and a high percentage of Muslims. Justice Sachar in his report recommended that the Delimitation Commission should be assigned the task of correcting these.

68. **Institute Waqf Service:** On the models of Tamil Nadu, Kerala, Karnataka and Andhra Pradesh where Hindu Religious and Charitable Endowments Administration Service exists.

69. **Revive the Waqf Properties (Eviction of Unauthorised Occupants) Bill, 2014:** This can be achieved by implementing Former Prime Minister, Indira Gandhi's letter from 1976, which addressed all the Chief Ministers asking for all the termination of all government occupation of Waqf properties.

70. **Basic Services Guarantee:** Legislating a guarantee for basic services like clean drinking water, drainage, sanitation, electrification, nutrition and primary health care in all Muslim dominant villages, rural hamlets and urban slums. In each district plan there must be an inbuilt

norm to have a percentage of funds allocated for minority locations in terms of roads, water supply, sewage, schools and medical facilities.

71. **Urban Plans:** Under urban plans, spaces should be made available to religious minorities for religious structures. This should be a part of all new master plans for urban areas.

72. **Education for Minorities:**

- a. **Expand Muslim participation in Higher Education:** The low educational standards of Muslims, as highlighted by the Sachar and Ranganath Mishra Committee Reports requires on the one hand that more schools be set up within Muslim neighbourhoods, strong anti-discrimination laws prevent discrimination in admission in both government and private schools, and greatly expanded scholarship schemes for Muslim children and youth to pursue education at all levels
- b. **Free Education for all SC ST, Disabled and Minority Girls Up to Higher Education:** There should be free education for girls in all government and government-aided educational institutions at the school level; and at least for all girls who are SC, ST, Muslim or Disabled at all levels right up to Higher and Technical Education.
- c. **Three Language Formula in Schools:** Strict adherence to three languages formula in schools with one of the languages being that spoken by the largest minority of the region.
- d. **Inter-faith education as part of the school curriculum.**

73. **Ratification and Signing Optional Protocols of International Treaties:** India's treatment of its religious minorities can receive a boost if it signs and ratifies the following:
- a. Convention Against Torture;
 - b. Convention on Rights of Persons with Disabilities;
 - c. International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED);
 - d. International Convention on the Protection of the Rights of All Migrant Workers.

EDUCATION

74. **National Commission on Education:** A National Commission on Education consisting of eminent academics and administrators should be set up to allocate resources and monitor programmes. This will include reversing the trend of communalisation of education that has set in the past few years. Furthermore, it must ensure that all institutions of higher learning and professional education retain their autonomy. The State shall enhance autonomy by ensuring adequate checks and balances on bureaucratic control over pedagogy and financial autonomy of public funded educational institutions.
75. **Ensuring Academic Excellence & Checking Communalisation:** Academic excellence and professional competence will be the sole criteria for all appointments to bodies like Universities (central and state) the Indian Council for Historical Research, Indian Council for Social Science Research, University Grants Commission, National Council for Educational Research and Training, etc. A review committee of experts will be set up to address the communalisation of the school syllabus that has taken place in the past five years.
76. **Universal Secondary Education:** Building on the Right to Education, secondary education should be universal. The State should especially focus on ensuring universal enrolment and retention of SCs, STs, OBCs, DNTs, Minorities and Women. Special attention will be paid to

meeting the shortage of Science, Technology, Engineering and Math (STEM) teachers at secondary/higher secondary level. Every effort will be made to ensure that the Right to Education Act rules will be modified to ensure that learning levels of children ages 6-14 improve.

77. Ensuring Every School is RTE Compliant: As highlighted in “Reclaiming the Republic”, every school should be made RTE compliant by 2022. Early childhood education and care should be made an integral part of RTE.

78. Inclusion of Minor Millets & Fruits in the Mid Day Meal (MDM)
Scheme: Inclusion of a minor millets and fruits, which are high in nutrition, will not only help in diversifying MDM menus, but also ensure agricultural diversification of local economies.

79. Enhancing Access to Quality English Medium Education: To ensure India's children are able to compete in, and lead a globalised world, the State shall ensure access to quality English medium education from secondary school level onwards. Special care will be taken to ensure this access to vulnerable and historically marginalised communities.

