

# CRISES, VULNERABILITY & POVERTY IN SOUTH ASIA

*Peoples' Struggles for Justice and Dignity*

**Country Report 2013**

# INDIA

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## India: Disparity and Exclusion

*This report consists of two parts. The **first part** deals with the discursive and analytical aspects. Obviously it also takes positions and is openly partisan. We stand without hesitation and shyness with the poor and those who struggle, with and for them, to eradicate poverty. The **second part** brings together case studies, interviews, charters of demands, and position papers of people and their organisations dealing with poverty, disparity, oppression and the struggles against these.*

*We have not included any 'hard data' in this paper which truly consists of official figures that are difficult to believe in, particularly regarding extent of poverty, without serious misgivings. The data produced/collected by a regime that constantly fudges definitions of poverty to suit its own aims is not in the ultimate sense very trustworthy. The official figures published/circulated/touted by the Government of India are easily accessible on the net. They are fairly close to reality if not dead accurate regarding some aspects of the economy and demography – in some others they are guilty of obfuscation for the ulterior aims of the state.*

*{Numerous organisations, activists, and even scholars have found official land data to be quite at variance with the reality. Some plots of land are held in the name of others – the so called benami lands while in other cases there are plain wrong records. The cadastral survey of even a small state of Goa suffers from inaccuracies that can be discovered by perfunctory inquiries in a single visit to any village. This is not the case only in the remote areas. The lists of people below the poverty line (bpl) has been routinely shown to be inaccurate. Even in cities – even taking Mumbai as an example – there is lack of reliable data. This occurs mostly because the authorities are perfunctory, the investigators often give in to 'creative impulses' in manufacturing data, and the mechanisms that are often crazy. It is not possible to make out the number of manufacturing units in the city of Mumbai! Those that are not covered by the strict criteria do not get registered as factories. The law that covers them is the 'shops and establishments act' that is administered by the Municipal Corporation which perhaps has no need to find out the exact activities. If the establishments – and the number by any*

*estimates is humongous – are not recognised as manufacturing units there is no wonder that there would be no records of the people employed in these places. This becomes a major impediment for partisan scholars, activists, and organisations because this unorganised sector harmonises seamlessly with the organised sector – often carrying out ancillary activities that are fairly necessary for the mega-company. Same is the case of home based productive activity that again – often, of course, through cut-outs – relates to the organised industrial/ commercial/ entertainment/ financial activity. One can immediately visualise two possible disastrous impacts of this situation. One, a large section of the economy, often crucial to the functioning of the entire machine, remains invisible. It appears neither on records nor in calculations. To stay further hidden from probing sight it locates itself in the most unlikely locations – including domestic apartments and slum tenements. In various ways the employers – direct or indirect – of millions of toilers, through various sets of activities – industrial/ manufacturing, sales and commercial, financial, and service – disappear under the economic radar. The planners and policy makers themselves operate with grossly inadequate data. Scholars have painstakingly traced the linkages from the mega-factories (often parts of gigantic conglomerates) through subsidiaries to small scale and even cottage industries. These various components are also often spatially distributed across wide areas, their links hidden or genuinely unrealised. Two, if the economic units remain veiled in a fog the workers therein are subterranean. Their numbers, working hours, working conditions, nutritional status, health status, incomes are all areas of speculation based on a few intensive micro-investigations painstakingly carried out by formal and informal researchers!*

*It is also necessary to state what data is available, in fact, has considerably improved in the past few years. The satellites now do not allow any faking of forest cover or of the area under cultivation – often disaggregated to different crops. At least a clear picture of forest cover, often other environmental aspects, and of agricultural production can no longer be contested by any ‘creative interpreters of data’.*

*It is also necessary to note that the Right to Information Act and the machinery created under it make it very difficult for capricious officials to fudge or hide information. The martyrdom of RTI activists across the country has strengthened the process of obtaining information and also given it moral courage and dignity.}*

*Similarly we have concentrated on the changes in patterns, as well as on the causes of poverty today. We do not merely describe the features of poverty since the earlier reports have done that quite admirably. We concentrate more on the forces and mechanisms that create and preserve poverty today. We also attempt to understand why this takes place.*

*The previous report – **Poverty & Vulnerability Cycles in South Asia: Narratives of Survival and Struggle** (SAAPE; March 2010) had taken some significant steps in this direction. We extend with all gratitude and humility the theoretical framework suggested in the opening chapter of that publication, viz., ‘Unravelling the structure of poverty and vulnerability in South Asia’. We are acutely aware that unless one stands on the shoulders of the precursor, heights never increase; and they are so necessary for a clear view!*

*We do not believe that poverty exists in India by **default**, due to natural or technical causes. We believe that it is a human creation. It is also, at least partly, by **design** – and not by default. Poverty and disparity in their current phase and form are necessary for the existence of the contemporary form of capitalism in India and for the form of accumulation it has developed.*

## I

### (a)

Two ludicrous statements made in the recent past can neither be ignored nor wished away. Interestingly, they also set the background for the report from India.

**One:** Some time ago citing the calculations of the Tendulkar Committee (the poor researcher after whom this committee is named died quite some time ago) the Planning Commission of India (a statutory body, always chaired by the Prime Minister but run by the Deputy Chairman – *normally* a prominent economist) declared that any person who earns (or can afford to spend) Rs. 28.60 in the rural areas and Rs. 32.00 in the urban areas per day is not poor. Only incomes below this level – according to the august body, qualify for recognition as poverty. The Planning

Commission of India, charged with designing the economic future of the country and the people, made this statement as if from a moral high ground – in effect debunking all who sought to raise a voice against conditions that create and perpetuate poverty. Obviously the statement outraged most activists familiar with peoples' lives. It was said that a senior and respected social activist sent the Deputy Chairman of the Planning Commission of India a money order for Rs. 32/= and invited/dared him to survive on that for a day. Obviously the Commission did not respond and chose silence as the best response. This immediately raises doubts in our minds about the macro data published by the government.

**Two:** A more ludicrous but *political* statement came from the Chief Minister of Delhi (the National Capital Territory). In her weak defence let us admit that she was responding polemically to a political statement/ attack. GOI has announced a palliative scheme to alleviate the distress of the destitute. It has sanctioned Rs. 600=00 per month to such identified families. It is obviously a ridiculous amount. *It can at best be a small contribution to enable them to exert further to find livelihood and liveable incomes.* Governments in their grand pronouncements never say this. For whatever reason (one definitely is the fear of people – citizens) they trumpet their measures as panaceas. This time the principal opposition party was up in arms and said the scheme mocks and insults the poor since Rs. 600=00 a month mean nothing. Reacting to this onslaught the CM made a crazy statement. She said that a family of 5 persons can buy rice, wheat, and *dal* (pulses) to suffice them for a month with this amount. This stupid statement caused a greater – very justifiable – row. Rs. 600=00 for 5 persons for 30 days works out to Rs. 4=00 per person per day! We cannot imagine what they eat in that amount. We can also not imagine what family the CM met.

The Planning Commission of India is not a toothless advisory of ex-bureaucrats, vague academics, and of retired members of the judiciary enjoying a sinecure. It is an active body that attempts to monitor the Indian economy through various mechanisms and to suggest measures for the future. The Union Council of Ministers of course has the right to ignore or overthrow any or all of the recommendations and/ or findings. Democracies always privilege elected representatives of the people over bureaucrats and academics, however vaunted. The judiciary alone, being an autonomous and independent organ of the state along with legislature and executive, and charged with the specific task of overseeing – to the letter and spirit of the Constitution of India – the functions of the other organs, can at times threaten if not brow-beat the executive and the legislature. In fact, currently, an explicit, implicit, and tacit struggle between the three wings seeks to shape the future of the Indian nation and democratic polity in the years to come. It seems that the Indian Judiciary has been independent of the influences of specific power blocs though at times it seems to over-extend its brief and attempt to run the executive.

Anyway these are reasons enough to bolster our argument regarding official 'hard' data.

## (b)

The above, ludicrous as they may sound, statements actually set the background for this section and argument of ours.

Perhaps like every other country in South Asia (perhaps the entire world) India is a land of contradictions. These are perhaps more blatant and glaringly obvious in India than in some other countries. Let us mention a few of these. Unfortunately they are so common that Indians often do not notice them and when forced to do so accept them as a part of life, the unchangeable fate! (The fatalism of the South Asian people is a great ally of the rulers!) Somewhere it is not only the existence of these contradictions, of poverty and disparity that are painful but more so the blindness towards them; or worse still accepting them as natural!

### India: From Independence to the Present Day

After years of instability and questionable growth (a condition that was described by a prominent economic analyst as 'stagflation' = 'stagnation + inflation') the Indian economy managed to restructure and stabilise itself and began to grow (the latter at a rate that compared it first to the 'Asian Tigers' and then to China). This occurred in the late 1980s and visibly in the 1990s. The economy grew at between 5-6% during 1996 to 2001, thereafter galloped to 9% or there about, and in the current 'low phase' too shows a growth rate of around 5%. It is necessary to remember that the US and European economies were during these very years experiencing severe growth problems. The only economy to outstrip Indian rates was the economy of PRC (China).

*It is almost trite to state once again that growth does not mean development; and does not deliver justice.* However, growth sustained over a period of time – a decade or more – does bring about some results. There are visible signs – exceedingly difficult to miss – of this growth, particularly in the urban areas. The number of vehicles has increased so phenomenally as to create permanently congested streets. Both 4-wheel and 2-wheel vehicles have mushroomed, obviously at the cost of public transport. It is unnecessary to state that this is at the behest of policy makers who have privileged private transport over public, often at the cost of smooth functioning of the cities.

There are obviously more signs. The stock markets are booming, sometimes on a roller-coaster, often on a roll. The investor/player base has widened significantly and now includes white-collar workers of all descriptions – employed and self-employed. The stock market index fever has so virulently hit people that they actually believe the indices to be signs of the health of the economy – an assumption that is quite erroneous.

{Western (US and European) commentators actually believe that an economy is 'industrial' and 'modern' when most savings are invested – either directly by individuals or indirectly through *mutual* and *pension* funds – in stocks, shares, and financial derivatives. Investments in *actual* wealth like gold – that are not dependent on market whims - are considered to be 'backward' and perhaps 'Asiatic' (harking back to the Asiatic mode of production?), and hence also non-conducive to growth and development. The myopia of this view is actually quite surprising. After the Black Friday of 1930 the vulnerability and the ephemeral character of capitalist speculation should have been clear to all. The captains of capital did learn the lesson and kept on changing the composition and allocation of their funds continuously. Strategic and tactical amounts of funds are now invested in gold bullion and sterling silver; that is exactly why the markets that control trade and prices of these commodities do not move out of the Western World (to wit, London).}

The Consumer Durables market too has changed significantly. Once such durables (fans, refrigerators, cars, television sets, etc., etc.) were an investment for a life time. They were *truly durables*. The current trend is to change each of these items for a newer more advanced model every year or two years! The anxiety is that this 'growth' touted as 'development' will not last and may disappear as ethereally as it appeared. Travel for purposes of pleasure by Indians within and outside the country has increased phenomenally. Hotel accommodation in many cities is difficult to find – almost in any season but particularly in holiday and festive seasons. Air fares to chosen iconic destinations increase many times the normal level during the festive season and yet it is difficult to get a booking on flights. Most restaurants are always full – outside some on weekends there are queues of patrons wanting to enter. Most shopping centres always do a roaring business.

Who are these consumerist spendthrifts? The answer is not difficult. It is the '**new middle class**' that is on a spending spree. This section has unprecedented incomes, including the investable and disposable components. It is spending partly earned income and partly what it hopes to earn. *That is precisely why the 'credit card economy' is booming in the cities.* These life styles of the new middle class continuously advertised – in also subtle and hidden ways – by all forms of media

affect even the toiling classes. They too at some level try to live beyond their means and to emulate these life styles.

Contrast this with some very stark ground realities. Prices of many items from the categories of entertainment electronics, information and communication technology items, some consumer durables including household items have remained steady or declined while the costs of basic essentials have increased to an alarming extent. Prices of groceries, green groceries, and other food items have continuously increased. Cost of health care, housing, education, transport, mass entertainment, and clothing has also increased. Significantly you do hear constant cribs but there is, at least as yet, no *outrage* against the prices!

There are other glaring contradictions too. The struggles (that may not be organised or publicised but quotidian) get tougher and tougher. Some – actually most – of these - directly or indirectly – relate to the livelihood and survival issues. Unfortunately it is now a trend in India not to notice struggles and agitations till they become violent and pose law-and-order problems or by the virtue of number of casualties shock the media. One of the characteristics of the ‘new middle class’ is that its sensitivity is extremely limited. It does not seem to extend beyond own ranks. Similarly its conscience and particularly social conscience, is highly restricted and often, even in that category, distorted. These attitudes are well reflected and represented in the media. It is never reported that struggles today break out in all parts of the country – rural and urban. The media attention also takes a peculiar form that is quite a reflection of the attitude of this ‘new middle class’. Sometimes when the oppression and injustice are very glaring they sympathise with the victims. They never, however, support the struggles of the very same victims to eliminate this injustice! A recent example is worth noting because the attitudes displayed are genuine. A popular reality show on a television channel talked of a community in Bihar that is forced to survive on field rats and mice since no other food is available in adequate amounts. Two vastly popular film artists spoke on the issue and rued the fact that such a situation exists. Typically they saw no need for any systemic change but only for palliative and immediate measures. *In short one can say that the traditional and new vocal sections in the society condemn poverty, disparity, and exclusion when they are results of some anomalies of the capitalist system but refuse to take note of the poverty, disparity and exclusion that are a need of capital and intimately linked to its existence.*

Perhaps the most ludicrous but tragic contradiction involves the children of India. According to a current Public Interest Advertisement anchored by an iconic film star on behalf of the Government of India states that one out of ever two child is a victim of malnutrition. It is well-known that India has the largest number of malnourished children amongst countries of the world. This malnutrition is also very basic – protein-calorie malnutrition, indicating a sheer lack of food! On the other hand, a



serious problem of child health in the well to do sections of the cities is child obesity. The numbers apparently are in millions!

### Responsible Polity to Neo-Liberal Ideology

India, like any capitalist society, was always a divided society. It was marked with glaring disparities. Once upon a time the saving grace was that the middle class (white collar workers, intelligentsia, professionals, etc.) were aware of the disparity and (to at least some extent) sensitive and even sympathetic to the plight and demands of the deprived and excluded sections. Similarly, the capitalist class too recognised its dependence on the toilers and hence the need for a **social compact** between various classes of the society. *The era of globalisation and neo-liberalism has eclipsed this realisation almost totally.*

It is trite to say that ideologies and political formulations do not arise out of thin air. The milieu of Thatcher regime gave rise to the formulation of '*neo-liberalism*' as a '**thought**' **component** of 'late' (fallaciously perceived as 'post-industrial') '**global**' **capitalism** that believed that it did not need central planning, government regulations, 'living' labour, or any kind of social compacts with the working class/es. It privileged processes over structures, exchange over production and markets over state – to name just three characteristics. These were based on the *realities* of tremendous automation that signified the dominance by 'dead' or 'past' labour over 'living' or 'present' labour; the dispersal of the production process across the globe and its centralised integration and control; the expansion of the markets far beyond the traditional 'developed' economies, the almost seamless informalisation of many aspects of production and their equally seamless and invisible integration into the most organised economic processes, the atomisation of workers, the rise of the new insensitive middle class, and apparent withdrawal and restriction of the state.

{Let us remember that it was a *forced* withdrawal from planning, regulatory, and social security & welfare functions. It also involved the reinforcement, re-entrenchment, and monopolisation (somewhat *partial* – since the 'militias' or 'goons' or 'private security agencies' could now almost rule the roost) of the repressive functions – both domestic and external – from maintenance of 'law and order' to waging war (sometimes indirectly through the UN or through sanctions and embargoes)} Capital now believed in, or dreamt of, or sought a *new form of accumulation* – almost a relapse from 'physiocratic' (based in production) to 'mercantile'. This was also a euphoric situation internationally for capital. The 'socialist bloc' was dissolving; the economic and military might of the Soviet Union and hence its clout with the 'non-aligned' countries was disappearing. Leaderships in many of the latter were all in favour of hitching their wagon to global capitalism, and

hence were opening up newer markets (in capital, labour, and commodities) to global capital without too many restrictions.

One effect of this situation is that the nature and causes of poverty have changed to some extent.

