

# IPAP

The International NGOs Partnership Agreement Programme

A Compendium of Research Studies  
Undertaken by International NGOs  
in Coordination with  
Partner Civil Society Organisations



A Compendium of Research Studies  
Undertaken by International NGOs  
in Coordination with  
Partner Civil Society Organisations

— Compilation and Editing —

- DR. MANISH SUBHARWAL
- DR. SANJAY GUPTA
- MS. DEEPTI PANDE



[www.impactpartner.org.in](http://www.impactpartner.org.in)

---

*This publication is made possible by the generous support of the Department for International Development (UK) (DFID). The contents do not necessarily reflect the views of DFID or UK Government or any other agency involved in the development of this publication.*

## Table of Contents

Foreword

Utilization of Research Findings

S. No.	Research Study	Target Group	Sector	NGO/Agency	State	IPAP Partner	Page #
1	Our Forest Our Rights— Implementation Status of Forest Rights Act, 2006	Adivasis	Rights	Action Aid	Andhra Pradesh, Gujarat, Jharkhand, Madhya Pradesh, Maharashtra, Odisha, West Bengal	Action Aid	1
2	Local Governance in Scheduled Tribal Areas in the light of Panchayat Raj (Extension to Scheduled Areas) Act of 1996—A Case Study of Maharashtra and Odisha	Adivasis	Rights	Indian Institute of Dalit Studies, New Delhi	Maharashtra and Odisha	Christian Aid	5
3	Impact of Climate Change on Forest-dependent Communities—A Case Study of Kandhamal and Kalahandi districts of Odisha	Adivasis	Social Exclusion	Teri University	Odisha	Skill Share	10
4	Non-Timber Forest Produce—Markets and Value Chains	Adivasis	Social Exclusion	Kovel, Visakhapatnam SOVA, Koraput; MASS, Sambalpur, Seba Jagat, Kalahandi, Seva Bharati, Kandhamal, Odisha; THI, Dharmapuri, HESAT, Thanjavur SLADS, East Singhbun ARPAN, Pithoragarh	Andhra Pradesh, Jharkhand, Odisha, Tamil Nadu, Uttarakhand	Skill Share	14
5	Adivasi Human Development Report of Odisha	Adivasis	Multiple	Institute for Human Development, East Regional Centre, Ranchi	Odisha	Skill Share	18
6	Multi-State Audit Report of Nirmal Gram Panchayats in India on Water, Sanitation and Hygiene	Adivasis	Rights	Wada Na Todo Abhiyan	Bihar, Jharkhand, Madhya Pradesh, Odisha, Uttar Pradesh	Water Aid	22
7	Criminal Stigma and Livelihood: Socio- economic Study of Denotified Tribes in Karnataka	Adivasis	Rights	Indian Institute of Dalit Studies, New Delhi	Karnataka	Christian Aid	25

S. No.	Research Study	Target Group	Sector	NGO/Agency	State	IPAP Partner	Page #
8	Reach and Impact of NRHM in Tribal Areas	Adivasis	Health	Ms. Priya Anand and Dr. Manoranjan Mishra	Andhra Pradesh, Jharkhand, Kerala, Maharashtra, Odisha, Tamil Nadu, Uttarakhand	Skill Share	28
9	Counting Mumbai's Street Children	Children	Child Rights	Tata Institute of Social Sciences	Maharashtra	Action Aid	32
10	Stronger Voice for Excluded Children in Government and NGOs Policies and Programmes	Children	Child Rights	Towards Action and Learning (TAAL), Bhopal	Andhra Pradesh, Bihar, Delhi, Odisha, Jammu & Kashmir, Rajasthan, West Bengal	Save the Children	35
11	Stock Taking of the Right of Children to Free and Compulsory Education Act, 2009	Children	Child Rights	Action Aid, Oxfam India, CSEI, Save The Children, Voluntary Forum for Education, Bihar, Jamia Millia Islamia, CARE, Sampark, RTE Forum	17 States of India	Save the Children	39
12	Surviving the Streets—Delhi Street Children Census	Children	Child Rights	Institute for Human Development, New Delhi	Delhi	Save the Children	44
13	Drought Impact Assessment Report—Bundelkhand Region of Uttar Pradesh	Dalits	Rights	Rojgar Haq Abiyan, Aapda Nivarak Manch, Pahunj Vikas Manch, Bundelkhand Sewa Sansthan, Parmarth Samaj Sevi Sansthan, Pragati Madhyam Samiti, Kriti Shodh Sansthan, Vidyadham Samiti, Samarth Foundation, Sai Jyoti, Arunodaya Sansthan	Uttar Pradesh	Action Aid	48
14	Affirmation Action Policy by CII, FICCI and ASSOCHAM—A Review	Dalits	Rights	Indian Institute of Dalit Studies, New Delhi, New Delhi	All India	Christian Aid	51
15	Dalit Christians in India: Discrimination and Inter-group Disparities in Human Development	Dalits	Rights	Indian Institute of Dalit Studies, New Delhi, New Delhi	All India	Christian Aid	55
16	Dalit Muslims in India: Discrimination and Inter-group Disparities in Human Development	Dalits/Muslims	Rights	Indian Institute of Dalit Studies, New Delhi, New Delhi	All India	Christian Aid	58

S. No.	Research Study	Target Group	Sector	NGO/Agency	State	IPAP Partner	Page #
17	Diversity, Academic Performance & Discrimination—A Case Study of a Higher Educational Institution	Dalits	Rights	Indian Institute of Dalit Studies, New Delhi, New Delhi	All India	Christian Aid	61
18	Gender and Caste-based Inequality in Health Outcomes in India—A Working Paper	Dalits	Rights	Indian Institute of Dalit Studies, New Delhi, New Delhi	All India	Christian Aid	64
19	Mapping Caste-based Atrocities in India	Dalits	Rights	Indian Institute of Dalit Studies, New Delhi	All India	Christian Aid	67
20	Mapping Caste-based Atrocities in Uttar Pradesh	Dalits	Rights	Indian Institute of Dalit Studies, New Delhi	Uttar Pradesh	Christian Aid	71
21	Justice Under Trial—Caste Discrimination in Access to Justice Before Special Courts	Dalits	Rights	National Dalit Movement for Justice (NDMJ), NCDHR, New Delhi	Andhra Pradesh, Jharkhand, Rajasthan, Tamil Nadu, Uttar Pradesh	Christian Aid	75
22	Assessing Access to Water, Sanitation and Hygiene Services by Scheduled Caste Community in Rural India	Dalits	Rights	NACDOR, New Delhi	Andhra Pradesh, Bihar, Odisha, Madhya Pradesh and Uttar Pradesh	Water Aid	79
23	Rapid Assessment of Inclusive Water and Sanitation Facility in Schools	Dalits	Rights	Outline India	Bihar, Jharkhand and Uttar Pradesh	Water Aid	83
24	Status of Muslims in Growing Economy in Uttar Pradesh	Muslims	Rights	Action Aid	Uttar Pradesh	Action Aid	86
25	Suicide and Malnutrition Among Waevers in Varanasi	Muslims	Rights	People's Vigilance Committee on Human Rights (PVCHR)	Uttar Pradesh	Action Aid	88
26	Status of Persons with Disabilities in India: Comparison across Social Groups	People with Disabilities	Rights	Indian Institute of Dalit Studies, New Delhi, New Delhi	All India	Christian Aid	91
27	Accessibility Research and Comparative Analysis of Building Standards and Regulations in Various States of India	People with Disabilities	Rights	Samarthayam, New Delhi	Delhi, Goa, Odisha, Jharkhand, Rajasthan, West Bengal and Gujarat	VSO	95
28	Anthropometrics of Persons with Disabilities—Users of Mobility and Other Aids	People with Disabilities	Rights	Samarthayam, New Delhi	Delhi, Odisha, and Jharkhand	VSO	98

S. No.	Research Study	Target Group	Sector	NGO/Agency	State	IPAP Partner	Page #
29	Access Audit Report Wash Facilities for Persons with Disabilities in Jharkhand	People with Disabilities	Rights	Samarthyam (Nav Bharat Jagriti Kendra, Gram Jyoti, Lok Prerna and Saathi)	Jharkhand	Water Aid	102
30	Ensuring Basic Services to the Urban Homeless—City level Plan for Shelters and Allied Services	Urban Poor	Poverty	Praxis	Coimbatore—Tamil Nadu	Action Aid	105
31	Ensuring Basic Services to the Urban Homeless—City level Plan for Shelters and Allied Services	Urban Poor	Poverty	Praxis	Salem—Tamil Nadu	Action Aid	108
32	Status of 498A, Hyderabad and Rangareddy Districts in Andhra Pradesh	Women	Rights	Bhumika Women's Collective and Research Team from NALSAR University Hyderabad	Andhra Pradesh	Oxfam India	111
33	A Report on Functioning of Helplines and Legal Aid System with reference to Women facing Domestic Violence in Andhra Pradesh	Women	Rights	Bhumika Women's Collective	Andhra Pradesh	Oxfam India	114
34	Rehabilitation Services (Shelter Homes) in Andhra Pradesh for Women in Different Circumstances	Women	Rights	Bhumika Women's Collective	Andhra Pradesh	Oxfam India	118
35	A Report on the Status of PWDV Act in Odisha, 2010-11—Tracking the Domestic Incidence Reports (DIRs)	Women	Violence Against Women	Civil Society Resource Facility Centre Friends' Association for Rural Reconstruction Orissa State Level alliance on Violence against Women	Odisha	Oxfam India	120

## FOREWORD

The International NGOs Partnership Agreement Programme (IPAP) in India with UK Aid is considered to be a significant and unique initiative for several reasons. The programme supports seven leading UK based civil society organizations having strong presence across several Asian countries for the last few decades, particularly in India. This is also special in the sense that it seeks to forge close partnership among the seven UK NGOs to work collectively in India to address one of the major social and systemic issues that impede the development of the most marginalized and vulnerable communities and groups who have been excluded from enjoying their constitutional rights and entitlements for several decades on the basis of caste, ethnicity, religion and gender.

As defined within the programme, the goal of the programme is to “Improve social, political and economic position of socially excluded communities”. The purpose of the programme was to create a “Responsive and discrimination free government programme implementation, mechanism and service delivery”.

Social exclusion and discrimination are two dimensions with slight and subtle difference. In context of IPAP, social inclusion refers to empowering socially excluded communities to demand for their rights and to advocate with the service delivery channels to ensure delivery of services. However, discrimination is a mindset which can extend far beyond service delivery and can exist in every social context. Though it is essential to have social inclusion for ending discrimination, bringing social inclusion may not necessarily end discrimination.

Majority of the focus of IPAP has been towards addressing social exclusion and strengthening service delivery for socially excluded communities. However, in the process, through its innovative systems and processes, it did make a dent on existing dimensions and levels of social discrimination, for which strong anecdotal evidences are available. While many innovative ideas were designed and implemented to measure and address discrimination under IPAP, few emerged as promising practices with a strong case for replication and/or scale up.

In order to present the summary of research studies undertaken under IPAP by International NGOs through their respective partner Civil Service Organisations in different states, the current compendium has been developed. The objective is to disseminate this document among social and development sector donors, partners and civil society organisations for wider coverage and reference.

This compendium only serves as a reference to introduce the type of research, objectives, methodology, key findings and conclusion and recommendations. In order to know more details on research that might be needed, can be obtained from the respective INGO and CSO partners. The contact details of INGO partners are provided along with the approaches.

— IPAP MC Team





## UTILIZATION OF RESEARCH FINDINGS

All the researches conducted under IPAP were designed with specific purposes with clear objectives laid out for each research. Majority of these researches were aimed at filling in existing knowledge and/or information gaps. For example Water Aid identified that while School WASH coverage was available, there were no evidences whether WASH facilities in school help retention of girl students, for which Rapid Assessment was conducted by Water Aid. Specific researches by Christian Aid brought out inter-group disparities in Human Development with special reference to Dalit Muslims and Dalit Christians in India, a little known area in India. Many researches (e.g. Census of Street Children by Save the Children or Rapid Assessment of WASH facilities in school by Water Aid) were conducted for the first time and hence provided new information on the subject. As INGOs had strong relationships with the state and national governments, many of the researches were conducted on the request of respective ministries or departments (e.g. Accessibility Audit by VSO was done following the request from Ministry of Urban Development; Audit of Nirmal Gram Panchayats was requested by Ministry of Panchayati Raj to Water Aid and Ministry of Women and Child Development requested Save the Children to conduct the Census of Street Children in Delhi). Some secondary researches were aimed at bringing out key knowledge gaps in implementation of policies and government programmes. For example a study by Christian Aid “A Study of Policy and Schemes and Guidelines for Effective Operationalization of Special Component Plan in Ministry of Human Resource Development for Higher Education” highlighted the gaps in the utilization of Scheduled Caste Plan (SCP) in higher education to suggest policy measures to address the issue.

The research studies conducted under IPAP have been widely utilized by the respective INGOs through different channels. Some of the specific ways of using these findings include:

### **Informing the Policy Formulation and Change**

Many of the researches conducted under IPAP directly contributed to formulation of new policies and also modifications to new policies and guidelines. Some of the examples include “Accessibility Research and Comparative Analysis of Building Standards and Regulations in Various States of India” conducted by VSO. The study was initially requested by the Ministry of Urban Development and it led to the ministry issuing advisory to all states for amending their guidelines on accessibility standards for building. Total 32 states and Union Territories have so far amended their byelaws as per the advisory. The advisory advocated for an appointment of Access Officer within municipal bodies and development authorities who would check for the accessibility before issuing the completion certificate to buildings. Another study by VSO titled “Anthropometrics of Persons with Disabilities—Users of Mobility and Other Aids” helped Ministry of Social Justice and Empowerment to alter designs of accessibility aids being manufactured by their allied unit ALIMCO. The Access Audit conducted in Jharkhand by Water Aid led to the Department issuing policy guidelines on making WASH facilities accessible to People with Disabilities (PwDs) in Jharkhand. The state government also included PwDs a direct beneficiary of Nirmal Bharat Abhiyan (Total Sanitation Campaign). The Development Commissioner Jharkhand formally requested Government of India to improve the costing for Individual Household Latrine (IHHL) for families with PwD. The findings of the study on Access to WASH by Dalit Women conducted by Water Aid led to the Ministry of Panchayati Raj issue a letter to include WASH as a regular agenda for the Gram Sabhas in India.

First ever census of street children conducted by Save the Children in Delhi got immense media highlight and as a result 4 questions were raised in the parliament to bring the issue to government’s notice.

Department of Women and Child Development Delhi followed up on several recommendations including conducting the GPS mapping of the places of residence of these children in Delhi. Similarly the RTE Stock Taking Convention managed by Save the Children in 2013 led to submission of a Memorandum to the Prime Minister's Office. The primary data collected from 2200 schools across India for this convention was acknowledged by the Ministry of Human Resource Development for inclusion in their planning for the coming financial year.

Realizing that villages declared as Nirmal Gram were slipping back, Water Aid conducted the Audit of Nirmal Gram Panchayats and as a result the government started concurrent monitoring of Nirmal Gram Panchayats at the national level. The ministry also included WaterAid as a member of Review Committee at the national level.

### **Contribution to the body of knowledge on Social Discrimination**

All the studies conducted under IPAP were published through print and electronic medium and were widely circulated through various channels. In particular, many of these studies were summarized and published in journals of national and international repute. Examples of publications into journal include 'Violation of Civil Rights and Pattern of Atrocities in Haryana' in the Human Rights and Global Focus<sup>1</sup>, A quarterly Journal of International Human Rights Foundation and 'Disability, Intersectionality and Deprivation: An Excluded Agenda' in the International Journal Psychology and Developing Societies, 2011. Also, many policy briefs emerged out of these research studies, particularly from the study on Caste Based Atrocities with Special Reference to Dalit Women (Christian Aid), Inter-group Disparities in Human Development with Special Reference to Dalit Muslims (Christian Aid), Inter-group Disparities in Human Development with Special Reference to Dalit Christians (Christian Aid) and A Study of Social Economic Condition of De-notified Tribes of India (Christian Aid) and A Study of Policy and Schemes and Guidelines for Effective Operationalization of Special Component Plan in Ministry of Human Resource Development for Higher Education (Christian Aid). Many of the research studies were also published as Working Papers by many INGOs.

### **Dissemination of Findings**

All the INGOs organized national and state level dissemination workshops during the last 2 years of IPAP in order to share the key findings of the researches conducted under IPAP. All these workshops included many stakeholders, particularly government counterparts, academicians and civil society organizations. Many of the study findings were shared during the IPAP learning events conducted by all IPAP partner INGOs towards the concluding months of IPAP. For example, Water Aid made deliberate efforts to disseminate the findings of its study "Assessing Access to Water, Sanitation and Hygiene Services by Scheduled Caste Community in Rural India" at the national level with the Ministry of Social Justice and Empowerment, Planning Commission and several Dalit Rights organizations. At the state level the findings were shared during the perspective building workshops in Uttar Pradesh and Bihar. These findings were also presented during the workshop on Water Sanitation and Freedom from Violence organized by the National Mission on Empowerment of Women at the national level.

---

<sup>1</sup> Vol.5, No, 3-4, pp.31-58, 2011.

Many INGOs also shared the findings of their researches through dissemination workshops and other events organized by other IPAP INGOs. For example, the study on status of person with disabilities conducted by Christian Aid was shared at a Thematic Consultation on People with Disabilities for 12<sup>th</sup> Five Year Plan, organized by VSO.

### **Building Capacities**

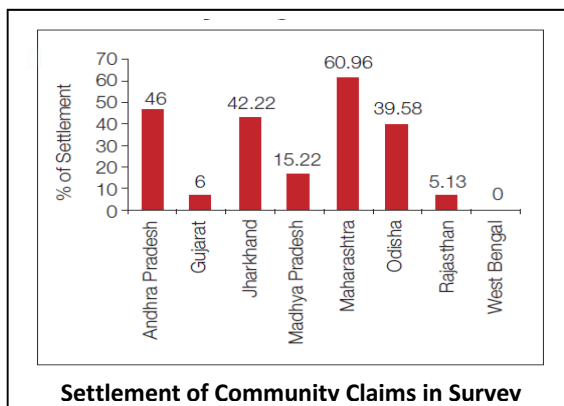
As an outcome of the Access Audit study in Jharkhand, Water Aid could facilitate an Inclusive Design workshop for 24 district engineers from the state. The study on WASH related Needs Assessment of PRIs in Uttar Pradesh is now being used jointly by Water Aid and Government of Uttar Pradesh to design and implement WASH capacity building for PRIs in the state. Water Aid also used the findings of its research on Accessibility of WASH by Dalit to build the capacities of Dalit organizations and networks to include WASH in their agenda.



# 1

## Our Forest Our Rights Implementation Status of Forest Rights Act - 2006

<b>THEMATIC AREAS</b>	Rights
<b>FOCUS SEGS</b>	Adivasi
<b>GEOGRAPHIC AREA</b>	Eight states of India: Andhra Pradesh (AP), Gujarat, Jharkhand, Madhya Pradesh (MP), Maharashtra, Odisha, Rajasthan and West Bengal (WB)
<b>SAMPLE</b>	400 villages, 219 gram panchayats (GPs), 51 blocks, 26 districts from 8 states of India which have substantial forest coverage and tribal population
<b>TYPE</b>	Quantitative
<b>PURPOSE</b>	<ul style="list-style-type: none"> <li>To study the status of Individual Claims and Community Claims filed and extent of rights given to people under Forest Rights Act (FRA)</li> <li>To understand status and function of institutional mechanisms at different levels for implementation of FRA</li> <li>To find out the gaps and problems people face at different levels while ensuring implementation of FRA.</li> </ul>
<b>METHODOLOGY</b>	<ul style="list-style-type: none"> <li>The study adopted semi-structured data capturing formats to collect both qualitative and quantitative responses. Both close-ended and open-ended questions were used to collect primary data from the villages. In addition, other methods like case study, in-depth interviews, along with a couple of Participatory Rural Appraisal (PRA) techniques to enrich the data pool were used. Sets of guidelines were prepared and used to streamline the qualitative data collection.</li> <li>Both qualitative and quantitative data were processed. Two way tables are prepared and analyzed on various accounts. Secondary data on FRA were collected from the website of Ministry of Tribal Affairs, Government of India. Also, various study reports and documents were referred to. Primary and secondary information were collected from the people, community and government offices.</li> </ul>
<b>KEY FINDINGS</b>	<ul style="list-style-type: none"> <li>In all, 86% of the villages were found to have formed Forest Rights Committees (FRCs). These FRCs, however are dominated by Tribal with 89% membership coming from Tribal. In all 76% members of the FRCs were men and only 14% were women.</li> <li>Of the total claims filed, 75% were</li> </ul>



	<p>verified by FRCs, approved by Gram Sabhas and were forwarded to Sub Division Level Committees (DLCs) for processing.</p> <ul style="list-style-type: none"> <li>• SLDCs forwarded only 47% cases to District Level Committees of which 82% were settled.</li> <li>• Among 344 villages covered in the survey only 98 (28.5%) had approved community claims.</li> <li>• Of the total 36,739 households benefitted by the Community Claims, 57 percent were Tribal, 41% Dalit and remaining were other castes.</li> <li>• People are unaware of the use of technology and often get confused with it. For example, the GPS Global Positioning System method adopted by the Revenue Department to measure land in Jharkhand is beyond the understanding of the local tribal people.</li> <li>• There is a coordination problem between the Forest Department and the Revenue Department, both at the higher level and at the middle level. This affects the implementation of settlement processes in the village.</li> <li>• More than 60% of the respondents mentioned that they face problems in obtaining forms and fulfilling other formalities required for submission of their claims.</li> </ul>
<b>CONCLUSION</b>	<ul style="list-style-type: none"> <li>• Forest Rights Committees (FRCs) are mostly formed in villages and not at the hamlet level. Even in states like AP, Gujarat, Rajasthan, WB and MP, FRCs have been formed at the panchayat level. Sub Division Level Committee (SDLC) and District Level Committee (DLC) are not performing their mandantory functions like meeting at intervals of time, proper scrutiny of the applications, field level verifications of the sites, proper co-ordination at various levels between the departments.</li> <li>• In pockets which have migrant families, submission of applications under FRA has been ignored due to lack of non-institutional arrangement for late or subsequent applications. Thus, seasonal migrant families in many states are deprived of submitting their applications under FRA.</li> <li>• The processes of verification by the field staff of Forest Department and preparation of maps by Revenue department have neither involved the rights holders nor the members of FRCs in states like West Bengal, Andhra Pradesh, Jharkhand and Odisha. This has resulted in identification and occupation of demarcated land which is not as per the community's choice or requirement.</li> <li>• The grievance redressal mechanisms at SDLC and DLC levels are nearly non-existent. As a result, when disqualified at these levels the applicants do not get any platform to present their genuine grievances.</li> <li>• Single women headed HHs have been either ignored or not given due importance for settlement of their claims.</li> <li>• In many un-surveyed villages, since there are no official land records over the claimed land area, the functionaries did not take those cases into account. Very few steps have been taken by the concerned state authorities for conversion of such lands in un-surveyed villages.</li> </ul>

	<ul style="list-style-type: none"> <li>• With respect to the diversion of forests for development projects, as in the case of Niyamgiri of Kalahandi district of Odisha, community claims in reserve forests are denied despite submission of claims and repeated follow ups. The proposed mining and industry in the region has had a direct impact on restricting the implementation of FRA.</li> <li>• Plantation activities carried out by Forest Department on forest lands and community lands under different schemes of the Government have restricted land areas for settlement of community claims under FRA. In addition, forest patches are kept reserved for further plantations and kept out of the distribution plan under FRA.</li> <li>• Titles issued for Community Forest Rights (CFR) on forest areas in some pockets do not match the actual area and physical access into the land.</li> <li>• Around 68 per cent single women headed HHs in the study villages have not applied for individual rights under FRA. It is basically because of their low level of awareness and lack of access to the service provisions available under FRA, which is beyond their individual capacity. During interactions, they have shown their interest in getting all required processes in place so that they have the benefit of getting land due to them under the Act.</li> <li>• Involvement of civil society bodies as facilitating organisations are much below the requirement as they have not been involved at various stages of implementation of the Act.</li> </ul>
<p style="text-align: center;"><b>RECOMMENDATIONS</b></p>	<ul style="list-style-type: none"> <li>• Gram Sabha is to be called as and when required to take into account the recommendations of the FRC. Claims should not be rejected. Instead, they should be resubmitted for compliance on the feedback of SDLC and DLC. A time line should be introduced for delivering services and disposal of settlements under FRA with the imposition of penalty to the deviant, in accordance with RTI Act.</li> <li>• Land used by the community should not be encroached by the Forest Department in the name of proposed plantation, mining and industrial development. While using the GPS Global Positioning System method in land settlement, the community should be involved and the sketch map should be accurate as per the patch in use by the community.</li> <li>• Habitat rights of pre-agricultural tribal communities, popularly known as PVTGs, should be settled through community rights over land. In reserves, sanctuaries and protected forest areas, claims of right holders should be settled on equal priority.</li> <li>• Women headed households should be given priority while settling land issues through FRA.</li> <li>• In un-surveyed villages, customary community practices should be followed while settling claims, since these villages do not have individual records of land.</li> <li>• Greater importance should be given on the settlement of community claims of PVTGs. Conflict of interest between STs and vested groups should be resolved through settlement of individual claims (ICs) and CCs.</li> <li>• Empowerment of gram sabhas is fundamental for the successful implementation of FRA. Revenue, forest and tribal departments and</li> </ul>