80. Checking Systematic Dilution of Reservations in Faculty Appointments in Higher Education: There is an urgent need for to enact legislation to continue reservation for SCs, STs and Socially and Economically Backward Castes in recruitment to faculty posts in Universities/Colleges/Other Educational Institutions by taking the whole University/College/Other Educational Institution as the Unit for implementing reservation, and to rectify dilution of Constitution-based policy and procedure.

81. **Safeguarding and Enhancing Scholarships & Grants:** To continue to empower and give flight to the aspirations of students (especially from the SC/ST/Minority communities), scholarships (at both the Pre and Post Matric levels) and grants will be restored and enhanced. Safeguards will be put in place to prevent the deliberate scuttling of such scholarships and grants. In addition, the State should strive to institutionalise an Educational Finance Foundation for extending financial assistance to students from socio-economically weaker sections, on the pattern of Canada or Australia.
82. **Income Differential Fee Structure to Enhance GER:** To ensure India's demographic dividend is productively utilised, it is imperative that every Indian is educated and skilled. To enhance India's Gross Enrolment Ratio (which is one of the lowest in the world), the State should consider an "ability to pay" system by introducing income-differential fee structures across programmes, and income slabs.
83. **Empowering Female Students:** The University Grants Commission should form guidelines that every institute of higher education strictly complies with, and extends constitutionally guaranteed freedoms to women. This should be one of the central parameters in the periodic accreditation and assessment of institutes of higher education. This is to ensure that no restrictions on personal freedoms (on clothing, access to technology, freedom of mobility etc.) are imposed.
84. **National Village Education Fund:** As highlighted in "Reclaiming the Republic", a National Village Education Fund should be set up to support state governments to improve the quality of education in rural schools and to establish rural colleges and universities which will focus on rural issues.

85. **Teacher Training Programmes & Filling Vacancies:** As highlighted in “Reclaiming the Republic”, teacher-training programmes should be overhauled as per the recommendations of the JS Verma committee and end the shortage of teachers by filling vacancies through regular recruitment of teachers at all levels.

HEALTHCARE

86. **Universal Healthcare:** The State should assure every Indian the highest prioritisation of their personal and collective health needs by guaranteeing universal health care through appropriate constitutional amendment/ legislation that is consistent with international commitments, and by committing to spend a minimum of 3% of the GDP for healthcare. This is especially crucial because the Ayushman Bharat Scheme (Universal Health Insurance Scheme) excludes over half of India’s population and focuses only on secondary on tertiary healthcare, ignoring the vital and critical preventive, promotive, and primary healthcare. This is especially problematic given 80 per cent of people accessing healthcare are seeking interventions for issues relating to primary healthcare, with only 20 per cent requiring secondary and tertiary healthcare.
87. **Indian Public Health Service:** The State should strive to create a new Indian Public Health Service to ensure quality and timely delivery of health services near your doorstep. This would include existing Asha and Anganwadi workers, and retired ex-servicemen.
88. **Empowering Anganwadi Workers & Helpers & Protecting ICDS:** There are over 27 lakh women who are working as *anganwadi* workers and helpers in nearly 14 lakh *anganwadi* and mini-*anganwadi* centres throughout India. They are the backbone of the ICDS programme, which provides supplementary nutrition and pre-school education to the under six year’s children since 1975. To empower them, the recommendations of the 45th Indian Labour Conference that *anganwadi* workers be recognised as workers, be paid minimum wages and be provided social security and pension should be implemented in entirety.

89. **Rigorous Enforcement of “Medicare Service Personnel and Medicare Service Institutions (Prevention of Violence and Damage to Property) Act, 2008” to curb violence against doctors:** A survey conducted by IMA and Indian Institute by Health Management Research found that 75 percent of doctors face verbal or physical violence at workplace, which has exacerbated in the last five years. Currently, any crimes committed against a doctor or clinical employee are automatically dealt with by enforcement agencies under the IPC/ CrPC, and not under the above mentioned Act. This is despite demands from healthcare professionals, and the recommendations of an inter-ministerial committee of the Ministry of Health, Family and Welfare (established in 2015).
90. **Regulation & Promotion of AYUSH practitioners:** While there is a need to increase the number of healthcare professionals in both urban and rural areas, this goal cannot be achieved in the ad-hoc and unscientific way proposed in NDA’s draft National Medical Council bill. At the same time, it must be recognised that a large part of the population uses AYUSH remedies. Given this, it is important to understand that the principles of care differ for AYUSH systems of medicines. AYUSH as a stream can be mainstreamed by nurturing it as an individual system of medicine through the development of infrastructural facilities of teaching institutions, improving quality control of drugs, capacity building of institutions & professionals, building research and public health skills of practical utility and initiating community-based AYUSH interventions for preventive & promotive healthcare.
91. **Checking the Commercialisation of Medical Education:** Every year over 64,000 students graduate from medical colleges in India. Despite this, there is a huge shortage in the country of human resources for health, which in turn has an impact on the people’s access to healthcare, as well as the quality of healthcare available. To address the deficit of human resources for healthcare, medical education must be made more accessible, particularly for those belonging to a lower socioeconomic status. In stark contrast, the NMC Bill a) enhanced the possibility of capitation fees, and b) reduced access to affordable medical education, especially to SC/ST/OBCs/DNTs. Any efforts to commercialise medical education should be stopped.