### *The Rural Scene – Marginalisation, Exclusion, Expropriation*

The suicides of the farmers have become a national shame (not really – they no longer – if they ever did – stir anyone’s conscience). They dominated the media for some time some years ago when the numbers were staggeringly high and encompassed at least three states of the country. There were many suicides – almost daily – in Andhra Pradesh, Karnataka, and Maharashtra. Some suicides were reported from other states too, notably Punjab and Tamil Nadu. The notable fact is that these states are considered to be ‘developed’ states with significant industrialisation, new investment (including Foreign Direct Investment – FDI), and high urbanisation. Nevertheless the farmers’ suicides occurred in large numbers precisely in these areas. The crisis of the peasantry is not new in India. Peasants – specifically poor, marginal, and landless peasants have faced destitution and poverty since before independence. Then it was due to the apparent ‘backwardness’ of agriculture and agrarian society. The reference here was to prevalence of ‘pre-modern’ agricultural techniques, low productivity, fragmentation of land, lack of access to markets, absence of irrigation and hence total dependence on rains, inability to face natural disasters, etc. Other factors were absence of effective land reforms, extra-economic oppression, servitude through caste system, stranglehold of moneylenders, repressive and oppressive social conditions, and absence of effective political representation. Periodic but regular famines then devastated vast areas and pushed the peasantry over the brink. Sometimes floods played the same role. Distress migrations were common. Large number of people had to annually leave the villages and migrate to urban or industrial centres in search of livelihood. Luckier families would manage to retain some land and send one member to the nearby city or industrial settlement to take up a job and augment the family income. The situation was so dire and so obvious that in the first comprehensive study, two prominent economists stated that poverty was created in the rural areas and that urban poverty was only an overflow of rural poverty. (**Poverty in India** by V.M.Dandekar and N.Rath) This situation was not acceptable to the system and the rulers. It interfered with expansion of markets and with the process of accumulation. It, additionally, created an unnecessary drain on the central resources through import of food and endemic relief works. The changes came at different times, in different degrees, in different states. The measures initiated by the governments – state and union – included abolition of some feudal institutions (*zamindari*), eradication or regulation of tenancy, enactment of land ceilings, distribution of some surplus and

government land, irrigation projects, institutional support – both financial and technical, some market regulation through announcement of support or minimum prices, etc. Limited though these reforms were they led to some basic changes in agriculture. They created the conditions for expansion and intensification of monetisation, commercialisation, and capitalisation of agriculture. The technical changes came with the so called ‘green revolution’ that ushered in ‘modern’ chemical based (and in some areas machinery dependent) agriculture. These changes had three impacts. There has not been any unmanageable famine or flood after 1972, imports of food grains have now stopped, and the country has surplus stocks of food grains and exports some crops.

Thus there was period of some two decades or so that created the mirage of real rural development. It disappeared in the 1990s with the adoption of globalisation and neo-liberal principles. The crises of the peasantry and agriculture today are of a very different kind, with totally new mechanisms in play. Usurpation of land by private parties or government agencies for infrastructural, industrial, ‘Special Economic Zone’ or even residential purposes creates a new crop of landless peasants. The above are dramatic and massive occurrences that take place at one time. There are slow, subterranean processes also under way in the rural areas. Competition from more capitalised farms is rendering the smaller more traditional farms non-competitive. Many farmers have sold off their land in the past two decades and moved away from agriculture. According to some scholars, analysts, and organisations the incidents number in millions across the country. From some places ‘reverse tenancy’ has also been reported – given the rural social structure this must lead over a period to usurpation or forcible divestment of the land. The peasantry is also denied access to natural resources like forests and water bodies. The subsidies have shrunk and prices of inputs – from seeds and fertilisers to insecticides and preservatives have increased. The support prices are way below the market prices and often the costs of production. In effect the margins are narrowing and turning at least small scale, labour driven, labour intensive agriculture into a losing proposition. This uproots people from traditional territories, livelihoods, and occupations. It is needless to say that though all peasants in specific areas are affected the special victims are *adivasis*, *dalits*, and minorities.

Another feature of the rural or agricultural situation is significant. The migration in search of employment and livelihood is in many cases by single men. They leave their families behind in the villages. The woman of the family then is forced to take care of the land and raise some crops. Once this was only seen as a problem of ‘deserted’ women, who were rendered destitute by the irresponsibility of the men. The picture is perhaps far more complex. The migrant men hardly manage to find adequate work and income. The lives they lead are insecure, unstable, and without any amenities. They get caught if far away from home; they can neither go back nor get the families to the cities. The result in a way is feminisation of marginal agriculture and feminisation of rural poverty. This also seems to suit the system. It

tries to create dreams of better lives and provides some superficially interesting avenues through micro-credits, tiny cooperatives, supplementary occupations, possible marketing facilities. The 'women's saving groups – as they are called – are strange mechanisms since they operate with those who have no capacity to save and are often made to cut down on their already paltry consumption. These institutions open up the market further, bringing the women into its fold, create some support structure for the migrant men – thus reducing any relief and welfare burden on the system, and create yet another avenue for accumulation. This feature has not yet been addressed adequately and deserves some attention and investigation.

The poverty and destitution in the countryside is not confined to agriculturists. Practitioners of other occupations dependent on and related to more or less traditional agriculture – and sometimes to even commercial, somewhat modernised agriculture – suffer when the farmer goes into a crisis. Sometimes the plight of these artisans and other practitioners is gradual and occurs because the industrial age has rendered their skills and products redundant. More often it occurs because their patrons – the middle and the small farmers – are pushed out of the rural economy. The crisis of the peasantry is only partly through the (economic) problems of agricultural operations, particularly on a smaller scale. They are far more severe and sudden through displacement as land is taken over for various 'development' projects. The land owner peasants can at least expect some compensation and some rehabilitation package – though very often they are cheated out of these. The para-agricultural workers have no claims over compensation and/or rehabilitation. Disputed or fraudulent land ownership records also cheat many cultivating peasants out of the rehabilitation-compensation packages.

### *Crisis of Credibility and Governance*

There is such confusion and contradictions in the data regarding poverty and general economic situation that it befuddles the observers. We have mentioned earlier the statistical 'play' by the Planning Commission. It actually holds that an income of Rs.4824=00 per month brings a family out of poverty. This actually means that a daily income of Rs.160=80 is sufficient to provide the basic needs. The average family size considered to be 5 persons this works out to Rs.32=16 per person per day. Where the Planning Commission finds people who can survive on this amount per day is a mystery. Even this exercise has not banished poverty. At least, one fourth of the population still remains below the poverty line! It is only recently that the concerned ministry decided to give up this income related criterion and to adopt measures of social, economic, and occupational vulnerabilities. Perhaps the impending parliamentary elections (early 2014) have prompted this wisdom.

The confusion however continues. Some studies (some of them also sponsored by the World Bank) have found situations that throw the government figures out of the

window. Using a 'minimum needs' basket scholars have found that even in a city like Mumbai, generally considered 'prosperous' in India, about 70% people are poor. This figure at first sight seems staggering and unbelievable. A simple calculation could however throw light on the situation. The basket of minimum requirements can be presumed to cost Rs.100=00 per person per day. (This is based on the general assumption used by many international agencies of US\$2=00 per person per day. This roughly translates to Rs.100=00.) A family of five would then require an income of Rs.15, 000=00 per month. It is highly believable that 70% of the population of the city does not have this income.

It is also necessary that the income line of poverty that is based only on daily calorie consumption be immediately given up. ***It at best defines the starvation line.*** It hardly takes into account the needs of shelter, clothing, education, health care, transport etc. Use of such baskets – or actually even calorie intake – tells a very different story.

Some pockets in the country annually witness starvation deaths or at least deaths due to 'severe malnutrition' brought about by non-availability of food due to economic and social reasons. These are actually few and specific pockets. One would imagine that given the economic strength of the country it would be possible and easy to put a permanent relief mechanism in place in such pockets so that at least such deaths are prevented. This does not happen. In fact there is cause to believe that such pockets of starvation – small and isolated though they may be – are increasing or at least coming to light for the first time.

Similarly every second child in the country is now considered to be malnourished. Only in a miniscule of cases the causes may be ignorance, parental neglect, or traditional (gender) prejudices/superstition. In most cases the causes are lack of nutritious, healthy food in adequate amounts. Again no steps except 'mid-day meals' in school seem to be taken. The mid day meal scheme too is darkened by controversies in its implementation.

The gap between the *announcement* of the schemes and their *implementation* has severely jeopardised the credibility of the government. Corruption is rampant at various levels and the money allocated for poverty alleviation is majorly siphoned off. Even in normal circumstances it was believed that no more than 10% of the allocated funds actually reach the poor. Corruption which now seems institutionalised with a strong nexus between the politician, bureaucrat, and businessman reduces these funds even further. The government machinery seems unable to adequately act against this nexus and to stamp out corruption. The government has recently launched a scheme to transfer all subsidies and relief funds directly to the beneficiary's bank account bypassing all middle men and leaking pipelines. An analogous gap exists between prices *received by the farmers* and the prices *of agricultural goods in urban markets*. The prices of essentials and vegetables are reported to have doubled in the past year (2012). During the same

period the *mark up of prices* was ten times or more between the farmer and the consumer. Despite various announcements at various times the government does not seem to be able to control prices or the trading lobbies. The traders of all scales now have new champions ranging from right to left in defending them against FDI in retail trade.

There are far more examples of government incompetence or actually failure of governance. While there are large numbers of people (millions of them) lacking adequate food, the food grains collected by the government through levies or enforced purchases to create a national buffer stock to tide over emergencies rot due to inadequate or inefficient storage facilities – actually through rampant insensitivity and negligence! The Supreme Court of India once, in the recent past, took the government to task over this situation. The Court directed the government to distribute food grains without cost to the poor rather than let the stocks rot. Obviously no such measures were taken.

The net result is that the intentions and capability of the government to take any effective steps to tackle peoples' problems are seriously suspected by the common person. The loss of credibility also embraces the opposition parties since they too have not been much different when in power at the centre or in the states.

Some other data revealed by researchers is also quite baffling. A world bank sponsored study questions the existence of any middle class in India. The argument is very simple. Entry to the middle class is pegged at a capacity to spend US \$10=00 per day per person. The study claims that only 5% people in India have this capacity and they are actually the rich. None of the remaining 95% gain an entry into the middle class. The statistical basis of the study must be correct but the experiential reality is quite different. There is visibly a fairly large section that lies between the poor and the super rich. It is well-to-do, does not lack in any necessary amenities, can give in to its consumerist urges easily and also amass savings. The US \$10=00 criterion does not put all the 'non-rich' into the same bag. Indirect indicators of this observation are also available. The Regional Traffic Office has recently revealed that the number of fuel driven two-wheelers (motor-cycles and motor-scooters) has shown steep increase in the city of Mumbai in the past few years. The number went up from 7.93 lakh (lakh = hundred thousand) in 2006-07 to 10.44 lakh in 2010-11, further increasing to 11.33 lakh in 2010-11 and is expected to reach 12.33 lakh by March 2013. This is not an exceptional growth in Mumbai. In fact the numbers are low in Mumbai compared to other cities. Bengaluru for example has 27 lakh of these vehicles, Chennai 29.62 lakh and Delhi a whopping 46.44 lakh. Given the prices of these vehicles it is clear that whatever the justifications (e.g., increasing costs of public transport) so many people had and have the capacity to spend these amounts.

(c)

## **New Dimensions of Poverty, Disparity, Vulnerability and Exclusion**

It is absolutely necessary to take note of those features of the situation that have either arisen anew or become prominent and prevalent in the recent past. That will reveal the real face of poverty, disparity, vulnerability, and exclusion in India as it emerges in contemporary times.

At the outset however it is necessary to state that India remains, as a society, as fractionated and fractured as it ever was. The special sufferers of the above mentioned maladies are adivasis, dalits, and Muslims. A recent round of the National Sample Survey (a continuous exercise to monitor situations and data) reveals that the share of dalits and adivasis (together) in Gross Domestic Product is 16.5% while that of the Muslims is 11.2%. (This proportionately is significantly below their proportion in the population.) This occurs because these sections are forced into traditional occupations and have very limited entry to the better paying, technologically advanced occupations and employment. This occurs despite continuous growth in their literacy and educational levels. More detailed data makes us fear that there are two educational systems and establishments in India. One is for the upper caste Hindus from the middle and upper classes (and of course a few minorities like a section of Christians, broadly all Zoroastrians, perhaps particular tiny sects among the Muslims). **This** establishment and system equips the students for high technology and management occupations that are obviously also high paying. **The other one** seems almost *reserved* for dalits, adivasis, and Muslims. It imparts education in the non-science, non-technology, non-professional fields and pushes the students into the ranks of the educated unemployed, under-employed, or employed far below abilities. *(An outrageous fact is that even in cities like Mumbai the Municipal Corporation employs even graduate Dalit boys in its sweeping and cleaning departments! Whatever the education, the average Dalit is forced to clean the garbage of the upper castes! The shame is that even those of us who call ourselves sensitive, egalitarian, progressive, even socialists do nothing about it.)* Experience shows that simple reservation of seats for these sections in institutes of higher learning (particularly the professional ones) and subsidised tuition fees do not solve the basic problems. These institutions - with other expenses that become mandatory, language and cultural gulf, and heightened due to ascriptive inferiority complex - make it very difficult for students from these sections to adjust and to benefit from the rare opportunity. A significant number experience psychological trauma and disturbance – in some cases taking frankly clinical forms, and in extreme ones leading to suicide. Many also find it hard to cope with the sudden educational onslaught that too in an unfamiliar language in an atmosphere that is culturally and socially alien. The situation then becomes a further excuse to push them towards

traditional – at times even demeaning – occupations and employment. The appearance and reality of the caste system is not the topic (or even sub-topic) of this discussion. It is nevertheless necessary to state that **it continues to exist** though in a somewhat modified form. It retains its material functions and the ideological aspects. Situations change for individuals to perhaps a substantive and significant extent *but the masses remain at the bottom of the pyramid and on the periphery of the orbit*. A study that sociologists have not conducted, relating caste to work and pay in

Similarly, women too face hostile environments and are repeatedly thrown back into the webs of poverty, vulnerability, and exclusion. The previous section talked of *feminisation of (small-scale and marginal) agriculture and hence feminisation of rural poverty*. The urban situation is not very different. Women headed households exist in the urban areas because of migration of men to other – possibly more lucrative - areas of work (the Gulf countries have been major magnets), or desertion, or widowhood, or addiction of the man in the house. These women from the lower classes then get pushed into exhausting, demanding, and trying work to make ends meet. Sometimes there is an illusion of self-employment – say when work is obtained through the micro-credit/savings cooperative and is seen as an extension of their skills as a home-maker. In other cases they are contract employees, paid on piece rate basis, and made to work from their own houses. A number of such most exploited women hail from Dalit castes, or in pockets from adivasi backgrounds, or from the minorities. The occupations are unstable, without any security, without any formal rights or even possibilities of collective bargaining. The women are rendered vulnerable also with constant threat, of trafficking, of forcible inclusion into local prostitution, or violent sexual atrocities that are often collective and open. It is true that women from the upper classes and castes now enter varied streams, once the reserve of men, and do rise to high, commanding positions. They are all said and done a tiny minority – made visible through media exposure. These exceptional examples are totally a part of the system and well integrated with it. They do not even dent the current form of patriarchy. *In fact global capitalist patriarchy takes a dual attitude towards women. As producers (and managers) they are almost de-feminised and as consumers they converted into sex-symbols or bimbos*. A peculiar aspect of the situation is the creation of a new imagery of ‘*smart home-maker*’ for the upper classes and of the ‘*efficient housewife*’ for the middle classes. Advertisements and television serials now tell them that it is good and respectable to take up no employment and to look after the house – echoing a very traditional Indian, upper caste, middle class attitude. They are invited to step out of the public space and sphere and to confine themselves to the domestic tasks. (Payments for domestic work for these classes are not at all ruled out. They are a small compensation for the re-enslavement of women! No more than a pocket-money-allowance for which graciously the patriarch would ask no accounts!) *The public space of women is not shrunk in the traditional style* (they are free to hold kitty parties or to go to women’s clubs) but they are once again being eased out of economic space – a move that



can only reinforce dependence and bondage. It can be said about this phase and period that patriarchy is reshaped, reconstructed, and reinforced during its course.

As the above discussion points out repeatedly there are several new features to the situation of poverty, vulnerability, and exclusion. Many of these have been mentioned during the course of the discussion. It now remains to highlight these features and briefly discuss their new aspects.

### Creation & Re-creation of, and relapse into poverty

A startling and frightening aspect of the current situation – post liberalisation and globalisation in India – is not only its failure to eliminate poverty but far more so the ways in which it creates poverty embracing new sections and the ways in which it pushes people who had managed to just surface, back into the abyss of poverty. At a certain level the blindness of rules and of the bureaucratic enforcers of these rules is responsible for the situation. The poverty line – so far – is pegged to a precisely defined income level – spelt out in rupees and paise. If the income is even one paise above that, the person/family is no longer Below Poverty Line (BPL) and loses whatever relief the social security net provides to the BPL population. This actually might effectively push some of the just above poverty line people into poverty again. All this is said with the official definition of poverty that alone entitles you to a *BPL card* (interestingly yellow) and the subsidies in mind.