	<p>panchayats should co-ordinate with each other. Where applicable, FRA should be dealt in conjunction with panchayat (extension to Scheduled Areas) Act 1996.</p> <ul style="list-style-type: none"> <li>• Completion of recognition of rights of occupants of forest land under FRA should be mandatory before any relocation from the forests in practice. Every FRC should have its CFR area demarcated, along with the formation of the management committee [Rule 4.1(e)].</li> <li>• All forest villages should be converted to revenue villages within a stipulated time frame to ensure that development activities which have been denied due to such non-conversion are overcome.</li> <li>• A resource centre for FRA in each state may be set up and further developed at the national level to facilitate implementation of FRA while bridging gaps among different stakeholders.</li> </ul>
--	--

<p><b>Participating Agency:</b> Action Aid</p>	<p><b>Supported by:</b></p>  <p><b>Action Aid</b> R-7, Hauz Khas Enclave New Delhi-110016 Phone: +91-11-40640 500 Fax: +91-11-41641 891 Email: <a href="mailto:indiasite@actionaid.org">indiasite@actionaid.org</a></p>
--	---

# 2

## LOCAL GOVERNANCE IN SCHEDULED TRIBAL AREAS IN THE LIGHT OF PANCHAYAT RAJ (EXTENSION TO SCHEDULED AREAS) ACT OF 1996 —A CASE STUDY OF MAHARASHTRA AND ODISHA

<b>THEMATIC AREAS</b>	Rights
<b>FOCUS SEGS</b>	Scheduled Tribes
<b>GEOGRAPHIC AREA</b>	Maharashtra and Odisha
<b>SAMPLE</b>	Not Applicable
<b>TYPE</b>	Qualitative
<b>PURPOSE</b>	<ul style="list-style-type: none"> <li>• To assess the status of implementation of PESA (Panchayat Extension to the Scheduled Areas Act, 1996) in Fifth Schedule Areas in general and with specific reference to Maharashtra and Odisha and in terms of the provisions in the state laws as compared to PESA and contradictions it may have with other statutes and rules.</li> <li>• To assess the empowerment of the Gram Sabha and review the implementation with regard to its various provisions including the mutually reinforcing Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006.</li> <li>• To identify the role of various sectors such as Adivasis, non-tribals, government departments, private sector, political parties, mass organizations, peoples movements, NGOs etc. with regard to interpretation and use of PESA and the conflicts and contestations between them</li> <li>• To understand and analyze the nature of constraints in its implementation and identify the conditioning factors for successful implementation of PESA act.</li> <li>• To assess how, in the absence of effective implementation of PESA, the tribal villages are managing their community and natural resources, decision making, management functions and control over development and welfare.</li> <li>• To recommend changes in law and policy for effective implementation of PESA including the best practices.</li> </ul>
<b>METHODOLOGY</b>	<ul style="list-style-type: none"> <li>• Secondary data and information on Panchayat Raj System and PESA were reviewed to identify the gaps. Secondary literature such as official reports of Administrative Reforms Commission, Planning Commission, Ministry of Panchayat Raj, Ministry of Tribal Affairs, various committees and commissions set up by various Ministries; and existing studies and published reports/papers by academics and researchers, on Panchayat Raj in general and PESA in particular and</li> </ul>

	<p>especially related to the states of Maharashtra and Odisha and others were examined. PESA in the light of State Panchayat Raj laws and subject laws were attempted to be examined and compared for harmony and infirmities. These provided an overview of the existing critique in general and specifically pertaining to Maharashtra and Odisha while the laws provided the actual governance frame.</p> <ul style="list-style-type: none"> <li>• The profile of case study villages was generated through collection of basic information such as demography, literacy, forest, land, crops, facilities such as access, electrification, drinking water source, school, primary health centre, drainage and sanitation. The source for this information for profiling of the village was from the primary health centre, Census data, community and other sources. The perspective of the community on governance system was obtained through series of focus group discussion carried out by investigators who were activists and/or members of the people’s organisations with the general community, elders, leaders and women.</li> <li>• Maharashtra from the western region and Odisha from eastern region were chosen as both the states have significant tribal communities and population with long history of local self-governance. 11 villages from 3 districts of Maharashtra and 11 villages from 5 districts of Orissa were selected based on a pre-decided criteria that included scheduled and non-scheduled areas and within each there were population clusters with tribal majority and non-tribal majority, further sub divided into rural, semi urban and urban areas.</li> <li>• Detailed desk analysis was carried out of the available literature, particularly the Acts and their amendments. Case studies of villages were developed to draw locally relevant conclusions and recommendations.</li> </ul>
<p><b>KEY FINDINGS</b></p>	<ul style="list-style-type: none"> <li>• There are 47 Scheduled Tribes notified in Maharashtra of whom 3 are Particularly Vulnerable Tribal Groups. Scheduled Tribe population in the state in 2001 was 8,577,276 constituting 8.85 percent of the total population in the state and 10.17 percent of the total Scheduled Tribe population of the country. Maharashtra has the second highest tribal population in the country, next to Madhya Pradesh.</li> <li>• There are 62 Scheduled Tribes notified in Orissa of whom 13 are Particularly Vulnerable Tribal Groups. Scheduled Tribe population in the state in 2001 was 8,145,081 constituting 22.13 percent of the total population in the state and 9.66 percent of the total Scheduled Tribe population of the country. Odisha has the third highest tribal population in the country, next to Madhya Pradesh and Maharashtra.</li> <li>• Maharashtra ranks 5th and Orissa ranks 13 in India on implementation of Panchayat Empowerment &amp; Accountability Incentive Scheme (PEAIS) 2010-11.</li> <li>• In Maharashtra, the state Panchayat law for the intermediate and district level Panchayat namely the Zilla Parishads and Panchayat</li> </ul>

	<p>Samitis Act, 1961 was amended in 1997. The Bombay Village Panchayat Act 1958 was also amended in 1997 by the Maharashtra Act No. XXXXVI of 1997. However, as many of the provisions of PESA were not reflected in Act, the Bombay Village Panchayat Act 1958 was further amended to incorporate some further provisions of PESA.</p> <ul style="list-style-type: none"> <li>• The Odisha assembly passed amendments to the three Panchayat laws within one year of the notification of PESA as required. The Orissa Grama Panchayat Act 1964 was amended in 1997 and The Orissa Panchayat Samiti Act 1959 and Orissa Zilla Parishad Act 1991 were similarly amended in 1997.</li> <li>• The Maharashtra law has stronger provisions with regard to potential control over the plans and programmes with control over the functionaries by the PRIs including the Gram Sabha as compared to Odisha where the PRIs had a cursory role in calling forth information and in the nature of supervision of the government functionaries.</li> <li>• In the Panchayat system in both the States, the PRIs do not fully manifest its own legal powers as is available in law.</li> <li>• The provision related to reservation of seats and the office of Chairpersons in the PRIs as provided in PESA [Sec.4(g)] has been incorporated in the state Panchayat laws and are largely compliant except for Maharashtra where there are no provision for nomination of persons of unrepresented STs to Panchayat.</li> <li>• The Gram Sabha is responsible for identifying and selecting beneficiaries [Sec.4(e)(ii)]. In both the states this provision is incorporated while there is no explicit requirement by the higher level Panchayat bodies to seek this from the Gram Sabha. In effect, this is not PESA compliant.</li> <li>• In Maharashtra, consultation with the Gram Sabha is mandated while in Odisha it is consultation at the Zilla Parishad. In effect, no consultation with the Gram Sabha takes place.</li> <li>• The panchayats and the Gram Sabha are to enforce prohibition, regulate or restrict sale or consumption of any intoxicant. In Maharashtra, the Gram Sabha's decision was primarily required for decision making by the panchayats. In reality illegal sales of liquor was rampant and the PRIs including the Gram Sabha had no role in this function in both States. In Odisha, the Gram Panchayat was entrusted with this function with the concurrence from the Gram Sabha. While it was partially PESA compliant in Maharashtra, it was not PESA compliant in Odisha.</li> <li>• Ownership of Minor Forest Produce is vested in the Panchayats at the appropriate level and the Gram Sabha. Both Maharashtra and Odisha are not PESA compliant with the former conferring only regulatory powers with the Gram Panchayat under direction of the Gram Sabha while the latter confers ownership to the Gram</li> </ul>
--	--

	<p>Panchayat under the control and supervision of Gram Sabha. Further this provision in PESA is reinforced with the enactment of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006. The implementation of this law has been weak in most places, not uniform or complete.</p> <ul style="list-style-type: none"> <li>• The Panchayats and the Gram Sabha are endowed with the power to prevent alienation of land and restoration of alienated tribal land. In Maharashtra the power is vested in the District Collector with the provision that the Gram Sabah can make recommendation through the Gram Panchayat to the District Collector who can permit land transfer to a non-tribal. In Odisha this power is vested with the Gram Panchayat under the control and supervision of the Gram Sabha in the State Panchayat law, while contrary to this, the subject law designates the District Collector with this power. In effect, the Gram Sabha and the Panchayats at appropriate level does not have the power to prevent alienation of land and its restoration. This is not PESA complaint. In reality, land rights are not adequately recognized, land encroachment takes place resulting in land alienation, and transfer of land to non-tribals are also there. Land transfers within tribal people too also take place. Only in very rare instances has there been prevention of land alienation and its restoration.</li> <li>• The Panchayats at the appropriate level and the Gram Sabha are to manage village markets. The Gram Panchayat was seen to be in control of regulating the market with hardly any role for the Gram Sabha contrary to the provisions in PESA.</li> <li>• The Panchayats and the Gram Sabha is to exercise control over money-lending. This is not PESA compliant. In reality no regulatory control is exercised over money lending in violation of existing laws.</li> <li>• The Panchayats and the Gram Sabha are to exercise control over institutions and functionaries in social sectors. These are not PESA compliant.</li> <li>• The Panchayats and the Gram Sabha is to exercise control over local plans and resources, including Tribal Sub-Plans. In Maharashtra the Gram Sabha has provisions to approve plans, programmes and projects that the Gram Panchayat is to implement and the decision of the Gram Sabha is binding. In Odisha the power to prepare the Tribal Sub-Plan and local plans is vested in the Panchayat Samiti, and those of agriculture and poverty alleviation is vested in the Gram Panchayat with no effective role for Gram Sabha. Therefore, the Maharashtra laws are partially PESA compliant while that of Odisha is in violation.</li> <li>• Non-assumption of powers and authority by higher panchayats is prescribed in PESA. Neither Maharashtra nor Odisha have any provision in the State laws. This is non-compliant with PESA.</li> <li>• PESA provides for adoption of Sixth Schedule Pattern in the State Panchayat laws. However, neither Maharashtra nor Odisha have</li> </ul>
--	---

	incorporated this provision in the State laws. Both the States are not in compliance with PESA in this respect.
<b>CONCLUSION</b>	Despite amendments to the laws, the villages and Gram Panchayats in Maharashtra and Orissa are not PESA compliant. In fact PESA compliance in almost all the studied legal aspects was very low or negligible in both the states.
<b>RECOMMENDATIONS</b>	<ul style="list-style-type: none"> <li>• Amendment to PESA should bring better clarity through expanding the section on definitions, removal of ambiguities conferring powers to the union government to make Rules under the Act and provision for grievance redressal for decisions made by the Gram Sabha.</li> <li>• Amendments to be introduced by the union government to make the Land Acquisition Act, 1894, Mines and Minerals (Development and Regulation) Act, 1957, the Indian Forest Act, 1927, the Forest (Conservation) Act, 1980, and the Indian Registration Act, and national policies such as the National Water Policy, 2002, National Minerals Policy, 2003, National Forest Policy, 1988, and Wildlife Conservation Strategy, 2002 PESA compliant.</li> <li>• Formulating the structure and provisions for the Sixth Schedule pattern to be adopted in the Scheduled Area.</li> <li>• Enact the much delayed Provisions of the Municipalities (Extension to the Scheduled Areas) Act, resolve the current vacuum created due to the absence of such a legislation and consequent illegality in application of the Municipal or Nagarpalika Act to any part of Scheduled Area that are upgraded as a municipality till date and ensure that all upgradation of panchayats to municipalities in the Scheduled Area be stopped until these issues are resolved.</li> <li>• Use the provision to issue notifications under Para 5(1) of the Fifth Schedule to ensure harmonization of state laws with PESA as well as its proper implementation</li> <li>• Ensure that the Governors annual report to the President of India is regular and contains update on the implementation of PESA.</li> </ul>

<p><b>Participating Agency:</b> Indian Institute of Dalit Studies, New Delhi</p>	<p><b>Supported by:</b></p>  <p><b>Christian aid</b> S J House, D-25d, South Extension 2, New Delhi – 110049 Phone: +91-11-26268068</p>
--	---

# 3

## Impact of Climate Change on Forest-dependent Communities

—A Case Study of Kandhmal and Kalahandi Districts of Odisha

<b>THEMATIC AREAS</b>	Social Exclusion
<b>FOCUS SEGs</b>	Scheduled Tribes
<b>GEOGRAPHIC AREA</b>	Kandhamal and Kalahandi Districts of Odisha
<b>SAMPLE</b>	2 Districts in Odisha (8 FGDs, 50 Socio-economic surveys)
<b>TYPE</b>	Quantitative and Qualitative
<b>PURPOSE</b>	<p>The purpose to bring information from the micro level to a global audience highlighting the ground realities on how people are affected by global warming and climate change and what requires to be done to reduce the negative impacts.</p> <p>The main objectives of the study were:</p> <ul style="list-style-type: none"> <li>• To study the socio-economic conditions, agriculture pattern and relationship with forests of the chosen forest dependent tribes</li> <li>• Obtain substantial evidence of the impact of climate change on the livelihood of those forest-dependent tribal communities in the context of reduction in real incomes and food security and increased migration</li> <li>• Gather relevant data/information and stories on coping mechanisms adopted by the communities dependent on land based activities and NTFP to mitigate climate change impacts</li> </ul>
<b>METHODOLOGY</b>	<p>The study was divided into three key phases:</p> <ul style="list-style-type: none"> <li>• <b>Literature review</b> <ul style="list-style-type: none"> <li>○ Review of research articles, reports, newspaper articles, micro-level planning documents</li> </ul> </li> <li>• <b>Empirical phase</b> <ul style="list-style-type: none"> <li>○ Field work—Life history account, FGDs, Personal Interviews</li> <li>○ Triangulation and Documentation</li> </ul> </li> <li>• <b>Interpretative phase</b> <ul style="list-style-type: none"> <li>○ Data consolidation and classification</li> <li>○ Analysis</li> </ul> </li> </ul>
<b>KEY FINDINGS</b>	<ul style="list-style-type: none"> <li>• Communities which were dependent heavily on forests chosen under the study and mainly were the Gond and the Kondh tribes located in the two districts of Kalahandi and Kandhamal respectively.</li> <li>• Poverty and illiteracy are rampant in the region. Despite having a rich natural wealth in terms of lush green forests and other resources, the region still lacks in development both economic and social. This has been attributed to poor governance and lack of political will.</li> <li>• People in this region are farmers: both landless and the landowners. Many farmers have been given some areas of forest land to practice</li> </ul>

shifting cultivation; however, their rights over it have not been recognized since there are no written documents for the same. Men and women share work in agriculture as well as household chores and in NTFP collection. NTFPs also form an important means of earning income for the people.

- Irrigation is mostly rain fed in these regions. Both these regions due to their high forest cover and hilly terrain have a low net sown area. All the villages showed a high dependency on rainwater for cultivation. The dependency of the people on various sources of water can be categorized as follows: (a) rainwater (b) ground water, and (c) surface water.
- This high dependency on rainwater is responsible for most instances of crop failure which were reported by the people.
- Both the districts are heavily dependent on the forests to sustain their livelihood. Like most of the tribal communities of India, the people here are also dependent on the forest products.
- People have unanimously agreed that climate has changed from the past. Although, they are not aware of the concepts of global warming, but they very well realize that the local weather conditions are changing. Due to their close relationship with the environment the tribal are among the first who can observe changes in the climate.
- They see a stark difference in the duration of all the three main seasons i.e. summer, rainfall and winters from the past to the present. Apart from these problems, the main concern for these tribal communities is the decrease in rainfall.
- Most of them sustain their life through agriculture and NTFP collection. The year which sees very less rainfall completely disrupts their lives as agriculture is mostly rain-fed. They suffer losses in agriculture and, thus, have to rely on either NTFPs or some other sources of livelihood. NTFP availability has also decreased since last few years.


**Local perception of climate change related changes**

Major areas of impact	Specific changes observed
<b>Climatic changes</b>	Increase in warming days (increase in summer season)
	Unpredictable rainfall
	Changes in seasons
<b>Ecosystem functions and processes</b>	Increase in number of heat exhaustions
	Disappearance of certain plant species
	Decrease in availability of NTFPs
	Decrease in availability of water in streams and rivers
	Increase in duration of warm winds due to increase in temperatures



	<table border="1" data-bbox="512 280 1394 439"> <tr> <td data-bbox="512 280 818 349" rowspan="3"><b>Biological Systems</b></td> <td data-bbox="818 280 1394 349">Changes in flowering and fruiting of certain crops</td> </tr> <tr> <td data-bbox="818 349 1394 389">Appearance of new crop pests</td> </tr> <tr> <td data-bbox="818 389 1394 439">New diseases of livestock</td> </tr> </table> <ul data-bbox="512 439 1394 1120" style="list-style-type: none"> <li>• An important implication of these changes is an enhanced threat to the food security. The changes in NTFP availability and yield of traditional crops, have not hit the people very hard till now as some of the government schemes act as a buffer for them. Presently, the rice which is available to the people through the PDS, is crucial in ensuring food availability to the people.</li> <li>• The tribes of Kalahandi and Kandhamal have been experiencing recurring droughts. People are unable to associate these with climate change, however, shortage of rainfall is a well-known sign of climate change.</li> <li>• Discussions revealed that there are some local coping mechanisms and adaptation strategies which have been adopted in response to observed risks and impacts of changing climate. Most of these strategies are based on local knowledge and are event specific which might not be termed as adaptation specifically to climate change but such strategies can be useful to combat the effects of changing climate in the long run. The adaptation strategies can be divided into three heads; (1) Villagers adaptations, (2) Development activities by NGOs (3) Institutional mechanism</li> </ul>	<b>Biological Systems</b>	Changes in flowering and fruiting of certain crops	Appearance of new crop pests	New diseases of livestock
<b>Biological Systems</b>	Changes in flowering and fruiting of certain crops				
	Appearance of new crop pests				
	New diseases of livestock				
<b>CONCLUSION</b>	<ul data-bbox="512 1120 1394 1942" style="list-style-type: none"> <li>• Like many of the communities all over the world, the case of Kalahandi and Kandhamal indicates that people have started noticing changes in the climate and that they are having a significant impact in their lives. But it needs to be scientifically verified whether these impacts are a result of climate change or a range of other factors like development activities, government policies, deforestation, population increase etc.</li> <li>• The forest-dwelling communities in the study area are highly vulnerable to climate change and climate extremes. As discussed earlier, both the regions of Kalahandi and Kandhamal have been reeling under poverty and marginalization for many years now lacking even the basic necessities like electricity and proper roads. The low HDI values indicate that there is a long way to go in terms of the overall development of the region. In such a scenario, the people get entangled into a vicious circle wherein on one hand the poverty cripples their capacity to cope with climate change while on the other hand climate change in itself threatens to undo years of developmental efforts. While the government through its various schemes may have been able to improve the access of the people to food and employment, it has not made them capable enough to deal with the rapidly changing climatic conditions.</li> <li>• The presence of some of the good strategies like the eco-tech housing, micro hydel, organic farming etc., demonstrate that an appropriate</li> </ul>				

	<p>combination of traditional and scientific knowledge is important for bringing about much needed changes in these communities. Taking up such success stories and replicating them with other communities as well would help them in facilitating their own development and better preparedness for future. It also shows that the tribal are not averse to changes and development.</p>
<p><b>RECOMMENDATIONS</b></p>	<ul style="list-style-type: none"> <li>• Climate change is inevitable. If the temperatures continue to rise and rainfall becomes increasingly unpredictable in future, these communities are bound to suffer as they are highly vulnerable and possess very less adaptive capacity. Thus, the best strategy for adaptation here is to strengthen the community's capability to respond to any future shocks and make them more resilient. It has to be kept in mind that while developmental processes can prove to be effective adaptations against climate change, unsustainable development on the other hand can lead to consequences contributing to climate change.</li> <li>• To strengthen the communities, these communities should be provided with diversified livelihoods through vocational trainings and involved in management of forests. Community Forest Management programmes has the potential of not only strengthening the natural resource base of the region but also giving the forest dependent-communities a sense of ownership of the forests. This can go a long way in the conservation of forests and enhancing the ecosystem services.</li> <li>• The local institutions must be strengthened, traditional practices should be revived and the communities should be encouraged to preserve their traditional adaptation practices.</li> <li>• It is imperative to keep the women in the focus of all the developmental interventions who have time and again demonstrated that with appropriate capacity building they can be the drivers of much needed change in this region. By strengthening the existing SHGs and involving them in the other activities as well they can be made capable to deal with the future uncertainties.</li> </ul>

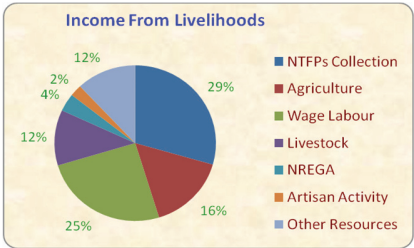
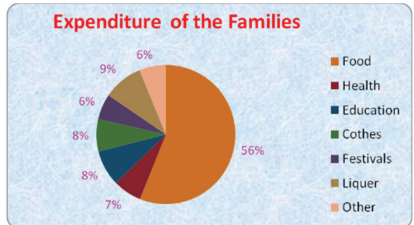
<p><b>Participating Agency(s):</b> Teri University</p>	<p><b>Supported by:</b></p>  <p><b>Skillshare International</b> H-9, First Floor Lajpat Nagar III, New Delhi - 110 024, India Email: <a href="mailto:indiainfo@skillshare.org">indiainfo@skillshare.org</a></p>
--	---

# 4

## Non Timber Forest Produce —Markets and Value Chains

<b>THEMATIC AREAS</b>	Social Exclusion
<b>FOCUS SEGS</b>	Scheduled Tribes
<b>GEOGRAPHIC AREA</b>	5 States (Andhra Pradesh, Jharkkhand, Odisha, Tamil Nadu & Uttarakhand)
<b>SAMPLE</b>	15 Villages across 5 States
<b>TYPE</b>	Quantitative and Qualitative
<b>PURPOSE</b>	<p>To understand the significance of NTFP collection as one of the livelihoods among tribals and to estimate the potential of NTFP collected by the community in the market.</p> <p>The specific objectives were:</p> <ul style="list-style-type: none"> <li>• Identify and prioritize the key NTFPs and farm produce in each partner’s operational area.</li> <li>• Undertake a detailed market research and value chain analysis of NTFPs and farm produce per partner. There may be some common NTFPs and farm produce to all the partners’ areas and some of the NTFPs and farm produce may be location/partner specific.</li> <li>• Build the capacities of the partners on value chain methodology so that they would be able to use and apply these tools and techniques for studies in their organisations particularly for IPAP project.</li> <li>• The value chain analysis must clearly bring out the position of women producers</li> <li>• The market research needs to specify the potential market for NTFPs and farm produce.</li> </ul>
<b>METHODOLOGY</b>	<ul style="list-style-type: none"> <li>• Eight days training the Skillshare partners on LEAP tools that facilitated collecting information for the study, which also included practical usage of tools in two field stations where the partners were guided to use the tools</li> <li>• Information collection for the study in Partners’ areas of work along with collecting secondary data. The activities used were: (a) Transact walk; (b) Social Mapping; (c) Resource Mapping; (d) Livelihoods Analysis; (e) Seasonal Calendar Development; (f) Mapping of seasonality of NTFPs; (g) Traded-in and Traded-out Analysis.</li> <li>• The study included face-to-face interviews and group discussions with NTFP collectors, interviews with middlemen, traders and processors at various levels of market.</li> <li>• Collected data from 15 villages was collated and writing up of the draft report was undertaken. The report was finalized after sharing draft report with the partners and incorporating their suggestions and feedback.</li> </ul>

## KEY FINDINGS

- A total of 683 families were covered across five states. In AP, 62 families were covered, 86 families in Jharkhand, 336 families in Odisha, 166 in Tamil Nadu and 33 families in Uttarakhand.
- More than 90% of the families are dependent on the collection of NTFP in the study villages.
- The income and expenditure analysis of few families selected randomly revealed that **major portion of the family's income is coming from the collection of NTFP in these villages.** On an average 29% of the family's income is coming from NTFP.
 