92. **Regulating the Private Health System:** The Clinical Establishment Act must be strengthened and enforced so that certain tasks can be taken up on priority - listing of prices for medical procedures, regular sharing of epidemiological data with public health authorities etc.
93. **Doorstep Delivery of Primary Health Services to Tribal Habitations:** In order to ensure the right to universal healthcare in Adivasi areas, the State shall expand access through doorstep delivery of primary health services and medicines to all tribal habitations. In order to achieve this objective, the State shall create a special cadre of health workers to serve in Scheduled areas, introduce diploma programmes in health to accelerate the process of increasing the number of primary healthcare professionals.
94. **Transparent Pooled Procurement of Generic Medicines & Supplies:** As highlighted in “Reclaiming the Republic”, a transparent and accountable pooled procurement of generic medicines and supplies need to be established in every state and at the centre, alongside doubling of public spending on medicines and supplies over and above the current expenditure to the tune of Rs. 15,000 crore annually.

INCLUSIVE URBANISATION

95. **People's' Right to the City:** The Smart Cities Mission has been a disaster for the urban. The unrealistic plans, focusing on technology centric solutions, prepared by foreign companies and implemented through Special Purpose Vehicles (SPVs) against the democratic participatory planning principles has resulted in chaos and bypassing of local elected governments. And without any benchmarks and standard definition, the Smart Cities Mission has led to an exclusionary development model. This needs to be replaced by the concept of “Liveable Cities for All” – that begins with the premise of inclusion and sustainability, with clear benchmarks and standards for all the urban poor and worker communities in their cities, and protect the

existing people settlements and livelihoods. The whole mission should be channelled through local elected governments following public consultations and discussions.

96. A New Focus on Medium Towns and Cities: Only 27% of India's urban population lives in middle-tier cities (those with populations between 0.5 million and 4 million). By contrast, nearly 50% of China's urban population lives in middle-tier cities. Currently, India's urban population is concentrated in its largest cities or in those with less than 0.5 million population; India does not have the resources to provide quality infrastructure in the smallest towns, but needs to focus on developing good infrastructure in the middle-tier (0.5-1.0 million which has 30 small cities, and 1-4 million in 73 medium cities). The State should focus on developing middle-tier cities, so that more jobs can be attracted to these medium cities in the next five years.

97. No Cut-off Dates and Zero Eviction Policy (*bastiyon ka cut-off date ke adhaar pe visthaapan pe rok*): Numerous *basti* pockets remain 'illegal' without access to services and amenities due to adverse policies like cut-off dates that determine the legal status of people's settlements. This is leading to numerous evictions that lead to homelessness and further marginalisation of the urban poor. Moreover these policies also contradict the larger urbanisation policy of the country that is inviting more people to urban areas. The State should ensure that either the cut-off dates be removed, or be as the date of survey. In addition, a zero eviction policy should be prepared at the national level.

98. Introducing a National Housing, Habitat and Urban policy in 2019 (*Rashtriya Nagri Awas aur Shehri Neeti*): The National Urban Housing and Habitat Policy of 2007 has mostly remained on paper, with many loopholes in its formulation and gaps in its implementation at the state level. There is a need to conceive a new holistic Habitat and Urban Policy that will pave way for legislative reforms for inclusive and sustainable urban development. This policy should also keep the needs and protection to informal settlements and livelihoods in Indian cities as a

core focus of its agenda. This would involve bringing together the diverse policies on Housing, Transport and Sanitation with other emerging issues of quickly urbanising India focusing on marginalised sections and groups (caste, class, gender, disability). Amongst other pertinent issues, this policy should also broaden the definition of housing to include upgradation, social housing for EWS and LIG, rental housing, migrant hostels, shelters and other myriad forms of housing types required in Indian cities. The policy also needs to address the needs of peripheral urbanisation and include the transient population migrating to cities because of rural distress.