{The context here is **poverty** not *starvation*. This poverty is smelted in the crucible of disparity, vulnerability, and exclusion. Meanings of these terms assumed by this writing need a frank statement. The clearest term is **starvation**. It means simply the absence of the means to acquire enough nutrition to stay alive in a healthy manner. **Poverty** indicates absence of means to live a life with basic human dignity that should guarantee shelter, clothing, education, health care, cultural resources, and transport. **Disparity** obviously refers to the social chasm or abyss that separates the working classes from the leisure classes (to not mince words, exploiting classes or classes that gain because of the exploitation of the producers); the producers from the marketers/managers/speculative controllers. **Vulnerability** refers to the future and bases itself on the presence/absence of mechanisms and ‘acquisitions’ that can fight and defeat pauperising forces. **Exclusion** refers to the wilful prevention of sections of a society or individuals from these from access to resources (natural or human-created) and opportunities.}

A stark and nightmarish example of new sections being entangled in the web of poverty and destitution is provided by what happened to the textile workers of Mumbai. The textile industry of Mumbai, one of the oldest industries of the city, in existence since the 1860s, employing about 250,000 workers closed down in the mid 1980s.

{The ostensible reason was a militant, adamant general strike of the mill workers launched in 1982. This reason was patently specious and not adequate enough to explain the closure. The strike was neither unusual nor violent. At worst one can say that the leadership of the strike was not skilled enough in 'trades union tactics' and did not leave any avenue open for a respectable (face-saving) withdrawal of the strike. The real reasons were more sinister. The composite textile mills had come up on land leased out by the government for a pittance. Many had not modernised, had not re-capitalised. The reserves had been depleted – often siphoned out. AND the lands that the mills occupied were potentially milch cows capable of yielding huge profits and ready funds (both white and black). (*Industry owners have often used the excuse of actual or potential violence by workers to effect massive retrenchments and closures.*) There was another subterranean reason. The new economic organisation of production and marketing made it possible to dispense with large **composite** mills employing thousands of workers while keeping the production and profits intact. The possibilities of fragmentation and dispersal of production made a totally different arrangement possible. The dispersal and fragmentation in this particular case also meant de-scaling to nearly informal levels crucial steps in production of cloth like spinning and weaving. The dispersed small to medium level producers were integrated into the formal structures without any benefits of the latter accruing to them. The labour costs and responsibilities could be easily shrugged off and the status of the *principal employer* denied. It is perhaps no accident that weaving moved to tense, communally divided, and sensitive areas. Any labour organisation and working class consciousness could now be destroyed in one stroke with a controlled or orgiastic communal conflagration.}

The net result was that in the mid 1980s almost 200,000 workers lost their jobs in the textile mills in Mumbai. (Another peculiarity of this industry was the difficulty to determine the number of workers employed in it since the employment patterns were variegated and confusing. There were, for example, permanent workers whose records could not be hidden, as well as temporary workers, leave vacancy workers, and one-day-recruitment workers. Most of the non-permanent workers had no records and almost no proof of their employment.) Since even the permanent – officially employed – workers got almost no compensation, the rest were thrown out onto the streets with impunity and arrogance. These workers had no assets, no savings, and no skills except those relevant for the textile industry. Their lives were spent in the textile industry – in the composite textile mills. Even if from the weaving department, they were not power loom weavers – an occupation that requires very different skills – and anyway they could not have had entry into this occupation given its saturated situation and peculiar organisational structures. In mid 1980s thus, many thousands were added to the ranks of the jobless, occupation-less and hence **poor** people. It is now known that a few with access to land and potentially sustainable agriculture went back to their villages and became agriculturists. The majority did not have an access to this option. Most of them quietly sank into poverty – *unsung warriors of a class conflict*. Their fate was not a dramatic or heroic saga.

Some became manual, unskilled workers, some hawkers and petty vendors, some alcoholic. The women from their families became domestic workers/(scullery) maids. Interesting question is what happened to textile mills and mill-owners. Some of the owners were killed in gang wars by the underworld! Some reaped huge profits. The mill-area (*girangaon* in Mumbai parlance – literally the mill village/settlement) is now host to massive sky scrapers – offices of varied corporations, prominently electronic media and advertising agencies, mega malls, and entertainment complexes. It now boasts of some of the most expensive real estate in the city. It is clear that the dislocation, impoverishment, and destitution of the textile workers were **necessary** for this new locality to come up and flourish.

The textile workers are not the only examples of ‘new poverty creation’. There seems to be an interesting pattern. Industries (e.g. Maruti Udyog Ltd – an automobile giant, the Indian face of Suzuki) with ‘unwieldy’ labour component seem to have propitious episodes of worker violence that allows them to close down operations or at least throw out thousands of workers – not just at the site of the violence but across the country! This is clearly one mechanism of creating new poor and new poverty. More subtle ways include Voluntary Retirement Schemes and the so called ‘golden handshakes’ that essentially render many workers unemployed and unemployable – thus candidates for the ranks of the poor.

The phenomenon is not confined to the urban/industrial sphere.

Increasing numbers of agriculturists are thrown off the land under various pretexts. The people relating to their operations are not protected by any measures. Apparently this has gone on for decades. The displaced peasants even with the first mega dam in India have not yet, after more than half a century, received adequate compensation or been rehabilitated. When the displacement is of adivasis the attitude is perhaps worse. All displaced adivasis – and it is not just *displacement* for them but total *dislocation* since they do not in the capitalist manner relate to *plots of land* but to *territories* that include cultivable land, residential areas, forests, water bodies and even mountains with cultural significance. They are invariably pushed into abject poverty. The women in these situations become more heart-wrenching victims – forced into servitude at best, prostitution at worst.

There are many other examples. People with traditional occupations are rendered unemployed and bereft of means of livelihood all the time. Some meet this fate in a ‘natural’ gradual way when their products face a losing competition from cheaper and flashier (not necessarily better) industrial goods. Their production processes too are rendered obsolete. A clear example is of the fisher-folk – mainly marine. This community was always poor but generally self sufficient. (There was a brief period in some pockets when they made good money. The markets expanded phenomenally during this period within and outside the country. Some minor but appropriate technology became available – increasing productivity and efficiency. At this time their product/ catch also was in great demand at premium prices. This situation did

not last long.) The lucrative nature of the occupation soon attracted entrepreneurs and 'efficient' operators. The mechanised fishing vessels began a cut throat competition for product and space. The ecological calamity the mechanised fishing vessels represented as well as the economic woes of a crucial section forced various state governments to enact some regulatory measures. The fisher-folk though with great difficulty continued to hang on to their living and operating coastal spaces and to their traditional occupations. A new assault in the past few years, however, sought to complete and intensify the destruction posed by the mechanised fishing vessels. Once bereft of all 'development' the coastal areas now attract power plants – including nuclear plants, and other industry. These new entrants to the coasts pose dual threats – one they take over the spaces occupied by the fisher-folk in the sea as well as on the coast; second they alter the ecology of the place – including that of the sea – that makes fishing an impossible occupation. Finally there is tourism – with more and more coastal areas tourism development. This leads to privatisation or corporatisation of the coastal areas. Smelly, somewhat unclean occupations like fishing that may offend the olfactory, religious, or cultural senses of the tourists are then effectively evicted from the area. Even access to beaches and sea fronts becomes highly limited. It is quite true that most of these changes would benefit a tiny minority – those who can create shrimp farms, fish farms, chic ethnic restaurants, tourist shacks, etc. The rest are being relentlessly pushed into the ranks of the poor. The propensity of the system to use any and every opportunity or occurrence – even a humongous disaster – is awesome and awful. The destruction caused by the tsunami some years ago has been used as an excuse to 'relocate' the coastal communities to 'safer' locales that are necessarily higher ground inlands away from the coast. It is obvious that fishing is impossible from such sites. An interesting question however remains. If these are unsafe sites why locate the nuclear plants and tourist complexes here?

The scope of this report does not allow adequate discussion of each and every facet of creation and recreation of poverty. It is, however, necessary to mention one other major occurrence. Insurgency and counter insurgency, 'terrorism' and 'counter-terrorism' have rendered normal life impossible in some areas of India – the state of Jammu & Kashmir as well as the North-eastern states are two major examples. To these are now added areas (ever expanding) 'affected' by Maoist insurgency. Right in the heartland of the country, but not-surprisingly, in tribal dominated areas there are massive military-para-military operations against the insurgents. This report is not concerned with the political analysis (and characterisation) of any of these occurrences. The activities of both the insurgents and the government forces – far more the latter – make normal life and normal occupations impossible in the 'troubled' areas.

## Urban Poverty

The modern (industrial-commercial) cities have always harboured large number of poor people. The disparities in them are glaring. These cities function and progress on the basis of the underpaid work of millions of workers. The workers in the organised industries are generally protected by various labour legislations. They are entitled to minimum – many times reasonably decent – wages and humane working conditions. These have always been a tiny minority in India. The vast majority worked in much smaller units with hardly any protection of law or legal machinery. The small scale units too often led precarious existence. Similarly barring a few larger establishments the trade and service sectors employed only few individuals – often on a casual basis.

In the era of current 'economic reforms' this picture has become even more complicated. Industries have moved out of some large cities. The cities – not the society or economy as a whole – hence acquire a post-industrial character. Changes in technology have also changed the character of the production process and hence labour process in many of the 'sunrise industries'. This involves essentially a drastic reduction in the work force – particularly the 'organised' work force. Key processes are mechanised, other are informalised and farmed out. Thus there is an army of informal workers sometimes changing occupations and leading a precarious, insecure existence. Sometimes they are classified even as 'self-employed' or 'new-entrepreneurs'. Their work often remains invisible and unrecognised but in reality they seamlessly merge with the economy of organised, large-scale production. Similar is the case in many services and commercial activities. Employed salespersons are now replaced by 'contractual' workers on a commission basis. The Employers eliminate overhead costs, force the worker to cut into his own commission to attract more customers. This method is now praised as social marketing etc. In essence these are mechanisms to keep the poor in continuous poverty. These new operations also need the poor to operate – and hence perpetuate poverty through their work and remuneration conditions.

The poor in the cities are no longer just new migrants. Poverty is constantly recreated within the toiling masses of the city. There is hardly any count of this poverty. No ameliorative measures reach these poor masses.

There is in addition a demographic displacement – even within the cities. As productive hubs are banished to the hinterland the workers – formal and informal also are forced to move there. The semi-urban or new urban areas housing such production hubs hence experience migration. This adds to the social tensions and often leads to violence that helps the cause of the poor in no-way.

(d)

## Flexible Survival in Age of Flexible Accumulation

The above brief descriptions are indicative of a new form of accumulation – popularly known as post-Fordist. It is now extremely flexible and through various mechanisms spreads its tentacles to exploit formal and informal workers in all sectors of the economy. It exploits those who are directly or indirectly employed as also those who appear to be self-employed. The poor have become a necessity for this form of accumulation. Poverty of a large section makes these high rates of accumulation – necessary for capitalism in a globalising world. The competitive advantage it can gain in the world markets arises purely from this internal super-exploitation. Of course, when feasible or necessary or advantageous the capital also crosses the national boundaries and sets up operations in other countries.

In the rural areas there are outright dispossessions and displacements. Land is taken over from the farmers under one pretext or another. Compensation amounts are actually very rarely enough to establish a new life. The small land holder is pushed into the ranks of the poor and then has to find livelihood through various government schemes of employment at minimum wages to create infrastructure for the very projects that displace him/her. Moreover even plot of land for plot of land is also not an adequate measure. It leaves many out of its ambit. Far more important is the fact that agricultural operations do not depend on plots of land but on a total territory that includes water sources, forests, flora and fauna. This is not even recognised in most rehabilitation schemes. In effect the processes in the rural areas lead to what can be best described as a *new phase of primitive accumulation*.

If in the rural areas the process is very overt and visible in urban areas it acquires somewhat different forms. The land under occupation of the toilers is through grandiose schemes – Slum Rehabilitation or Redevelopment of Old Buildings is converted into commercial property. Frankly, only a few families with middle level incomes can benefit from these schemes. The vast majority cannot afford to stay in the ‘redeveloped’ building for various reasons. The tenements offered are small and rigid – affording no flexibility of the slum space. They are also not suitable to carry out any occupations. The corpus fund ‘donated’ by the developer dries out in maximum ten years and then the monthly costs of maintenance escalate to unaffordable levels. The result is that newer slums are created – but now on the outskirts of the city or totally outside the limits of the city. The demographic shift is achieved apparently without coercive means. The entire mechanism, however, leads to a perpetuation and recreation of poverty.

The mechanism that the poor adopt to face this situation is ‘flexible survival’. They continuously make new precarious adjustments and manage to survive without much

help from the system. The flexibility actually means uncertainty and insecurity. The occupations and livelihoods keep changing, the incomes keep changing, and work places keep changing. Survival is a daily struggle then at the most basic level. The poor over-exploit themselves in order to survive. There is no hope, even generational, for these masses to rise out of poverty.

In short, the current structure and organisation of capital, with corporate globalisation as the most visible character is responsible for the extension and intensification of poverty. Neo-liberalism provides the (shameless) theoretical justification for the various mechanisms adopted.

## SECTION II – Documents

### KOODANKULAM NUCLEAR POWERPLANT

People of Idinthakarai have been struggling continuously against the Koodankulam Nuclear Power Plant (KKNPP) in peaceful and nonviolent manner for almost a quarter century and for almost 450 days in a more recent concerted campaign under the banner of People's Movement Against Nuclear Energy (PMANE). They have been asking in vain for the basic information about the project such as the Site Evaluation Report (SER), Safety Analysis Report (SAR), Emergency Preparedness Plan (EPP), the performance report of VVER-1000/412 reactor, and the India-Russia Inter-Governmental Agreement (IGA) on Liability and so forth.

Instead of getting the above information, they were slapped with dangerous cases (like sedition, waging war on the state etc.), malicious accusations (that they were foreign funded and instigated), imprisonment, curfew and prohibitory orders, intimidation campaigns, home searches, physical attacks on their persons and properties, police atrocities and other such high-handed behaviors of the State.

This mega nuclear power park is being built with Russian loan and technology against the will and wishes of the local people. The Indian authorities have not conducted any public hearing to seek our permission or consent for this project. They have not shared the Environmental Impact Assessment (EIA) Report, the Site Evaluation Report, and the Safety Analysis Report with the people. These reports are made available to the public on the internet in countries such as the United States, the United Kingdom and Canada. After a long and hard struggle of more than 22 years, people could just obtain a copy of the EIA report which is outdated and so full of inaccuracies and incomplete information.

The world knows fully well that nuclear power and bomb programs are the two sides of the same coin. And this is the reason why the international community objects to the development of nuclear power by certain countries and calls for the abolition of nuclear weapons altogether. In fact, Nuclearism has become a dangerous ideology that corrupts politics, threatens democracy, imperils freedom and endangers human existence on the Earth. Such a comprehensive humane global look at the world economy, politics and security makes the International Atomic Energy Agency (IAEA) redundant. It is high time we abolished the IAEA that has a mission to, among other things, facilitate “the transfer of such technology and knowledge in a sustainable manner to developing Member States.”

Although the global nuclear industry tries to promote nuclear power as the answer for global warming and climate destruction, the international community knows for sure that poisoned Earth with nuclear waste cannot be the answer for polluted air. Moreover, our fragile planet has been facing natural calamities of all sorts with increasing frequency and added potency. And it would be foolhardy to add to our woes with nuclear threats and dangers.



We have no moral legitimacy whatsoever to produce electricity for our present needs and endanger the futures of our children and the unborn generations with the dangerous booty of nuclear waste, contaminated sites and deadly radiation. It is not only immoral but also illegal to help the profiteering MNCs, corrupt politicians, bureaucrats and technocrats make money at the cost of the Earth, the future inhabitants and their common futures.

When terrorism spreads all over the world like an epidemic and nuclear terrorism is fast becoming a dreadful reality, proliferation of nuclear weapons, promotion of nuclear technology and fostering of nuclear material will be suicidal. Science and technology are important tools for our progress and prosperity but when that quest shuns human values, moral principles and political ethos, we suffer from God-complex and dig our own graves.

Scores of countries around the world have chosen not to hoard fissile material, develop or test nuclear weapons, or build nuclear power plants. In fact, many countries that have relied heavily on nuclear power so far have decided to phase out.

However, the current UPA government is embarking upon an ambitious plan of setting up scores of nuclear parks all along our coast and in many interiors locations with the help of Russia, France, the United States and many other countries. The politicians, bureaucrats and businessmen are all pleased with the golden opportunities of making a killing out of this multi-billion dollar business through cuts, commissions, kickbacks, contracts and sub-contracts. Some sections of the scientific community talk about achieving energy security and even energy independence with hardly any original or creative scientific research or accomplishments. Much of the national media toe the government line and try to snatch their share of the pie.

There is no national debate whatsoever on the impact of all these nuclear plants/parks on our farmers', fishermen's and workers' right to life and livelihood; our natural resources; our cattle, crops and seafood; food security; nutrition security; health of our people, and the well-being of our progeny.

Even a small mishap in a nuclear facility will destroy millions of people in a highly and densely populated country like India. Even after 27 years after Bhopal the leaders, bureaucrats and scientists have not even managed to clean up the mess there yet. The dangerous waste still remains there open and exposed. A recent Comptroller and Auditor General of India (CAG) Report on the Atomic Energy Regulatory Board (AERB) has concluded that this toothless regulatory agency has not even ensured nuclear and radiation safety in any of India's atomic installations.