- It is observed that **more than 50% of the family's expenditure is on food.** This is limiting the people's ability to spend on other important items such as education, health etc.
 
- The 24 hour time line analysis revealed that on a typical NTFP day, both men and women are engaged in the collection activities for about 6 hours a day.
- The villagers indicated that NTFPs were being collected in a traditional way by collecting fallen leaves and seeds, lopping branches of trees for collection of fruits, seeds, leaves, flowers, etc.
- In Odisha, though tribals are highly dependent on NTFP for livelihood, they are not getting remunerative prices for the produce they collect.
- The value chain analysis of the NTFP reveals that the collectors were not doing much value addition to the collected produce. Value addition was happening only to some products like siali leaves, tamarind and amla etc. in certain pockets.
- Majority of the collectors did not know the value addition possibilities for many products. Even if they know, lack of minimum required infrastructure and small quantities of produce prevent them from doing value addition.
- The forests have been shrinking for decades due to various causes. The NTFP productivity is decreasing day by day due to the environmental causes and forest degradation. NTFP trade is mostly managed by middlemen who are exploiting tribals.
- Awareness about trees, shrubs and grasses is higher amongst women than in men because women devote more time than men to collect forest produce to meet family needs.
- Women are mostly involved in collection of only NTFP that fetch them lesser income when compared to men. Their understanding of the market and their role in negotiations with the traders and selling the products is minimum.

	<ul style="list-style-type: none"> <li>• On an average women get 235 (product) days of NTFP collection work in a year. The number of working days ranges from 50 to 450 (product) days depending on the availability of NTFP, distance between forest and habitations and availability of other work.</li> <li>• Study also provided detailed analysis of value chain analysis of NTFPs for (1) Amla, (2) Broom Grass, (3) Chironji, (4) Glory Lilly, (5) Tree bore honey, (6) Tendu leaves, (7) Mahua flowers, (8) Mahua seeds, (9) Myrobalans, (10) Nannari, (11) Neem fruit, (12) Pongamia, (13) Sal leaves, (14) Sal seeds, (15) Siali leaves, (16) Soap nuts, (17) Tamarind, (18) Tej Patta or Bay leaves, (19) Vettiver</li> <li>• In addition, Gap analysis by NTFP was done and possible opportunities have been discussed in the report.</li> </ul>
<p style="text-align: center;"><b>CONCLUSION</b></p>	<p>The core activities identified were capacity building, providing market linkages for NTFPs, enhancing value of NTFPs through value additions and advocacy. Summary of these plans is:</p> <ul style="list-style-type: none"> <li>• <b>Capacity building:</b> Capacity building mainly involved training and exposure visits. The trainings are for NGO staff, change agents in the community and community at large. Exposure visits to units that do processing of NTFP, visits to various markets are identified as part of capacity building. Training on best practices in collecting, processing and marketing of NTFP were also identified.</li> <li>• <b>Activities to provide market linkages for NTFP:</b> Activities included undertaking market survey and market research and establishing contacts with big traders at various market levels.</li> <li>• <b>Enhancing value of NTFPs through value additions:</b> Activities include undertaking value chain analysis of specific NTFPs and creating database of all the NTFPs available in the forest that have market value. Forming NTFP collectors federation and provide them suitable training. Assist in procuring tools, infrastructure or machinery needed to take up value addition.</li> <li>• <b>Regeneration of the forest:</b> Regeneration of the forest by promoting sustainable collection methods, planting of trees and taking care of them and protecting existing trees, protecting diversity of plant species are identified as an important and immediate activity.</li> <li>• <b>Advocacy:</b> Advocacy and lobbying with government bodies and traders was identified as an important and in some places foremost activity. At Odisha, it was identified that policy regarding Kendu leaf collection has to be amended. It should be changed to allow NTFP collectors to sell their produce to private players too. Lobbying with Kendu leaf price fixing committee (AMVS) to increase the price for Kendu leaves is important. Actively participating in the networks promoting rights of tribal people like <i>Aragami</i> and <i>Vasundhara</i> were included. At Tamil Nadu, it was felt that there is a need to create awareness among the community about provision of forming collectors groups and collecting NTFP by paying token amount to the forest department as their right. Production of IEC material is also identified as necessary activity for advocacy.</li> </ul>

<b>RECOMMENDATIONS</b>	<ul style="list-style-type: none"> <li>• More rigorous and intensive Capacity building of the staff</li> <li>• Revisit the plans reflecting the gaps and insights derived: <ul style="list-style-type: none"> <li>○ Organising the community into collectives (towards building Producers' Companies) and Capacity Building of the Leaders and Staff of the collectives</li> <li>○ Skill Building for the collectors, based on their existing skill set and profile</li> <li>○ Regenerating the NTFP</li> <li>○ Taking up local value-addition</li> <li>○ Providing inputs/tools, credit, technical support and risk management products, supplying consumption items and procuring other produce of the members</li> <li>○ Establishing Market Linkages for collectives</li> </ul> </li> </ul>
------------------------	---

<p><b>Participating Agency(s):</b>  <b>Andhra Pradesh</b>—Kovel, Visakhapatnam  <b>Odisha</b>—SOVA, Koraput; MASS, Sambalpur; Seba Jagat, Kalahandi; Seva Bharati, Kandhamal  <b>Tamil Nadu</b>—THI, Dharmapuri; HESAT, Thanjavur  <b>Jharkhand</b>—SLADS, East Singhbhum  <b>Uttarakhand</b>—ARPAN, Pithoragarh</p>	<p><b>Supported by:</b></p> <div style="text-align: center;">  </div> <p><b>Skillshare International</b>  H-9, First Floor  Lajpat Nagar III,  New Delhi - 110 024, India  Email: <a href="mailto:indiainfo@skillshare.org">indiainfo@skillshare.org</a></p>
--	--

## 5

## Adivasi Human Development Report of Odisha

<b>THEMATIC AREAS</b>	Multiple
<b>FOCUS SEGS</b>	Scheduled Tribes
<b>GEOGRAPHIC AREA</b>	Odisha
<b>SAMPLE</b>	8 villages and two resettlement colonies from five blocks of three districts of the state of Odisha
<b>TYPE</b>	Qualitative
<b>PURPOSE</b>	To understand different aspects of development and deprivations of Adivasis of Odisha
<b>METHODOLOGY</b>	<ul style="list-style-type: none"> <li>• Primary data was collected using various tools of Participatory Rural Appraisal like, Focused Group Discussions, in depth interview, case study. Wide range of secondary data sources such as Census 1961-2001, National Family Health Survey, National Sample Survey (NSS), and other relevant sources have also been used.</li> <li>• Very small sample (8 villages) was used to gather primary data using the tools discussed above. The villages appear to be purposely selected.</li> <li>• This report has used a combination of primary and secondary data analysis.</li> </ul>
<b>KEY FINDINGS</b>	<ul style="list-style-type: none"> <li>• The status of health among tribal is poor. The poverty of the Adivasis has a direct bearing on their health; and their poor health status accentuates their poverty. The STs in Orissa are undernourished, anemic and prone to suffer from malaria, cholera and diarrhea. Very few of the tribal women avail institutional support in times of delivery. The incidence of child and under five mortality among them is also quite high. The proportion of ST children in Orissa who have been vaccinated is quite low compared to the same in other social groups. The tribal in many villages faced health problems due to lack of safe drinking water. This was mainly due to the tube wells not function properly, and the industries disposing off their waste materials in river water that in turn polluted these rivers.</li> <li>• Adivasis suffer from poor educational attainments with a wide gender disparity; while the literacy rate for males is 51.48 percent, for the females it is 23.37 percent. However, the improvement in the female literacy rate from just 1.77 percent in 1961 to 23.37 percent in 2001 not only points towards the educational empowerment of ST women but also towards the growing awareness level among the STs of Orissa. Poor education was mainly due to location of schools in distant places, rigid school</li> </ul>

	<p>timings, non-tribal language as medium of education, and the high fees in schools. All these reasons have created disinterest among tribal children and resulted in high school dropouts.</p> <ul style="list-style-type: none"> <li>• Agriculture is the most important livelihood option of the Adivasis in Orissa followed by collecting forest products, hunting and employment in mining, manufacturing, and retail trade. The traditional practice of shifting cultivation coupled with excessive dependence on the monsoon in the absence of irrigation facilities has resulted in low productivity which in turn has resulted in massive food shortages among the tribals. They resort to taking loans by mortgaging their land to cope up with such distress situations which more often than not remain unsettled and thus prevents them from coming out of the low-level income trap. This has resulted into land alienation, loss of assets and in some cases even of bondage.</li> <li>• Orissa has the highest incidence of poverty in the country. With 62.7 percent of the Adivasis living their life below poverty line (NSS, 66th round, 2009-10); they have the highest incidence of poverty as compared to all other social groups. The Southern region of Orissa, a tribal concentrated area, has the highest incidence of poverty; more than half of its population and more than three fourths of its tribal population are poor.</li> <li>• Poverty of STs and of the other social groups has declined over a period of time at a faster rate in recent years than what it did in the last millennium. However, the rate of decline in poverty has been slower among the tribals than the other social groups, and has been slower in the tribal dominated southern non-coastal region.</li> <li>• Numerous development projects undertaken for construction of dams, factories, mining and such others have displaced quite a significant proportion of the tribal population from their natural habitat.</li> <li>• In order to mainstream the Adivasis, two types of development initiatives have been undertaken; the general programmes like NREGS and SHG which benefit the entire population including the STs and specific programmes like ITDA, MADA, micro projects and cluster pockets meant only for them. However, such programmes have yet not succeeded in having the desired impact. Under NREGS the job cardholders many a times are not given their stipulated 100 days of work, they do not get their wages on time. However, SHGs have helped the Adivasis in mobilizing their little savings and eradicating certain social menaces such as alcoholism.</li> </ul>
--	--



<p style="text-align: center;"><b>CONCLUSION</b></p>	<ul style="list-style-type: none"> <li>• Despite its vast natural resource base Orissa is rated as one of the most under developed states of India. It lags behind the country in all the major development indicators of income, health and education and tops in the incidence of poverty.</li> <li>• There is wide regional and social disparity in the state. The coastal area is more developed than the Northern and Southern regions. Among all the social groups, the tribal are the most deprived and marginalised in all the three regions of the state.</li> </ul>
<p style="text-align: center;"><b>RECOMMENDATIONS</b></p>	<ul style="list-style-type: none"> <li>• Tribals need to be protected against exploitation; their area must be developed; they must be educated and informed so that they protect themselves. Both the government and non-government sector have to work hard for improving the level of human development of the tribals.</li> <li>• The government must formulate policies and programmes appropriate for the development of the tribals, review the existing policies and programmes and change their design if required to make them more effective and implement those programmes which are suitable for their development. There is a need to monitor these programmes regularly for their effective implementation.</li> <li>• Non-Government Organisations (NGOs) and Civil Societies should play a key role in improving the condition, especially the status of the human development of the tribals. They can mobilise the tribals for participating in programmes started by the government or by themselves. They can motivate and educate them to participate in a livelihood project, for sending their children to school, formation of Self Help Groups (SHGs) and their clusters and federation, promotion of production and sale of the products based on traditional skills and occupations of the tribals, programmes for improvement in production and productivity of agricultural sector (like cultivation using SRI method), promoting cultivation of high value crops, collection and processing of NTFP, providing them marketing support etc. They can also help in preparation of health cards, training of health workers and para medicos, organising health camps for check-up and treatment.</li> <li>• NGOs can also help tribals through advocacy measures for formulation or for change in policies for the benefit of the tribals, for implementation of an existing legislation and programme benefiting them, for regulating an action affecting the tribals or their habitat adversely.</li> <li>• NGOs can provide leadership in social audit and can organise <i>Jan Adalat</i> (people's court) for the transparent and effective implementation of government programmes.</li> </ul>

	<ul style="list-style-type: none"> <li>• NGOs can also get into partnership with government to support and effectively implement some of their programmes.</li> <li>• Proper implementation of poverty alleviation programmes in tribal dominated areas will have a direct effect in reducing the poverty of the tribals. Development of physical and social infrastructure in tribal dominated areas will have a positive effect on the condition of the tribals, especially on their poverty. It will improve the accessibility of the area and improve the facilities and their monitoring.</li> </ul>
--	---

<p><b>Participating Agency:</b> Institute for Human Development — Eastern Regional Centre, Ranchi</p>	<p><b>Supported by:</b></p>  <p><b>Skillshare International</b> H-9, First Floor Lajpat Nagar III, New Delhi - 110 024, India Email: <a href="mailto:indiainfo@skillshare.org">indiainfo@skillshare.org</a></p>
---	---

## 6

## Multi State Audit Report of Nirmal Gram Panchayats in India on Water, Sanitation and Hygiene

<b>THEMATIC AREAS</b>	Rights towards WASH
<b>FOCUS SEGS</b>	Dalits and Adivasis
<b>GEOGRAPHIC AREA</b>	Bihar, Jharkhand, MP, Odisha, UP
<b>SAMPLE</b>	500 schools across 5 States
<b>TYPE</b>	Quantitative and Qualitative
<b>PURPOSE</b>	<ul style="list-style-type: none"> <li>To depict the picture of progress in terms of access and usage of WASH facilities.</li> <li>To assess the water and sanitation facilities available in village institutions particularly in schools and AWCs.</li> <li>To highlight water and sanitation issues faced across states in rural areas by excluded and marginalised communities especially Scheduled Caste (SC), Scheduled Tribe (ST) communities in comparison to the General community.</li> <li>To assess WASH facilities in terms of economic profile i.e., Below Poverty Line (BPL) v/s Above Poverty Line (APL) families.</li> </ul>
<b>METHODOLOGY</b>	<ul style="list-style-type: none"> <li>The audit was conducted in five states, namely, Bihar, Uttar Pradesh (UP), Madhya Pradesh (MP), Jharkhand and Odisha. A network of 16 grassroots organisations joined the national level campaign of <i>Wada Na Todo Abhiyan</i> (WNTA) for this audit. The audit covered a total of 29 <i>gram panchayats</i> across the five above-mentioned states.</li> <li>The audit survey focused on water access, usage and quality, provisions of sanitation and hygiene related behaviour at the household (HH) level as well as in schools and <i>anganwadi</i> centres (AWCs). The cross-sectional survey included interaction with community members, individual beneficiaries and physical verification.</li> <li>Data was collected based on the following tools: <ul style="list-style-type: none"> <li>Question and answer method through a set of structured questionnaires</li> <li>Participatory focus group discussions (FGDs) with villagers and self help groups (SHGs)</li> <li>Observation and physical verification of assets on its actual site</li> </ul> </li> <li>The study tool included a questionnaire, discussion and physical verification. The questions related to access of water and sanitation facilities, its type, ownership, construction period, maintenance, quality, functionality, uses, safety, community participation, awareness on water and sanitation services and other such relevant details.</li> <li>Two separate questionnaires were used for the <b>Village and the HH levels</b>:</li> </ul>

	<ul style="list-style-type: none"> <li>○ The village level questionnaire was filled through a collective village meeting, which was representative and included members from BPL, SC, ST and OBC family members or filled by the <i>sarpanch</i> at the <i>panchayat</i> level, by AWWs for AWCs and by principals for school level information.</li> <li>○ The HH questionnaire was filled by an adult member of the family. A uniform structure for the questionnaire was developed to conduct the audit process. The data collection format was in line with the NBA norms and was developed in consultation with its regional partners. This form was moderately revised and adapted to state specific needs, after discussion with state level partners and the team involved in the data collection process.</li> <li>● Since this was a decentralised initiative, each state followed its own pattern of methodology and sampling at the <i>panchayat</i>, village and HH level. States like Bihar, Jharkhand and UP studied a mix of ‘non- NGP awarded’ as well as ‘NGP awarded’ <i>gram panchayats</i> while Odisha and MP focused only on NGP awarded <i>gram panchayats</i>. The number of HHs covered varied from 200 in Jharkhand to about 3,000 in Bihar and coverage of five NGPs in MP.</li> <li>● After the data collection, data and content analysis was undertaken for obtaining the results based on an analysis plan. The tabulation and findings were categorized by states to compare the situation and status. The results were then interpreted by states and conclusions were withdrawn to make recommendations.</li> </ul>
<p style="text-align: center;"><b>KEY FINDINGS</b></p>	<ul style="list-style-type: none"> <li>● <b>Open defecation status:</b> Open defecation continues to be widely prevalent in all <i>panchayats</i> across the states. The <i>gram sabha</i> resolution banning open defecation, which is a key requisite to be eligible for NGP, was passed in very few <i>panchayats</i> in Bihar and Jharkhand. In MP, although <i>gram panchayats</i> had passed the resolution, it appears to have been reduced to only a compliance without the required engagement of the people and without understanding the significance and implications of the collective resolution. In many sample NGP awarded <i>gram panchayats</i> which were visited, the practice of open defecation had stopped for a short period of time.</li> <li>● <b>Status of toilets in schools:</b> Most of the schools which were visited during the audit reported availability of toilets; however, due to various reasons, its actual usage presents a dismal picture. Reasons for disuse range from lack of an adequate number of toilets, non-availability of water or soap, dysfunctional toilets, no separate toilets for girls and boys, lack of maintenance or cleanliness or due to lack of behaviour change. It was found that in Jharkhand 65 per cent of the toilets in schools are used both by teachers and students but in Bihar, the percentage of usage of toilets is as low as 35 per cent.</li> <li>● <b>Source of drinking water and its status:</b> Across the states, the majority depended on hand pumps as their source of drinking water, although 50 per cent of the hand pumps were defunct at the time of the audit. Only eight per cent of HHs in MP reported availability of piped water supply.</li> </ul>

	<p>HH information shows that use of traditional sources of water like wells, rivers, ponds, or minor streams have declined.</p> <ul style="list-style-type: none"> <li>• <b>Drinking water quality:</b> There is general lack of awareness about what makes water potable. In Bihar, 84 per cent of the people believe that flowing water is safe for consumption while 12 per cent of the respondents from Jharkhand believe that boiled water is safe for drinking.</li> <li>• <b>Water storage and Awareness about water borne diseases:</b> One-third of the respondents in Bihar and one-tenth of the respondents in Jharkhand procure fresh water each time for drinking purposes. In two states of Bihar and Jharkhand, 45 to 54 percent of the HHs were not aware of water borne diseases.</li> <li>• <b>Availability and use of the toilets in HHs:</b> In Jharkhand and Odisha, nearly 60-70 per cent of HHs lack toilet facilities within the house while on the other hand in Bihar and MP, only 27 per cent of the HHs were without toilet facilities. However, having a toilet at home does not automatically translate to its use. From the findings mentioned above, we know that a huge proportion of villages still practice open defecation and <i>gram sabhas</i> have not yet passed a resolution banning it.</li> </ul>
<p style="text-align: center;"><b>CONCLUSION</b></p>	<p>The audit report shows that the government water and sanitation programmes in the states have resulted in only a limited impact. Findings show that despite being NGP awardees, the <i>gram panchayats</i> in all the five states are at various levels of progress as far as WASH issues are concerned. Even the NGPs are not totally free from open defecation and regular maintenance of toilets is an important area of concern. NBA is plagued with data over-estimation and the rush to declare the <i>gram panchayats</i> as being ODF. Thus, the study findings reflect that despite being declared as <i>NGPs</i>, the <i>gram panchayats</i> covered under the study still have a long way to go in truly becoming model villages which are ODF and fully sanitised.</p>
<p style="text-align: center;"><b>RECOMMENDATIONS</b></p>	<ul style="list-style-type: none"> <li>• Three key recommendation are—Infrastructure creation, behaviour modification and convergence and continuous monitoring.</li> <li>• Civil society organisations need to play the role of an active support system by acting as watch dogs, educating people and building advocacy agenda.</li> <li>• The available data builds a strong recommendation for public awareness in government programmes and health education among school children.</li> </ul>

<p><b>Participating Agency:</b> Wada Na Todo Abhiyan</p>	<p>Supported by:</p>  <p><b>WaterAidIndia</b> 403-408, 4<sup>th</sup> Floor, CNI Bhawan 16 Pandit Pant Marg, Connaught Place New Delhi-110 001 Phone: +91-11-46084400 Email: <a href="mailto:contact@wateraid.org">contact@wateraid.org</a></p>
--	---

## 7

## Criminal Stigma and Livelihood: Socio-Economic Study of Denotified Tribes in Karnataka

<b>THEMATIC AREAS</b>	Rights
<b>FOCUS SEGS</b>	Tribals (10 Denotified Nomadic Tribes)
<b>GEOGRAPHIC AREA</b>	15 Districts of Karnataka
<b>SAMPLE</b>	30 schedules x 10 Denotified Nomadic Tribes (DNTs) = 300
<b>TYPE</b>	Quantitative
<b>PURPOSE</b>	To develop an understanding through empirical evidence of the nature of social exclusion, isolation and discrimination experienced by DNTs in Karnataka and study its consequences on their civil, social, economic and political life.
<b>METHODOLOGY</b>	<ul style="list-style-type: none"> <li>Initially, access to the areas of denotified nomadic tribes' areas was established through building a good rapport with nomadic tribe organizations.</li> <li>The nomadic tribe organization assisted in facilitation of interaction for canvassing the survey by the survey teams.</li> <li>Field investigators visited the settlements for about a week and stayed with these communities for a few days.</li> <li>During the stay, investigators identified educated members from the communities and conducted interviews with their assistance and involvement.</li> <li>Semi-structured Survey schedules were filled up through face-to-face interviews.</li> <li>Information on respondents' living conditions and family situation were collected and wherever additional information was available, the details were noted down on the separate sheets.</li> </ul>
<b>KEY FINDINGS</b>	<ul style="list-style-type: none"> <li>The survey covered 248 households of 10 DNTs covering 691 females and 698 male members (including children).</li> <li>Large proportion of respondents live in self-made houses and nearly 24 percent of them own the houses but they live in fear of being vacated any time. Around 16 percent staying under trees or in open fields.</li> <li>44 percent of families staying in plastic tents followed by 21 percent in tiled roof houses, 17 percent in government supported houses under Ashrya and Ambedkar schemes, 9 percent in thatched houses, etc.</li> <li>Only 10% houses had toilet facilities within their premises. As large as 84 percent of households were using open fields for defecation.</li> <li>83 percent of HHs had access to public tap water followed by borewell (23%), open well (18%) and ponds (17%).</li> </ul>

	<ul style="list-style-type: none"> <li>• Tradition fuel wood like shrubs and agricultural wastage was used by the HHs as they did not have money to buy expensive fuel wood or other Gas connections, etc.</li> <li>• Only 65 percent of households had electricity connections.</li> <li>• 72 percent houses had assets like bicycles, 70% had mobiles and 31% had television sets.</li> <li>• 80 percent of HHs were those who do not want to continue their tribal traditional occupation. About 42 percent of the members were working as daily labourers and less proportion of people were found to be beggars also.</li> <li>• Overall, literacy rate was found to be little over 30%. Significant difference in attitude towards education was observed between DNTs.</li> <li>• There was no political representation of these DNTs among PRIs and only one person from DNTs got elected in to the State Assembly from the entire state.</li> <li>• Discrimination and humiliation has been experienced by a large number of DNT students in schools mainly from teachers and peer students. Children from Buduga, Jangam and Maang Garudi communities have faced more discrimination and humiliation from the peer students.</li> <li>• Many nomadic community members reported experiencing discrimination while attempted participation in community affairs, such as denial of chairs, denial of rights, poor treatment in health centres, denial of entry in temples, denial to bury the dead in common burial places, being last in the queue while collecting water from public taps, etc.</li> <li>• Denial of various services, despite willing to pay, was another form of discrimination which was found prevalent like barbers. The members of DNT HHs are considered as nuisance in public transport and commercial places such as hotels, restaurants.</li> <li>• Most of the dalits in the village do not share food with nomads as they consider them as wanderers, strangers and polluters.</li> <li>• Due to the criminality tag, the members from these communities were the first one to be suspected when any theft or violence took place anywhere in the village. Especially, members from Pardhi and Maang Garudi reported these incidences.</li> <li>• Many a times, police have arrested their children also and harassed them. The Pardhis and other DNTs have developed a police phobia.</li> <li>• Other than criminality tag, another reason for stigma was found to be their traditional occupations.</li> </ul>
<p style="text-align: center;"><b>RECOMMENDATIONS</b></p>	<ul style="list-style-type: none"> <li>• Title to the land could significantly improve the lives of DNT communities. The title could be either by respecting the right to own or right to use land. This would reduce the insecurity.</li> <li>• There is an urgency to increase the scale of government housing to reach the homeless DNT households.</li> <li>• Access to sanitation and water should be provided for preventing the practices of exclusion and stigma. This would increase the quality of life if public services are made available to them.</li> </ul>