99. **Guaranteed identity and dignity for informal sector:** A huge majority of urban informal sector workers – around 20 crore in population, though recognised and protected through numerous existing laws, are not able to avail any benefits of schemes as they are not formally recognised as workers. There is a need to ensure that all workers in the informal sector are registered as workers through various provisions available in the acts/ policies. There is also a need to reactivate the Unorganised Workers' Social Security Act, 2008 (UWSSA) with enough financial provisions in budget to ensure universal minimum social security - like health care, maternity, insurance and pension. Finally, portability of these schemes should be ensured to provide seamless benefits across jurisdictions to workers.

100. **Implementation of 74th Constitutional Amendment Act (CAA), and Devolution of Powers and Finances (74th *ve sanshodhan ka amal aur adhikar aur vith ka vikendrikaran*):** After 25 years of 74th CAA, there is a need for greater autonomy and power to the Urban Local Bodies (ULBs). Increasingly there is a trend of re-centralisation of urban governance; SPVs being the best case of the numerous examples. The finances and powers of city planning and provision of services need to be handed over to capacitate ULBs to ensure that urban planning is localised in scale, and thereby inclusionary for the urban poor. To do this, the central and state governments need to devolve required resources and capacities to ULBs in a time bound manner. In addition, real time ward expenditure data should be put in the public domain to ensure transparency of functions and functionaries of the ULB's.

101. Adequate Provision and Formalisation of Human Resources in ULBs (*Shehri*

***nikaayon mein paryapt manav sansadhan ka hona*):** Alongside with more autonomy to ULBs, there is a need to address the huge shortage of human resources in the cities due to which the lack of services get exacerbated. ‘Outsourcing’ on contract basis as the main mode of employment and service provision has led to a decline of quality of city functions like – water provision, sanitation, solid waste and sewage management etc. There is an urgent need to have a policy that incentivises regularisation of municipal workers, who are at the moment being exploited in sub-human working conditions and bereft of social security. Also all ULBs should have greater control over staffing, with powers to recruit staff to match their requirements directly and from specialised cadres available to them.

102. Street vending to be protected and accommodated in Indian cities (*Rehri patri/*

***sadak vikretako ko vending ka adhikar*):** Street Vendors (SV) Act ratified in 2014 has not been implemented and street vendors who number more than 2 crore are being harassed by local authorities and state agencies on a daily basis. The State should recognise street vendors and their positive contribution, and conduct a survey and ensure their registration on a mission mode as envisaged in the SV Act 2014. Thereafter Town Vending Committees (TVCs) should be constituted through elections and space for street vending designated in urban planning processes and schemes.

103. Women-friendly Cities: Access to the city and safety of women may be achieved through –

a) ensuring urban development keeps women and children in the centre. For example, housing projects should be located in places where an ecosystem of services (public transport, water, sanitation, etc.) is assured. Secondly, the only way cities will be safe for women is through a more visible presence of women on the streets, which can be achieved by ensuring more pavements that promote walkability and access to public transport. To ensure this, the focus should be to encourage mix-use developments so that the live-work characteristic favoured by women

informal sectors workers like home-based, waste-pickers and domestic workers etc. is supported. Thirdly, as a means to encourage more women migrant working population in Indian cities – working women hostels for every 5 lakh population in the city, day care centres and livelihood centres be set up in every ward. Fourthly, all our cities must have free and accessible toilets in prominent public spaces for women and transgenders.

104.Right to Urban Employment Guarantee: The State should strive to enact a National Urban Employment Guarantee Act (NUEGA). To provide employment within town or city limits to all those who demand it and thereby provide services to all residents, build our civic infrastructure, and restore the urban commons. Such a legal guarantee would address-

- a. Open unemployment in the educated labour force and resulting deskilling as well as social problems.
- b. Underemployment and low wages in the informal urban workforce.
- c. Migration to large cities and towns from smaller towns.
- d. Poor quality public goods and services.
- e. Shortage of human and financial capacities of Urban Local Bodies.