Scores of developed and advanced countries around the world are shunning nuclear power and going for 'New Energies'. But India's national elites are going for nuclear power with no concrete plans to decommission the plants or to store and safeguard the nuclear waste.

## SUNDERBANS

The Sunderbans lies across the outer deltas of the Ganges, Brahmaputra and Meghna rivers. At 10,000 Sq km, it forms the largest mangrove forest in the world, 40% in India, 60% in Bangladesh. The adjacent World Heritage sites in India and Bangladesh cover just over a quarter of its area. The forest is composed of small forested islands and mudflats intersected by a complex network of tidal waterways, and exemplifies the ecological processes of monsoon rain flooding, delta formation, tidal influence and plant colonisation. The area has a wide range of rare fauna, including the Bengal tiger, estuarine crocodile, Indian python and many reptiles and birds. In 1987, Sunderbans National Park in India was inscribed on the World Heritage List under Natural Criteria ix and x.

According to estimates, approximately 2.5 million people lived in small villages surrounding the Sunderbans in 1981 which by 1991 had increased to 3 million (Ministry of Environment & Forests, pers. comm., 1995). At nomination, some 35,330 people worked in the forest, 4,580 of whom collected timber and firewood, 1,350 collected honey and beeswax and 4,500 harvested the natural resources and 24,900 were fisher-folks and shrimp farmers. Today, the area provides a livelihood at some seasons of the year for an estimated 300,000 people. Local people are also dependent on the forests and waterways for firewood, charcoal, timber for boats and furniture, poles for house-posts and rafters, nypa palm thatch for roofing, grass for matting reeds for fencing, fish, crabs and shrimps taken for food.

Being a World Heritage Site, The Sunderbans are a strong fetish of the 'conservationist' lobby – whether Indian or global. There is every attempt to create 'human-free wild life zones' in the Sunderbans claiming that the Forest Rights Act will not apply to such areas. The government is acting hand in glove with such lobbyists. Strategies to conserve this forest and its biological resources are as old as the forest. Indigenous and local people have been nurturing the forests for centuries. But official narratives of the history of forest conservation very often skip the role of people living in or around the forest. The history of conservation of the Sunderbans is a subtext of the biography of nation state. It is a linear story from the days of the 'wildernesses' to Mogul Empire to British colonial rule to the formation of the Indian state. Therefore, the challenges to establish peoples' rights over the forest or more specifically of the communities around the forest and dependent on it are immense.

The deltaic region spread across 104 islands in India is inhabited by people living here for quite a few generations. The population is about 50 lakhs and roughly 10% of the population is dependent on the forests for their live and livelihood.

As those islands are surrounded by brackish water agriculture is quite limited due to non-availability of water. A bulk of the population, i.e. around 5 lakhs of people depends on the forest for fishing, collection of various plants, honey, dry wood etc. Even though formal prohibition for the collection of these materials do not exist, the forest department virtually puts all of these out of peoples reach. There are numerous instances where locals have been falsely implicated by the forest department for collecting those materials using WLPA 1972.

Even after the passage of “Scheduled Tribes and other Traditional Forest Dwellers(Recognition of Forest Rights)Act 2006 there has been no implementation of the same in Sunderbans. There has been no awareness camps, or even notifications in the local block offices. Even the Department of Forest & the Government of West Bengal has affirmed a number of times that Forest Right Act,2006 would not be implemented in the Sunderbans. In a vulgar interpretation of the Act, the government & the forest department states that since there are no dwellers inside the Sunderbans forest, therefore the FRA 2006 would not be applicable here.

## **JAL BOARD ESCALATED PROJECT COST TO BENEFIT PRIVATE COMPANY, ALLEGES NGOs**

THE HINDU, NEW DELHI, December 12, 2012

The Delhi Jal Board escalated the cost of the public private partnership project being carried out in Nangloi to extend benefit to the private company that has been awarded the work, a non-government organisation opposing the PPP model has claimed.

The NGO, Citizen Front for Water Democracy, has alleged that the cost estimated for the work is higher than the prevailing market price and that the DJB has fabricated the data and actual figures of treatment of water at the Nangloi Water Treatment Plant.

The DJB has awarded work to a private company under PPP to ensure round-the-clock supply of water in Nangloi and also plug its revenue leaks.

“The DJB and its project consultant, while designing the Nangloi PPP project estimated the capital cost as Rs. 652.32 crore. Of this, around Rs. 458.54 crore was for rehabilitation of WTP, booster pumping station, underground reservoir and laying of pipeline, installation of meters etc., and Rs.193.78 crore was estimated for road restoration. At some installations the rehabilitation work was added and enhanced to extend benefit to the private company. The cost is estimated at exorbitantly high and escalated prices. To reach to this cost, the consultant and DJB officers in connivance enhanced the scope of project and related data and figures were also fabricated to extend the benefit to the proposed company,” alleged S. A. Naqvi of the CFWD.

He also alleged that at the Nangloi WTP the total production was shown as 38 MGD and it was proposed to enhance the capacity of treatment to 40 MGD. “Water production at the plant is higher than its capacity; the plant is producing more than 40.5 MGD on an average. The plant is in perfect condition and does not require any rehabilitation,” he said.

The consultants and DJB officers estimated Rs. 33.26 crore for rehabilitation, repairing and construction work at Nangloi WTP.

To buttress their claims of financial mismanagement, the NGO claims that the plant was rehabilitated in 2002 and huge sums of money were spent by the Board then. “When the plant is producing more than its capacity, what is the point in spending Rs. 33 crore on rehabilitation,” the NGO questioned.

For the rehabilitation of the existing underground reservoirs and booster pumping stations, the consultant and DJB proposed an estimate expenditure of Rs.12.88 crore.

“Nangloi UGR and BPS has a capacity of 9.2 MGD, Najafgarh 2.2 MGD and Mohan Garden of 1MGD. Nangloi and Mohan Garden were constructed in 2008-09 by private companies and are under operation and maintenance by the same private companies. The one in Najafgarh is also a decade old. The expenditure estimated raises many questions: how can a project commissioned in 2008-09 require such a huge rehabilitation? What

maintenance was done by private company running these pump houses?” questioned Sanjay Sharma, also of the NGO.

The NGO has questioned the basis on which the estimates have been raised for the construction of new underground reservoir and booster pumping station at the cost of Rs. 53.31 crore.

“The construction cost of a 68 Million Gallon (MG) pump house in Patna comes to Rs. 45.68 crore, which means Rs. 67.19 lakh per MG but in Delhi 14.5 MG pump house will be constructed at the price of Rs. 53.31 crore, which means Rs. 3.67 crore per MG. The DJB contracted the work of construction of pump house 5.47 times higher,” Mr. Naqvi said.

The NGO has alleged that cost of several works including laying of pipelines and the automation cost is also escalated compared with other recent DJB projects.

“The automation at Nangloi project is estimated at Rs.14 crore against the total cost of automation/ SCADA at 100 MGD Bhagirathi Water Treatment Plant with its vast distribution network including UGRs and BPSs estimated cost of Rs. 4.5 crore. The automation/ SCADA already exist at Nagloi UGR/ BPS and Mohan Garden UGR/ BPS in the Nagloi project,” he said.

Demanding an investigation into the award of the project and cost estimates, the NGO claims: “The actual cost of the Nangloi PPP project is not higher than Rs. 200 crore.”

<http://www.thehindu.com/todays-paper/tp-national/tp-newdelhi/jal-board-escalated-project-cost-to-benefit-private-company-alleges-ngo/article4190332.ece>

## **POVERTY AND MARGINALISATION OF DE-NOTIFIED AND NOMADIC TRIBE COMMUNITIES IN INDIA**

De-notified, (DNT) and Nomadic Tribes (NT) are one of the most discriminated and marginalized section of Indian society. Pastoral, hunter gatherers, traders, transporters, craft workers, entertainers and such communities are losing their traditional forms of livelihood due to various changes. The process of their economic marginalization began during the British rule with the introduction of railway, industries and rule of law. Acts like Indian forest Act, Wild life protection Act, Cruelty against Animal Act, Prohibition of Magic and Drugs Act affects many communities whose livelihood depends on their animals and allied businesses. Communities like jugglers, acrobats, tight-rope walker, Snake-Monkey-Bear player are forced to accept deteriorating life, in the absence of sound alternatives. Environmental degradation and ecological distress have put forward many problems to pastoral communities. Mega project like Dams, Road, and Special Economic Zones are creating further exclusion. Laws and Policies of forest have blocked their entry into forest for fuel and fodder.

Indian history also remembers a cruel colonial legacy. The Criminal tribes Act 1871 was one of the most draconian laws passed during British rule to control and regulate communities who challenged their rule. The subsequent de-notification by repealing the abovementioned Act released these communities in 1952 without any rehabilitation plan. Their sudden release without any source of livelihood and stigma of criminality compelled these denotified communities to be a part of an ongoing “illegal” business or wandering life.

The first and foremost problem of the NT-DNTs is classification and enumeration as there was no cast based census after 1931, their exact number is not known. They have not been included in the cast based census of 2001 hence this figure will not be known. As they do not follow the major criteria of un-touchability they are not part of the Scheduled Caste (SC) list. Simultaneously they do not meet the criteria meant for the Scheduled Tribes (ST) like geographical isolation, cultural distinctness, primitive traits, shyness etc. Each state has taken a different view of these communities and have included them in either SC, ST or OBC. It has been observed that these communities are far from the benefits of social welfare schemes. Being marginalized, the welfare measures have not reached these groups. Welfare schemes are also found irrelevant in their context. State like Maharashtra has made a separate administrative list of DNT-NT (popularly known as VJ-NT) but several illegitimate additions to the list were made in it. Other States are not exception to such practices. Thus, several communities who were the actual beneficiaries of the provision of reservation did not get benefited.

One of the key problems in putting these communities on to India’s developmental map is that nobody really knows their number as being nomads, they may not be present in villages when enumeration takes place. Most of them can not exercise their voting rights as they do not possess the required identification cards / papers. Since they are scattered geographically and do not form an active ‘vote bank’, the politicians also do not bother

about their problems. They do not have any land entitlements. They are not possessing ration card, as they are not able to produce a permanent domicile. The non-inclusion in the BPL list is another way of excluding these communities from development benefits. The major problems that these communities face are of dignity, livelihood and lack of development. Atrocities are rampant as they are not covered under the Prevention of Atrocities Act. The recent case being murder of a member of begging community in Nagpur who was killed by the upper cast people assuming that he is a theft.

The downsizing government efforts in public sector ruined the principal of positive discrimination. NT-DNT movement which are very active all over India, noticed that most of the atrocities and violation of human rights are being committed against these communities for petty reasons. Women are the worse victims of abuse. Since they do not have any fix domicile, access to common pool resources is a distant dream. Non-entitlement of piece of land is one of the basic reasons for their continuous moving. *Bhudan* movement, Tenants Act, Land Ceiling Act, Land re-distribution campaign never accommodated these communities. Movements like *Gairan Jamin Movement* (grazing land) in Marathwada, *Dali Jamin* (tillar land) movement in Konkan area could not establish the rights of excluded communities either. These examples make us conclude that there is lack of political will, administrative apathy to implement government resolutions in the interest of deprived communities.

A National Study Commission for Denotified, Nomadic and Semi-Nomadic Tribes, under the Chairmanship of Mr. Blakrishna Renake has submitted its report to the Ministry of Social Justice and Empowerment, Government of India in 2008 for wider public and political discourse and further necessary action which is still awaiting implementation. The planning commission constituted a Steering Committee on 'Nomadic, Semi-nomadic and Denotified Tribes' under the Chairpersonship of Dr. Narendra Jadhav, Member, In-Charge of Social Justice, Planning Commission, New Delhi for inclusion in the Twelfth Five Year Plan (2012- 2017). The committee has recently submitted a report to the National Advisory Council wherein some provisions have been made. However, implementation is still a far away dream. If developmental efforts are to reach these marginalized communities, the following measures could be undertaken:

- Undertake a separate Census which will give exact figure of these communities and will also create basic data about their geographical location etc.;
- Undertake a special Baseline survey to identify their problems and needs;
- Identify their problems systematically keeping in mind that they have not been the focus of any systematic development initiative, and design programmes for their development keeping in mind their culture and way of life;
- They should be given constitutional status unlike SC-ST thereby adding a separate schedule which requires constitutional amendments. This will considerably reduce the incidences of atrocities on them;
- They should be given top preference as positive discrimination;
- They should be given reservations in education, job and promotions;
- There should be realistic scrutiny of the list of VJNT based on the socioeconomic status and vulnerability of these communities and elite and dominant communities

should be deleted from such list as they have been taking all the benefits meant for the most vulnerable communities;

- Make planned efforts to raise their status on all the indicators of human development.

### **HOMELESS PEOPLE: Visible at Night, Invisible during Day**

Large scale migration from rural areas to cities is not a new phenomenon in India. While many reasons can be attributed to this trend, cities symbolize the hope that one can obtain at least a morsel a day. In the cities like Delhi or Mumbai today, one clearly witnesses two kinds of lateral movements: the movement of poor people from other geographical areas to the city in search of livelihood and the movement of people within the city from meagre income to penury. Without any support structure to fall back upon, these unskilled people begin living on open pavements, under over-bridges, road dividers, small unhygienic makeshift hutments and so on. The continued day-to-day struggle to meet basic needs gets aggravated day by day. For the rest of society, their courageous efforts are unacknowledged and they are instead ostracized and labelled as criminals.

The urban poor in India fall into three distinct categories: the slum-dwellers, who live in juggi-jhopadis or bastis that spring up on vacant lots or stretches of land; pavement-dwellers who live in hutments built on the footpaths/pavements of the city-streets, the homeless- people sleeping in the open without any shelter--on pavements, under over-bridges, temple stairs and so on.

According to the Census of India the homeless people are those who do not live in census houses (a census house is referred to a structure with roof.) The enumerators are instructed to take note of the possible places where the home-less population is likely to live, such as in the pavements, streets, in hume pipes under stair-cases or in the open in temples, mandaps, platforms and the like. (Census of India 1991). The homeless population mainly consists of children and teenagers estranged from their families, young women and men lacking education and job history, and middle-aged men who have lost jobs due to recession, changing technologies and mergers. A small part of the population also consists of migrant families which belong to the same village.

Visible at night and missing during the day, they sleep on public land. Almost everyone keeps their valuables with him or her wherever they sleep because they are under constant threat of robbery. They use nearby public toilets if they have the money, otherwise it's the open. The majority of the homeless are involved in casual labour or daily wage labour while some are even petty businessman, tailors, vendors and taxi drivers. A very small percentage constitutes the beggars of which few are part-time beggars, those who resort to



begging during the phase of unemployment. The stigma associated with homelessness often results in them being victimized and blamed by the general public for their circumstances in life, adding to their sense of being a burden on society. **They feel particularly cheated by their experience at the hands of doctors at government hospitals:**

*“We approach government hospitals, in the case of accidents...but the police catch us and we land up in jail. When we fall ill and go to the government hospital, the doctors and nurses refuse to touch or diagnose us because we are shabbily dressed and have no money to pay for our treatment. Doctors write the name of medicines on the piece of paper and ask us to get it from the market. But many a time we don't have the money to buy the medicines. During the rainy season, many people die without proper access to medical facilities.”*

*“Who would like to live a life of unknown and wretchedness? Simply because we cannot pay the rent of houses in Mumbai and we have no other option, every dream seems out of way for us. We just want to feel like any other human beings, like you, but alas our compulsion has pushed us in this state and we are compelled to be like this because of our homeless tag.”*

While the city needs the labour of the homeless for its growth, it is not willing to take the responsibility of their basic survival need of shelter. The dark cover of anonymity which surrounds the homeless makes them most vulnerable among the urban poor and dehumanizes them by snatching away their basic rights. Even right to have a dignified life is a distant dream for them.

Sadly, this reductionist way of looking at things by the government machinery, wherein the problem of “migration” is treated as the problem of cities alone and not of the entire country, has made the homeless people a liability, fit only for rejection and denunciation. The administration persists in using the ‘iron’ hand in dealing with them and maintains that they must be sent back.

But the continued negation of the homeless community as human beings by the mainstream has created a wide gap between the so-called civilized society and the most marginalized section of the urban poor. It is only when we accept that they are an integral part of society and without them the economy of the cities will suffer immensely can we seek a solution to their plight.

The basic needs of every human being include shelter. The various covenants of the United Nations, especially, the International Covenant on Economic, Social and Cultural Rights (ICESCR) acknowledge along with various other treaties, agreements and general covenants stress the right to housing and an obligation of the State in providing the same to vulnerable groups addressing the rights and needs, risks and responsibilities of the State towards women, children, minorities and other disadvantaged groups, including Dalits and tribal in a society. This has its rooting in the article 25(1) of the Universal Declaration of Human Rights.

The Constitution of India too grants right to life, which incorporates guaranteeing shelter and other needs including livelihood. The various Fundamental Rights and Directive Principles define a framework of equality and distributive justice and draw an agenda of providing adequate, habitable, affordable housing i.e shelter to every citizen without which physical existence, economic livelihood and social life is itself threatened.

