



# PEOPLES' PROGRESSIVE AGENDA FOR INDIA



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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. It is time for the Indian people to recognise the constitutional path we chose 70 years ago and dedicate ourselves to protect and enhance this legacy. 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, progressive forces in India have come together to meaningfully re-think current social, political and economic paradigms whose underlying principles would mean:

- 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.

A product of this process, this Peoples' Agenda hopes to be a dynamic blueprint that addresses the needs and aspirations of all Indians, and a starting point for an "alliance of equity" of all progressive forces committed to safeguarding the constitutional idea of India.

## 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 likeminded forces to further the above mentioned values;
  - Substantively re-think 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](http://www.samruddhabharat.in) for further details.

# PEOPLES' PROGRESSIVE AGENDA

## 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 work spaces.
  - 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 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.
- c. 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 Com-

panies (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.

**11. Empowering Civil Society:**

- a. **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 Me-



dia institutions as well as not-for-profit social enterprises must be brought into the ambit of CSOs.

- b. **Establishing 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.
- c. **Reviewing Misuse of the Foreign Contribution Regulation Act (FCRA)-** The FCRA should be critically reviewed because its broad terminology has made it possible for the union government to use it as a tool to silence organisations critical of it. Further, the implementation of FCRA must vest with the above mentioned independent agency and not the government. This is especially pertinent because civil society deepens democracy by enabling participation of citizens.
- d. **Redefining Charitable Purpose:** To prevent harassment of civil society organisations and peoples' movements, a coherent re-definition of 'charitable purpose' to bring it in line with 21st century modes of intervention is imperative. 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.
- e. **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.

- 12. **Appointing a Lokpal and Lokayuktas to Rigorously and Objectively Probe Cases of Corruption:** As highlighted in "Reclaiming the Republic", the State should "estab-

lish the Lokpal in a transparent manner, in keeping with the spirit of the law. It should also appropriately amend the Lokpal & Lokayuktas Act, 2013 to i. modify the composition of the selection committee to provide for the leader of the single largest party in opposition in the Lok Sabha to be a member, in the absence of a recognised leader of opposition; ii. roll back regressive amendments made to the law which diluted provisions related to asset disclosure; iii. provide for setting up of Lokayuktas in states along the same framework as the Lokpal at the centre; iv. vest administrative control of the anti-corruption wing of the CBI in the Lokpal”.

13. **Strengthening Urban Local Bodies and Panchayats:** The ability to effectively deliver basic social services of local bodies will be critical to meeting the challenge of rapid urbanisation. The capacity of ULBs and PRI systems have been historically weak; they are the weakest link in the hierarchy of the Indian governance structure. The State should commit itself to building up the capacity of local bodies by providing sufficient resources for the hiring of professional staff. This will enhance their capacity to absorb funds from state/centre, and also to mobilise local tax and non-tax revenue, without which the State cannot deliver services.
14. **Establishing Autonomous and Independent Regulators in all Sectors:** The State must institutionalise autonomous and independent regulators in all sectors of the economy so that there is a clear and predictable economic environment where individuals and firms can realise their economic potential. This is especially pertinent because they are crucial to public life and to the rights of people to live in some degree of autonomy. Strong competition laws must ensure that there is no undue concentration of wealth or the abuse of market power to the detriment of the common good. However, even where state policy promotes inclusive and equitable economic growth it still needs to intervene directly to ensure that basic human needs are met through well designed policy instruments and agencies.

## **ENSURING RESPONSIVE GOVERNANCE**

15. **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.

16. **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.
17. **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".
18. **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.
19. **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.

## ENHANCING HUMAN DEVELOPMENT

20. **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.

**21. 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-

- a. **Create Synergy between Industrial and Trade Policy:** China has been vacating many labour-intensive sectors in export-oriented manufacturing, but Vietnam, Bangladesh and Cambodia is 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 an inverted duty structure have been decimating Indian manufacturing.
- b. **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.

- c. **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.
- d. **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.
- e. **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.
- f. **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).

g. **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-

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

22. **Nine is Mine:** The State should allocate six percent of the GDP for education and three percent for health. Furthermore, it should spearhead the following to transform the sectors-

a. **Education:**

- **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.
- **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.
- **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.

- **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.
- **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.
- **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.
- **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.
- **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.