ENHANCING SOCIAL SECURITY

105.Enhancing Scope of the Mahatma Gandhi-National Rural Employment Guarantee Act (MG-NGREGA): A well-resourced and implemented MGNREGA can be a powerful measure among a basket of measures for alleviating rural and agrarian distress. Hence, the State should:

- a. Work towards enhancing the legal entitlement of MGNREGA upto 150 days per household in a year and develop and implement a time bound action plan to register

demand, allocate work, ensure payment of full wages within 15 days and ensure the transparent and accountable functioning of the MGNREGA.

- b. Include training in the employment programme and introduce a skilled category and creation of a “skill ladder” with mobility for workers.

106.Dignity in Retirement through Pensions for Unorganised Sector: With the objective of establishing the rights of the elderly to a life of dignity and in recognition of their working life, and contribution to the development of the nation, the State should pass a legislation to ensure the right of the elderly in the unorganised sector, including landless labourers and farmers, to a pension.

- a. All women above the age of 55 years, and all men above the age of 60 years, in the unorganised sector, including landless labourers and farmers, should have universal access to pension, be not less than half the State minimum wage, be paid on time, and be annually indexed to inflation.
- b. To prevent any distress faced by the elderly in accessing their pension entitlement, the State should bring an amendment to the Aadhar Act to ensure that there is no mandatory use of Aadhar to disburse pension entitlements.

107.Ensuring Dignified Life for persons with disabilities (PWDs): As highlighted in “Reclaiming the Republic”, to ensure that PWDs (including those with psychiatric disabilities), live a dignified life in the community, all “policies and schemes of the government and public institutions must be required to carry out disability audits and ensure accessibility of all public spaces and transport for PWDs, implementation of reservations, childcare for disabled persons and effective ICDS integration of all disabled children”.

108.Enhancing Scope of the Public Distribution System: the State should strive to universalise the Public Distribution System (PDS) in rural areas and add pulses and oil to the PDS basket, at least for Antyodaya households. In doing so, it should promote traditional staples (nutria-cereals) including through decentralised procurement. Furthermore, the State should strive to provide affordable and nutritious cooked food through community kitchens, which would protect the destitute aged and sick, as well as single migrants.

109.Rework the Transgender Persons (Protection of Rights) Bill, 2016: As highlighted in “Reclaiming the Republic”, this bill needs to be reworked to ensure “standard and dignified procedure for legal gender recognition and affirmative action and inclusion of gender/sexual minorities in all social welfare policies”.

PROMOTING GENDER EQUALITY IN INDIA

110. Enhancing Representation for Women:

- a. **Reservations in Parliament & Assemblies:** The State should amend the Constitution to guarantee one-third reservation for women in both Houses of Parliament as well as State Assemblies. In doing so, special safeguards should be taken to ensure representation of women from the SC, ST and OBC communities.
- b. **Reservation in Promotion in Bureaucracy & PSUs:** The State should amend the Constitution to ensure reservation in matters of promotion for women in the higher bureaucracy and in the government sector – PSUs/Corporations/Companies.
- c. **Reservation in Police Force:** The recruitment rules for the police force should be changed to implement the existing policy of 33% gender reservation.

111. Increasing Women's Participation in the Workforce:

- a. **Universal Child Care:** India continues to have one of the lowest female work force participation rates in the world. Increasing number of women, attribute burden of household chore as reason for non- participation in the workforce. The unmet need for publicly funded child care facilities needs to be addressed urgently.
- b. **Run Anganwadi centres for at least six hours a day as a crèche cum day-care centre:** Increasing the operating hours of the Anganwadi centre will provide affordable and accessible day care facilities to rural women that could help. Special training can be provided to anganwadi workers to run preschools.
- c. **Vocational/technical skilling to leverage on the sharp rise in female enrolment in schools post 2010:** Vocational courses must be offered at schools, and skills relevant to the job market must be emphasised. The current inequity in access to Industrial Training Institutes (ITIs) for women needs to be addressed. A skills training program in consonance with a well-designed cluster development policy for Medium, Small and Micro Enterprises (MSME).
- d. **Corporation to Promote Female Entrepreneurs:** The State should institute a special corporation under the aegis of the Ministry of Women & Child Development on the lines of the Scheduled Castes Finance Corporation. This Corporation will oversee a development fund to promote female entrepreneurs. It will also work with banks to extend collateral free loans, and oversee mentorship programmes.
- e. **Government Procurement from Women:** In many countries, successful programs have been set up for governments to purchase from women. These involve setting targets for purchase, which are as high as 30% in Kenya, conducting training courses in filling government tenders for the women business owners, as well as training courses

for the purchase departments in government. Women can also be trained to sell on GEMS, the online procurement portal for PSUs.