	<ul style="list-style-type: none"> <li>• These DNT households should be provided health insurance under RSBY and make them enabled to avail health services from not only health centres but also from nearby hospitals.</li> <li>• These DNT communities lack in availing basic facilities and hence, existing structures to ensure food security, livelihood, education and health should be made available for them. Schemes for mobile ration shops, mobile ration cards, mobile AWCs and health clinics should be specially designed for them.</li> <li>• These DNT communities face identity crisis also as they face problems in getting the ration cards and caste identity cards. Hence, the public sector officers should proactively visit and provide the identity cards.</li> <li>• There is a strong need to sensitize police to protect DNTs from abuse and violence in order to ensure implementation of Supreme Court’s guidelines in DK Basu case on arrests, detention and use of violence and torture. Usually police ignore and do not follow these guidelines.</li> <li>• To address the issue of violence and stigmatization, a special cell for women and children should be started as similar initiative has been replicated by some of the states in India.</li> <li>• Since DNTs are not aware of protective provisions of the law for them, they should be sensitized and made aware. Additionally, PoA provides for constitution of vigilance committees at various levels including block, district and state levels. Community representation is very essential in such committees and currently, DNTs representation is very poor. Hence, members from DNTs communities should be included in such committees.</li> <li>• Constitution of India and Panchayati Raj Act provides participative, representative and specialized body for welfare of SC and ST, i.e. social justice committees at various panchayat levels. It should be ensured that these DNT communities have adequate representation in these committees.</li> <li>• There are gaps in implementation of protective legislation for cultural rights, socio-economic rights and discrimination. DNT communities should be made aware of such rights so that they can demand for what they deserve and have rights to avail.</li> <li>• Inclusion of Denotified Tribes in the National Policy on Tribals: The National Policy on Tribals doesn’t include denotified and nomadic tribes. It creates a complete policy vacuum so far as DNTs are concerned. It is pertinent to have a policy on DNTs.</li> </ul>
--	--

<p><b>Participating Agency:</b> Indian Institute of Dalit Studies, New Delhi</p>	<p><b>Supported by:</b></p>  <p><b>Christian aid</b> S J House, D-25d, South Extension 2, New Delhi – 110049 Phone: +91-11-26268068</p>
--	---



## 8


## Reach and Impact of NRHM in Tribal Areas

<b>THEMATIC AREAS</b>	Health
<b>FOCUS SEGS</b>	Adivasis/Scheduled Tribes
<b>GEOGRAPHIC AREA</b>	Andhra Pradesh, Jharkhand, Kerala, Maharashtra, Odisha, Tamil Nadu and Uttarakhand
<b>SAMPLE</b>	Coverage areas of 13 CSO partners in seven states
<b>TYPE</b>	Qualitative and Quantitative
<b>PURPOSE</b>	To assess the reach and impact of the National Rural Health Mission (NRHM) in the tribal villages and districts covered by CSO partners under IPAP, during the period of January 2009 to March 2014.
<b>METHODOLOGY</b>	<ul style="list-style-type: none"> <li>• Review of secondary resources and available documents such as review of NRHM documents to understand its scope in particular its focus on tribal communities</li> <li>• Review of the proposal; log frames and Objectively Verifiable Indicators (OVIs) of Skill share's and its Partner proposals, identification of select additional indicators of relevance to the IPAP and detailing the approach to investigating these in the context of NRHM. In addition other documents pertaining to detailed data sheets on individual partners and quantitative data in relation to health indicators collected by organisations were also analyzed to understand trends and patterns in disease incidence</li> <li>• Compiling of qualitative information using secondary and anecdotal advice and ensure disaggregation of data at state, district and local level</li> <li>• Development of a study design and designing of questionnaires and identification of indicators and sub indicators to collect data from the thirteen Civil Society Organisations that have implemented the IPAP programme, for the purposes of documentation and obtaining key learnings and impact of programmes and ensure that variances across target areas were captured and suitably aggregated.</li> <li>• Visit to select partners to collect information and engage with partners, community members and stakeholders - Discussions with the NGO leadership: Meetings were held with the secretary (official head of the voluntary organisation), senior staff, coordinators and community organisers and health animators and nurses of the health programme. At least 30 staff members were interviewed during the evaluation process. Discussions with the development workers where available. Discussions with village health workers, trainees, and with community members: Individual interviews were also conducted with antenatals, women with children in the age group of 0-5, Panchayat members, Anganwadi workers etc.</li> </ul>

<b>KEY FINDINGS</b>	<p><b><u>Tamil Nadu</u></b></p> <ul style="list-style-type: none"> <li>• IPAP programme provided an opportunity to share provision of basic health services with the Government and ease the burden of health expenditure on the hospitals set up by the partners.</li> <li>• Schemes such as free patient care for tribals have enabled savings of over INR 1.2 Crore for ASHWINI and INR 75 lakh for THI. Community specific diseases such as Sickle cell anemia were prevented and treated with support from TNHSP.</li> <li>• There has been substantial changes in indicators in the last few years such as IMR and MMR. Community members continue to a large extent, opt for THI and ASHWINI for their basic health services and later there had been a shift towards PHCs either due to proximity, the presence of tribal counselors in the PHC and availability of benefits such as Janani Suraksha Yojana and Dr. Muthulakshmi Reddy Maternity Benefit Scheme.</li> <li>• With NEWS and HESAT, the IPAP programme provided grass root support to concentrate on key health services that were either not available or could not be accessed by disadvantaged communities like the Narikuravars (NEWS) and Tribals, Dalits, Scavengers, Irulars, and Kattunayakans (HESAT).</li> <li>• Linkages to Government programmes through health workers have helped strengthen relationships with ANMs and ASHAs and this has resulted in increased antenatal checkups, institutional deliveries, and regular immunization and decreased malnutrition. Superstitious beliefs regarding childbirth and care have been dispelled and communities now are in a position to demand entitlements from the Government.</li> <li>• IMR has decreased with all four organisations, but IMR was decreased with ASHWINI, but also got increased by about 10 points in 2013-14. This was attributed to a number of social reasons, but most importantly was attributed to the decrease in number of live births and deliveries. With both NEWS and HESAT, (the size of the community is small) immunization is almost 100 percent.</li> </ul> <p><b><u>Odisha</u></b></p> <ul style="list-style-type: none"> <li>• Skills provided to health workers have been reinforced and additional inputs provides on Government health programmes and the need to link communities with these schemes.</li> <li>• The IPAP programme has been successful in improving health indicators. Seba Jagat had zero infant and maternal deaths in 2013, with SOVA it decreased from 86 to 56, and only one maternal death in 2013. With Seva Bharati, it came down from 172 to 71.</li> <li>• Maternal deaths in 2013-14 has reduced to five. With MASS, IMR reduced from 38 to 18. Maternal death was zero in 2011-12 and 2012-13, but there was one maternal death in 2013-14. Women availed of schemes such as Janani Suraksha Yojana and MAMATA scheme. 80</li> </ul>
---------------------	---

	<p>percent of the women from SOVA supported areas availed of JSY and 91 percent of the women from the Seba Jagat supported project areas availed of JSY and MAMTA.</p> <ul style="list-style-type: none"> <li>• Malnutrition among pregnant and lactating mothers and children were addressed. SOVA in particular through the Positive Deviance programme and admission of children with severe malnutrition in the Nutritional Rehabilitation Center in the District hospital in Koraput has decreased malnutrition among children from six to two percent.</li> <li>• Almost 99 percent of mothers who delivered were receiving supplementary nutrition from ICDS. With MASS, 71 percent of lactating mothers were receiving supplementary feed.</li> <li>• Immunization with SOVA has increased to 79 percent. With MASS over 95 percent of women and children were immunized.</li> <li>• Malaria continues to be on the rise and currently the Government does not have a specific programme targeting tribals, but there is greater awareness about the disease and blood tests are done with the onset of symptoms and medications are provided.</li> <li>• There is a decrease in deaths across all IPAP areas. Advocacy and lobbying is done by the partners and the communities through the Rogi Kalyan Samitis and the Village Health and Sanitation Committees to demand entitlements and discuss interventions.</li> </ul> <p><b>Other States</b></p> <ul style="list-style-type: none"> <li>• Five organizations—ISLD, SLADS, KMS, ARPAN and KOVEL Foundation were also supported through IPAP. While SLADS and KMS have been supported through the KCHL programme and had an existing cadre of health volunteers, ARPAN and ISLD had to identify and train volunteers on existing health conditions and solutions and build their capacity to develop partnerships and establish linkages with Government infrastructure and personnel. In the case of KOVEL Foundation, the focus on health was a supplementary rather than a core activity (which was livelihood) and therefore the programme’s health interventions were limited.</li> <li>• Institutional Deliveries have definitely increased across the board. In the case of ISLD, intense efforts have resulted in an increase from 25 percent to 62 percent in 2012. In ARPAN, the numbers are too small to be significant but 2 out of three deliveries in 2013 were institutional. In the case of KMS, percentage of institutional deliveries had increased both in the tribal and Dalit areas due to efforts of the volunteers. In the case of SLADS, it has increased from 23 to 76 percent.</li> <li>• Again, IMR and MMR have decreased across all the partners. With ISLD, there were zero infant and maternal deaths in 2013. Infant Mortality in the case of SLADS has fallen from 142 to 87 per 1000 births, while maternal mortality rate has fallen from 245 to 212 per 100,000 births.</li> </ul>
--	---

	<ul style="list-style-type: none"> <li>• The number of malnourished children reduced from 72 to 26 in 2012 in ISLD supported project area. Some of the Anganwadis have been declared as zero have zero cases of malnutrition and two of them have ISO certification.</li> <li>• With ISLD, atleast 70 to 80 percent of the children have been immunized. 50 percent of the children have accessed immunization. With SLADS, immunization is 95 percent and with ARPAN, it is 80 percent.</li> </ul>
<b>CONCLUSION</b>	<ul style="list-style-type: none"> <li>• IPAP's focus is on building linkages with Government schemes to sustain change in health status and health seeking behaviour of the target community</li> <li>• Linkages with Government have strengthened weak public health indicators and facilitated benefits specific to tribals</li> <li>• Partners use IPAP as a prism to view and implement alternate health perspectives</li> <li>• Partners mainstream Government schemes to address poor health and related factors</li> <li>• Collection of data was uneven and in some cases information on key issues was not collected</li> <li>• Access to entitlements in livelihoods and human rights in tandem with health have holistically addressed social and economic exclusion of disadvantaged populations</li> </ul>
<b>RECOMMENDATIONS</b>	<ul style="list-style-type: none"> <li>• Focus on health to be sustained for and extended beyond changes in health status and seeking behaviours</li> <li>• Capacity Building of Government Health Personnel will improve quality of delivery of services</li> <li>• Non-profits to operate Primary Health Center (PHC) through Public Private partnership</li> </ul>

<p><b>Participating Agency:</b> Ms. Priya Anand and Dr. Manoranjan Mishra (Consultants)</p>	<p>Supported by:</p> <div style="text-align: center;">  </div> <p><b>Skillshare International</b> H-9, First Floor Lajpat Nagar III, New Delhi - 110 024, India Email: <a href="mailto:indiainfo@skillshare.org">indiainfo@skillshare.org</a></p>
---	---

# 9

## Counting Mumbai's Street Children

<b>THEMATIC AREAS</b>	Child rights
<b>FOCUS SEGs</b>	Children
<b>GEOGRAPHIC AREA</b>	Municipal Corporation of Greater Mumbai
<b>SAMPLE</b>	37059 in Census, 728 in Sample survey
<b>TYPE</b>	Quantitative
<b>PURPOSE</b>	<p>There was no previous attempt made to count the number of street children who live in the city of Mumbai and there is insufficient literature and data available on the conditions they live in. The current study adds to the knowledge and contribute to the cause of making a strong case towards development of policy for street children in the city and in the country.</p> <p><b>Specific Objectives:</b></p> <ol style="list-style-type: none"> <li>1) To undertake a census of street children in the city of Mumbai</li> <li>2) To get an understanding of social, economic, education, work and family background of street children in Mumbai</li> <li>3) To understand the reasons why children live on the streets, current problems and future aspirations of children living on the streets of Mumbai</li> </ol>
<b>METHODOLOGY</b>	<ul style="list-style-type: none"> <li>• Based on UNICEF definition of children of the street and children on the street, 3 main categories of children care covered under the study:             <ol style="list-style-type: none"> <li>a. Children found on the streets of Mumbai living by themselves or with peers, including runaway children</li> <li>b. Children found working on streets in Mumbai in informal/fluid/mobile/non-permanent spaces – road side eateries, traffic signals, trains, stations, bus depots, etc. They could be self-employed or in wage employment. Children working on establishment which is like more permanent or formal in nature like <i>zari</i> factories, restaurants etc. are excluded.</li> <li>c. Children of pavement/street families in Mumbai living under open sky or in temporary structures (made of plastic, bamboo, card board, flex material or tin).</li> </ol> </li> <li>• Children of families living in de-notified slums are excluded from the study.</li> <li>• A census form is used to collect census data. The sample survey was undertaken using a structured interview schedule.</li> <li>• Interviews were conducted with 728 children selected through random sampling. The data was analyzed in SPSS.</li> </ul>

<b>KEY FINDINGS</b>	<b>Census result</b>	
	<b>Key Parameter</b>	<b>% of Children</b>
	<b>Gender</b>	
	Boys	70
	Girls	30
	<b>Type of Street Child</b>	
	Street living children	8.02
	Street working children	24.44
	Children from street families	65.09
	No response	2.46
	<b>Age Group</b>	
	Up to 7 Years	28
	7-15 Years	51
	16-17 Years	21
	<b>Literacy level</b>	
	Illiterate	24.1
	Non Formal education	
	Formal education	48.7
	<b>Occupational Profile of children</b>	
	Earning	52.2
	Non-earning	47.7
	No response	0.1
	<b>Place of Stay</b>	
	On the street	20.43
	Hutments	37.43
	Worksite	6.23
	In a slum	18.04
	No Response	1.07
	Others places (include places like railway/bus station)	16.8
	<b>Reasons for reaching the street</b>	
	Ran away from home	9.02
	In search of jobs/income to pursue my dream	12.88
Came with family	51.21	
Abuse/violence at home	2.90	
Poverty / hunger	15.62	
Others	7.24	
<b>Other Findings:</b>		
<ul style="list-style-type: none"> <li>• Out of the total number of girls found on streets 82% are living with their families.</li> <li>• About 15% of children have some sort of addiction which is not limited to drugs.</li> </ul>		

	<ul style="list-style-type: none"> <li>• Illiterate children are mostly engaged in different kind of works; those who are going to school mostly are engaged in selling newspaper, flowers etc. which may not be a daylong job.</li> <li>• Nearly 24% of children do not live with their families but have contacts with them. Another 6.9% do not have any contact with their families.</li> <li>• About 43% of the children were first generation migrants to Mumbai. Abuse was reported as one of the reason for running away from home</li> <li>• About 10% children were currently married, widowed, divorced/separated or living in relationships.</li> <li>• Two major activities as cited by the children were selling of goods on roads (19%) and begging (13%). Majority of children with disability were engaged in begging. Younger age group children are engaged in begging too, but as the age increases they get into other jobs</li> <li>• About 40% of children were able to earn about Rs. 1000 a week. The maximum expenditure was found to be for food, contribution to families/parents and for accessing paid public toilet and bathing facilities</li> <li>• Half of the children use paid toilets, 40.2 % use public toilets and for drinking water, 72.1% use public taps or public well for drinking water.</li> <li>• More than two third children are not aware of any agency available for assistance for street children.</li> <li>• Sixty three percent children want to stay back in Mumbai. Another 6.6% stated that they would return home.</li> </ul>
<p><b>RECOMMENDATIONS</b></p>	<ul style="list-style-type: none"> <li>• Make dedicated efforts to reunite children with their families</li> <li>• Generate awareness about existing schemes and programmes among street children</li> <li>• Develop specific programmes to ensure their basic needs and rights</li> <li>• Facilitate the process to provide identity proof to these children</li> <li>• Non formal education, skills training are some of the priorities identified by the children which need to be addressed</li> <li>• Intervene in rural areas to reduce migration of children</li> <li>• Sensitize duty bearers towards the specific needs and rights of these children</li> </ul>

<p><b>Participating Agency:</b> Tata Institute of Social Sciences, Mumbai</p>	<p>Supported by:</p>  <p><b>Action Aid</b> R-7, Hauz Khas Enclave New Delhi-110016 Phone: +91-11-40640 500 Fax: +91-11-41641 891 Email: <a href="mailto:indiasite@actionaid.org">indiasite@actionaid.org</a></p>
---	--

# 10

## Stronger Voice for Excluded Children in Government and NGOs Policies and Programmes

<b>THEMATIC AREAS</b>	Children from SEG Communities
<b>FOCUS SEGS</b>	Children
<b>GEOGRAPHIC AREA</b>	7 States, 23 Districts, 671 Villages & 20 Brick Kiln sites
<b>SAMPLE</b>	10357 HHs
<b>TYPE</b>	Quantitative, supported by Focus Group Discussions
<b>PURPOSE</b>	<ul style="list-style-type: none"> <li>• The baseline survey under the project was conceived as a Knowledge, Attitudes and Practice survey. It implies that the survey would capture not only the status of access to and the level of services used by the excluded communities but also the level of awareness among the community related to these services and their levels of satisfaction and expectations from these services.</li> <li>• The specific objective of the project was to ensure that the socially excluded children benefit from the programmes, policies and schemes of government, donors and NGOs by the end of 2013.</li> <li>• The project will be implemented to achieve the twin outputs of increased capacity of implementation structures for addressing issues of most socially excluded children; and a sharper focus in policies, programmes &amp; schemes of government &amp; CSOs on issues of most socially excluded children.</li> </ul>
<b>METHODOLOGY</b>	<ul style="list-style-type: none"> <li>• The universe for the survey has been defined to include all the project villages/slum settlement; the households belonging to the excluded and general community; the duty bearers at the village level (Education, ICDS &amp; Health); and the political representative at the village/ward level.</li> <li>• Individual interviews and focus group discussions were the two methods for collecting information. Five Interview schedules were developed, namely, the Household; Headmaster; Anganwadi Worker, Health Professional and Sarpanch/Councilor. FGDs were conducted in all the villages with men and women from excluded communities, with groups of children and adolescent girls, in participation with the Anganwadi worker, Teacher, Health worker, Panchayat representative, ASHA worker and ANM.</li> <li>• An enumeration checklist (brief questionnaire) was developed for the census. For the sample survey, a more detailed socio-demographic quantitative questionnaire was designed. Focus Group Discussion guide was designed to ascertain the perceptions and beliefs of these children.</li> <li>• The sampling plan comprised of coverage of 10% households in each project villages and one school, anganwadi, sub center and Gram Panchayat/Ward in the village. Sampled households have been defined as the primary stakeholders and one each of the headmaster/teacher,</li> </ul>



	Anganwadi worker, ANM and Sarpanch/Councilor in the project villages as secondary stakeholder for the survey.
<b>KEY FINDINGS</b>	<ul style="list-style-type: none"> <li>• Socially excluded communities that include scheduled caste, scheduled tribe and Muslims had 74% share in the total population covered under baseline survey but their share in school enrolment is less (52%) than their share in total population. On the other hand their proportion in drop out children is higher than other caste groups.</li> <li>• One of the major finding is the linkage between poverty and the ability to access human services that cater to human development. The core issue in poverty is livelihoods. With 54% of the respondent households engaged as Labourers implies their vulnerability in terms of their ability to access regular employment, seek high income paying employment, and be able to provide security to their families in terms of permanency of residence and income. Moreover such a high proportion of labour within the target group implies the need and importance of MGNREGS for their economic amelioration.</li> <li>• The aspect of poverty is manifested in the perception of the person subjected to discrimination. The respondents were equivocal in stating poverty as the main cause that has led to discrimination upon them. That is, they felt that had they been earning enough and not perceived as poor may be they would not have been subjected to discrimination in Aanganwadi, School or government Health center.</li> <li>• 45 and 44% working boys and girls are also going to school while working. Also most of the (69 and 89% respectively) go to formal schools. The interesting fact that children are interested in continuing their education along with their studies which is an important indicator to deal with.</li> <li>• The baseline data reveals that though the government has created the infrastructure but it has not been properly equipped nor maintained nor staffed that is adversely affecting the efficiency and effectiveness of the service delivery system. For example at the school level there is vacancy of 17% of teachers, in case of Aanganwadis less than 50% of them provide services related to preschool, immunization, NHE and health check-ups, in case of health only 30% of the health centers are connected throughout the year and 33% throughout the day by a public transport.</li> <li>• One in ten children report discrimination in institutions and one fourth have reported abuse at work place. These data are conservative as in most cases the victim does not know that s/he is being discriminated or abused. Even then in terms of absolute number this is a significant figure.</li> </ul>
<b>RECOMMENDATIONS</b>	<p><b>Justifying the Target Group</b></p> <p>a. Project’s communication strategy that should ensure that the information and knowledge is targeted to and is developed according to the needs of the excluded groups in each of the states.</p>

	<p>b. Project’s interventions related to community mobilization and formation of community institutions should have adequate representation from the members of the excluded groups if these institutions have to emerge as representative groups of the socially and economically excluded groups in the region.</p> <p>c. The Monitoring and Evaluation system under the project needs to be designed in such a manner that the project’s interventions and the progress of the project is tracked separately for the members of this group.</p> <p><b>Catch them early</b></p> <ul style="list-style-type: none"> <li>• Government schemes and programmes cater to children even before their birth by way of immunization and provision of supplementary nutrition to the mother. This is then followed by child health services by way of cycle of immunization and supplementary nutrition, preschool education and then to education. It is critical for the child to be able to access these benefits that they are linked with the service delivery system at a very early age. As a matter of operational strategy the project should focus on enabling the children to link with the delivery system at an as early an age as possible. This would imply training the staff and developing the intervening strategy that lays considerable emphasis on early linkages.</li> </ul> <p><b>Poverty and Livelihood</b></p> <ul style="list-style-type: none"> <li>• The project needs to develop specific interventions that are targeted towards the implementation of MGNREGS in each of the respective states. The Monitoring system should develop a mechanism to track the ability of the labour groups to access work under the programme and assess whether their current level of employment is sufficient to stop distress migration of the households (which presently is at 60%).</li> <li>• In order to protect children the project needs to look in to the issues of livelihood and poverty. The present design of the project does not seem to have taken this factor in to account but the project can generate information on the issue and take this within their mandate for advocacy and also to leverage funds from other sources for a parallel and complementary project on livelihood enhancement in the project area.</li> </ul> <p><b>Working Children and Education</b></p> <ul style="list-style-type: none"> <li>• Working children interested in continuing their education along with their studies is an important enough indicator to pursue this line seriously in the project on two counts: <ul style="list-style-type: none"> <li>a) Facilitating the education of working children already enrolled to enable to complete up to elementary level and beyond in terms of tuition support or in terms of negotiating with their employers to allow the children to continue their education.</li> <li>b) Advocating for alternative schooling system that also allows other working children to be brought in to the educational mainstream. These could be by way of bridge courses or by way of night schools. This would be a critical element that would also allow the children who have dropped out on account of poor academic achievement</li> </ul> </li> </ul>
--	---

	<p>and have consequently gone to work to bring about the transition from out-of-school to in-to-education stream on a sustained basis.</p> <p><b>Advocacy</b></p> <ul style="list-style-type: none"> <li>• The strategy for advocacy needs to be as much focused on bringing functional aspects of service delivery institutions as it will be on installation of the institutions. This would imply that the advocacy effort should also take in to account the budgetary provisions for maintenance and how it is being (mis)used. The advocacy within the project should seek to establish minimum standards of service delivery for services that are directed towards children. The community institutions should then be involved in the monitoring of these standards the social audit and public hearings can be conducted to ensure that these standards are met.</li> </ul> <p><b>Discrimination</b></p> <ul style="list-style-type: none"> <li>• The project’s intervention will have to bring discrimination in to public discussion, training programmes and advocacy so that it is taken up on a large scale by the government system. In fact by making discrimination and abuse as central part of the project intervention will enable the project to spread its impact and benefits to areas outside the project as well.</li> </ul>
--	--

<p><b>Participating Agency:</b> Towards Action And Learning (TAAL), Bhopal</p>	<p>Supported by:</p>  <p><b>Save the Children</b> 3<sup>rd</sup> Floor 9, 10, 11, Vardhman Trade Centre Nehru Place, New Delhi-110019 Phone: +91-11-42294900 Email: info@savethechildren.in</p>
--	---