Globally as well as in India, with speedy urbanisation one is witnessing large shifts of populations from rural areas to urban centres. With large shifts of populations one is also witness to large numbers of people living in conditions which are un-fit for human habitation, and this is not exclusive to cities in countries like India or South Africa but cities of America & Europe also exhibit such settlements. With United Nations declaring 1987 as the International Year of Shelter for Homeless which acknowledged that people need an adequate place to live in peace, dignity and security to extent that, in the most general sense, they can claim or demand the provision of or access to housing when they are *“homeless, inadequately housed or generally incapable of acquiring the bundle of entitlements implicitly linked with housing rights”* (UNCHS, 1999d:) there has been much focus and interest around the issues and challenges faced by populations termed as ‘homeless’.

Back home since last few years there has been a renewed interest and debate around the issues of the homeless populations and one of the main reason behind it is the Supreme Court case generally known as Right to Food case. In this case the Supreme Court ordered establishing of night shelters where the people who were understood to be ‘homeless’ were to be provided shelters. Followingly since 2010 the Supreme Court has been closely monitoring the establishment and running of what are termed as ‘night shelters’. Interestingly, nowhere in their orders, it was spelled out that what constituted and included ‘homeless’ although at times reference was made to the definition employed by the Census of India.

As many of researchers and policy makers acknowledge that to create workable and effective policies addressing homelessness it is critical that policy-makers have a clear definition of homelessness and an understanding since the relationship between home and homelessness is more complex than the presence or absence of a house, this report makes an attempt towards that by raising issues that are intrinsic to such an attempt of defining ‘homeless’. For undertaking this we take the reader through the global understanding of homeless in some countries and also analysing the academic work that has happened around it. Before going through that it will of benefit to first visit the idea of home, shelter, house and habitat.

## MEANING OF HOME, HOUSE, SHELTER & HABITAT

### Meanings of Home:

The Oxford English Dictionary (2007) defines home as:

- A dwelling-place, house, abode; the fixed residence of a family or household; the seat of domestic life and interests; one’s own house; the dwelling in which one habitually lives, or which one regards as one’s proper abode.
- The place of one’s dwelling or nurturing, with the conditions, circumstances, and feelings which naturally and properly attach to it, and are associated with it . . . but it appears also to be connected with the generalized or partly abstract sense, which includes not merely “place” but also “state,” and is thus construed like *youth, wedlock, health*, and other nouns of state.
- A place, region, or state to which one properly belongs, in which one’s affections centre, or where one finds refuge, rest, or satisfaction.

Cooper(1995) in his seminal work “*Shadow people: the reality of homelessness in the 90s*” defined home as “a place where a person is able to establish meaningful social relations with others through entertaining them in his/her own space, or where the person is able to choose not to relate to others if that choice is made. He discussed the ideas of relative and absolute homelessness and according to him Absolute homelessness occurs when there is neither access to shelter nor the elements of home. A person may be in relative homelessness; that is, they may have a shelter but not a home.

### **Meaning of house:**

The Oxford English Dictionary (2007) defines house as:

- a building for human habitation, especially one that consists of a ground floor and one or more upper storeys:
- the people living in a house; a household
- a noble, royal, or wealthy family or lineage; a dynasty: *the power and prestige of the House of Stewart*
- a dwelling that is one of several in a building.
- a building in which people meet for a particular activity.

The Oxford English Dictionary (2007) defines **shelter** as:

- a place giving temporary protection from bad weather or danger :*buts like this are used as a shelter during the winter an air-raid shelter*
- a place providing food and accommodation for the homeless:
- an animal sanctuary.

The differences between the three categories move from a sense of permanence to temporariness, home is permanent while shelter is very temporary, only for the time being. Similarly, the house is just about the physical aspect, about the building, the four walls and the roof. For a human being what is required is a home and not a house or a shelter.

## **HOMELESS IN INDIA**

In 1992, the Government of India, Ministry of Urban Development launched a programme called *The Shelter and Sanitation Facilities for the Footpath Dwellers in Urban Areas* with an objective to “ameliorate the living conditions and shelter problems of the absolutely shelter-less households till such time as they can secure affordable housing from ongoing efforts of state housing agencies.” This scheme was implemented through the HUDCO and covered major urban centres where there is a concentration of homeless persons or footpath dwellers. The Guidelines note of the programme though did not defined the homeless but instead it observed that “a majority of the houseless in the urban areas comprises footpath dwellers who are unable to secure any kind of shelter against the vagaries of weather e.g. rain and winter. They comprise also single women and children”. It is interesting to note that the term used was houseless and not homeless and it was assumed that all the footpath dwellers were to be considered as houseless which was fare enough.

In October 2002, the scheme was renamed as *Night Shelter for Urban Shelterless* and the component of Pay & Use Toilets had been withdrawn. The modified scheme was now limited to construction of composite night shelters with toilets and baths for urban shelterless. These would be in the nature of dormitories / halls with plain floors to be used for sleeping at night and for other social purpose during the day time e.g. health care centre, training for self employment, adult education, etc. This scheme was finally withdrawn in 2005, because most State Governments did not utilise even the limited funds properly, as were budgeted for them.

It is further interesting to note that in the recent times the term *houseless* or *shelterless* has been dropped and instead the term in vogue is homeless and it is still assumed that all the footpath dwellers/pavement dwellers are *homeless*.

The Census of India 2001 does not define homeless and instead 'Houseless Households' have been enumerated as households who do not live in buildings or census houses but live in the open on roadside, pavements, in Hume pipes, under flyovers and staircases, or in the open in places of worship, mandaps, railway platforms, etc.

The Census of India defines 'houseless population' as the persons who are not living in 'census houses'. A 'census house' is a 'structure with roof'. Thus the census enumerators are instructed 'to take note of the possible places where the houseless population is likely to live such as 'on the roadside, pavements, in hume pipes, under staircases or in the open, temples, *mandaps*, platforms and the like'.

It is clear that one, in this definition the focus is on the material aspect of the structure, thus who does not dwell in a particular type of structure is to be defined and labelled as homeless and second, the whole emphasis is on the spatial location of the population. The emphasis to the enumerators 'to take note of the possible places where the houseless population is likely to live such as 'on the roadside, pavements, in hume pipes, under staircases or in the open, temples, *mandaps*, platforms and the like' means that who so ever is found on the above premises is to be understood as homeless. What happens to population who might be exhibiting characteristics like homeless but won't be residing in or around the above mentioned sites?

Instead of defining homeless, Census Operations just mentions about the spaces where who so ever found can be assumed and understood as homeless.

This definition has a further flaw as it totally negates and misses out on the possibility of community and family ties, privacy, security, and the lack of shelter against the elements at these sites.

In absence of any definition an attempt has been made by the Supreme Court Commissioners to define homeless under the proposed *National Programme for Shelters and Other Services for the Urban Homeless*. In their report they mention that "for the purpose of this scheme, and interventions of the government to further the cause of urban homeless, the following definition of 'homeless' shall apply":

Persons who do not have a house, either self-owned or rented, but instead:

- i. live and sleep at pavements, parks, railway stations, bus stations and places of worship, outside shops and factories, at constructions sites, under bridges, in hume pipes and other places under the open sky or places unfit for human habitation;
- ii. spend their nights at night shelters, transit homes, short stay homes, beggars' homes and childrens' homes;
- iii. live in temporary structures without walls under plastic sheets or thatch roofs on pavements, parks, nallah beds and other common spaces.

## DISCUSSION AND CONCLUSION

The notion of a home is defined by cultural conditions. As home contains a component concerning having a family and friends, some argue that the notions 'shelterless', 'dwellingless' or 'houseless' should be used instead.

Homelessness carries implications of belonging nowhere rather than simply having nowhere to sleep. Many homeless people occupy derelict buildings and shelters; they have shelter in terms of roof and walls. The classification of homelessness is controversial, but so is the use of the word itself.

A fundamental starting point in addressing homelessness is clarity on what it means. This is not mere pedantry. Narrow definitions lead to many people being excluded from the reach of programs that would otherwise support them. Narrow definitions lead to underestimation of the scope of the homeless population. And narrow definitions exclude the growing number of the new homeless, including families, women, and children.

However, the meaning of homeless is fluid and elusive, changing over time and between places. It has widened out from the narrow definition of 'rooflessness', embracing only those sleeping rough, to one including risk and causality

Classifications of homeless people variously as drug abusers, drunkards, mentally ill, single people and family members are stimulating distinctions between 'undeserving' and 'deserving' homeless people (FEANTSA, 1999).The United Nations Report objective of this report is to take stock of global homelessness.....classifies homeless including the following category:

1. Rough Sleepers
2. Pavement Dwellers
3. Occupants of Shelters
4. Occupants of Institutions
5. Street Children
6. Occupants of Unserviced Housing
7. Occupants of poorly constructed and insecure housing
8. Sharers
9. Occupants of housing of unsuitable cost
10. Occupants of mobile homes
11. Occupants of refugee and other emergency camps
12. Itinerant groups (nomads, gypsies)

The Report mentions that UN considers category 1 to 5 be included in the ambit of homeless while category 6 to 10 are regarded as homelessness only in some parts of the world especially in some of the developed countries.

In the discussion on housing issues in developing countries, we feel that it is important to try to differentiate between those whose housing is inadequate, especially with respect to both land tenure and services as found in informal settlements, and those who are homeless

Examination and definition of the meanings of homelessness typically revolve around representations of the adult homeless individual. In the public imagination, homelessness is typically associated with the absence of fixed, regular, and adequate housing (Snow & Anderson, 1993). It is important to recognize that this categorization of homelessness is a social construction. It is dependent on culturally idealized understandings of home, ones that presuppose various types of physical structures considered suitable or acceptable as homes (Kearns & Smith, 1994; Veness, 1992). While superficially suggesting a lack of housing, homelessness serves as a point of social and moral reference (Wardough, 1999). In this context, the term “homeless” carries with it a stigmatizing set of beliefs and values (i.e., personal, moral, and social failure) rivaling even the most extreme sources of stigma (e.g., mental illness; Phelan, Link, Moore, & Stueve, 1997). The power of the label is traceable to the centrality of domesticity in western culture and the multiple ways in which conventional definitions of “homelessness” are inhabited by normative definitions of home (Veness, 1993).

*Home Is Where You Draw Strength and Rest: The Meanings of Home for Homeless Young People* Sean A. Kidd(2011) writes that she explained that calling her homeless was wrong. Homeless meant a lack of connections and valued place in terms of physical space, in family and in community. She felt that she had a home and had fought extremely hard to find a sense of home. She experienced my calling her homeless as an oppressive kind of action, an action that took something away from her. It was this conversation with her that led me to interrogate my use of the term “homeless” and, shortly thereafter, largely abandon it in all of my interactions with both youth and adult individuals who did not have a consistent residence in a house or apartment

Parsell(2012) warns that while it is not useful to conflate home with housing, and recognising that the meanings of home have been extended by psychological and emotional dimensions, for those in this study, housing and home were synonymous. He argues that the physical structure that housing provides was a necessary requirement in order for them to ‘feel’ or ‘be’ at home’. Families, comfort, privacy and security, all of which are noted in the broad literature as important to the experience of home, were seen as unachievable living in public places. Housing was presented as a means to attain these things, and this is why housing meant home to people in this study. While people who are homeless can and do exercise agency, to be without shelter had important implications for how much they were able to control their daily lives. In contrast to other research, people did not construct alternative definitions of home and homelessness. Indeed, the material deprivation and the experience of being without a legitimate place contributed toward feeling homeless. They described their homelessness in a literal sense. In turn, home was presented as a physical structure that would be a solution to problems that went hand-in-hand with sleeping rough. In this respect, home was a house and a practical resource. In

line with the diverse body of existing literature, home was constructed as a place of comfort, safety and control. On the other hand, the spatial and geographical dimensions of home noted in the wider literature were not borne out for people in this research. Perhaps their immediate need for shelter, and all that was assumed would come with obtaining shelter, explained why they did not freely articulate the spatial dimensions of home. This was not a priority. They did not appropriate significance to specific geographical places or localities as salient to their identities.

In addition to the functions and immediacy of home as housing, home stood for something more. Regardless of whether people had direct experiences of home, it was something they identified with. Or as Peled & Muzicant (2008) found, they never stopped aspiring to achieve home. Understood within the context of life experiences that were described as problematic and disconnected (to people and places), home was a public commitment of normalness and participation in Australian society. People expressed a strong belief that they were 'normal', but they stressed that the way they lived as homeless was 'abnormal'. There was little indication from this research whether people's desires and aspirations for home were realistically achievable. Nevertheless, their meanings of, and desires for, home can be seen as a way to publicly align their self-perceptions as 'normal' with their self-defined 'abnormal' way of living.

#### **Homeless identities: enacted and ascribe**

In Cameron Parsell's study, enacted and ascribed identities were considered together as they illustrate that the identities of people who are homeless, perhaps just like anyone else, are multifaceted, contingent but also something worked at and purposeful.

A similar evolution has occurred in our understanding of homelessness. A dichotomy emerged between what Neale (1997) referred to as the 'agency' or 'structural' explanations and what Jacobs, Kemeny and Manzi (1999) termed 'minimalist' and 'maximalist' approaches. The two sides of this debate see the cause of homelessness either in the homeless person's own actions and inadequacies (agency/minimalist) or in wider socio-economic and cultural changes (structural/maximalist). Research, particularly in relation to developing countries, has highlighted that homelessness, like migration, can be a conscious decision as part of a broader livelihood or survival strategy. Nevertheless, the 'conscious decision' does not indicate support for an agency understanding. Rather, it highlights the wider structural economic difficulties, which press people into having to make such conscious decisions. There is continuing international development and change in policies to alleviate or reduce homelessness. There seems to be gradually growing acceptance that homelessness is a complex and dynamic phenomenon. (Minnery 2007). As Toro (2007) notes, a fundamental problem in addressing homelessness is the difficult task of actually defining it. The fact that there are various kinds of A fundamental starting point in addressing homelessness is clarity on what it means. This is not mere pedantry. Narrow definitions lead to many people being excluded from the reach of programs that would otherwise support them. Narrow definitions lead to underestimation of the scope of the homeless population. And narrow definitions exclude the growing number of the new homeless, including families, women, and children. Definitions, and the case for one that is widely applicable, are clearly identified by Edgar, Doherty, and Meert (2002). FEANTSA (2007) provides a four-part categorization ranging from rooflessness (sleeping rough), through houselessness and insecure housing, to inadequate housing. Chamberlain

and MacKenzie (1992) cover a similar range in three categories: primary, secondary, and tertiary homelessness. From work in Britain, USA and Canada, Daly (1996) drew up a five point classification based on the risks run by people who are, or are potentially, homeless:

1. "People who are at risk or vulnerable to homelessness soon, perhaps within the next month, who need short term assistance to keep them off the streets.
2. People whose primary or sole need is housing. They are usually working people who may be temporarily or episodically without homes and really need some financial or other assistance but do not have serious problems otherwise.
3. People who can become quasi-independent but need help with life skills so that they can manage on their own.
4. People with substantial and/or multiple difficulties but who, with help, could live in group- or sheltered-housing. These include those who have been institutionalised or abused and who need time before setting up independently.
5. People who need permanent institutional care or who may graduate on to some supportive or sheltered housing" (UNCHS, 2000: 29).

This typology appears to be relatively unsuited to developing country realities as our researchers seemed to struggle to fit the categories to what they saw around them. The idea of homelessness classification based on risk won general approval but Daly's categories appeared to be concentrating too much on what is a very tiny group in most developing countries – those who are homeless for reasons other than lacking the money to find rudimentary fixed shelter.

#### **Based on responsibility for alleviation**

Unlike in many countries in Europe, very few developing countries' governments and related agencies appear to have any legal obligation to look after particular categories of homeless people. On the contrary, the state apparatus often only affects homeless people by way of vagrancy laws which allow them to be cleared off the streets, sent 'home' to the rural areas, or imprisoned. The archetype of this is the Bombay Prevention of Begging Act which makes street sleeping illegal and is used

Indonesia is an example of a country where homelessness is still seen as a public order problem. From time to time, homeless people (whether they are residents of *kampung kumuh*,<sup>17</sup> or *tunawisma*<sup>18</sup> or *gepeng*<sup>19</sup>) are seen as 'disturbing public order' or 'disturbing the city's appearance' and are evicted or removed. They then usually become the responsibility of the Public Order Office (or its equivalent) in each city. Police and army raids have been conducted against homeless people, pedicab (*becak*) drivers, street vendors, and roadside prostitutes<sup>20</sup>.

After being raided, the homeless people become the responsibility of the local Social Welfare Office and various charitable organisations. They given a kind of indoctrination (*pembinaan*) to 'enlighten' (*menyadarkan*) them that, as responsible citizens, they are expected to voluntarily leave the city and return to their home towns or villages. In the past, some were sent from cities in Java to less crowded islands in the archipelago as part of the government's transmigration programme. But this has been discontinued in the last few years because the indigenous inhabitants saw it as a Javanese scheme to colonise their islands.