112.Enhancing Land Ownership by Women:

- a. According to a 2013 Oxfam study, 80% of farm work is undertaken by women in India, yet they have access to only 13% land, which excludes them from securing agri-inputs, insurance, and most importantly rural credit. To address this, the Women Farmers Entitlements Bill 2011 needs to be passed. This bill guarantees every woman engaged in agriculture status as a farmer through a “Woman Farmers’ Certificate”, equal ownership, and inheritance rights over land acquired by the husband, equal rights over all water resources, and the right to credit for agricultural activities.
- b. The State should exempt stamp duties and transfer fees for properties registered in the name of women.
- c. Titles for women, especially the single women or women headed household should be prioritised when government land is being regularised.

113.Miscellaneous:

- a. The State should increase the number of long stay shelter homes for women and programmes for financial security.
- b. To tackle pervasive violence at home, the workplace and in public spaces, the State should rigorously implement the Domestic Violence and Prevention of Sexual Harassment Acts.

- c. The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 should be extended to cover the informal sector as well.
- d. The requirement of giving father's name should be made optional, i.e., one can give either the father's name or mother's name. This will prevent the stigmatisation of single women parents.
- e. The State should amend the Special Marriages Act to recognise the union of same sex couples.
- f. To build a culture that values girls and women as equal to men, classes on gender equality need to be introduced in all schools.

AGRICULTURE, AIR, WATER & LAND

114. **Farmers' Commission:** The agricultural sector is in acute crisis, and the last few years have seen a marked decline in the economic condition of farmers. To address these crises, and to ensure that agriculture becomes an engine of job creating and growth, the State should strive to institute a constitutional Farmers Commission to safeguard and empower India's *annadatas*. The Commission should strive to ensure-

- a. That farmers' incomes are first protected, and then augmented;
- b. That a debt relief commission to arbitrate between farmers' and banks on one hand, and farmers' and insurance companies on the other hand be instituted;
- c. Like the RBI does with monetary policy, agricultural pricing and procurement should be independently studied and set in consultation with the Ministries of Agriculture at the union and state levels.

- d. That public investment in agricultural research and extension, rural infrastructure and irrigation is enhanced significantly to improve productivity and hence farmer incomes.
 - e. This Commission will action key elements from “the Farmers’ Freedom from Indebtedness Bill, 2018” and “the Farmers’ Right to Guaranteed Remunerative Minimum Support Prices for Agricultural Commodities Bill, 2018”, endorsed by the All India Kisan Sangarsh Coordination Committee.
115. **Promoting Ecological Agriculture:** As highlighted in “Reclaiming the Republic”, the State should promote ecological agriculture on a large scale, to bring down cost of production, to conserve and regenerate productive resources like land, water, forests and agro-diversity and to increase food safety and nutrition security.
116. **Transfer of Surplus Land to Landless Poor & Dalits:** The State should ensure implementation of land ceiling laws, transfer of surplus land and other available land to landless poor and Dalits, provide land rights and pattas to women and mutation of land in the name of women successors.
117. **Regenerating & Protecting Groundwater Resources:** The State should establish appropriate autonomous structures to regenerate and protect groundwater resources and urgently enact a law, based on the draft Dr. G. D. Agrawal helped prepare in 2012, establishing an autonomous agency to conserve and protect the rivers of India.
118. **Regenerating Soil Health by Kickstarting a Landcare Movement:** It is estimated that 121 million ha. (36% of total geographical area) are suffering from erosion, acidification, salinisation, reduced biological activities, etc. To address this pressing problem, it is important

to kickstart a comprehensive landcare movement. The State should take the lead in forging effective and synergistic partnerships between partnerships of farmers' collectives, panchayats, agri-entrepreneurs, and non-government organisations. Furthermore, it should reorient focus on (i) zero or minimum tillage (ii) planting seeds which are pest and disease resistant and resilient to droughts and floods (iii) diversified crop rotations including leguminous crops (iv) agroforestry (v) Systems of Rice Intensification (SRI), (vi) improving nutrient and water use efficiency (vii) reduced use of agro-chemicals and emphasis on bio-fertilisers.