# 11

## Stock Taking of the Right of Children to Free and Compulsory Education Act, 2009

<b>THEMATIC AREAS</b>	Child rights
<b>FOCUS SEGS</b>	Children
<b>GEOGRAPHIC AREA</b>	17 States of India—Andhra Pradesh, Assam, Bihar, Gujarat, Haryana, Himachal Pradesh, Jharkhand, Karnataka, Maharashtra, Manipur, Madhya Pradesh, Odisha, Rajasthan, Tamil Nadu, Uttar Pradesh, Uttarakhand and West Bengal
<b>SAMPLE</b>	2191 Schools across 17 states
<b>TYPE</b>	Quantitative and Qualitative
<b>PURPOSE</b>	<p>RTE Stock Taking Convention critically reviewed the following aspects of RTE implementation through primary and secondary data focussing on:</p> <ol style="list-style-type: none"> <li>1. Critically examining the elementary education policy of India based on secondary literature</li> <li>2. The status of children who are out of school and in school</li> <li>3. Whether the schools have been able to improve its infrastructure and entitlements in line with RTE norms.</li> <li>4. The status with regard to teacher availability and qualifications of teachers etc. with regard to RTE norms</li> <li>5. Whether community plays any role in school management, preparation of school development plans and in the monitoring the school and its grants</li> <li>6. Whether social inclusion with regard to Dalits, Adivasis, Muslims, Girls, CWSN has been achieved in schools</li> <li>7. Whether private schools are implementing the norms for reservation of children of disadvantaged and economically weaker sections</li> <li>8. Developing policy recommendations based on primary data and the secondary data based policy review</li> </ol>
<b>METHODOLOGY</b>	<p>Methodology involved the use of both primary and secondary level data. The secondary data was mainly the available studies, reports, government orders and notifications, newspaper reports, etc. and covered both national and state level RTE related details.</p> <p>The primary data was collected from around 2191 schools in 17 States. Since RTE forum focuses on campaigning for the implementation of the RTE Act across the country, the methodology followed to collect data was also in line with its core objectives.</p> <p>The empirical study used a quantitative survey questionnaire which was developed collectively. The questionnaire was an integrated tool aimed at collecting information on sample schools from various stakeholders such as Head Teachers, Teachers, SMC Members, PRI members,</p>

	<p>Community, Children and from school records. Data collection process was a step by step participation process involving representatives from various NGOs from a number of states collected the data collection in the respective states mainly based on following aspects:</p> <ul style="list-style-type: none"> <li>• Access to Elementary Education (Child Mapping and Functioning of Schools)</li> <li>• Quality of Infrastructure</li> <li>• Teachers and RTE</li> <li>• Community Participation in Ensuring Right to Education</li> <li>• Social Exclusion in Education</li> <li>• Implementation of 25% reservation for economically weaker and disadvantaged sections in private unaided schools</li> </ul> <p>Of all 2191 schools, nearly 47% are primary, 35% are primary to upper primary, 7% are primary to secondary and 4% are primary to higher secondary.</p>
<p style="text-align: center;"><b>KEY FINDINGS</b></p>	<p>The key findings of the study are summarised as follows:</p> <p><b>Access to Elementary Education</b></p> <p><b>Child Mapping</b></p> <ul style="list-style-type: none"> <li>• Child Mapping has been undertaken in 61% of the schools leaving out the 256 private schools. The source of information in this case was primarily the teachers followed by the SMC members.</li> <li>• About 40% of the schools having a record/register of child mapping. Teachers continue to play a dominant role in the child mapping process and the panchayats and school management committees have a marginal role.</li> <li>• Teachers have conducted child mapping in 31% primary schools and 13% of upper primary schools. Panchayats and SMCs together have done child mapping in only 6.5 % primary schools and 4 % upper primary schools. These three should work together to actualise the provisions of the RTE but how to implement it remains an open question. The Panchayats can play a critical role but more often than not the teachers and the Panchayat functionaries stand by each other.</li> <li>• The study reveals that migrant children remain the nowhere kids: nearly 41 % schools do not include them in the mapping process. The nomadic children’s plight is worse than that of migrant children. Just 3.7 % schools include them in child mapping. The RTE norms specify that there should be special facilities, including residential, to educate migrant and nomadic children. However, the survey showed that in just 17 schools (0.8 %) did such facilities exist. Children with disabilities seem to far better as 24.7 % schools include them in the mapping exercise.</li> </ul> <p><b>School Functioning</b></p> <ul style="list-style-type: none"> <li>• The Study showed that 89 primary schools functioned less than 200 days a year and 228 upper primary schools worked less than 220 days. Thus 317 or nearly 15 % of the schools surveyed worked less than the stipulated norms.</li> </ul>

	<ul style="list-style-type: none"> <li>• It is important to note here that it is among the upper primary schools that there are more schools which do not function for the stipulated number of days. This data on number of working days in schools brings us also to the question of what is meant by ‘functionality’ of the school.</li> </ul> <p><b>Quality of Infrastructure</b></p> <ul style="list-style-type: none"> <li>• One of the major reasons for poor education and learning outcome is the lack of sufficient school infrastructure. A good number of the schools still function in single or two room buildings with one teacher, along with the lack of other basic teaching infrastructure including teaching material. School infrastructure deprivation is very high in the less developed states when compared to Southern States.</li> <li>• More than 90% of the primary and upper primary schools in Karnataka, Gujarat, Haryana, Himachal Pradesh and Madhya Pradesh and more than 80 % of schools in West Bengal, Uttar Pradesh, Orissa, Tamil Nadu and Andhra Pradesh meet the neighborhood norms.</li> <li>• On the whole nationally 79% of the schools have all weather buildings.</li> <li>• Around 5% of the schools in the sample are run in single classrooms. However, more than two third schools have only 3+ classrooms and more than 58% schools have four or more classrooms. More than one third of the schools have seven or more classrooms.</li> <li>• Nearly 80% of the schools got Teaching and Learning Materials.</li> <li>• Nearly 58% of the schools reported to have play grounds and 55% have some kind of play materials and about 55% schools reported having libraries.</li> <li>• About 78% schools had availability of safe drinking water. Performance of states such as Andhra Pradesh (19.4), Assam (25.2), Bihar (19.3), Haryana (23.2), Manipur (28.1) and West Bengal (20.2) where almost a quarter or slightly more schools do not have drinking water facility needs focused attention.</li> <li>• Kitchen as specified in RTE Act is available only in 68.8 % of the schools.</li> <li>• More than 75% of the schools in the states of Karnataka, Gujarat and Tamil Nadu are reported to have separate functional toilets for girls.</li> </ul> <p><b>Teachers and RTE</b></p> <ul style="list-style-type: none"> <li>• In Bihar 50 % of schools have para teachers. In AP it is 44 % and in Jharkhand 37 %. States like Karnataka (28%), Uttar Pradesh (23%), and West Bengal (21%) also have a large percentage of para teachers.</li> <li>• 57% schools in the primary and upper primary schools follow the RTE norms of Pupil-Teacher Ratios. 36% did not follow while 7% did not respond to this question.</li> <li>• On an average taking all states together one to five teachers have got training in 57 % of schools.</li> </ul> <p><b>Community Participation in Ensuring RTE</b></p> <ul style="list-style-type: none"> <li>• SMCs have been constituted only in 79 % of the schools. SMCs were constituted through an election process in only half (50%) of the schools.</li> <li>• Only 54% of SMC members could prepare the school development plans. About two-thirds of schools had SMC members involved in</li> </ul>
--	---

	<p>monitoring their functioning and 61% were monitoring the utilization of school grants.</p> <p><b>Social Exclusion in Education</b></p> <ul style="list-style-type: none"> <li>• 31 schools across the country, admission had been denied. While this may be dismissed as a very low percentage (1.4 % of the sample of 2191 schools) the fact remains that the future of many children who would have attended those schools were affected. Age appropriate education was offered in just 13.6 % of the schools surveyed.</li> <li>• The most predominant kind of discrimination, which is reported was not being given or allowed to sit on benches, which varied for Dalits (9%), Adivasi (5%), Muslim (7%), and for CWSN (8%). The other overt form of exclusion is not allowing children from these categories to take up leadership roles like that of class monitorship. Girls were denied class monitorships in 8% of schools. Dalits were denied in 7% of schools and Adivasis in 5% of schools and Muslims in 6% schools. CWSN were denied school monitorships in 6% schools.</li> <li>• Only 12% of the schools had assistive devices for CWSN. Only 3% schools provided transportation for CWSN. Perhaps these factors have led to CWSN dropping out in the last academic year from 46 schools.</li> </ul> <p><b>Implementation of 25% Reservation for economically weaker and disadvantage Sections</b></p> <ul style="list-style-type: none"> <li>• Only 256 unaided private schools were in the sample and of these, only 89 (35%) were found to be implementing the quota. The others were either not implementing it or information was not available about them. The fact that only one-third of the private unaided schools had a clear response that they were implementing the 25% reservation for economically weaker and disadvantaged sections despite RTE provision and a court order upholding it, is startling.</li> </ul>
<p><b>RECOMMENDATIONS</b></p>	<ul style="list-style-type: none"> <li>• An urgent meeting convened of the National Development Council (NDC) by the Prime Minister and bringing the Chief Ministers of the States to plan for the implementation of the Act's provisions.</li> <li>• The development of a national roadmap and regular review by the NDC in the form of a white paper whereby all schools meet all the norms of the Right to Education Act as per the roadmap.</li> <li>• A commensurate enhancement of the budget for elementary education in order to deliver on the commitments made.</li> <li>• A systematic pan-national mechanism of concurrent review of the status of implementation that is commensurate with the urgency of the matter.</li> <li>• Centre should initiate process urgently through Centre-State consultative mechanisms for ownership by states as education is a concurrent list subject.</li> <li>• Special training for out-of-school children needs to be provided in numbers commensurate to the actual numbers of out-of-school children.</li> </ul>

	<ul style="list-style-type: none"> <li>• Need for a review of the curriculum and textbooks in the schools to ensure they are of a level commensurate with the actual learning levels of the students.</li> <li>• Awareness building about the spirit of the Act with department officials that are tasked with its implementation is still needed. Community awareness on the Act likewise needs to be deepened further.</li> <li>• Recognize the rich diversity of religion, culture, leadership and contribution of Adivasi, Muslim and Dalit communities in school curriculum and create sensitivity and respect for them among all children and teachers.</li> <li>• Stronger regulatory frame for private schools is required. Ensure transparency and accountability measures are put into place.</li> </ul>
--	--

**Participating Agency:**  
 Action Aid, Oxfam India, CSEI, Save The Children, Voluntary Forum for Education, Bihar, Jamia Millia Islamia, CARE, Sampark, RTE Forum

**Supported by:**



**Save the Children**  
 3<sup>rd</sup> Floor  
 9, 10, 11, Vardhman Trade Centre  
 Nehru Place, New Delhi-110019  
 Phone: +91-11-4229 4900  
 Email: info@savethechildren.in



# 12

## Surviving the Streets —Delhi Street Children Census

<b>THEMATIC AREAS</b>	Child Rights
<b>FOCUS SEGS</b>	Children
<b>GEOGRAPHIC AREA</b>	All districts of Delhi
<b>SAMPLE</b>	50,923 in census and 1009 in the sample survey
<b>TYPE</b>	Quantitative, supported by Focus Group Discussions
<b>PURPOSE</b>	<p>There was no credible data on street children in Delhi and in order to develop interventions, Department of Women and Child Development requested Save the Children to conduct a comprehensive study on street children. This study was therefore designed to estimate the number of street children (those less than 18 years of age) in Delhi through head count and also profile them with a socio-demographic survey on a sample.</p> <p>The study has two objectives:</p> <ul style="list-style-type: none"> <li>• To estimate the total number of street children in Delhi; and</li> <li>• To bring about an understanding of the socio-economic and related conditions of street children.</li> </ul> <p>The sub-objectives are:</p> <ul style="list-style-type: none"> <li>• To generate district-wise information on the concentration of street children;</li> <li>• To profile the type of street children in terms of age, gender, education, religion, social class, occupation, night shelter, and link with family;</li> <li>• To provide details of their socio-economic and occupational characters;</li> <li>• To provide details on their mobility patterns; and</li> <li>• To provide information on abuse and denial of rights.</li> </ul>
<b>METHODOLOGY</b>	<p><b>Definition of a Street Child</b></p> <ul style="list-style-type: none"> <li>• The UNICEF definition of street and working children was followed for this study. According to UNICEF, three types of children belong to the category of street children. The first is street-living children who ran away from their families and live alone on the streets. This includes children from households both in Delhi and outside Delhi. The second is street-working children who spend most of their time on the streets fending for themselves, but return home on a regular basis. The last category is children from street families who live on the streets with their families. In this study a child is defined as one who is below 18 years of age.</li> <li>• The study was conducted in two phases. The first phase included the head count in the entire state (all districts). Based on the district road map, the field work started from a key location in the district and moved around in all directions to cover the entire district. To ensure that the</li> </ul>

	<p>entire district was enumerated, field teams marked the covered areas on the detailed district map.</p> <ul style="list-style-type: none"> <li>• The identification of street children for a head count was based on their location (on the footpath/ pavement, under a bridge, at religious places, in markets, parks, tourist spots, bus stands, and railway stations), and on specific displayed street-child behaviour such as begging, vending, and loitering/sleeping on the street.</li> <li>• An enumeration checklist (brief questionnaire) was developed for the census. For the sample survey, a more detailed socio-demographic quantitative questionnaire was designed. Focus Group Discussion guide was designed to ascertain the perceptions and beliefs of these children.</li> <li>• Out of the total children enumerated in the census, 2% children were identified for detailed socio-demographic survey. In order to maintain the randomness, every 50<sup>th</sup> child in the enumeration (census) list was selected and contacted.</li> </ul>																																																										
<b>KEY FINDINGS</b>	<p><b>Summary of Findings from Census of Children</b></p> <table border="1" data-bbox="512 904 1394 1951"> <thead> <tr> <th style="background-color: #d9e1f2;">Key Parameter</th> <th style="background-color: #d9e1f2;">% of Children</th> </tr> </thead> <tbody> <tr> <td colspan="2"><b>Geographic Distribution</b></td> </tr> <tr> <td>North Delhi</td> <td>19.8</td> </tr> <tr> <td>South West Delhi</td> <td>5.7</td> </tr> <tr> <td colspan="2"><b>Gender</b></td> </tr> <tr> <td>Boys</td> <td>79.5</td> </tr> <tr> <td>Girls</td> <td>20.5</td> </tr> <tr> <td colspan="2"><b>Type of Street Child</b></td> </tr> <tr> <td>Children from Street</td> <td>36.0</td> </tr> <tr> <td>Children who work on streets</td> <td>29.0</td> </tr> <tr> <td>Street Living Children</td> <td>27.9</td> </tr> <tr> <td>No Response</td> <td>7.1</td> </tr> <tr> <td colspan="2"><b>Age Group</b></td> </tr> <tr> <td>Up to 7 Years</td> <td>16</td> </tr> <tr> <td>7-14 Years</td> <td>61</td> </tr> <tr> <td>15-18 Years</td> <td>23</td> </tr> <tr> <td colspan="2"><b>Social Group</b></td> </tr> <tr> <td>Dalit</td> <td>36</td> </tr> <tr> <td>Adivasi</td> <td>17</td> </tr> <tr> <td>Other Backward Caste</td> <td>38</td> </tr> <tr> <td>Others</td> <td>9</td> </tr> <tr> <td colspan="2"><b>Religion</b></td> </tr> <tr> <td>Hindus</td> <td>75</td> </tr> <tr> <td>Muslims</td> <td>17</td> </tr> <tr> <td>Others</td> <td>8</td> </tr> <tr> <td colspan="2"><b>Education</b></td> </tr> <tr> <td>Illiterate</td> <td>57</td> </tr> <tr> <td>Non formal education</td> <td>23</td> </tr> <tr> <td>Formal Education</td> <td>20</td> </tr> </tbody> </table>	Key Parameter	% of Children	<b>Geographic Distribution</b>		North Delhi	19.8	South West Delhi	5.7	<b>Gender</b>		Boys	79.5	Girls	20.5	<b>Type of Street Child</b>		Children from Street	36.0	Children who work on streets	29.0	Street Living Children	27.9	No Response	7.1	<b>Age Group</b>		Up to 7 Years	16	7-14 Years	61	15-18 Years	23	<b>Social Group</b>		Dalit	36	Adivasi	17	Other Backward Caste	38	Others	9	<b>Religion</b>		Hindus	75	Muslims	17	Others	8	<b>Education</b>		Illiterate	57	Non formal education	23	Formal Education	20
Key Parameter	% of Children																																																										
<b>Geographic Distribution</b>																																																											
North Delhi	19.8																																																										
South West Delhi	5.7																																																										
<b>Gender</b>																																																											
Boys	79.5																																																										
Girls	20.5																																																										
<b>Type of Street Child</b>																																																											
Children from Street	36.0																																																										
Children who work on streets	29.0																																																										
Street Living Children	27.9																																																										
No Response	7.1																																																										
<b>Age Group</b>																																																											
Up to 7 Years	16																																																										
7-14 Years	61																																																										
15-18 Years	23																																																										
<b>Social Group</b>																																																											
Dalit	36																																																										
Adivasi	17																																																										
Other Backward Caste	38																																																										
Others	9																																																										
<b>Religion</b>																																																											
Hindus	75																																																										
Muslims	17																																																										
Others	8																																																										
<b>Education</b>																																																											
Illiterate	57																																																										
Non formal education	23																																																										
Formal Education	20																																																										

	<b>State of Origin</b>	
	Delhi	47
	Outside Delhi	32
	Not sure/No response	21
	<b>Earning</b>	<b>87</b>
<b>Other Findings from Sample Survey</b>		
<ul style="list-style-type: none"> <li>Nearly 88 per cent of the children who had left their homes had contact with their families and many of these (57.1 percent) were visiting their homes periodically, delivering money being the top most reason for home visit.</li> <li>Their average monthly earning was reported at INR 2,240, half of which is given to parents, supervisors, gang leaders or police. Overall expenditure on food was 37.5 percent of the total income.</li> <li>Nearly 22 per cent of the street children said that they were consuming tobacco and/or <i>pan masala</i>. Incidence of the use of alcohol, whiteners, and thinners was also reported.</li> <li>A majority of the street children (87% boys and 90% girls) paid for accessing toilet facilities.</li> <li>Six per cent of the street children had some disability, of which blindness (42%), speech (19%), hearing (16%), and mental disabilities (8.2%). The causes for disability included congenital (85.1 percent), accidents (8.1%), and intentional (6.8%).</li> <li>Verbal abuse was experienced and observed by almost all the children. More than 50 per cent of the boys and 31.4 per cent of the girls reported physical abuse mostly by parents, police, relatives and friends.</li> <li>In all, only 19.2 per cent of the children reported having some identity proof or entitlement (mainly identity cards issued by agencies such as an employer or sometimes NGOs). Twenty-three per cent of the children said that they had birth certificates, while 20 per cent had ration cards.</li> <li>Awareness about existing programmes, support, or help was limited to only 30 per cent of the street children. Out of these, only 15 per cent (around 45-50 children) had received some kind of support. Among them, 74 per cent had received support from NGOs, 7 per cent from both NGOs and government, and nearly 10 per cent from the government.</li> <li>Overall, 64.2 per cent of the children demanded some kind of skill training, nearly 43.7 per cent wanted school education, and 17.4 per cent wanted both school education and skill training. Nearly 39 per cent wanted only skill training. More than 55 per cent preferred to attend classes in the evening while 41 per cent preferred to study in the morning.</li> </ul>		

	<ul style="list-style-type: none"> <li>• Only a few children said that they would prefer to go back to their place of origin (some other state), most migrant children preferred to continue living in Delhi (46.2 per cent).</li> </ul>
<b>RECOMMENDATIONS</b>	<ul style="list-style-type: none"> <li>• Make dedicated efforts to reunite children with their families</li> <li>• Generate awareness about existing schemes and programmes among street children</li> <li>• Develop specific programmes to ensure their basic needs and rights are ensured</li> <li>• Facilitate the process to provide identity proof to these children</li> <li>• Non formal education, skills training are some of the priorities identified by the children which need to be addressed</li> <li>• Intervene in rural areas to reduce migration of children</li> <li>• Sensitize duty bearers towards the specific needs and rights of these children</li> </ul>

<p><b>Participating Agency:</b> Institute for Human Development</p>	<p>Supported by:</p>  <p><b>Save the Children</b> 3<sup>rd</sup> Floor 9, 10, 11, Vardhman Trade Centre Nehru Place, New Delhi-110019 Phone: +91-11-42294900 Email: info@savethechildren.in</p>
---	---

<b>THEMATIC AREAS</b>	Rights - Livelihood, Health, Nutrition
<b>FOCUS SEGS</b>	Dalits, Adivasis, Muslims
<b>GEOGRAPHIC AREA</b>	Bundelkhand Region, Uttar Pradesh
<b>SAMPLE</b>	83 villages (31,242 families-150,089 population)
<b>TYPE</b>	Quantitative
<b>PURPOSE</b>	To carry out a detailed drought assessment in Bundelkhand, UP to advocate for transparent drought declaration policy, loss assessment criteria and packages which benefit the affected communities
<b>METHODOLOGY</b>	<ul style="list-style-type: none"> <li>• <b>Primary data</b> was collected through village assessments and holding discussion / interviews with the community members; <b>Secondary data</b> was collected from previously conducted studies and reports</li> <li>• <b>Random sampling</b> (randomly selected revenue villages)</li> <li>• Review of literature was carried out and gathered primary data were analyzed as per the tools used for data collection.</li> </ul>
<b>KEY FINDINGS</b>	<ul style="list-style-type: none"> <li>• The natural geography and harshness of the climate isolated the region of Bundelkhand and victimized the region through political and economic exploitation. The area also has one of the lowest levels of economic and human development in the country.</li> <li>• Bundelkhand region comprises of seven districts, continuously facing drought and drought like situation since last more than a decade.</li> <li>• Schedule Caste percentage in Bundelkhand region is 25.21 percent of the total population which is high compared to the state average of 21 percent.</li> <li>• Agriculture is the main source of livelihood in the rural areas and 3/4th of the total workers and 86% of the rural workers of the region are directly dependent on agriculture. The region is drought prone and is highly vulnerable to erratic rainfall. Heavy rains in short span of time and drought in post monsoon / summers is one of the key characteristic of the region.</li> <li>• Agriculture is primarily dependent on rains, and timeliness of the rainfall is equally important for both Kharif and Rabi crop. It is considered that Kharif is monsoon-based crop while Rabi crop is based on irrigation facility. In Bundelkhand region, Rabi is the main crop and in absence of adequate irrigation facilities and erratic rainfall it is continuously vulnerable to drought like situation.</li> <li>• Despite average or comparatively good rainfall, most part of the region suffers water crisis for about 6 months.</li> <li>• Of the families included in the survey, 68 percent had own land for cultivation but in total 96 percent of the families were directly dependent on land through own cultivation, share cropping, agriculture</li> </ul>

	<p>labourer and animal husbandry. Only 4 percent of the families of the covered villages have other means of survival.</p> <ul style="list-style-type: none"> <li>• 60 to 100 percent crop loss is reported in 74 out of 83 villages [89%] due to draught. No loss is reported in only two villages, one each from Lalitpur and Jhansi.</li> <li>• 82 percent of the villages have lost 60-100 percent of the Kharif crops and survival is largely dependent on food grain availability at household level and food grains provided through Public Distribution System [PDS].</li> <li>• At the time of village level assessment, it was assessed that no food reserve was available at 14 percent of the households and another 23 percent had food reserve for less than 15 days. 22 percent and 17 percent of the households had food reserve for up 1 and 2 months respectively and only 14 percent households had food reserve for more than 3 months.</li> <li>• 9 percent of the families have no ration cards and another 56 percent families have APL (Above Poverty Line) ration cards. Only 35 percent of the families have BPL (Below Poverty Line) cards that make them eligible for various government schemes including PDS</li> <li>• Social group wise access to ration cards is another issue of concern as 39 and 52 percent of Dalits [schedule caste] and Muslims respectively have APL ration cards and 11 and 7 percent of the families of these social groups have no ration cards.</li> <li>• Not all the PDS shops are located in the village itself, rather people of 28 percent villages have to travel for 1-5 KM for getting ration from the ration shop and availability of ration is subject to availability on that particular day.</li> <li>• In the drought-affected region, NREGA (employment guaranteed scheme) has been able to generate employment for only 24 percent of the families on an average of 12 days of employment from June to September 2009.</li> <li>• Migration is reported from 88 percent of the covered villages during June to September. The situation is not normal, as out of the total out migrants, about half of them have migrated for first time.</li> <li>• More than 61 percent of the families of the covered villages are indebted, but with simple average method it is assessed that average burden of debt per indebted family is in tune of Rs. 38,323/-; the informal credit providers are providing credit at interest rate varying from 36 to 120 percent per annum.</li> <li>• The drought and debt is resulting in distress sale or mortgage of land or assets. Such cases are reported from 63 percent of the covered villages</li> <li>• Suicides are reported from all the parts of the Bundelkhand, 168 unnatural deaths and 14 cases of suicides are reported during 4 months (June to September 2009).</li> <li>• Further 11 percent of the total families of the covered villages are suffering from chronic hunger or starvation.</li> <li>• Animal husbandry is supplementary to agriculture and both landholders and landless are engaged in animal husbandry. Generally, animal</li> </ul>
--	---