In Bangladesh, destitute people can receive monthly old age allowances and homeless/ rootless/ landless people in rural areas may be provided with shelter or land from centrally controlled and funded programmes. Local authorities play their role identifying the beneficiaries and implementing the distribution of benefits under central supervision. In China, people in the 'blindly floating' population are excluded from the welfare system unless they return to their home area.

In Ghana, a few charitable institutions and non-governmental organisations are assisting and caring for various categories of people who could have been sleeping rough on the street (e.g., abandoned babies and orphans), or are on the street.

As Cooper (1995) points out, defining 'homelessness' is a political act rather than a semantic exercise. It is through a definition that certain values, concepts and approaches are synthesised. The definition adopted determines our understanding of the issues and how to respond. It also influences how to assess the effectiveness of the programmes, policies and responses that have been implemented to address homelessness.

Following all the experience on how seemingly inadequate housing is a staging post in the incremental improvement of households' accommodation through a long housing career,<sup>3</sup> to bundle all 'inadequate housing' together is both inappropriate for policy and insulting to its occupants. There is clearly a need for clarity; especially between those whose incrementally developing housing may be a key to their integration into urban life and those for whom accommodation is an intractable problem. This a family or an individual living in a un-serviced or informal settlement cannot be equated and brushed in the same colour with a person or a family staying under the bridge or a footpath.

Also another major drawback of the present day homeless initiatives in India after the Supreme Court orders is that it takes into account individuals and not families. As the orders state that the night shelters are to be for separate for men, women and children, they force rupture the families that are experiencing houselessness. Surprisingly they too are being defined as homeless and forced to stay separately in the night shelters that have been set up.

It can be summed up that the discourses that are guided by the reality of the developed countries like America or Europe they do not help in understanding the Indian reality. Rather than be of help they complicate and the policy prescriptions that are made on these basis they are counter-productive as is being seen after the Supreme Court orders. In Indian context rather than homeless, the lens should be of houseless, as majority of the population under deliberation falls in that category. Though one is not saying that there are no homeless, but putting a wrong lens distorts the reality and thus not help anyone.

It is high time that the State is pressurised to implement the inclusive aspects of the policy statements and recognise the fundamental rights of the urban homeless who essentially go to make a constructive and functionally active section of the population. The need of the hour is to develop counter institutions, to pressurise the government to reframe issues concerning the urban homeless in different terms and mobilise resources to make fulfil their minimum aims of a dignified living.

The phenomena of homeless should not be understood by only working towards a definition and characteristics of the population but what is more important is to understand and analyse the context and the processes that create such conditions in which large number of people are found to be without houses.

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### **PUBLIC PRIVATE PARTNERSHIP (PPP)**

It is now well known that the neo-liberal agenda of corporate globalization has severely affected India and its development process. Aided and abetted by global financial institutions like the World Bank & others, the impact has made the Government less and less relevant in performing its functions in the service of its citizens. This task is now increasingly taken over by business and commerce. Major public relations and advertising corporations with whom the rich and the powerful invest billions of tax deductible dollars are the leading players in this shift. Made up of the movers and shakers from MNCs, these groups intervene to shape State policies, in their own interests, in ways which go way beyond legitimate political inputs. Together, they manufacture ideas, concepts and theories or a cockamamie that frame and reframe global agendas. Their steering of global discussions is evident in the ways fast-track legislations, energy and health-care policies, including privatization or 'Good Governance' are produced and disseminated widely especially in the Global South. A 2010 study shows how global corporations in alliance with agencies like UNICEF, Oxfam International and Tranfair USA, etc, "seek NGO resources related to management, information and capabilities". They use their power to "inform" the public on the need for adopting a "positive" outlook - of "dialogue" and "partnership" -- rather than what is considered by them as the negative attitude, of responsibility. The policy change, in line with trade liberalization, has led State-owned enterprises, goods and services -- banks, key industries, railways, toll highways, electricity, schools, hospitals and even fresh water - to be opened up for trading and profit-making. The entry of private players into the public policy domain is to align with the Government's economic reforms.

In this context, the Washington-based Centre for Democracy and Governance distributed the USAID "Handbook on Legislative Strengthening", an attempt to make democratic institutions subservient to the interest of global capital. The first attempt in corporate governance, in India, was taken by the Confederation of Indian Industries (CII), which released its Code of Corporate Governance in April 1998. Accordingly, the SBI's Naresh Chandra Committee in 2003 and the Narayan Murthy Committee on PPP promoted the idea of Good Governance. In turn, such policies encourage governments to focus on financial efficiency and to reduce subsidies on a number of development projects.

The privatization policy, in the name of greater "efficiency", no doubt the need of the hour, resulted in wealth being concentrated in the hands of a few, and the public made to

pay even more for its needs. Ultimately, the high tariffs seriously impacted people's access to even basic needs like clean drinking water. In the UK too public water utilities during the Thatcher government were privatized that resulted in massive profiteering of mega water companies at the expense of people's well being. In India the privatization of water services first took place in Delhi. The World Bank prompted the Delhi government to hire PriceWaterhouse Coopers, a private firm, to prepare the roadmap for privatization of water supply in the State. A citizens' campaign, however, exposed corruption in the award and the Delhi government was forced to withdraw its loan request from the World Bank in improving Delhi's water supply. Later, under the PPP mode, the City's water supply plan was prepared by the Japan International Cooperation Agency for residents in Malviya Nagar, Vasant Vihar and Nangloi constituencies of Delhi. Again, the project had basic flaws in that the Delhi Government failed to consult the residents before introducing drastic changes in the water supply sector. The World Bank later sponsored a water privatization project in Maharashtra K(East) Ward at Andheri (East) in Mumbai.

Ultimately, the adverse impact of privatization led to denial of basic, fundamental human right to essential needs and services to the poor. The Government in abdicating its social welfare responsibilities transferred the task to the corporates whose primary obsession being the drive for profits, also exhibit a singular lack of concern for the much larger societal obligations. Enron, Union Carbide, Coca Cola are a few corporations that blatantly shirk this responsibility, and openly abuse social and environmental norms. Union Carbide's culpability in the Bhopal gas holocaust (December, 1984) and Coca Cola's destruction of the local environment in Plachimada, Kerala, illustrates this travesty. It also demonstrates the crony-capitalist relationship between governments and corporations, in which social responsibility is the most serious casualty. The verdict on the accused in the Bhopal disaster was not only very lenient but the accused even set free -- an absolute distortion of justice! Incidentally, the Dow Chemical which took over Union Carbide is now a major sponsor of the London Olympics this July 2012!

### **A New Strategy Mushrooms**

The backlash that followed over the privatization issue has since put privatization on the back foot. In the early years the World Bank and other global donor agencies were promoting privatization as the 'magic potion'. Since then their language on privatization has been muted and defensive. This, however, does not mean that this is a rejection or reversal of the privatization process but merely a re-think or change in strategy, involving two elements. That is, the talk on how too much was expected of privatization - so the failure is of expectations, not of the private sector! The other is linked, significantly, to the failure of the corporates to make the expected super-profits, a direct result of the system! Thus, there were suggestions and calls for relieving the private sector providing services to the poor, and, the demand for more subsidies, soft loans, easier contracts, etc. These demands were justified on the grounds that they "were unavoidable to meet the required investment levels...Risk has to be re-balanced between the public and the private sectors ..." Translated, it means the call for the public sector to shoulder the risks; service levels to remain poor; soft-loans and subsidies to be made available to private sector projects - all this so that the private sector can begin to reap super profits. A new arrangement (read: strategy) was thus seen as necessary that eventually worked out in a deceptive arrangement, advocated as Public-Private Partnership (PPP). It was no less than the UN

which explicitly integrated PPPs in the development framework. On April 30, 1997 it published a report, "Public-Private Partnerships: The Enabling Environment for Development". It stated that "productive interaction with the private sector may be used to reinforce responsive, transparency, impartiality, objectivity and accountability as major professional values of the civil service". Similarly, most other global institutions – WB/IMF, ADB and the European Commission back this strategy. In March 2010, the World Bank Institute and the ADB hosted the “PPP Days 2010” in Manila announcing that PPPs can solve infrastructure finance gaps worth \$300 b. a year, and \$93 b. in Sub-Saharan Africa.

The PPP strategy quickly caught on and became the buzzword among policy makers and financiers. It was seen as highly convenient and a less contentious expression that avoided the highly loaded effect of privatization. The pioneer of this new privatization term, S.S. Savas (2005) stated that PPP is "particularly malleable as a form of privatization" as it falls under the different privatization strategies, and its application is sometimes a useful phrase because it avoids the inflammatory effect of "privatization". As a new strategy, PPP however goes much further, with a two-fold goal of stripping away all social responsibility towards the poor and transforming it into a fully commercial and market-based operation. The subsequent entry of the private sector into policy areas aligned with the Government's urban reform programme, promoted along with the national economic reforms of the early 90s. Now in a second generation of policy and programme initiatives, the Ministry for Urban Development claims, "For Indian cities to become growth-oriented and productive, it is essential to achieve a world class urban system. This in turn depends on attaining efficiency and equity in the delivery and financing of urban infrastructure". These policies encourage the State and local governments to focus on financial efficiency and reduce subsidies while supporting infrastructure development for the growth of urban areas. Consequently, privately promoted projects deemed self-financing get 'fast-track' approval and government support, including subsidies and tax holidays.

These reforms have manifested in the restructuring of local development and services, as well as of public participation and politics in urban areas that largely provide support for a much broader shift in priorities and ownership of resources. A large part of this effort has been attributed to demands of the emerging middle class, but leaving out the poor and the marginalized. This new reality has engendered a national political culture that actively seeks to exclude an important segment of society, a reality "in which dominant social groups and political actors attempt to naturalize these processes of exclusion by producing a middle-class based definition of citizenship". This "exclusive" citizenry requires appropriate forums for public representations. One mechanism that the Government exploited to justify and achieve reform measures while portraying intentions of public involvement is the "Public-Private Partnership" formula.

**Proponents maintain that PPP encourages private participation in service delivery and infrastructure as a miracle cure for the problems of the Global South and help fix problems related to development especially in the field of education, healthcare, etc. Above all, it helps cash-strapped governments finance infrastructure projects while enabling private sector to venture into the provision of public goods and services. On the other hand, the counter-argument is that PPPs do not lead to greater public savings and more efficient service delivery. A research paper (2010), on the experiences of PPP**

projects, showed that public sector resources were not freed but are sucked into PPPs for private profits, due to the private sector's inefficiencies, unaccountability and risk-averse behavior. The paper cited, as illustrations, the water projects in India (Tiruppur and Nagpur) and in Manila (the Philippines). Studies by ILO (2004) and by Education International (2009) also prove this point. Other experiences have also shown that some activities operating in the name of PPP cannot be called as such. For instance, outsourcing the delivery of services, or NGOs taking on the functions of the State or the privatization of some of the activities. Thus, the bottom line is that the PPPs are driven largely by economic interests and returns on investments, impacting the access of the poor to basic services.

Furthermore, in the context of the climate change crisis, corporations show absolutely no concern whatsoever for nature or to the ecosystem. It is notorious for violating existing regulations that host nations stipulates. Enron, Union Carbide, Cogentrix, Michellin, Vedanta, Coca Cola and the POSCO are a few cases of such violations. Under the PPP strategy, environmental issues are viewed as inconvenient obstacles to the economic growth model, based on conventional macro-economics. The model fails to take into account the value of the eco-system vis-à-vis infrastructure, mining and steel plants. Corporations like POSCO, who vandalize the eco-system and trample on people's rights, have become bold, buoyed by the apathy in the government towards the environment and its protectors. Recently a senior police officer who took on the mining lobby in M.P. was murdered and another who opposed the mining mafia in Goa also found dead. Side-by-side there is the issue of the so-called "No-go" areas for coal, proposed by the Ministry of Environment and Forests. This announcement had generated dissent even within other government ministries and the idea of "No-go" areas had to be diluted. Moreover, the responsibility of protecting forest wealth was dismissed outright without any consideration whatsoever. When the rights of local people the Dalits and Adivasis get intertwined with the eco-system, the Government's position becomes even more rigid. Local views fail to register or give a favorable hearing. Related to this is the Government's haphazard environmental clearances for mega development projects like dams under the PPP schemes. Frequently, the clearance mechanism goes on an overdrive. A quick review of the Ministry of Environment and Forests website (<http://www.nic.in/envfor>) and a peep at the Environmental and Forest Clearances (MoEF) section reveals this. In this way, the Ministry has given clearance of several projects like POSCO, Jaitapur and Lavasa. Above all, the Prime Minister also often expressed his view that difficulty in securing environmental clearances should not be a hindrance to 'development'! There have been several instances when the PMO intervened on behalf of a project. When such pressures are exerted on decision-making processes - advancing projects at any cost - there is very little room or possibility of serious consideration of the intrinsic value of nature. One serious reason behind this is the involvement and the maneuvers of the corporates and their vested interests. Despite serious concerns raised at the highest levels, such projects are given clearance. The corporations involved in the Public-Private Partnership game plan ensure hook or by crook that the clearance mechanism do not come in the way of their projects.

Evidently, public spaces today are getting hijacked by powerful global financial institutions de-linking themselves from any political attachments to the nation-state

"homes". By making the State irrelevant in performing its social function and simultaneously making the business regime to takeover over this task, these corporations undermine the principle of self-governance that most countries have been founded upon.

The challenge that citizen groups face are thus enormous. The task is first to regulate socially-responsible or environmentally degradable practice of the corporate sector and dispel their claims on "good governance", "dialogue", "partnership" and the likes. These are ultimately nothing but camouflaged attempts to manipulate public debates; to silence or neutralize critics; and through propaganda to generate the equally false image of socially-sensitive corporate enterprises. The need to therefore expunge ideas like "Public-Private Partnership" out of the development discourse is of paramount importance.

## DEVELOPMENT INDUCED DISPLACEMENT

Today displacement has come to be viewed as a human rights issue because it affects primarily the powerless. The Adivasis and Dalits together form around 60 percent of the estimated 60 million persons physically displaced (DP) or deprived of livelihood without physical relocation (PAP – project affected persons) in India as a whole. Studies as well as experience point to their impoverishment and marginalisation and to environmental degradation.

*The main issues are:*

Absence of a reliable database on displacement and rehabilitation. The number of DP-PAPs is not known. Studies point to 60 millions 1947-2000 (Fernandes 2008a: 91) and that the existing database is an underestimate both of the extent of displacement and of its

impact. For example, the project report of the Farakka Super-thermal Power Station in West Bengal says that it had no DP-PAP but the World Bank (1994) put their number at 53,372. By official count the Pagladia dam in Assam will displace 3,217 families but studies point to around 20,000 (Bharali 2004a). In Nagaland field data contradict the claim that the Doyang dam displaced none.

Fewer than 20 percent have been resettled. Orissa has resettled 35.27 percent of its DPs 1951-1995 (Fernandes and Asif 1997: 135), Andhra Pradesh 28.82 percent (Fernandes et al. 2001: 87), Goa 33.23 percent (Fernandes and Naik 2001: 62), West Bengal 9 percent (Fernandes et al. 2012), Gujarat 23.82 percent (Lobo and Kumar 2009) Kerala 13 percent (Muricken et al 2003). In Assam not more than 10 projects had a rehabilitation package (Fernandes and Bharali 2011). It means that most DPs are left to fend for themselves. Their impoverishment is its consequence.

However, the country as a whole is not aware of the situation of the DP-PAPs and lacks concern for them. Because of their high number some (e.g. Cernea 2000) consider them internal refugees. But this concern is limited to the human rights and intellectual circles.

Its major reasons may be that, most DP-PAPs belong to the powerless classes. The Adivasis who are 8.2 percent of the population, are estimated to be 40 percent of the DP-PAPs, 20 percent are Dalits and 20 percent other rural poor like small or marginal farmers, fish and quarry workers and landless agricultural labourers (Fernandes 2008a: 92). Finally, in every case, women are its worst victims (Ganguly Thukral and Singh 1995).

Absence of a database is one of the reasons for the poor state of rehabilitation. Another reason is that, the displacing agency itself is put in charge of rehabilitation. Its personnel are judged not by the extent or quality of rehabilitation but by the speed and efficiency with which they implement the project. So they can afford to ignore rehabilitation since most DPs are voiceless. Besides, many DP-PAPs are common property resource (CPR) dependants or sustain themselves by rendering services to the village as a community as landless labourers, petty merchants, barbers and in other forms (Dhagamwar 1989: 172-173) but the Land Acquisition Act, 1894 (LAA) has an individual ownership document as the basis of compensation.

Even individual property owners are paid a meagre monetary compensation. More often than not middlemen appropriate it. Rehabilitation is not mandatory under the LAA. Even when the DPs are resettled, the project attends only to the financial aspect and ignores social consequences like alienation from their community. As a result, many persons who are thus forced into a new work culture and economy fall into bondage or become victims of absenteeism and alcoholism (Fernandes 2008b: 191-193). Multiple displacement is a result of taking the project in isolation and neglecting long-term regional planning. For example, the DPs of the Lengpui airport, Aizawl, Mizoram were displaced thrice in a decade (Garg 2007). Such examples of the callous treatment are found all over India. However, the issues go beyond compensation and rehabilitation. Beginning life in a new environment with no preparation for the interface is more complex than it appears at first sight. So one has to study the processes involved in it.