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

b. **Health (*Swastha Bharat, Sashakt Bharat*):**

- **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.

- **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, with special focus on reaching Adivasi habitations. This would include engaging existing Asha and Anganwadi workers, and retired ex-servicemen.
- **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 45<sup>th</sup> Indian Labour Conference that *anganwadi* workers be recognised as workers, be paid min-



imum wages and be provided social security and pension should be implemented in entirety.

- **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 per cent 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).
- **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.
- **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 socio-economic 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.
- **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.

**23. 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.

**24. Peoples' 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.

**25. 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.

**26. National Housing, Habitat and Urban policy (*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).

**27. Implementation of 74<sup>th</sup> Constitutional Amendment Act (CAA), and Devolution**

**of Powers and Finances (74<sup>th</sup> *ve sanshodhan ka amal aur adhikar aur vith ka vikendrikaran*):** After 25 years of 74<sup>th</sup> 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.

**28. 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.

**29. Universal Childcare to Enhance Female Workforce Participation:**

India continues to have one of the lowest female work force participation rates in the world partly because of the burden of household chores and childcare. The State should therefore strive to provide publicly funded affordable childcare facilities.

**30. 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.

**31. 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.

**32. Enhancing Scope of the Mahatma Gandhi-National Rural Employment Guarantee Act (MG-NREGA):** 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.

**33. 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.

## DEEPENING SOCIAL JUSTICE

34. **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.
35. **Scheduled Caste Special Component and Tribal Component Legislation:** The State should bring out 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.
36. **Checking Dilution of Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) 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.
37. **Reservations 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 these communities in getting promotions.
38. **Equitable Access to Reservations:** The State should consider an appropriate institutional mechanism to ensure all the sub-castes among SCs & STs enjoy equal access to benefits of reservations.
39. **Enhancing Representation of Women in politics:** 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.
40. **Permanent, not Contractual Employment:** SC/ST/OBCs/DNTs in the rural and urban local bodies employed under contract system should be provided permanent employment, by abolishing the contract system of employment.
41. **Comprehensive Reform of Caste Based Occupational Vocations:** All caste based occupational vocations must be comprehensively reformed so that they are modernised, and

it is ensured that those entering the particular occupation are not representative of a particular caste or community. In this quest, all steps should be taken to stop manual scavenging in any forms in mission mode through technological innovations and strict implementation of the Prohibition of Employment as Manual Scavengers & their Rehabilitation Act, 2013.

**42. 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.

**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”.

**44. Revising pedagogy to address linguistic & cultural barriers:**

The State should 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.

**45. 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.

**46. Repealing or reworking anti-people legislations:**

**a. Repeal the Compensatory Afforestation Fund Management and Planning Authority Act, 2015 (CAMPA):**

CAMPA 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, prevent the diversion of revenue and permit the access of degraded forests for afforestation to the commons.

**b. Repeal the MMRDA Amendment Act:**

The State should amend the Mines and Minerals (Development and Regulation) Amendment Act, 2015 and provide for mandatory consent of gram sabhas for grant of clearance, and mining licenses.

- c. **Repealing Habitual Offenders Act:** The State should repeal the Habitual Offenders Act used to routinely harass De-notified and Nomadic Tribes.
  - d. **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”.
47. **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.
48. **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”.

## **SAFEGUARDING RELIGIOUS MINORITIES**

49. **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 which would 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.
50. **Equal Opportunities Commission:** Given widespread inequities which include under-representation 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.

**51. Reparations for Lynching and Hate Crimes:** Lynching and hate crimes are not ordinary crimes, as they build on hate and prejudice, usually against a particular community. This includes the unprecedented attack on Muslims as a group of citizens, whose very right to full citizenship is at stake in the current environment of extreme violence, impunity, silence and fear. The State should therefore pass a law following an “atonement model” of reparations, in which public apology is central and monetary and other reparations are necessary. This includes a onetime solatium, compensation for moveable & immoveable assets destroyed or damaged and scholarships etc.

**52. 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.

**53. 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.

**54. 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.



## DEEPENING ENGAGEMENT WITH DIASPORA INDIANS

**55. 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.

**56. 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. This is what this Peoples’ Progressive Agenda strives to do.

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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# FURTHERING THE PROMISE OF INDIA

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