	<p>husbandry is known as one of the coping mechanism during adverse agriculture situation. From June to September 2009 about 3000 animal deaths are reported from the covered 83 villages due to consumption of poisoned grass or other reasons not known to their owners.</p>
<b>CONCLUSION</b>	<ul style="list-style-type: none"> <li>• Impact of one-year drought may be experienced for 3 years. The Bundelkhand region is under recurring drought, seven droughts in last 10 years have turned it into a drought-affected region and the eventual approach of local administration, and Government further aggravated vulnerability of the people of the region.</li> <li>• Own cultivation, share cropping or animal husbandry are directly dependent on land and water and continuous drought and non-availability of adequate arrangements for irrigation is aggravating the vulnerability of the people dependent on the agriculture.</li> <li>• Most of the families are in debt trap, no Kharif crop available for most of the families and Rabi crop is solely dependent on availability of two basic things—seed and water for irrigation or soil moisture. No irrigation facilities are available in most of the villages or irrigation facilities are generally available with very few farmers.</li> <li>• Non-availability of wage employment opportunities is aggravating distress that can be assessed in terms of distress, migration, indebtedness, unnatural deaths and suicides.</li> </ul>
<b>RECOMMENDATIONS</b>	<ul style="list-style-type: none"> <li>• Drought declaration criteria are not suitable for the Bundelkhand region and there is a strong need for adoption of suitable drought declaration and loss assessment criteria.</li> <li>• Suitable relief package need to be developed on the basis of the current situation.</li> <li>• Sustainable agriculture practices including water conservation and revival of traditional water bodies need to be promoted. The promotion can also be done through development of locally suitable models.</li> <li>• Significant number of families are facing acute crisis in terms of both food and agriculture and emergency support is required for such families.</li> </ul>

**Participating Agency:**

Rojgar Haq Abiyan, Aapda Nivarak Manch, Pahuj Vikas Manch, Bundelkhand Sewa Sansthan, Parmarth Samaj Sevi Sansthan, Pragati Madhyam Samiti, Kriti Shodh Sansthan, Vidyadham Samiti, Samarth Foundation, Sai Jyoti, Arunodaya Sansthan

**Supported by:**



**Action Aid**

R-7, Hauz Khas Enclave  
New Delhi-110016  
Phone: +91-11-40640 500  
Fax: +91-11-41641 891  
Email: [indiasite@actionaid.org](mailto:indiasite@actionaid.org)

# 14

## Affirmation Action Policy by CII, FICCI and ASSOCHAM — A Review

<b>THEMATIC AREAS</b>	Social Exclusion and Discrimination
<b>FOCUS SEGS</b>	Dalits (Scheduled Castes)
<b>GEOGRAPHIC AREA</b>	All India
<b>SAMPLE</b>	Secondary Data from CII, FICCI and ASSOCHAM
<b>TYPE</b>	Quantitative
<b>PURPOSE</b>	<ol style="list-style-type: none"> <li>To undertake an overview of the affirmative action provisions adopted by the CII, FICCI and ASSOCHAM.</li> <li>To examine the implementation of the affirmative action policy by member organisations/ industries that offers affirmative action.</li> <li>To analyse the coverage of the affirmative action policy for the targeted social groups.</li> </ol>
<b>METHODOLOGY</b>	<ul style="list-style-type: none"> <li>The study is based on the secondary data procured from CII, ASSOCHAM and FICCI on the affirmative initiatives based on employability, entrepreneurship, education and employment. For a review, a thorough scrutiny databases of CII, ASSOCHAM and FICCI was undertaken.</li> <li>CII's Database included a Compendium on 'Affirmative Action: Empowering Society for a Brighter Tomorrow' for the year 2010, and reported on 'Endeavour: Affirmative Action Initiatives' for the northern, eastern, western and southern regions, exclusively for the years 2010-11 and 2011-12. The database also included the state-wise Manpower Mix (Caste) Survey, 2011, conducted by CII, which revealed the proportion of SC/ST employees in the CII member firms.</li> <li>The <b>database of ASSOCHAM</b> was maintained on the basis of the '<i>ASSOCHAM Initiatives on Affirmative Action on Inclusion of Scheduled Castes and Scheduled Tribes</i>', Annual Reports, 2008-09 and 2011-12.</li> <li>The <b>database of FICCI</b> included a two-page note on '<i>FICCI Affirmative Action Initiatives in Sonbhadra (Uttar Pradesh)</i>' and some highlights of FICCI's initiatives on affirmative action undertaken till March 2012, which were provided by the affirmative action unit of FICCI.</li> <li>An outline was developed along with a set of parameters on which a review was undertaken. The findings were categorized by the organizations and their affirmative action mandate.</li> <li>As such there was no sampling as this was a review of three documents from three different organizations or bodies.</li> <li>The study incorporated a thorough review process in order to assess the initiatives and mandates of these organizations on affirmative actions for inclusion of Scheduled Castes and Schedule Tribes for better empowerment. The information was synthesized by the organizations</li> </ul>



	<p>and their initiatives and conclusions were withdrawn by the organization.</p>
<p><b>KEY FINDINGS</b></p>	<ul style="list-style-type: none"> <li>• The affirmative action policy in the private sector was exclusively meant for the disadvantaged and marginalised groups. Yet, less than one-third of the affirmative action projects that were implemented were carried out exclusively for the SCs/STs by CII and its member organisations..</li> <li>• Around 11,52,869 beneficiaries have been covered under affirmative action till 2011-12, but the SC/ST population among these beneficiaries remains very low. The data submitted to the Prime Minister’s office shows that only 1,58,560 SC/STs were covered under the affirmative action policy by CII and its member organisations till September 2012.</li> <li>• Only 794 member companies of CII are signatories of the voluntary code of conduct though it has a direct membership of over 7000 organisations from the private and public sectors, and an indirect membership of over 90,000 companies from around 400 national and regional sectoral associations. The number of COC signatories is very low if seen against the huge list of CII member organisations. Even among companies that are COC signatories, only small percentages are involved in affirmative action for the marginalised and disadvantaged groups.</li> <li>• CII maintains a separate section to with the affirmative action policy implemented by it and its member organisations. The terms ‘Affirmative Action Policy’, ‘Code of Conduct’ and ‘Action Plan’ are well defined on the CII website.</li> <li>• ASSOCHAM has a membership of 4,00,000 companies and professionals, of which around 100 companies have so far adopted affirmative action. The ASSOCHAM has launched various programmes under 4Es that have benefited more than 23,781 SC/ST people all over India. Among the three industry associations, only ASSOCHAM has undertaken affirmative action initiatives for the marginalised groups. <b>It has scaled up around 50 programmes which include the completed and on-going projects as well as the and projects in the pipeline on affirmative action in 13 states all over India for 2008-09 and for subsequent years.</b></li> <li>• Out of these 50 affirmative action programmes, 7 programmes related to education, and 15 programmes each to employability and capacity building, and to entrepreneurship, while there was no programme on employment generation. ASSOCHAM’s job-linked programme in Bhubaneswar received an overwhelming response from the SCs/STs of the area and was widely appreciated by the Orissa government</li> <li>• The remaining 13 of the 50 affirmative action programmes were based on the promotion of healthcare and livelihood, women’s empowerment, and other CSR activities. Despite the fact that the affirmative action policy was implemented for the SC/ST social groups, barely half of the projects targeted SCs/STs exclusively, while the rest targeted the weaker communities, women and sections from all social categories.</li> </ul>

	<ul style="list-style-type: none"> <li>• ASSOCHAM does not have any section on affirmative action policy on its website. It only has a link on it, which would prove to be useful only if it is updated regularly and there is an interactive provision on affirmative action on the website. ASSOCHAM brought out two Annual Reports (in 2008-09 and 2011-12) titled, 'ASSOCHAM Initiatives on Affirmative Action on Inclusion of SCs/STs', which were available for review.</li> <li>• FICCI has an indirect membership of over 2,50,000 companies across the country, but none of its member organisations was found to be involved in affirmative action policy for the SCs/STs. FICCI took only one affirmative action initiative as a voluntary mechanism in Sonebhadra district. FICCI generated awareness about employment opportunities and training avenues for SCs/STs, organised training programmes for capacity building, and collaborated with various agencies for preparing young entrepreneurs in Sonebhadra.</li> <li>• The Chamber has set up a skill development centre wherein 1000 students have already completed training in the retail, welding, fitting and BPO trades. It has also assessed around 21,000 SC/ST students who received training from various training providers under the MES scheme. It has also initiated the process for SIYB training, repair of two-wheelers and mobiles, and carpet weaving. The organisation has made relentless efforts to rope in more partners for undertaking capacity building of local youths to enhance their prospects for self-employment.</li> <li>• FICCI's website does not contain any information on affirmative action policy, though the department has helped in providing highlights of FICCI's initiatives on affirmative action as part of its voluntary mechanism in Sonebhadra district.</li> <li>• No member organisations of FICCI are involved in its voluntary code of conduct (COC) mechanism on affirmative action.</li> </ul>
<p style="text-align: center;"><b>CONCLUSION</b></p>	<ul style="list-style-type: none"> <li>• The proposed <b>voluntary and self-regulatory affirmative action by the private sector has not reached out effectively to the marginalised section or the SCs/STs for ensuring more inclusive growth.</b></li> <li>• Some efforts have been made by CII member organisations towards the implementation of affirmative action policy in the private sector. CII has been disseminating information on these initiatives through its dedicated AA website; webinars; sensitisation workshops; its biannual publication titled 'Endeavour' for each region; and the Compendium on Affirmative Action.</li> <li>• Minimal activities on affirmative action were followed by ASSOCHAM itself but not by its member organisations excluding ANARDE. While ASSOCHAM needs to improve its presence and participation in this area significantly, FICCI's work in this direction has been virtually negligible. It can also be assumed that neither FICCI nor ASSOCHAM has shown sufficient interest in disseminating information on the affirmative action policy and best practices among their member organisations.</li> <li>• An analysis of the feasibility of the implementation of the affirmative action policy in the private sector thus indicates <b>that the voluntary and self-regulatory nature of the policy has not worked.</b> There is thus a</li> </ul>

	need for more government regulations and directives with definite and mandatory provisions for ensuring better implementation of the policy and its outreach to the real intended beneficiaries.
<b>RECOMMENDATIONS</b>	The study only reviewed the status on affirmative action initiatives adopted by the three organizations and no recommendations were made but are obvious as these organizations need to adopt affirmative action initiatives.

<p><b>Participating Agency:</b> Indian Institute of Dalit Studies, New Delhi</p>	<p><b>Supported by:</b></p>  <p><b>Christian aid</b> S J House, D-25d, South Extension 2, New Delhi – 110049 Phone: +91-11-26268068</p>
--	---

## 15

## Dalit Christians in India: Discrimination and Inter-group Disparities in Human Development

<b>THEMATIC AREAS</b>	Discrimination of Marginal Communities
<b>FOCUS SEGs</b>	Dalits (Scheduled Castes)
<b>GEOGRAPHIC AREA</b>	India
<b>SAMPLE</b>	Not Applicable
<b>TYPE</b>	Qualitative
<b>PURPOSE</b>	<p>This is an exploratory study attempting to document the status of Dalit Christians in India. There are several unanswered dimensions of this particular section of the society and over the years, through different experiences many questions have emerged for policy makers and social scientists. Some of the questions that this study attempts to seek answers are:</p> <p>d. Is caste or religion is the primary identity of the converted?</p> <p>e. How have the identities of the converted been perceived both inside and outside their religion?</p> <p>f. What is the self-identity of the converted Dalits?</p> <p>g. Are caste practices being perpetuated and reproduced in Christianity the way it is happening in Hindu religion? If yes, what are the present forms and nature of discrimination that Dalit Christians face and whether caste prejudices limit them from accessing services, amenities and other economic opportunities?</p> <p>h. Is discrimination and exclusion mirrored in their development performance? If Dalit Christians have group specific development deficit, how does it vary from other socio religious groups?</p> <p>i. Is there a justification for group specific policies for Dalit Christians on the basis of their development profile?</p>
<b>METHODOLOGY</b>	<ul style="list-style-type: none"> <li>• The study is based on historical and current social science literature on caste among Christians in India. In addition, data from NSSO and other credible sources have been used to profile Dalit Christians and make certain comparisons.</li> <li>• Desk review of available literature has been done</li> <li>• Gathering information from the official data on selected development indicators such as demographic profile, educational status, occupational pattern and poverty situation of Christians who identify themselves as Dalits</li> <li>• No primary or secondary data were gathered. The study only reviews available literature and reports and analysis was undertaken.</li> </ul>
<b>KEY FINDINGS</b>	<ul style="list-style-type: none"> <li>• Christianity is classified broadly into three distinct groups by scholars as: “(a) the Anglo Indians, a distinct product of miscegenation and</li> </ul>

	<p>colonialism; (b) those who became Christians through mass conversion movements (mostly of Schedules Caste, Scheduled Tribes and OBC background) that took place during the colonial period; (c) pre-colonial Christians who claim to be converts from upper castes”</p> <ul style="list-style-type: none"> <li>• In Northern parts of India where proselytization was relatively recent, Christians are mostly of low caste origin including scheduled caste and tribes. In the Southern part where conversions occurred even before colonization and British rule, Christians compose all castes including a small number of upper castes.</li> <li>• Dalit movement of mass conversion was largely grounded on their conviction that “Christianity is a true religion; a desire for protection from oppressors and, if possible material aid; and the desire for education for their children; the knowledge that those who have become Christians had improved”.</li> <li>• The integration of Christianity with Hindu traditions and the Indian society also resulted in the reproduction or continuation of its caste hierarchies and thereby practices. As a result, the lower caste Christians remained as ‘untouchables’ in the society.</li> <li>• Marriage was the important occasion, when caste practices were most visible as those who belong to different caste among Christians do not inter-marry. For instance, Christian Reddys in Andhra Pradesh and Christian Nadars in Tamil Nadu prefer to marry from Hindus of their own caste than from a Dalit Christian. Similarly, Syrian Christians in Kerala do not marry Dalit Christians.</li> <li>• Social segregation on the ground of impurity was predominant in the intermingling of Dalits and upper caste Christians in Karnataka. It included from the use of separate well, denial of the service of people like barber to Dalit Christians and separate eating and drinking utensils in hotels and tea shops.</li> <li>• As per NSSO Data (2005), out of the total SC population in the rural India, 1.24 per cent is Christians and among STs 7.22 per cent are Christians. In urban India, among SCs Christians are 1.81%. In rural India, 2.25% of the total SCs are Christians.</li> <li>• Most of the Dalit Christians continue their caste occupations in the rural India such as agriculture labourers and other labourers. Share of Dalit Christian households in the categories of casual labour in urban India and agriculture worker in rural India was higher than that of other Christians. The share of Dalit Christians in the category of self employed in agriculture was also less than other Christians in the rural India.</li> <li>• Dalit Christians have been the poorest group among Christians in 1983, 1994 and 2004-05 both in the rural and urban India. While percentage of poor Dalit Christian households was 56.1 in 1983, 51.8 in 1994 and 30.1 in 2004-05 in rural India, the corresponding figures for ‘other’ Christians were 30.8, 18.73 and 12.72 respectively for</li> </ul>
--	--

	1983, 1994 and 2004-05. Also, the percentage of poor households among Dalit Christians is higher in urban than rural India.
<b>CONCLUSION</b>	<ul style="list-style-type: none"> <li>• Caste has been a defining marker of social and economic relationship in Christianity. Even after conversion, characteristics of caste such as endogamy, residential segregation, restricted social interaction, hierarchies, caste based occupation and graded ritual purity or pollution were reproduced in one way or the other among the converted Christians. The identity of converted Dalits remained more or less same in the larger society as well.</li> <li>• Dalit Christians like other Dalit groups also suffer from a development deficit, which further calls for group specific policy interventions for their upward mobility.</li> <li>• The Constitution of India (Scheduled Caste) Order 1950, includes Hindus, Sikhs and Buddhists in the category of Scheduled Castes. Taking the social, economic and political backwardness of Scheduled Castes in Christian and Muslim groups, various Committees appointed by the Government of India have commented favorably on the need to amend the Constitution Order 1950 to include Dalit Christians and Muslims in the official category of Scheduled Castes. No progress so far has been made in this direction.</li> </ul>
<b>RECOMMENDATIONS</b>	There is a strong case for group specific policy intervention in the form of reservations and further affirmative action for Dalit Christians.

<p><b>Participating Agency:</b>  <b>Indian Institute of Dalit Studies, New Delhi</b></p>	<p>Supported by:</p> 	<p><b>Christian aid</b>  S J House, D-25d,  South Extension 2,  New Delhi – 110049  Phone: +91-11-26268068</p>
--	---	--

# 16

## Dalit Muslims in India: Discrimination and Inter-group Disparities in Human Development

<b>THEMATIC AREAS</b>	Rights
<b>FOCUS SEGS</b>	Muslims
<b>GEOGRAPHIC AREA</b>	India
<b>SAMPLE</b>	Not Applicable (Desk Review)
<b>TYPE</b>	Qualitative
<b>PURPOSE</b>	<p>This study compiles evidences on social stratification and practice of caste system among Muslim society in India, causing discrimination and social exclusion of Dalit Muslims. It includes various modes of subordination in places like mosques, burial grounds and restrictions on marriages etc. besides occupational segregation and economic exploitation. The study also examines the dalit Muslim politics and its assertion for granting Scheduled Caste status to the Dalit Muslims. They have been excluded from the Scheduled Caste list through the Presidential Order of 1950.</p> <p>The objective of the study is to identify issues around exclusion and discrimination of Dalit Muslims in India</p>
<b>METHODOLOGY</b>	<ul style="list-style-type: none"> <li>• <b>Secondary data collections through</b> available secondary sources and evidences drawn from the social scientific literature and various reports of committee constituted by the Government of India</li> </ul>
<b>KEY FINDINGS</b>	<ul style="list-style-type: none"> <li>• In India, Muslims occupy an important place and form the largest minority group; though social stratification among Muslims does not flow from the principles of Islam enshrined in the Qur'an, the social reality of the Indian Muslim society is as stratified as the Hindu society due to the latter's influence. Based on the evidence from the decennial censuses, Muslims in India were divided into three broad categories called the Ashraf (noble born / foreign origin), Ajlaf (mean and lowly) and Arzal (excluded). The non-Ashrafs referred to as Dalit Muslims are Ajlaf and Arzal, who are considered to be converts from Hinduism. The different categorization of Dalit Muslims are halalkhor, lalbegi, Bhatiyara, Gorkan, Bakkho, Mirshikar, Chik, Rangrez, Darzi and Nat.</li> <li>• In most social contexts, the identity of Dalit Muslims are "Dalits" first and "Muslims" second. Forms of discrimination of Dalit Muslims include various modes of <b>subordination in mosques</b>, as well as insistence on <b>separate burial grounds</b>. <b>Occupational segregation and economic exploitation</b> are also very common and usually related to practices, though somewhat less widespread than segregation or marriage bans.</li> </ul>

	<p>Untouchability is sometimes practiced, but it is not widespread, and its forms vary greatly.</p> <ul style="list-style-type: none"> <li>• Looking at the education profile about 25 per cent of children (of Muslim parents) in the 6-14 year age group have either never attended school or have dropped out. The share of all Dalits in the urban India in the category of illiterates was 29.71 per cent; it was 31.79 per cent for Dalit Muslims.</li> <li>• It should also be noted that the <b>education level of Dalit Muslims is notably lower</b> as compared to other minority groups, especially Dalit Buddhists and Christians in the urban India.</li> <li>• Across social groups within the Muslim community show that the proportion of Dalit Muslims households was significant in the <b>most economically vulnerable</b> categories such as agriculture labourers in the rural India and casual labourers in the urban India. Self-employed in agriculture and non-agriculture sector were the other major household occupations of Dalit Muslims in the rural India. Next to casual labourers, self-employment was the major household occupation of Dalit Muslims in the urban India.</li> <li>• Poverty situation clearly shows the stark differences between Dalit Muslims and other religious minority groups like Christians and Buddhists. In 2004-05, <b>39.6 per cent of all Dalit Muslims were below poverty line</b> in rural India and <b>46.8 per cent in urban India</b>, which is notably higher than the national averages. Among the Muslims, incidence of poverty was the highest among the Dalits in all occupational categories in rural India. In urban India, poverty incidence was more for Dalit Muslims than other groups except OBCs in the category of casual workers. The interconnectedness of <b>higher level of poverty and lower level of education</b> is true for the tribal and Dalit groups across all religions in rural and urban India, which makes the <b>Dalit Muslims more vulnerable and exposed to poverty, with higher levels of illiteracy</b>. The share of 'poor and illiterates' were found the highest among Dalit Muslims in rural India. In urban India, the share of 'poor and illiterate' was the highest among OBC Muslims followed by 'others' and Dalit Muslims.</li> <li>• Several issues require discussion for an understanding of the situation of those Muslim castes which share the attributes of the Scheduled Castes, but are denied recognition and entitlement as Scheduled Castes. Across the country there are around <b>35 castes of Indian dalit Muslims, their conditions are worse than any other community in India</b>, a fact which was proved by the Sachar Committee report. Scheduled Caste status to Dalit Muslims has been overdue for a long time now because it is not only that they have been a part of the same profession but it is also a fact, that they have been going through the same social discrimination as their counterpart Dalit Hindus. They have been <b>discriminated and socially excluded by the upper caste Muslim</b>, for which, their claim for inclusion in the Scheduled Caste list is a rightful claim.</li> </ul>
--	---



	<ul style="list-style-type: none"> <li>• Indian Dalit Muslims, for several decades, has been struggling to unite themselves under one banner and raise the consciousness of backward Muslim rights as citizens of India. Dalit Muslims still remain an <b>unrecognized category to the government and to the public sphere of our society</b>. For the Muslim leadership dominated by upper castes, it's a serious drawback that they have failed to infuse the secular and democratic idea in the community, both at the national and state level. By and large, mainstream Muslim politics reflects the elite-driven symbolic/emotive/identity politics (Babri Mosque, Uniform Civil Code, status of Urdu, the Aligarh Muslim University and so on) which thoroughly discounts the developmental concerns and aspirations of common Muslim masses.</li> </ul>
<p style="text-align: center;"><b>CONCLUSION</b></p>	<ul style="list-style-type: none"> <li>• The Indian Muslims are differentiated among themselves into various groups and subgroups on the basis of ethnic, social and cultural distinctiveness among them. The groups and subgroups in Muslim society are arranged in stratified order and social inequality is rampant among them.</li> <li>• The identity of Dalit Muslims are “Dalits” first and “Muslims” second. There is now considerable evidence of Dalit Muslims being deprived and discriminated in every sense of the terms. They are challenged with untouchability practices, endogamy, occupational segregation, social and cultural segregation, economic discrimination, social change and forms of protest and resistance.</li> <li>• Based on the development profile, including educational status, occupational patterns and poverty situation, the condition of Dalit Muslims is found to generally worse off compare to other Muslim, Dalit and OBC groups. The consideration of other Hindu Dalit, Sikh and neo-Buddhist groups as SC is a discrimination shown towards the Dalit Muslim and Christian community</li> </ul>
<p style="text-align: center;"><b>RECOMMENDATIONS</b></p>	<ul style="list-style-type: none"> <li>• A clear identification of Dalit Muslims and recognition of their political and social needs will help bring together Dalit Muslims and other marginalized and excluded communities.</li> <li>• There is a need to critically engage with the Indian State consistently and raise the issues of discrimination and recognition of Dalit Muslim identity, its recognition and development. Dalit Muslims like other Dalit groups suffer from a development deficit, which calls for group specific policy interventions for their upward mobility.</li> <li>• For growth and development of the nation and to achieve the MDGs, an inclusive strategy needs to be adopted which should make efforts to mainstream such non-Hindu dalit groups.</li> </ul>

<p><b>Participating Agency:</b> Indian Institute of Dalit Studies, New Delhi</p>	<p><b>Supported by:</b></p> <div style="display: flex; align-items: center;">  <div style="text-align: left;"> <p><b>Christian aid</b> S J House, D-25d, South Extension 2, New Delhi – 110049 Phone: +91-11-26268068</p> </div> </div>
--	---