Moreover, India did not have a rehabilitation policy till the one promulgated in February 2004. A new policy was promulgated in October 2007. Only three States had

rehabilitation laws. Four states and some public sector companies have their own policies. All of them take displacement for granted and make an effort to reduce its trauma through resettlement. But their implementation mechanisms are weak. These are among the reasons why the policy promulgated in February 2004 was criticised by most analysts. Though these policies are recent, some officials in the Ministry of Rural Development (MRD) had felt it already in 1966 and appointed a committee to study the impact of displacement. In its report submitted in 1967 the Committee suggested that the LAQ be changed drastically and that a rehabilitation policy be formulated without further delay (Guha 2007). In the same year a small step of economic rehabilitation was taken through the T. N. Singh Formula which stipulated that a job be given per family displaced by industries and mines. It had many shortcomings but it was a step in the right direction. But the Standing Committee of Public Enterprises abandoned it in 1986 since the trend towards mechanisation had reduced the number of unskilled jobs (MRD 1993: 4.1).

The report of the Ministry was ignored till 1985 when a committee of the Ministry of Welfare was asked to formulate a policy for tribal DPs since it was found that 40 percent of the DPs were tribal. The committee suggested a legally binding policy for all the DPs, not tribal alone (Govt. of India 1985). That is where the report stood till 1993 when the Ministry of Rural Development formulated a new draft (MRD 1993) and revised it in 1994 (MRD 1994). More than 1,500 civil society members from all over India joined hands to work on an alternative to it and to the LAA. The alternatives prepared during this process were presented to the Ministry of Rural Development, Government of India in October 1995 (NCPR 1997). Two years later the same Ministry prepared a new draft (NPRR 1998) and amendments to the LAA. The DP-PAP-Civil Society combine that had prepared the alternatives found NPRR 1998 an improvement over the 1994 draft. So they were ready to dialogue on this document but the amendments to the LAA ignored the policy completely. So the alliance demanded that NPRR 1998 be revised to retain its positive points and remove shortcomings and that a new law be enacted based on its principles (Ramanathan 1999). But the policy promulgated in 2004 ignores this two-decade long process.

Since it met with opposition the policy was revised and a new one that is marginally better than that was promulgated in October 2007 (Singh 2006). The Union Government has also introduced two bills in the Parliament, to amend the LAA and to enact a Rehabilitation Act. Both of them are based on the defective 2007 policy so there is difference of opinion among social activists and researchers on whether they should get involved in the process of their reformulation. Some feel that the State will continue to displace people with no concern for their welfare and will use the policy as a façade, so they do not want to get involved. Some others want to be involved in the process as a lesser evil, to ensure rehabilitation of the DPs.

The failure to evolve a just law or policy reinforces the view that the decision-makers ignore the DP-PAPs because most of them are powerless. Much more land than in the past will be acquired but mechanisation and monopoly that are integral to liberalisation have reduced the number of jobs. The International Labour Organisation estimates that 8 million jobs were lost in India till 1996 (VAK 1997) and more after it. Before undertaking a project, an extensive study should be done on its social, environmental and economic costs. Hardly any project does it.



**SANITATION WORKERS AND WORKERS INVOLVED IN SCAVENGING WORK**

The term manual scavenging describes the daily work of manually cleaning and removing faeces from dry (non-flush) latrines which continues to exist in several parts of India. In India manual scavenging is a caste based occupation carried out mostly by Dalit caste groups. Despite, the laws banning manual scavenging, the illegal task of cleaning human excrement from public places and dry latrines often using broom and tin plates, the practice is prevalent in both rural and urban areas, and women form the bulk of the workforce. These communities are invariably placed at the bottom of caste hierarchy, as well as Dalit sub-caste hierarchy. Refusal to perform such task leads to physical abuse and social boycott.

Manual Scavengers are exposed to the most virulent forms of viral and bacterial infections that affect their skin, eyes, limbs, respiratory and gastro-intestinal system. One need to ask oneself that why even in this new Millennium, human beings survive on this inhuman 'profession' of cleaning human excreta in public and individual toilets across the country.

The Indian Constitution-which guarantees justice, liberty, equality, and fraternity to all its citizens -- has thus been futile to provide manual scavengers the right to a dignified life. This reflects the attitude of the State as well as civil society towards this age-old problem. Moreover, manual scavengers have failed to gain anything from India's Independence, and the benefits of affirmative reservation policies have barely touched them. Rather, their condition is worsening.

#### **Statistical Issues on Manual Scavenging Workers**

Manual scavengers have a bizarre existence because many of them do not exist in official records. There has always been a controversy about the actual number of people engaged in this occupation. Though there is no accurate data available on the number of people involved in this kind of work. Manual scavenging is prevalent even in municipalities as they do hire people for cleaning septic tanks. Both the Central and State governments have never been able to estimate the accurate number. In the Supreme Court, the government projected a new figure for number of manual scavengers in the country in every hearing, due to lack of data. Further, government data and figures provided by other sources do not concur. As per the 2009 Annual Report of the Union Ministry of Social Justice and Empowerment, there were 770338 manual scavengers, including dependents, across India. The highest number was in Uttar Pradesh (213975), followed by Madhya Pradesh (81307), Maharashtra (64785), Gujarat (64195), Andhra Pradesh (45822) and Assam (40413) (Table 1.) Independent estimates by NGO Safai Karamchari Andolan in 2008 indicated that there are about 1.2 million manual scavengers in the country.

#### **Manual Scavenging as a Caste-based Occupation**

The dehumanizing practice of manual scavenging is closely linked with the practice of untouchability. It is socially assigned to and imposed on certain communities or "castes" now categorized as Scheduled Castes by the government. Manual scavengers are thus among the most excluded and exploited communities among the Scheduled Castes. And over 80 per cent of the manual scavengers are women. As manual scavengers carry a stronger social stigma, they suffer greater and multiple forms of discrimination and social exclusion.

Clearly, the continuance of manual scavenging constitutes a gross violation of human rights. It totally devalues the person engaged in this occupation and flies in the face of the

Constitutional guarantee, made in its Preamble, of a life with dignity for every individual in the country. Manual-scavenger communities are known by different names in various parts of the country. They are known as Balmiki, Bhangi, Mehtar, Lalbegi, Chuhara and Mira (in UP, MP, Bihar, Punjab and Maharashtra respectively), Hadi (in West Bengal), Paki (in Andhra Pradesh) and Thotti (in Tamil Nadu)

### **Other Reasons for Manual Scavenging**

Studies carried out by Tata Institute of Social Sciences (TISS) Mumbai, in 2006 in Maharashtra, Navsarjan Trust in 2006 in Gujarat, and Garima Abhiyan by Jansahas, in 2011 in Madhya Pradesh found manual scavengers largely to be illiterate, working long hours on very low wages. Most manual scavengers have little choice in what they do for a living. In a society, even today in some parts of the country, birth still dictates one's occupation and livelihood, it is nearly impossible to find other opportunities; as a result, many are resigned to their fate.

At the same time, manual scavenging exists for a more urgent, and practical, reason: the country's toilet crisis. India's rural and urban areas lack toilets, adequate sewage lines and disposal systems. Indeed, few places possess the kind of technology that disposes of human waste without the need for manual cleaning. Rather, people tend to defecate in dry latrines, which are widely prevalent across the country. Since more than half of India's 203 million households lack toilets, people are forced to defecate outside in fields and pits, along river banks, etc. A report by the World Health Organization (WHO) and UNICEF in 2010 found that about 665 million Indians practice open defecation.

The practice of manual scavenging is so widespread that a recent report published by the Urban Development Ministry in 2011 shows how basic infrastructure, especially sanitation, cannot keep up with the fast growth of Indian cities. The survey examined 1405 cities in 12 different States and found out that around 50 per cent of these cities don't have a proper water supply system. Even if the households have access to piped water in around 80 per cent of these households the average supply is less than five hours per day. Concerning sanitation the numbers are even worse: Over 70 per cent of the households in the analyzed cities don't have access to toilets or a sewerage system. Almost 60 per cent of the world's population who has to rely on open defecation live in India, though this number may also include people in rural areas.

### **Hazards and Health problems**

While performing these tasks, manual scavengers are very rarely provided with safety gadgets & equipment. Another TISS study of manual scavengers conducted in Gujarat in 2006, found that "90 per cent of all manual scavengers have not been provided proper equipment to protect them from faeces-borne illnesses." In other words, they do not wear protective gear like gloves, masks, or boots while removing human excreta.

Not surprisingly, manual scavengers often experience various health problems. Manhole workers suffer from "skin rashes and eye soreness, respiratory and liver problems." Women face heavy menstruation, miscarriage, severe anemia, and irregular heartbeats. The majority of manual scavengers suffer from anemia, frequent diarrhea, and vomiting. Diseases such as dysentery, malaria, typhoid and tuberculosis are also common among manual scavengers. Death caused as result of occupations like manual scavenging is common occurrence, though invisible.

In addition to the physical and psychological hazards, manual scavengers are poorly paid for their work. Wages vary from place to place and depend on the employer (upper-caste families, municipalities, railways, and the armed forces are the main employers) but regardless of the employer, the pay is typically meager, and sometimes appallingly low. As shown in documentary 'Lesser Humans', in Gujarat, a teenage boy was given as little as one rupee per month. In parts of Rajasthan, women are given stale bread or a few rupees. Some manual scavengers are paid not in cash but instead in food grains and used clothing. Others wander around upper-caste neighborhoods in the afternoons and evenings, hoping to be handed scraps of leftover meals.

The act of collecting, loading, and carrying human excreta thus not only strips a person of his or her dignity, but also brings illness and even death in its wake. Manual scavengers are thus victims thrice over: they are shunned by society at large, cast aside among Dalits, and additionally made to suffer the severe emotional and physical trauma in their profession.

### **Law for Manual Scavenging workers**

The National Commission for Safai Karamcharis, a statutory body, has pointed out the use of dry latrines and continued employment of manual scavengers by various departments of the Union of India, particularly the Railways, the Department of Defense and the Ministry of Industries. The Indian Railways is one of the largest employers of manual scavengers. While states like Haryana deny employing manual scavengers, other states like Andhra Pradesh employ them through urban local bodies.

The legal mechanism that addresses the issues and interests of Dalits, including manual scavengers, is based on the various provisions of the Constitution of India. A few special laws and rules framed under them, like the Protection of Civil Rights Act, 1955, and the Scheduled Castes and Scheduled Tribes (Prevention of Atrocity) Act, 1989, are equally applicable to manual scavengers. The Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993 (hereafter referred to as the Act, 1993) and the National Commission for Safai Karamcharis Act, 1993, are exclusive laws meant for manual scavengers, which require analysis in detail.

### **Manual Scavengers' issues at International and National Forums**

The issues and concerns of manual scavengers have also been raised and reflected on at international forums, especially the United Nations Organization. In 2009, the special rapporteur constituted by the Sub-Commission on the Promotion and Protection of Human Rights studied the issue of discrimination based on work and descent at a global level. The report of the special rapporteur, which contains draft principles and guidelines for the Effective Elimination of Discrimination Based on Work and Descent, is one of the major developments in evolving norms and standards regarding discrimination based on work and descent or caste. It called upon national and local governments to ensure the complete eradication of manual scavenging and other unhealthy working conditions in keeping with international standards and upon governments to enact and enforce legislation guaranteeing decent work, a living wage and labour rights for the affected communities.

Earlier, in 2007, the Annual Report of the Committee on the Elimination of Racial Discrimination of the UN had expressed serious concern about the deplorable conditions

of manual scavengers in India. It stated, "The Committee notes with concern that very large numbers of Dalits are forced to work as manual scavengers."

Apart from various UN agencies, International NGOs have also dealt with the issues of manual scavenging, linking these to untouchability and caste-based discrimination. Human Rights Watch, in its 1999 study, recommended that the government should ensure appropriate implementation of Act, 1993, including prosecution of officials responsible for the perpetuation of the practice and non-rehabilitation of affected scavenger communities, almost all Dalits. It further stated, "the government should ensure that states and districts constitute and oversee vigilance and monitoring committees with adequate representation of NGOs, women, and members of the scavenger communities. State governments should also train district officials charged with enforcing the Act. The World Health Organization should investigate and publicize the adverse health consequences arising from the practice of manual scavenging and promote measures to eliminate exposure of Dalits to hazardous work conditions."

The National Human Rights Commission (NHRC) has termed manual scavenging as one of the worst violation of human rights. It holds that a country could never develop without the development of each and every individual and Article 21 of Constitution of India guarantees the Right to Life and that too with dignity. However, in absence of any proactive intervention from state agencies, the problem persists.

Besides government and autonomous bodies many non-government organizations are initiating steps to bring in changes. A group of eight individuals and organizations working for the cause of manual scavengers came together and collectively filed a writ petition in the Supreme Court in 2003 demanding the implementation of the 1993 Act.

Safai Karamchari Andolan (SKA) is the lead petitioner in the PIL. In 2008, Safai Karamchari Andolan officially launched the 'Action 2010' programme aimed at eliminating manual scavenging in India by the end of 2010, and organized a country-wide march which was well reported in the media.

Garima Abhiyan is a movement launched by nine NGOs in Madhya Pradesh in 2002 that aims to end manual scavenging in the state aims to end manual scavenging in the state. Garima Abhiyan is focused on the right to dignity aspect of the issue. It believes that organizing people is the only effective and long-term way to ensure complete abolition of the practice of manual scavenging.

Navsarjan is one of the eight organizations along with National Campaign for Dalit Human Rights that are part of the writ petition filed in the Supreme Court demanding action from the union government on this issue. It emphasizes following steps that might help eliminate this practice.

Besides these groups, Sulabh International has also been engaging in addressing the issues of manual scavengers. Sulabh International which has set up Sulabh Sauchalayas, low-cost safe sanitation systems, across the country also led a kind of movement to liberate manual scavengers.

These campaigns and struggles have remained aloof from the political parties and even civil society and always been driven by community and Dalit rights based groups. It is very sad that no political parties, even the parties claim to be champion of Dalit rights have not taken up the cause of these manual scavengers as they form a miniscule of the voting bank.

## The Issue of Social Security

Though, the Government of India has launched various social protection programmes for socially marginalized people but Dalits particularly the sanitation workers and those involved in manual scavenging are unable to avail the benefits of these programmes because of low literacy and awareness among them. They are deprived of information about social protection programmes. Since their work is considered unclean, they are not allowed to participate in social and political gatherings where majority of the decisions are taken. Most of the times, sanitation workers and manual scavengers do not know that there exists certain social protection programmes for them. Thus, due to unawareness they are unable to get the benefits of social protection programmes. Even those who are aware of the social protection programmes launched for them do not know how to access these programmes. Sometimes they do not have necessary supporting documents such as BPL cards, caste certificates and other certificates to avail the schemes. Most of the rehabilitation programmes are targeted towards male manual scavengers while in majority of cases women are engaged in manual scavenging.

### THE UNSEEABLE VANNARS: THE DALITS AMONG DALITS

The Puthirai Vannars are known to be the washer community that works exclusively for the untouchable castes and is one among them. Though there are 16 sub-sects of washer-folks community in general, this particular community has been socially ostracized by both caste-Hindus as well as the other Dalits. In its social, economic, political status, it is far behind the other Dalit castes and as of now it is one among the extremely excluded group in the Scheduled Castes of South India. The irony is that this community faces severe untold discriminations such as untouchability, temple entry restrictions, access to the natural resources or land and all sorts' violence, violations, sexual harassment against women, etc. As one of the most deprived community in the state of Tamil Nadu, roughly having more than 3 lakh population, they have not been able to avail the benefits of reservation in educational, employment, entrepreneurial opportunities, where they face absence of "Community Certificate" as a major impediment. This community has concentrated presence in Tiruvannamalai, Villupuram and Kancheepuram Districts in northern Tamil Nadu and Sivagangai, Viruthunagar, Ramanathapuram, Tirunelveli, Thoothukkudi districts in southern Tamil Nadu. The major disadvantage for their consolidation is, they are scattered and very few hands of population in the villages generally are attached with respective Dalit community living there. The officials in the District administration are not aware of the community's social existence due to their numerical insignificance and not being a social force in determining the political leadership of the respective village, town or part. Generally they are forced to live in non-patta or Poramboke lands which can be taken back at any point of time by the village community for whom they serve, if they demand any more rights or wages. In some parts caste certificate is denied for them by saying that this caste does not exist in Scheduled Caste list and otherwise they are certified as Hindu-Vannar which belongs to Other Backward Class (OBC) so that they cannot compete and enjoy any welfare measures given to SC/STs by the state or central governments. This community is so far not taken along with the washer men community of neither OBCs nor SCs. They get community certificate on the name of three communities called Parayar or Adi-Dravidar, Pallar or Devendrakula Velalar and Chakkilyar or Arunthathiyar. On the one hand, they resorted to get the

community certificate with whom they socially, geographically attached with. On the other hand, there are several reports of abuse of the titles for caste certificates by the OBC Hindu-Vannar community and they appropriating the Puthirai Vannar opportunities and benefits.