119. **National Energy Policy for Decentralised & Renewable Energy:** The State should adopt a national energy policy for phased shift to decentralised and renewable energy over the next fifteen years and nationalise oil and gas.
120. **Incentivising Public Transport:** The State should enact appropriate legislation to incentivise the manufacture and use of public transport and non-motorised private vehicles and dis-incentivise the manufacture and use of private cars based on their real economic and ecological costs.
121. **National Framework Law on Water:** The State should pass a National Framework Law on Water, with the active consent of the state, to establish general principles to govern the sharing of water in inter-state rivers. This will build on the established guidelines and mechanisms (Water Tribunals) to settle inter-state water disputes.
122. **Watershed Management to Check Declining Watertables:** Current policies give individual farmers the right to extract water unreservedly from bore wells on their own land, which is exacerbated because of the underpricing of electricity, which encourages overuse. Apart from rapidly declining water tables, this also disadvantages poorer farmers who are

unable to access such water pumps. Therefore, it is important to map all aquifers to help establish sustainable rates of drawal, complement this with cooperative cropping patterns to dissuade excessive use of water, and enhance existing programmes of watershed management. In addition, a separate fund needs to be created to fund crop varieties capable of handling water stress without loss of productivity.

123. **Reforming APMCs in consultation with states:** Non-grain agriculture requires special marketing support, including post harvest management and logistic infrastructure. This calls for a radical reform of Agricultural Marketing Committee Acts, in consultation with states, to allow freer private sector entire into markets including directly purchasing produce from farmers. This will enable investment in regulated markets, backup logistics, efficient warehouse recipe systems, futures markets, as well as the infrastructure for imports and exports.

DEEPENING ENGAGEMENT WITH DIASPORA INDIANS

124. **Streamlining Remittances from Diaspora:** India is the world's highest recipient of remittances, at USD\$ 80 billion a year. This benefits India massively and should be actively encouraged. There is currently a high amount of paperwork and administration for NRO remittance. This should be streamlined and minimised where practicable. Therefore-
- a. The USD\$ 1 million annual NRO amount should be free to remit each year regardless of source. Furthermore, the NRO remittance administration and paperwork should be streamlined to encourage higher remittances.
 - b. The limit to remit only one house sale should be removed. Remittance to pay inheritance taxes should not be subjected to any limit.

125. **Enhancing Engagement with Overseas Citizens of India (OCIs):** There are very few systematic ways in which OCIs can currently engage with the India government. Different states have outreach activities for NRIs from their state, but not for OCIs. Therefore-

- a. A formal chain of command for OCI and NRI representation in Indian political, civic and social affairs that reaches the government through appointed regional intermediaries should be facilitated. Indian embassies around the world are understaffed in this regard and do not have the resources to effectively reach out to OCIs.
- b. The State should establish a specialised website and educational portal with areas concerning regulatory, operational requirements, register of relevant government departments, etc. This should serve as a one-stop platform for all things related to illiquid investing for OCIs/NRIs.

CONCLUSION


India is a bold adventure of ideas. Marking a radical departure from the “graded inequality” of the past, India’s Constitution freed millions of Indians from the shackles of caste and religious dogma. The underlying principle of the constitutional idea of India is that everyone deserves equal access to the promise of this nation. That no one gets left behind. This forms the underlying basis of who we are, and who we can be.

Our Constitution was thus a radical “quest for equity”; an attempt at social transformation by promoting liberty, equality and fraternity. Over the past 70 years, the architects of modern India have consistently strived to guarantee fullness of life for all by trying to ensure that each one of us-

- Has a voice which is heard;
- Has equal rights;
- Has equitable access to the great vaults of, & opportunities in the nation;
- Feels safe and secure in the country;
- Can walk with our heads held high.

Today all of us are at the front lines in a battle for India’s soul. As our founders once did, we need to work together to re-establish the foundations of an India that is responsive to the needs, aspirations, and dreams of each of its citizens. We need to zealously safeguard, and further the promise of India.


As Prime Minister Jawaharlal Nehru once said, “the future is not one of ease or resting but of incessant striving so that we may fulfil the pledges we have so often taken and the one we shall take today. The service of India means the service of the millions who suffer. It means the ending of poverty and ignorance and disease and inequality of opportunity...And so we have to labour and to work, and work hard, to give reality to our dreams. Those dreams are for India, but they are also for the world”.



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