## 17

## Diversity, Academic Performance & Discrimination

### —A Case Study of a Higher Educational Institution

<b>THEMATIC AREAS</b>	Rights
<b>FOCUS SEGs</b>	SCs/STs/OBCs
<b>GEOGRAPHIC AREA</b>	National
<b>SAMPLE</b>	Students Data for 2002-2009 and 2009-2011 from AIIMS, New Delhi
<b>TYPE</b>	Quantitative
<b>PURPOSE</b>	<ol style="list-style-type: none"> <li>1. To study the nature of diversity in the higher educational campuses in terms of rural, urban, gender, regional, caste, ethnic, religious, economic, occupational, academic performance and type of institution.</li> <li>2. To study the implications of diversity for the social life, harmony, and for academic attainment.</li> <li>3. To study the nature of discrimination and exclusionary life between diverse groups and its consequences.</li> <li>4. To suggest policies and practices to deal with diversity and discrimination associated with caste background and other identities.</li> </ol>
<b>METHODOLOGY</b>	<ul style="list-style-type: none"> <li>• The study had used the data obtained from a apex medical education institution (Higher Education Institution (HEI)) for the years 2002-2011.</li> <li>• The administration data on composition of students, academic performance of students, regional pattern, occupation background of the student's parents, higher secondary marks secured by students and linguistic background were collected.</li> <li>• Secondary data were collected on admission and entrance marks.</li> <li>• The analysis is done by caste and ethnic background of the students, by gender—male, female, and by social groupings.</li> <li>• The data on number of students was available for three social groups namely SCs, STs, and others from 2002 to 2011, and for four groups namely SCs, STs, OBCs, and others from 2009 to 2011, as reservation for OBC had begun after 2009. Hence, for social groups, we undertook an analysis for SCs, STs, and others (non SCs/STs) for 2002–2011 and SCs, STs, OBCs, and others for 2009–2011.</li> <li>• The study also employed qualitative method to study the nature and forms of caste-based discrimination and group discussions with students union, group of students and faculty members were conducted.</li> </ul>
<b>KEY FINDINGS</b>	<ul style="list-style-type: none"> <li>• During the nine-year period, the sample higher educational institution admitted a total of 555 students, of these 80 per cent (446) were boys and the remaining 20 per cent (109) girls.</li> </ul>

	<p><b>Caste</b></p> <ul style="list-style-type: none"> <li>• The STs accounted for about 7 per cent (39), SCs 15 per cent (83), and the rest 78 per cent (433). Thus the share of STs and SCs was fairly close to their population share.</li> <li>• During 2009–2011, the percentage share of STs, SCs, OBCs, and the rest comes to 6.48, 15.28, 28.70, and 49.45 per cent. The share of OBCs was little more than their population share of 27 per cent</li> </ul> <p><b>Regional Pattern</b></p> <ul style="list-style-type: none"> <li>• For nine year period, between 2002 and 2011, of the total students about 70 per cent comes from five states of Kerala (14.77%), Rajasthan (12.8%), Haryana (12.3%), UP (11.7%), Punjab (11.4%), and Gujarat (7%). Addition of the two states of Delhi and Gujarat increases the share of seven states to almost 80 per cent. The state of Kerala accounts for the highest share of students in AIIMS.</li> <li>• The regional pattern for 2009–2011 was more concentrated in few states. For an average of three years 2009–11, the State of Kerala alone accounted about one-fourth of the total students. If we add UP (12.5%), Haryana, (12.5 %) (Rajasthan, (10.6 %), Punjab (8.8%), and Gujarat (8.3%), the six states alone account for about 78 per cent</li> </ul> <p><b>Regional Concentration and Social Groups</b></p> <ul style="list-style-type: none"> <li>• Total ST students admitted during 2002–11, <b>about 56 per cent were from the state of Rajasthan alone</b>, followed by HP, (10.26%), Uttarakhand (UK), Gujarat, Haryana, and AP—5 per cent each. Together, these six states account for 77 per cent of the total ST students</li> <li>• By comparison of the regional pattern, it was more widespread regionally for SCs. <b>The State of Punjab, Rajasthan, and UP contributing 14 percent each in the student composition, Delhi contributing 11 percent</b> and MP Haryana, and Gujarat with about 7 percent, these seven states account 75% of the total students admitted during 2002–11</li> <li>• At aggregate level the Doctors account about 27% of the total parents. The Government employees of various kinds including teachers and bank employees account about 46%. Next comes the Business families with 8.8% and farmers with 4%. There is social group wise variations.</li> <li>• 98% came with English as medium of instruction and only 2% had Hindi as medium of instruction at HSC level. The 2% with Hindi medium were from STs only. Out of 14 ST students, 4 came from Hindi background.</li> <li>• During 2002–10, 483 students were admitted and of those, 4.6% failed in first examination, of these 0.2% failed in both.</li> <li>• In case of STs, the proportion of those who failed was 14%, (2.8% being failed in both), this rate was 7% for SC, 12% for OBCs, and 2% for others. If we take OBCs and other together the ratio comes to 3.3%. This shows that the proportion of failure was higher for STs, followed by SCs. The percentage failed in both main and supplementary was high for STs.</li> <li>• During second examination, at overall level, those who failed in main and passed in supplementary was 6.3% (and of these 1.9% failed in both attempts). This ratio was 22.6% for STs, 14.7% for SCs (1.6% failed in both), and 6% for others. (1.7% failed in both).</li> </ul>
--	--

	<ul style="list-style-type: none"> <li>• Of the total students of 483, only 13 students came from Hindi language background and 12 of them were from STs and 1 from SCs, and none from others.</li> </ul> <p><b>Aggregate level Scenario</b></p> <ul style="list-style-type: none"> <li>• In all courses, the marks are in hierarchal nature, that is, STs scored less than SCs; SCs scored less than others (including OBCs). This also means that STs and SCs scored marks which are entirely less than others.</li> </ul> <p><b>Diversity</b></p> <ul style="list-style-type: none"> <li>• The students in this higher educational institution comes with diverse background in terms of social belonging (that is caste, ethnic, gender, and region). They are with different caste, ethnic, cultural, regional, gender, parents occupation and, language backgrounds. It is necessary that this diversity should not bring exclusiveness and formation of peer group around these identities.</li> <li>• The students come from diverse academic and economic and social background which also affects their performance. The students vary in language background, academic performance level and social skill and standing. Therefore it is necessary that those who lack necessary skill and capabilities the program of capacity enhancement and of academic assistance are develop, so that they are able to cope up and catch up with the program and perform to their potential.</li> </ul>
<p><b>RECOMMENDATIONS</b></p>	<ul style="list-style-type: none"> <li>• Efforts on the part of the state have been made to improve access of the excluded groups to higher education, the educational gap still continue between women and men, between SCs, STs and Others and between poor and non-poor. It is, therefore, of utmost importance that the gap be reduced by strengthening and expanding the present policy of empowerment and equal opportunity.</li> <li>• Higher education in India today needs to design mechanisms to promote cognitive knowledge, social skills, values, and actions for civic learning and democratic engagement so essential to build citizenship.</li> <li>• The goal of higher education of imparting knowledge and career preparation needs to be combined with a third national goal of fostering informed and engaged citizenship, and reduce national deficit in civic capital. The education for democracy and civic responsibility has to be pervasive, not partial; central and not peripheral, and should form the core of higher education teaching. This requires reform in our education system to develop a generation which will be more sensitive and engaged in the promotion of gender and caste equity, freedom, and fraternity, and reduce dependence on legal safeguards.</li> </ul>

<p><b>Participating Agency:</b> Indian Institute of Dalit Studies, New Delhi</p>	<p><b>Supported by:</b></p>  <p><b>Christian aid</b> S J House, D-25d, South Extension 2, New Delhi – 110049 Phone: +91-11-26268068</p>
--	---

<b>THEMATIC AREAS</b>	Rights
<b>FOCUS SEGs</b>	Dalits and Adivasis
<b>GEOGRAPHIC AREA</b>	National/India
<b>SAMPLE</b>	NSS 60 <sup>th</sup> Round Data, Health File (NSSO, January-June 2004) 73,868 HHs having 383,338 individuals
<b>TYPE</b>	Quantitative
<b>PURPOSE</b>	<p>The primary aim of the study/working paper is to examine whether following health outcomes varied systematically according to person's gender and the social group to which s/he belonged:</p> <ul style="list-style-type: none"> <li>(i) Age of death</li> <li>(ii) Likelihood of women to receive prenatal and postnatal treatment</li> <li>(iii) Self-assessed health status of persons aged 60 years and above</li> <li>(iv) Likelihood of elderly persons, who were in poor health, to take treatment for their ailments</li> </ul> <p>The purpose was to investigate whether, after controlling for several non-group factors those may impinge on health outcomes, people's health outcomes were significantly affected by their gender and social group.</p>
<b>METHODOLOGY</b>	<ul style="list-style-type: none"> <li>• Morbidity and Healthcare Survey (M&amp;HC Survey) Data from NSS 60<sup>th</sup> Round conducted in 2004 was taken for the purpose. The survey covered 73,868 HHs having 383,338 individuals which examined several aspects of morbidity and healthcare of the respondents.</li> <li>• Three important aspects were considered for the study's perspective: <ul style="list-style-type: none"> <li>○ Particulars of household members who died in the past 365 days</li> <li>○ Particulars of economic dependence and ailments on the date of survey of persons aged 60 years and above (elderly persons)</li> <li>○ Particulars of prenatal and postnatal care for ever married women</li> </ul> </li> <li>• It was hypothesized that the above-mentioned aspects of M&amp;HC could inter alia be correlated with the social background of HHs to which respondents belonged.</li> <li>• The data offered information about HHs in terms of inter alia the following social groups—(a) Adivasis, (b) Dalits, (c) Muslims (OBC), (d) Muslims (Non-OBC), (e) Hindus (OBC) and (f) Hindus (Non-OBC)</li> </ul>

	<ul style="list-style-type: none"> <li>• The tabulation was done for various social groups by Average age at death and Medical attention received before death by gender.</li> <li>• Oaxaca type decompositions (based on evaluating different attribute vectors using a common coefficient vector) were attempted and yielded different results depending upon the common vector employed and analyzed.</li> <li>• An analysis of caste discrimination and exclusion as a factor in access was undertaken. Information on prenatal and postnatal care received/not received by ever married women was tabulated and the decomposition of the difference between higher caste and Dalit women in proportion who received pre and post natal care was attempted.</li> </ul>
<b>KEY FINDINGS</b>	<ul style="list-style-type: none"> <li>• In total, 1716 deaths were reported during the past 365 days. Of these, 9.1 percent were Adivasis, 17.6 percent were Dalits, 12 percent were Muslims and 21.3 percent were Hindus. By contrast, Adivasis, Dalits and Hindus comprised 7.9 percent, 16.9 percent and 23.6 percent respectively of the total 383,338 persons in the NSS-M&amp;HC Sample. This shows that with respect to Adivasis and Dalits, there was a difference between their proportionate presence in the number of deaths and their proportionate presence in the sample.</li> <li>• In terms of gender, the average age at death of Dalit women at 39.5 years was nearly 15 years less than that for forward cast Hindu women and 4 years lesser than that of Dalit men (43.6 years).</li> <li>• With respect to receipt of medical attention, the social group least likely to receive medical attention before death was found to be Adivasis. Only 59 percent Adivasis deaths received medical attention in contrast to 76 percent Dalit deaths and 73 percent Muslim deaths.</li> <li>• There was a little difference by genders in receiving the medical attention before death (Men = 69 percent and Women = 71 percent).</li> <li>• The difference between average age at death for Dalit women (39.5 years) and higher caste women (54.1 years) was 14.6 years which may be due to the two different set of factors—(a) Social status and (b) Ability to tackle mortality inducing factors.</li> <li>• By identifying and computing common coefficient, analysis was undertaken and in addition to other results, following was also observed: <ul style="list-style-type: none"> <li>○ First, terms like ‘bad sanitation’, ‘poor housing’ and ‘unsafe water supply’ are broad terms and within their rubrics might conceal several qualitative differences. So, there might be server differences in quality of sanitation and water supply between Dalit and higher caste even when such factors might be termed ‘poor’.</li> <li>○ The capacity to cope with such adverse circumstances might depend upon general health factors like nutritional status and prior illnesses or on human and social capital forces like literacy and access to information which might impact Dalit women more adversely.</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>• Dalit women’s life expectancy is lower as a result of higher exposure to mortality-inducing factors. This holds true for even if both higher caste and Dalit women who have the similar exposure to the mortality-inducing factors.</li> <li>• A difference of 11.07 years remains even after attributing Dalit social status coefficient to higher caste women which means that life expectancy among Dalit women would be 11 years lower than that of higher caste women in spite of having identical social status conditions like sanitation and drinking water.</li> <li>• Access to healthcare services is lower for SC women as compared to higher caste women. Only 15 percent higher caste women did not receive prenatal care while this proportion was higher among Dalit women (26%). Similar finding was found true for not receiving postnatal care (higher caste women—27% and Dalit women—37%).</li> <li>• While establishing economic position and level of women’s education are closely linked with receiving both prenatal and postnatal care, it was evident that even after controlling for income, occupation, education, religion, age, place of residence (rural-urban) and state type (backward-forward), the social group to which women belonged had a significant effect on their probabilities to receive pre and post natal care.</li> </ul>
<p style="text-align: center;"><b>RECOMMENDATIONS</b></p>	<ul style="list-style-type: none"> <li>• General health policies need to be accompanied with group-specific measures to address the specific problems of discriminated social groups.</li> <li>• General policies may include <ul style="list-style-type: none"> <li>○ Improvement in access of poor to income through assets and earnings</li> <li>○ Improvement in education level</li> <li>○ Improvement in access to sanitation facilities and drinking water</li> <li>○ Improvement in access to public health services.</li> </ul> </li> <li>• There is a need to adopt measures so as to promote equal and non-discriminatory access to healthcare services for women from socially excluded groups.</li> </ul>

<p><b>Participating Agency:</b> Indian Institute of Dalit Studies, New Delhi</p>	<p><b>Supported by:</b></p> <div style="text-align: center;">  </div> <p><b>Christian aid</b> S J House, D-25d, South Extension 2, New Delhi – 110049 Phone: +91-11-26268068</p>
--	--

# 19

## Mapping Caste-based Atrocities in India (With Special Reference to Dalit Women)

<b>THEMATIC AREAS</b>	Rights
<b>FOCUS SEGs</b>	Dalits
<b>GEOGRAPHIC AREA</b>	India
<b>SAMPLE</b>	Not Applicable
<b>TYPE</b>	Qualitative and Quantitative
<b>PURPOSE</b>	<ul style="list-style-type: none"> <li>• The present study covers some of the un-researched areas for facilitating a comprehensive understanding of caste-based atrocities in India, addressing the gaps from the Status Report 2010-11. Two critical issues that emerged from the earlier report but could not be covered in detail were the vulnerability of women to caste atrocities and understanding the diverse factors that hinder the functioning of implementing machineries and the role of national level monitoring bodies in the process of implementation of legislations relating to atrocities.</li> <li>• Specific <b>objectives</b> of the study are:             <ul style="list-style-type: none"> <li>▪ To examine the pattern of atrocities against SCs in India in 2010.</li> <li>▪ To study the nature and pattern of atrocities against Dalit women and their consequences.</li> <li>▪ To understand the perspective of human rights activists on various aspects of caste-based discrimination and atrocities.</li> <li>▪ To examine the responses of State machineries and the role of national level administrative bodies/institutions with regard to caste atrocities.</li> <li>▪ To explore the linkage between caste atrocities and other social problems faced by SCs.</li> <li>▪ To suggest measures for the prevention of caste-based atrocities through the effective implementation of laws.</li> </ul> </li> </ul>
<b>METHODOLOGY</b>	<ul style="list-style-type: none"> <li>• The study includes a detailed analysis Status Report 2010-11 to specifically identify the gaps that are essential for policy formulation. Other sources of information include media reports on atrocities against women and National Crime Record Bureau. Other data sources from studies including Centre for Dalit Rights were sourced and analyzed.</li> <li>• Information on atrocities against SCs was collected from media reports, fact-finding exercises, documents of the government and non-government organizations (NGOs), and human rights activists. In order to collect data from human rights activists for understanding their perspectives on various aspects of caste atrocities, a questionnaire that was specifically designed for the purpose was used.</li> </ul>



	<ul style="list-style-type: none"> <li>• The report takes into account over 500 media reports on caste atrocities that occurred across India during the year 2010 that could be gathered. In addition 25 respondents, a majority of whom were from the Dalit communities from Delhi and outside Delhi, were requested to share their views and experiences.</li> <li>• The analyses take into consideration individual cases of atrocities. The triangulation of information from different sources helped to highlight several critical emerging issues. This helped in highlighting some emerging issues that need to be seriously considered at the levels of policy formulation, implementation, capacity building, and conduction of research.</li> </ul>																												
<p><b>KEY FINDINGS</b></p>	<ul style="list-style-type: none"> <li>• The analysis of media reports indicates that some atrocities like physical assault, caste abuse and discrimination, and heinous crimes like murder and rape find a fair space in the print media. In many cases, the reporting of atrocities in the media has helped victims to register the case and also receive other benefits under the PoA Act. Some atrocities like murder, physical assault, and destruction of property are committed in a collective manner by more than one accused. The involvement of the media could, in fact, sensitize and mobilize people to help Dalits from caste oppressions.</li> <li>• Social boycotts constitute a significant aspect of the atrocities committed against the Dalits, no action is prescribed against such a practice under the law. Social boycotts impose several hardships on the affected persons and expose the boycotted Dalits to further violence. A series of other offences are also committed on the targeted community after the imposition of the boycott, thereby making the impact of the boycott more pervasive.</li> <li>• Majority of the respondents reported that rape, murder, and the destruction of property are the most common forms of atrocities against the SCs and STs, of which rape of Dalit women is the most common in contemporary society. Manual scavengers and domestic</li> </ul> <div data-bbox="794 913 1402 1391" style="text-align: center;"> <table border="1"> <caption>Media Reports on Caste Atrocities by State (2010)</caption> <thead> <tr> <th>State</th> <th>Percentage</th> </tr> </thead> <tbody> <tr><td>U. Pradesh</td><td>16.2</td></tr> <tr><td>Karnataka</td><td>14.0</td></tr> <tr><td>Harayana</td><td>11.2</td></tr> <tr><td>Tamil Nadu</td><td>12.3</td></tr> <tr><td>Orissa</td><td>6.7</td></tr> <tr><td>Gujarat</td><td>5.0</td></tr> <tr><td>Punjab</td><td>7.3</td></tr> <tr><td>An.Pradesh</td><td>7.3</td></tr> <tr><td>Bihar</td><td>3.4</td></tr> <tr><td>Rajasthan</td><td>3.9</td></tr> <tr><td>Kerala</td><td>2.8</td></tr> <tr><td>M. Oradesh</td><td>7.3</td></tr> <tr><td>Maharashtra</td><td>2.8</td></tr> </tbody> </table> <p>Source: Media Reports, 2010</p> </div>	State	Percentage	U. Pradesh	16.2	Karnataka	14.0	Harayana	11.2	Tamil Nadu	12.3	Orissa	6.7	Gujarat	5.0	Punjab	7.3	An.Pradesh	7.3	Bihar	3.4	Rajasthan	3.9	Kerala	2.8	M. Oradesh	7.3	Maharashtra	2.8
State	Percentage																												
U. Pradesh	16.2																												
Karnataka	14.0																												
Harayana	11.2																												
Tamil Nadu	12.3																												
Orissa	6.7																												
Gujarat	5.0																												
Punjab	7.3																												
An.Pradesh	7.3																												
Bihar	3.4																												
Rajasthan	3.9																												
Kerala	2.8																												
M. Oradesh	7.3																												
Maharashtra	2.8																												

	<p>workers were the most vulnerable groups, irrespective of their caste identities.</p> <ul style="list-style-type: none"> <li>• None of the concerned authorities or agencies made any special effort to deal with the negative aftermath of the atrocities. Even officials posted at the district level and in other monitoring bodies at the state level do not visit the village or the victims who are the target of the atrocities. The only initiative that is sometimes seen after such an incident takes place in the form of organization of a meeting between the caste Hindu leaders and Dalit leaders to enable them to negotiate and settle the case in the name of social harmony. The administration allegedly takes a proactive approach to deal with the problem only when the case gets highlighted by the media.</li> <li>• Atrocities perpetrated against Dalit women are multi-dimensional in nature. Several actors at the community, societal and administrative levels are independently and collectively responsible for such acts. The evidence of an increasing number of atrocities against Dalit women coupled with the non-registration of many cases and low conviction rates in the registered cases point to the failure of State machineries in protecting the rights of Dalit women in particular. The process of obtaining justice for the Dalit women victim-survivors and their families is often stymied by different State actors. The atrocities against Dalit women thus have serious negative physical, social and psychological consequences for not only the victims themselves but also for their families/relatives and the Dalit.</li> <li>• It has also been seen that in many cases of atrocities, when the case is highlighted by the media, it gets registered on time and investigation is undertaken promptly. This publicity automatically acts as a monitoring mechanism wherein the officials respond to the case on a priority basis.</li> <li>• There are internal group differences (within Dalits) that create an insecure context and make it difficult to achieve the larger goal of consolidating Dalits as a single unified community.</li> <li>• Respondents of the study felt that the Prevention of Atrocities Act has had no visible impact on preventing atrocities though it has generated awareness among the Dalits about human rights. Different reasons for its ineffectiveness include less knowledge about the provisions of the Act, its poor implementation, casual attitude of the police and administration towards the execution of this Act, and their negatively biased feelings towards the Dalits.</li> </ul>
<b>CONCLUSION</b>	<ul style="list-style-type: none"> <li>• Deficiencies in implementation of various sections of the PoA Act itself have been responsible for the increasing atrocities against</li> </ul>

	<p>SCs and STs. No matter how sound an Act is, unless the personnel at different levels in charge of its implementation perform in accordance with the letter and spirit of the Act, its implementation will fall short of the objective of reaching the protection of the Act to all the people intended.</p> <ul style="list-style-type: none"> <li>• Many of the atrocities occur in a socio-historical context wherein traditional social practices often make the enforcement of laws more difficult.</li> <li>• Insensitivity is exhibited by the local people’s representatives to the atrocities against SCs and STs. There is reluctance among people’s representatives to discipline the bureaucracy so that it guarantees a fair implementation of the law. There is ignorance of the excesses and offences committed by the police machinery and other officials with a view to maintain their morale, and there is lack of seriousness in analyzing the findings of reports of special committees and non-official bodies on issues related to atrocities.</li> <li>• Dalits should overcome internal differences in the community to be able to take the Dalit movement forward, to prevent caste atrocities, and to ensure the provision of justice to their own community members.</li> </ul>
<p><b>RECOMMENDATIONS</b></p>	<ul style="list-style-type: none"> <li>• Regular training and orientation to police personnel, the officials responsible for the prosecution of cases relating to atrocities, and human rights activists to ensure that they perform their respective roles efficiently in order to ensure the delivery of justice for the victims.</li> <li>• Extensive use of the media by civil society organizations to bring many cases to public notice would be effective in drawing greater attention of the higher authorities and thus helping the victim to get justice</li> <li>• To handle the cases of atrocities against Dalits, rather than appointing one investigation officer of the rank of Deputy SP or higher, it would be preferable to appoint an investigation team comprising 3-5 members, of which at least one officer would be from the SC community.</li> <li>• The Dalit rights-based movement must also make room for women to become activists and leaders.</li> </ul>

<p><b>Participating Agency:</b> Indian Institute of Dalit Studies, New Delhi</p>	<p><b>Supported by:</b></p>  <p><b>Christian aid</b> S J House, D-25d, South Extension 2, New Delhi – 110049 Phone: +91-11-26268068</p>
--	---