There are several myths, superstitious, purity-pollution kind of beliefs, etc that are enforced upon them in a derogatory manner that they should not visit the families in the village in the early morning. And they should collect the clothes for washing by approaching through the backyard of the house. As a tradition in several villages these people are mainly forced to wash the clothes of girls who attain puberty which is considered as pollution. And when the marriage takes place in any family these people have to wash their clothes for the entire family members and relatives for few days. During the death in any family, these people are used for communicating the death message to the concerned relatives and public, these people have to do all the unhygienic work associated with the dead body, they have to carry out the last rites from cleaning the dead (if the dead is male, they have to shave-off their face, if it is a pregnant women, they have to cut the womb and take the unborn child out and bury along) to burial or cremation including decorating the burial cart, shaving-off the moustaches, tonsuring head of their family members, etc. For that they are paid with low dignity. Even in some of the villages it is believed that they should not cook on their own, otherwise it would harm the village's prosperity. The height of the exclusion that they face is that they are denied to cook for living/survival, even in the festival days. They have to collect food from village families for both morning and evening. As this cultural stigma still continues, in absence of protection from harassment, discrimination, exclusion, undignified, ill-treatment faced by them, they are largely migrating from the villages and living in the slums of neighbouring towns or cities. Now this community has started asserting their social, economic, political rights and in- search of leadership for organizing themselves.

## **CONTRACT LABOUR IN GLOBALISED WORLD**

If there were an area of employment relationships that is most perverse from the perspective of the emergent idea of human right in the workplace, in most probability the contract workers in the organised sector would fit the bill. The underlying political notion of universality of equality, engraved into the Indian constitution, has been progressively made into legal entitlements in employment relationships through various legislation. Within a same class of employment in an establishment viz. within a factory, equality of treatment and entitlement was accepted and became a basis of both, discourse and struggle. Even the contract labour act is founded on progressive realisation of this universality.

Though, in the last decade the industrialists have been able to retrench massive workforce from the economy. It could do so with ease, in spite of the legal barriers, and without legal reform, because it was one time affair and could be achieved through voluntary retirement scheme and lockouts. But, the contract labour act affects the employment relationship in a continuing manner. So, for big capital, it has become the priority area within the labour law reforms. There is an immense pressure to amend, if not rescind, the Contract Labour Act, in order to make it only a regulatory act for working condition of contract labour or exclude large category of employment in an establishment from the preview of the act. Some State governments have already proposed bills making such amendments.

### **Reversal of universality of labour rights**

Such change is retrogressive in a fundamental sense, for it introduces duality in area where universality is foundational. This reversal is, what makes the trend ominous. But is it transitory? Is contract labour system an archaic feature that is in the process of diminishing? Is it conjectural that industrialization will reduce? Earlier thinking on the subject, and so the framing of labour policies, were based on affirmative assumption to such questions. But the rising trend of contract labour brings that assumption into question. In fact, the potential spread and depth of this reversal can only be evaluated, if



the source of this immense pressure for reversal identified and analysed. The contention in this short article is that it is intrinsic to the industrialization strategy put in place by the Multi-National Corporations as a part of structural globalization taking place under imperialism.

Sub-contracting of production and contract labour has emerged as one of the main process /mechanism for restructuring the global production system in a way that the developing countries neither gain in terms of wage share in value added nor in terms of growth in per capita income.

### **Cost leadership and labour cost reduction**

The post war economic expansion saw industrial base developing in ex-colonial countries. From producing for home market the South slowly began exporting. By 1975 the share of South's share in world-manufactured exports was increasing faster than the South share in world manufacture. This success hit the market share and profitability of the big capital. It began evolving strategies to counter these tendencies. In 1981, Michael Porter suggested three basic strategies. One of them was cost leadership. This was a euphemism for low cost production and required that the management developed measurable continuous labour cost reduction programs that were integral to management system. In the product markets that are price sensitive, achieving this cost leadership became a prime strategy of big capital. For metropolitan capital, it also became a necessity to avert the real possibility of developing country capital, which had access to cheap labour, becoming a competitive threat in the emerging global market in such products. So it has become imperative for North to guarantee access to cheap third world labour and not allow Southern capital to have exclusive access to this labour. With technological leadership and control of the global market, this is sure way of ensuring its domination. The Washington consensus under Reagan regime unfolded to force open the national economics of South and intensify global market competition. The ground was laid for structural reorganization of production on a global scale.

Though, retrenchment of workers and reducing the contractual obligation has been the major impact of globalisation. It has to be viewed, more as a part of, and a phase in, the re-composition of the workforce in the production at the global level. The main focus, and the second part of this process is the access to cheap labour for low cost production. As these are labour intensive operations there is a pressure for wage rise. To forestall such tendency and insure the production from such risks, the strategy is to install and sustain sub-standard employment relationships that create low capacity for organizing and collective bargaining.

### **Division of workers into core and periphery**

In order to implement this strategy the management gurus provided the concept of the core competency of a firm. This enabled to identify and differentiate the core process and value the small section of workers (but not allowed to bargain) whose skill, knowledge and motivation becomes critical to the flow of production and profitability. The non-core operations are either out-sourced through a sub- contracting system or contract labour is employed where the process cannot be separately located. The capability of the management is in the ability to both retain the workers in the core area and sustain the low-cost operations in the non-core area.

The core process both in production and business is identified using value chain analysis, which identifies the main sources of profit in various steps to supply a product and services. In a globalising world, multiple processes of labour and production are linked on a global level to produce finished commodities. The MNC's use this tool to analyze such global commodity chain and focus their investment and control over processes that are most profitable. As a result, the power is unevenly distributed over this chain and profit is maximized by capital that dominates and controls the core business process.

Global business also requires rapid product innovation and co-ordination between the market and the production process, both to service markets with different variants of products and minimize the inventory cost on a global scale. This led to adoption of the lean production systems, first introduced by Toyota, under which a precision planned stream of inputs of specified quality and quantity are provided to the production systems of the commodity chain with objective of near zero idle time.

#### **Emergence of new organizational form: business network**

The twin objectives of the lean production system and low cost production led to re-examination of the concept of firm. The earlier concept of internalization of economic activity within the firm was inadequate in the new environment of global market and technological development that rapidly reduced the transportation and transaction time and cost. As a result, de-internalization of economic activities occur when firm specific advantages are outweighed by its costs. This led to the vertical disintegration of the old firms and emergence of inter-firm network to provide the planned stream of inputs to the production process. These inter-firms relationships began to stabilize with a collective long-term orientation as a business network of set of companies, which interact and co-operate with each other within a commodity chain.

A new organizational form had to be innovated to deal with the new tasks of global production process. Rugman and D'cruz (1997) have conceptualized such business networks as a form of organisational for MNC's, labeled as a flagship model. The two key features of such a system, the presence of a flagship firm that creates the network and strategically controls the network; and the existence of firms that have established key relationship with that flag ship firm. The other firms are dependent on the flagship firm and so a relationship of strategic asymmetry develops. Inevitably as the global reorganization takes shape along this line of business networks, the MNC's position themselves as the flagship firm. From such apposition, the MNC's limit the scope of operation of the dependent firms, determines their course of action and internal processes, and directs their capital investment program.

#### **Business network links segmented labour process**

As the MNC's drive the low cost production programme through the business network a core / periphery workers division takes place at each firm level and leads to expansion of contract labour system. So the rapid growth of sub-contract and labour contract system is an integral part of the developing global production system. It is a network of production process that links the various segmented labour process, formal with informal. As a result, the MNC's gain the access to cheap labour and the capacity to implement the strategy of low cost production under its' control.

#### **Low cost production leads to national income loss**

So the reorganization of global production takes place with low cost production on the basis of low wage expanding in the South. Under this division of labour, though labour shifts from agriculture to industry, the country does not enter a trajectory of autonomous growth. The industrial growth in the South, which is predominantly a result of expansion of sub-contracted production and contract labour system, does lead to increase in employment but not to significant increase in wages above poverty level. Even the surplus is not retained in national economy as it transferred through the commodity chain to the flagship MNC's. Arrighi, Silver and Brewer(2003) have analysed data from 1960 to 1999 to conclusive show that narrowing of the industrial gap between North and South has not led to significant narrowing of income gap between them. In fact, they argue," industrial convergence (due primarily to Northern de- industrialisation and secondarily to Southern industrialization) has been a key mechanism in reproduction of the North South income divide." So the normal economic development that is associated with the industrialization, the rising share of industrial employment leading to increase in per capita income is subverted under imperialism.

The argument put forward is that flexibility to market demand requires flexibility in employment, what has been termed as functional flexibility. In contrast, we have argued that the basic objective is cost reduction through lower labour cost. As rapid absorption of labour by industrialization has a tendency to push the wage level. And if, such industrialization is taking place in the developing countries then the benefit will accrue to the Southern economy. This is against the interest of imperialism. From its' viewpoint only low cost industrialization is permissible in the South. So a mechanism has to be put in place to control and manage this employment relationship. Sub-contracted production and contract labour build such a regime of employment with inbuilt dampening mechanism that minimizes the economic gain in terms of per capita rise in income and labour share in added value.

Both international labour and Southern countries are the losers in this new regime of employment. Even then, the limited view of Southern capital blinds them from seeing the national interest. As for the international labour movement, it has to return from the portals of judiciary to the terrain of struggle and hard collective bargaining to confront this new regime of employment.

## **DHEKLAPARA TEA ESTATE: DEATH AND DESPAIR<sup>1</sup>**

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<sup>1</sup> This report has been prepared based on inputs and reports provided by Debjit Dutt during his visit in November 2012, and information received during a visit by Debjit Dutta and Anuradha Talwar in January 2012. Information was also received from..... who are themselves workers and well wishers of the estate workers.

Dheklapara Tea Estate in Madarihat-Birpara block of Jalpaiguri District West Bengal was abandoned on 22 August 2002. It was closed for three years, after which it was re-opened for a brief period in 2005 by Shri GN Das and then was abandoned once again in 2006. It has remained closed continuously since then.

The estate has a total grant area of 548.1 ha of which 197.37 ha are under tea cultivation. It has a labour strength of 604. It consists of two distinct parts- the Nirpania division with 210 households and the main garden.

### **Plucking and Employment**

*In estates that are facing long term closure like Dheklapara, workers face destitution and poverty after closure. When the plucking season is on, they revert to the tea bushes to eke whatever small living they can make, selling the green leaves that they pluck or making and selling handmade tea. They earn very small amounts in this way, much less than the actual worth of the tea or green leaves. At other times, they have been reduced to going in for much more precarious occupations, with lower wages, harder work, and long periods of unemployment. Many have also resorted to migration to find work in other parts of the country.*

*Workers in Dheklapara are mainly involved in stone picking from the river bed for which they earn Rs.40 normally and Rs.70-80 if the worker is very strong. Children are also largely involved in this occupation.*

An Operating and Managing Committee(OMC) was formed with representatives of various unions along with some other officials including the BDO for negotiating with buyers/brokers of green leaves and also to ensure that the latter take care of the garden (main). We understand that a bipartite contract was enforced wherein the brokers were required to pay Rs 35 per worker of the main garden for 9 months, i.e. From April to December. The basis and rationale of the contract, however, remain unexplained to us so far. It should be noted that even in 2005, labourers at Dheklapara were getting Rs.30-35 from the OMC.

The working of the OMC has never been transparent. Even today, the actual buying and selling of green leaves does not take place in presence of any government official, although the BDO is an all important representative in the OMC, responsible for supervision and for ensuring fair dealings and best prices for the well-being of the workers.

### **Death and Desperation**

The death toll in the main garden over a period of little more than a year (18.10.2011 to 5.11.2012) was 20, including 3 infants. A scrutiny of only those who died in the main garden (list appended – **Annexure 1**) reveals that 13 of these 20 deaths(65%) took place amongst those who were in the working age group i.e. 18 to 58 years.

Similarly, in the Nirpania division of the list of 73 deaths that have taken place in the last 10 years (provided to us by the plantation workers), 56 or 77% were in this working age group. In fact, it seems very few or none at all died of old age or in infancy. There was a report of only one 70 years old person and of 2 small children dying. The Nirpania division with 210 households can be assumed to have a population of about 1050. It would therefore have an annual death rate of about 7 per thousand which is much higher than the state death rate of 6.2 per thousand.

The impact of the deaths of working age people on the population was apparent from another fact provided to us by the Nirpania division worker . There are 21 children who are orphans amongst the 210 families of Nirpania division. They have all lost both their parents and now eke out a very difficult living for themselves by breaking stones or selling tea leaves occasionally.

Apart from all other facts and factors, the attempted demarcation between 'natural' and unnatural deaths seems to be blurred if we consider the incidents and regular intervals at which the deaths occurred vis-a-vis the age group of those who died. It was amply evident from the mere appearance and looks of the workers that a situation of under nourishment prevails – a fact confirmed by almost all spoken to, signs of a dreaded future writ all over the faces. In most clear terms, they stated that if a situation like this continues, deaths arising out of scarcity of food, treatment, etc. are going to be their destiny, a fact that seemed to have been already accepted by the ill-treated workers by and large.

A shocking and shameful incident ignored by the administration, underplayed by the media and forgotten and apparently set aside by the powers that be was an appeal to the Chief Minister to grant permission for suicide/self-killing by 15 wretched workers (including Sulgan Kumhar) who attempted to justify their precarious existence stating their fast and steady 'progress' destined towards death. The copies of the application were forwarded (as stated in the application) to Shri Gautam Deb (Minister for North Bengal Development), the DM, Jalpaiguri; SDO, Alipurduar;BDO, Madarihahat; Pradhan, Bandarpani gram Panchayat; Panchayat member, Nirpania and the media . Except for a report in the Anandabazar Patrika (siliguri edition only) on 9 November, seemingly there has been no reaction or concern from the authorities or those who matter till date.

**For a Forum Against Contract Work  
(Thekhedari Pratha Virodhi Manch)  
22 February 2011, New Delhi**

The Indian labour movement is faced with the severe challenge of contract labour system. Official estimates of the share of contract labour employed in the organised manufacturing ranges from 15 to 26% across states. More shocking, various studies looking at key industries such as cement, iron, steel, cotton textile and jute, have found a high rate of contract labour ranging from 60-70%, and in some sectors, including construction industry it is as high as 80-90%.

We deplore this increasing trend of contract labour share in regular and stable jobs and note that

contractualisation has emerged as the prominent form of informalising the organised sector and

introducing labour flexibility to undermine the power of the working class. Contract workers have no security of employment and trade union rights. The Central and State Governments have supported this process of contractualisation of employment by:

- Restricting the applicability of the Contract Labour Act
- Encouraging and allowing the contract labour system in regular and permanent nature of work

through non-registration of establishment, allowing contractors to remain outside regulation, and automatic issuance of licenses

- Reinforcing job insecurity of the contract workers by discouraging unionisation and collective

bargaining of contract labour

- Abdicating their responsibility as a model employer to ensure equality of labour standards by promoting lower standards of employment of contract workers in comparison to regular workers in terms of wage rate, holidays, hours of work, social security and other conditions of service. The contract workers get wages less than one fourth wages to tenured workers in similar employment.

- Allowing new forms of bonded labour by forcing contract workers to work below legal standards of minimum wage and compulsory overtime

- Depriving the contract labour of social securities under law for PF, ESI, gratuity and retrenchment compensation

- Not encouraging abolition and absorption of contract labour through non-functioning of Contract Labour Advisory Boards and inaction on recommendations of such Boards where it functions

We condemn the lack of political will and capacity of the government to enforce the legal rights of contract labour even after 40 years of the enactment of the Contract Labour Act. Contract workers are fragmented in multiple ways. Workers are fragmented through the use of multiple contractors in the same establishment or workplace to employ contract labour. Workers are also divided into different political federations. The struggle of contract workers shows that resistance is taking place in a fragmented manner mainly at the workplace, and mostly through legal battles fought individually or in small pockets, isolated from unions of permanent workers. Their struggles are not united with struggles being waged across the country. Moreover, the contract labour movement has not

emerged as an autonomous struggle which broadens and deepens the Indian trade union movement.

We believe that the struggles of contract labour have to move beyond the legal battles and militantly mobilise to eliminate the contract labour system.

We need to unite to build the organised strength of workers to change and restructure the employment relationship of contract workers at industry level.

We believe therefore to defend and advance the rights of contract workers it is important that we move beyond all political divisions and come together to build an organisational process that is focused on contract labour's interest and capacity to shape an independent strategy, programme and mobilisation.

We are committed to a democratic process to build such a unity and for this purpose hold four regional consultations and other industry level meetings for wide participation and consensus and following that hold a national conference by the end of 2011 to constitute a Forum Against Contract Work. It will strive to bring within its fold, all unions organising contract workers, across sectors, industries, regions and affiliations.

We resolve to constitute a Preparatory Committee of which all unions which endorse this call shall become members. It is further resolved that the Preparatory Committee shall have the responsibility to make all efforts and undertake necessary tasks to build the Forum Against contract Work and develop a militant struggle to eliminate contract work.