# 20 Mapping Caste-based Atrocities in Uttar Pradesh

<b>THEMATIC AREAS</b>	Rights/Discrimination
<b>FOCUS SEGS</b>	Dalits
<b>GEOGRAPHIC AREA</b>	Uttar Pradesh
<b>SAMPLE</b>	Not Applicable
<b>TYPE</b>	Qualitative and Quantitative
<b>PURPOSE</b>	<ul style="list-style-type: none"> <li>• To examine the overall pattern and trend of caste-based atrocities in Uttar Pradesh.</li> <li>• To map the atrocities against Dalits in Uttar Pradesh pertaining to the Year 2011.</li> <li>• To examine the diversity in caste-based atrocities in the state in terms of nature and forms of atrocities, context, causes, region, gender etc.</li> <li>• To assess the responses of state administrative and judicial machinery in the state dealing with atrocities.</li> <li>• To understand the role of monitoring bodies/ institutions and civil society organizations with regard to caste atrocities.</li> <li>• To suggest policy measures for the state government on caste-based atrocities.</li> </ul>
<b>METHODOLOGY</b>	<ul style="list-style-type: none"> <li>• Individual reporting and group discussion in a 'sharing workshop' were organized at the state level to gather experiential accounts of more than 40 human rights activists in Uttar Pradesh associated with more than 30 organizations working on caste atrocities. Four cases studies on caste atrocities in Uttar Pradesh in the year 2011 were carried out using a semi-structured interview schedule. Data has been collected from various sources that include official data of the National Crime Record Bureau (NCRB) for last one decade, i.e. from 2001 to 2010, keeping in view the division of the State in the year 2000; media reports on atrocities against Dalits in the state pertaining to the year 2011; fact finding reports prepared by few human rights organizations in the State; official documents obtained through filing RTIs; experiential accounts of human rights activists working on the issues of caste discrimination and atrocities in the state; and few case studies.</li> <li>• Qualitative data collected from different sources were content analyzed and often quantified to understand the patterns of atrocities. It provided insights into various critical issues related to caste-based atrocities in the state that have special policy consideration.</li> </ul>
<b>KEY FINDINGS</b>	<ul style="list-style-type: none"> <li>• Uttar Pradesh has witnessed an increase in atrocities against Dalits despite strong enforcement of the laws for the protection of their rights. Although, the registered cases of crimes against Dalits indicates a declining trend in recent years, in reality, however, many</li> </ul>

	<p>of the cases especially in rural areas remain unnoticed, unreported and under-reported.</p> <ul style="list-style-type: none"> <li>• Ministry of Social Justice and Empowerment, Government of India has identified 20 atrocity prone districts in Uttar Pradesh which include Lucknow, Hardoi, Sitapur, Raibareli, Unnao, Gonda, Bahraich, Barabanki, Sultanpur, Fatehpur, Etawah, Banda, Jalaun, Basti, Gorakhpur, Azamgarh, Badaun, Meerut, Varanasi and Agra.</li> <li>• A total of 446 cases were reported in print media from 62 districts of Uttar Pradesh, of which half were only from 11 districts.</li> <li>• In Uttar Pradesh, rape against Dalits is a common form of atrocity whereas other atrocities vary across districts.</li> <li>• According state government data, of the 1290 rape cases that took place in Uttar Pradesh in 2010, 588 cases (i.e. 45.6%) were of Dalits. Dalits constitute 22% of the total population in Uttar Pradesh.</li> <li>• Gender-specific atrocities in the form of rape, gang rape and sexual harassment together constituted more than one-third of the total reported cases. Besides, women also face other forms of atrocities like physical assault, kidnapping, attempt to burn and kill and more humiliation and harassments through caste slur, indecent behaviours, abusive words etc.</li> <li>• There is a definite pattern of atrocities against Dalits in Uttar Pradesh. Some atrocities like rape, kidnapping, murder and physical assault find a fair space in the print media. Dalit women in the state are subjected to multiple forms of atrocities. Among scheduled castes, few sub-caste groups like Chamar and Pasi seem more vulnerable to caste atrocities.</li> <li>• Although Dalits are found a majority group in few villages but their participation in decision making is low. Dalits' voices are suppressed. Even if a Dalit is village head, he has to prove to be a proxy person to these two dominant caste groups.</li> <li>• The authorities are ineffective to combat atrocities. Barring some cases, in large number of cases, response of police to victims' plea for justice is ignored. Even police is at times helpless because of the high-handedness of the upper castes.</li> <li>• The implementation is affected by several gaps in the enforcement of the Act and its Rules. Enough evidence show gaps in all major stages of the criminal justice system such as in registering the case of atrocities, process of investigation of these cases, filing of charge-sheets, trialing of cases in the court, access of victims to legal aid and compensation etc. In many cases, filing a FIR is not considered by police to be a legitimate right of victims. Undesirable pressure is exerted on victims to avoid any registration of cases rather</li> </ul>
--	---

	<p>compromise outside stat of law. In many cases, charge sheets are prepared as per wish of the accused or police.</p>
<b>CONCLUSION</b>	<ul style="list-style-type: none"> <li>• Among the states in India, Uttar Pradesh has a distinction of highest number of atrocities against Scheduled Castes (Dalits). This is believed to have manifested on account of prejudices and resentment against Dalits that are reinforced by casteist views, and also political role of caste identity defining the social relationship among social groups. The manipulation of caste identities for political agendas fuels tensions between communities, and this, in turn, results in increasing resentment and alienation between communities.</li> <li>• Increase in atrocities against Dalits in the state reflects not only on the ineffectiveness of existing legislations but also on the lack of accountability and obligations of state machinery to protect basic human rights and promote social security.</li> </ul>
<b>RECOMMENDATIONS</b>	<ul style="list-style-type: none"> <li>• While dealing with caste-based discrimination and atrocities, the state government needs not only implementation of law across the states but also at the same time exercise the disciplinary measures against the violators of the laws.</li> <li>• A strong monitoring mechanism need to be placed to ensure that officials respond to the cases of atrocities on priority basis.</li> <li>• Keeping in view the vulnerability of Dalit women and specific sub-castes to atrocities, the State government should launch special drive in different districts from time to time to check atrocities against these sections through ensuring the arrest of culprits and initiating stern action against the offenders.</li> <li>• Online recording of FIR should be ensured and a copy FIR should be given to victim. A copy of registered FIR should be sent to the Circle Officer and Superintendent of Police.</li> <li>• Immediate arrest of accused person(s) on registering of FIR is essential to avoid any interference in investigation process. As in many cases, registering of FIR becomes possible due to social pressure; local organizations need to be encouraged to render all possible help to victims to get the cases registered.</li> <li>• In order to minimize deficiencies during investigation, Investigating officer(s) need to collect logical and reliable evidence.</li> <li>• In view of higher pending cases, while there is need to ensure that existing special courts work properly, more special courts need to be set up especially in districts witnessing more atrocities</li> <li>• As soon as FIR is registered, victim(s) should receive a higher proportion of total monetary compensation. This would help them to fight the case without any monetary huddles.</li> </ul>

	<ul style="list-style-type: none"> <li>• As access of Dalit victims to justice has been difficult due to the non-registration and improper investigation of cases, there is a need of increasing access to justice through Dalit leadership at lower level of governance</li> <li>• Collaborative efforts of state machinery and the human rights organizations would strengthen the process of implementation of laws on caste-based atrocities in the state.</li> </ul>
--	---

<p><b>Participating Agency:</b> Indian Institute of Dalit Studies, New Delhi</p>	<p><b>Supported by:</b></p>  <p><b>Christian aid</b> S J House, D-25d, South Extension 2, New Delhi – 110049 Phone: +91-11-26268068</p>
--	---

## 21

Justice Under Trial — Caste Discrimination in  
Access to Justice Before Special Courts

<b>THEMATIC AREAS</b>	Rights
<b>FOCUS SEGS</b>	Dalits
<b>GEOGRAPHIC AREA</b>	Andhra Pradesh, Jharkhand, Rajasthan, Tamil Nadu and Uttar Pradesh
<b>SAMPLE</b>	One Special Court in one district of the selected state; Total 5 Special Courts; No fixed sample of cases of atrocities
<b>TYPE</b>	Qualitative
<b>PURPOSE</b>	<p>The overall purpose of the study is to enhance the process of accessing justice through the Special Courts and ensuring just outcomes for SC/ST victims of atrocities.</p> <p>The specific objectives of the study were:</p> <ol style="list-style-type: none"> <li>1. To examine the judicial process in the Special Courts by tracking the progress of cases under trial over a protracted period of time;</li> <li>2. To analyse the various obstacles that SC/ST victims and witnesses face during each stage of the trial process as against the legal standards;</li> <li>3. To identify the opportunities and constraints existing within legal procedures, administration and personnel of the Special Courts for ensuring justice to SC/ST victims of atrocities;</li> <li>4. To develop concrete and practical recommendations for strengthening the functioning of the Special Courts.</li> </ol>
<b>METHODOLOGY</b>	<ul style="list-style-type: none"> <li>• The study covered five Special Courts in the five states of <b>Andhra Pradesh, Jharkhand, Rajasthan, Tamil Nadu and Uttar Pradesh</b>.</li> <li>• Within each state, one Special Court was chosen in a district where the civil society organisation had a strong presence and network in place, which is engaged in monitoring atrocities in the district, had strong relations with the local SC/ST communities as well as strong networks with other SC/ST/human rights organisations in the district, and some working relations with district police and government officials.</li> <li>• Study was undertaken in collaboration with civil society organisations in each of the five chosen states. Each organisation appointed one advocate to monitor the functioning of the chosen Special Court in their state, collect secondary data and track the atrocity cases under trial.</li> <li>• In order to develop in-depth understanding of the legal processes at the special courts and roles and actions of various actors viz-a-viz complementing the investigation on the substantive issues to reach successful conviction, following activities were undertaken: <ul style="list-style-type: none"> <li>○ Daily Observation of Trial Process</li> <li>○ Information and Secondary Data on Special Courts, Cases Pending Trials and Judgements</li> <li>○ Right to Information Data on Special Courts in Five States</li> <li>○ Meetings with Victims and Witnesses of Atrocities</li> </ul> </li> </ul>



	<ul style="list-style-type: none"> <li>○ Short Survey of Victims and Witnesses' Perceptions as regards to Trial of their Cases</li> <li>○ Case Studies of Victims' Experience in Atrocity Cases</li> <li>○ Meeting with SC/ST Advocates and Other Advocates Intervening in Atrocity Cases</li> <li>○ Interviews with Special Public Prosecutors</li> </ul>
<p style="text-align: center;"><b>KEY FINDINGS</b></p>	<ul style="list-style-type: none"> <li>● Findings show that only Andhra Pradesh have set up Exclusive Special Courts in all 23 districts of the state. By contrast, Jharkhand has not established a single Exclusive Special Court. Meanwhile, Rajasthan has established Exclusive Special Courts in only 17 of its 33 districts, Uttar Pradesh has Exclusive Special Courts in only 40 of its 71 districts, and Tamil Nadu is only 4 of its 32 districts.</li> <li>● In terms of the overall disposal of registered crimes against SCs/STs by the courts in the five states, in 2012 the disposal rate was poor. The pendency rate for cases under trial ranged from 61.9% in Andhra Pradesh to 93.2% in Rajasthan. Taking the conviction rate for cases under the PoA Act alone, this also ranged from 8.5% in Andhra Pradesh to 49.2% in Uttar Pradesh, or an average of 23.6% conviction rate across the five states. This can be compared to the average conviction rate of 44.7% for crimes registered under the IPC in the five states, almost double the conviction rate for crimes under the PoA Act.</li> <li>● The five Special Courts have different caseloads before them. At the bottom end are the two Designated Special Courts in Jharkhand and Tamil Nadu, which have only 65 and 186 pending cases respectively. These courts can be compared to the three Exclusive Special Courts in Andhra Pradesh, Rajasthan and Uttar Pradesh, which have pending cases numbering 210, 340 and 1017 respectively.</li> <li>● Analysis has shown that right to speedy trial by examining the various stages of trial at which pending cases lie in the Special Courts. Taking the four courts with complete information on pending cases together, the following major trends appear: <ul style="list-style-type: none"> <li>▪ 18.4% of pending cases are at the charge framing stage</li> <li>▪ 65.3% of pending cases are at the prosecution evidence stage</li> <li>▪ 3.9% of pending cases are at the defence evidence stage</li> <li>▪ 6.0% of pending cases are at the final arguments stage</li> <li>▪ Less than 1% of pending cases are at the judgement stage.</li> </ul> </li> <li>● In terms of the charges framed for the various atrocities in the Special Courts, a great deal of variation was seen across and within the states. Moreover, one has to look at the variation in the charges framed by the Court as compared to the FIR and the charge sheet in a case. This indicates the low level of knowledge on the provisions of the PoA Act.</li> <li>● The average disposal rate was found to be poor in all the five Special Courts. Those who reached judgement in these Special Courts, the <b>overall conviction rate averaged at only 20.4 percent</b>. This was only marginally higher than the average conviction rate under the PoA Act across the country (17.9%).</li> </ul>

	<ul style="list-style-type: none"> <li>• The average conviction rate over the three-year period ranged from 13.5% in Rangareddy Special Court to 23.0% in Alwar Special Court. In other words, <b><i>less than a quarter of all cases reaching judgement in any of these courts are ending in convictions.</i></b></li> <li>• Section 14 PoA Act currently provides for a contradiction to arise. On the one hand, it creates Special Courts to ensure the right to speedy trial for SC/ST victims of atrocities. On the other hand, it talks only of Sessions Courts being designated as Special Courts, meaning that they take up atrocity cases in addition to their already huge case load. In this situation, it is not surprising that the right to a speedy trial is being denied to SC/ST victims of atrocities.</li> <li>• Despite the increasing number of atrocities against SCs and STs over the years, trends across the five states indicate that a <i>disproportionately lower conviction rate exists for crimes prosecuted under the PoA Act</i> than under the Indian Penal Code. There is a clear linkage between protracted trials and a number of obstructive factors rooted in caste discrimination that come into play to deny the victims a right to a fair hearing.</li> </ul>
<p><b>RECOMMENDATIONS</b></p>	<p><b>STRENGTHEN THE POA ACT AND RULES THROUGH AMENDMENTS:</b></p> <ul style="list-style-type: none"> <li>• Amend the PoA Act to include the following necessary provisions for strengthening the effective enforcement of the Act:</li> <li>• Establish Exclusive Special Courts and exclusive Special Public Prosecutors to exclusively try atrocity cases under the PoA Act.</li> <li>• Introduce a timeframe of 120 days for the completion of trial from the date of taking cognisance of the offence in order to ensure speedy justice to the victims.</li> <li>• Specify the powers and responsibilities of the Special Courts, including to explain to the victims about their rights during the trials, and to assess the requirement for protection and security for victims and witnesses throughout the trial.</li> <li>• Specify that any Special Public Prosecutor who has not conducted the atrocity case to the best of her/his abilities and with due care and caution, or has done any illegal act (such as demanding money from the victims and witnesses) shall be deemed to have neglected their duties under the Act and be liable to punishment under sec. 4.</li> </ul> <p><b>ENSURE STRICT ENFORCEMENT OF THE LAW TO CURB ATROCITIES:</b></p> <ul style="list-style-type: none"> <li>• Strictly enforce the Ministry of Home Affairs Advisories for curbing crimes against SCs/STs, especially as regards: <ul style="list-style-type: none"> <li>○ Minimising the delays in the investigation of cases of atrocities and improving the quality of police investigations;</li> <li>○ Regular training programmes for law enforcement machinery at all levels and other functionaries of the criminal justice system on the PoA Act and PCR Act, mandatory rules/measures for their effective enforcement, as well as sensitisation on caste-based crimes against SCs/STs and the need for such social laws.</li> </ul> </li> </ul>

	<p><b>CREATE A FREE ATMOSPHERE FOR VICTIMS AND WITNESSES TO DEPOSE:</b></p> <ul style="list-style-type: none"> <li>• Create a waiting room within the Court premises for SC/ST victims and witnesses to sit while they await the hearing of their cases, in order to provide privacy.</li> <li>• Create a video conferencing room within the Court premises and provide for the ability of witnesses, on application to the judge, to testify via video conferencing in cases where caste tensions or any harassment of victims and witnesses exist after the atrocity has taken place.</li> </ul> <p><b>CREATE GUIDELINES FOR EFFECTIVE FUNCTIONING OF SPECIAL COURTS:</b></p> <ul style="list-style-type: none"> <li>• Ensure that the transfer of judges is planned in such a manner that the posts of judges are never kept vacant in the Special Courts.</li> <li>• Vacancies in the posts of Special Public Prosecutors arising on account of unexpected and unforeseeable contingencies shall be filled within 30 days after the occurrence of such contingencies.</li> <li>• Adjournments should not be given frequently and should be avoided by the Special Courts as far as possible.</li> <li>• The Public Prosecutor should ensure that the witnesses' memory is refreshed regarding the contents of his/her prior testimony by showing him/her the records for her/his case prior to the commencement of the deposition.</li> <li>• Witness protection orders, in the form of (i) injunctions against the accused having contact with victim and witnesses, (ii) pre-trial detention order or no-contact bail conditions, or (iii) protection by police should be made available in all atrocity cases under trial.</li> <li>• Civil society organisations working for the rights of SCs and STs should be allowed to work with police officers, public prosecutors and victims to facilitate the smooth running of the cases. They should be allowed to follow up the execution order passed by the Special Courts and monitor their implementation.</li> </ul>
--	--

<p><b>Participating Agency:</b>  <b>National Dalit Movement for Justice (NDMJ)</b>  <b>NCDHR, New Delhi</b></p>	<p><b>Supported by:</b></p>	 <p><b>Christian aid</b>  S J House, D-25d,  South Extension 2,  New Delhi – 110049  Phone: +91-11-26268068</p>
---	-----------------------------	---

## 22

## Assessing Access To Water Sanitation And Hygiene (Wash) Services By Scheduled Caste Community In Rural India

<b>THEMATIC AREAS</b>	Right to WASH
<b>FOCUS SEGS</b>	Dalits
<b>GEOGRAPHIC AREA</b>	AP, UP, MP, Odisha, Bihar
<b>SAMPLE</b>	10,641 households
<b>TYPE</b>	Quantitative
<b>PURPOSE</b>	<ul style="list-style-type: none"> <li>• To assess the access of Scheduled Caste communities to WASH services in rural areas.</li> <li>• To identify the social and economic barriers being faced by Scheduled Castes in the rural society</li> <li>• To study the awareness level of Scheduled Caste communities on different programmes and schemes</li> <li>• To understand how the Scheduled Caste community perceives the issues around WASH and what needs to be done to bring improvement therein</li> <li>• To identify the areas of intervention for addressing issues of accessibility of WASH services by Scheduled Caste community</li> </ul>
<b>METHODOLOGY</b>	<ul style="list-style-type: none"> <li>• The study was conducted in five states of Odisha, Madhya Pradesh, Uttar Pradesh, Andhra Pradesh and Bihar selected on the basis of concentration of Dalit population proportionate to total population. Similarly, districts within the states were selected based on the concentration of Dalit and status of WASH. Amongst the Districts a combination of better performed and non-performing (as per secondary sources) were selected.</li> <li>• Within the districts, a village wise list of proportion of Dalit population to total population was prepared. From each district 15-20 villages with more than 50 per cent Dalit population were selected. A total number of 10641 individuals from as many households were interviewed, of which 65.3 per cent were male and 34.7 per cent were female.</li> <li>• Household interview tools were developed, pre tested and finalized. Key areas of assessment in this tool included: <ul style="list-style-type: none"> <li>○ The status of access to drinking water and sanitation by SCs</li> <li>○ The Participation of SCs in decision making process as the members of the Village water and sanitation committee or as members of the Gram Sabha</li> <li>○ Main challenges that hinder access to decision making and access; highlight and document the incidences of exploitation, conflict and discrimination in accessing safe water and sanitation.</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>○ The knowledge gaps of Scheduled Caste communities about government programmes and entitlements.</li> <li>○ Examples of how these challenges were addressed</li> <li>○ What would the SCs expect in order to get sustained access to water and sanitation</li> </ul> <ul style="list-style-type: none"> <li>● In addition, Village Information Sheet was developed. Also a Focus Group Discussion guide was prepared and used.</li> <li>● Following is the list of districts covered in each of the state: <table border="1" data-bbox="512 562 1362 927"> <thead> <tr> <th>Sl. No.</th> <th>State</th> <th>Districts</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>Uttar Pradesh</td> <td>Allahabad, Ambedkar Nagar, Etawah, Gorakhpur, Jhansi, Kanpur Dehat, Rae Bareli, Sitapur, Sonbhadra,</td> </tr> <tr> <td>2.</td> <td>Bihar</td> <td>Gaya, Jehanabad, Rohtas</td> </tr> <tr> <td>3.</td> <td>Madhya Pradesh</td> <td>Panna, Sagar, Tikamgarh</td> </tr> <tr> <td>4.</td> <td>Odisha</td> <td>Bhadrak, Jajpur</td> </tr> <tr> <td>5.</td> <td>Andhra Pradesh</td> <td>Chittor, Nellore, Prakasam</td> </tr> </tbody> </table> </li> </ul> <ul style="list-style-type: none"> <li>● After the completion of primary survey, the household and village schedules were manually scrutinized by the investigators with the help of team supervisors. Post coding of some of the qualitative and quantitative variables was done by the investigators. The data were entered in MS access format. The analysis was carried out using SPSS on an agreed framework.</li> </ul>	Sl. No.	State	Districts	1.	Uttar Pradesh	Allahabad, Ambedkar Nagar, Etawah, Gorakhpur, Jhansi, Kanpur Dehat, Rae Bareli, Sitapur, Sonbhadra,	2.	Bihar	Gaya, Jehanabad, Rohtas	3.	Madhya Pradesh	Panna, Sagar, Tikamgarh	4.	Odisha	Bhadrak, Jajpur	5.	Andhra Pradesh	Chittor, Nellore, Prakasam
Sl. No.	State	Districts																	
1.	Uttar Pradesh	Allahabad, Ambedkar Nagar, Etawah, Gorakhpur, Jhansi, Kanpur Dehat, Rae Bareli, Sitapur, Sonbhadra,																	
2.	Bihar	Gaya, Jehanabad, Rohtas																	
3.	Madhya Pradesh	Panna, Sagar, Tikamgarh																	
4.	Odisha	Bhadrak, Jajpur																	
5.	Andhra Pradesh	Chittor, Nellore, Prakasam																	
<p style="text-align: center;"><b>KEY FINDINGS</b></p>	<p><b>1. Access to Water</b></p> <ul style="list-style-type: none"> <li>● Out of 10,641 households surveyed, 83.2 per cent reported of having access to safe drinking water sources.<sup>1</sup> It is estimated to be highest in Uttar Pradesh (95%) followed by AP (91%), Bihar (88%), MP (56.5%) and Odisha (45.9%).</li> <li>● Local hand pumps emerge as the major source of safe drinking water on which around 73.4 per cent households depend. It varies from 38 per cent in Andhra Pradesh to 87.8 per cent in Odisha. Except AP, in rest of the four sample states, more than 95 per cent households collect safe drinking water either from public stand post or from local hand-pumps.</li> <li>● Out of the households who depend on unsafe sources, as high as 74 per cent accessing drinking water from open well, 20 per cent from river/stream/<i>nala</i> and rest 5.8 per cent depend on spring, pond and other sources.</li> <li>● Around 42 per cent households reported of accessing water from 6 to 50 meter distance whereas 39.8 per cent reported of fetching water from 51 to 500 meter distance. It was also found that people (women) had to walk even more than 500 meter, a number of times every day, to fetch drinking water.</li> </ul>																		

<sup>1</sup> Safe drinking water includes sources from supply water to houses, public stand post, local hand pump, and India mark 2/3. Other sources such as river, nala, stream, ponds, spring, rain water harvest, open well and any other sources are treated here as unsafe source of drinking water.

	<ul style="list-style-type: none"> <li>• Around 35 per cent households fetch water from sources that come under the territory of public property near Dalit locality followed by 21.6 per cent owned by other Dalit households, 16 per cent from owned source. The trend is almost same across the sample states</li> <li>• Out of 10,641 samples, 81.69 per cent households reported facing scarcity (insufficiency) of drinking water. The highest (97%) reported in Odisha followed by Bihar (93%), MP (86%), UP (76%) and AP (73%). Scarcity of water force many households either to walk long distance to fetch water or to wait long time in their queue</li> <li>• On an average people fetch water 5 times per day. It varies from 2.6 times in AP to 6.5 times in UP. Generally people spend 15-30 minutes to fetch water per trip. This includes commuting and waiting time. In Bihar, people spent around 23 minutes where as it is 43 minutes in MP.</li> <li>• Among sample households, 27% households reported to be the victim of caste-based discrimination while fetching water. It is highest in Odisha (53%) households, followed by MP (48%), UP (25%), Bihar (23%) and AP (5%).</li> <li>• Out of the 28% households reporting caste-based discrimination, 68% are being discriminated by dominant caste people; 15% per cent were being discriminated by other scheduled caste (who consider themselves to be of higher caste status than the Dalits) and another 17% reported being discriminated by their own caste (same sub-caste) indicates intra-caste discrimination.</li> <li>• Around 50% people feel that they face untouchability based discrimination while fetching water, which is more prominent in Bihar (70%) followed by Odisha (64%). Dominant caste people coercively take water without waiting to their turn was reported by 31% respondents. Another 18% reported that dominant caste people often forcefully did not allow collecting water.</li> </ul> <p><b>2. Access to Sanitation</b></p> <ul style="list-style-type: none"> <li>• Among sample households, only 12% reported of having toilet provision of their own. It varies from 21% being the highest in AP to 0.7%, the lowest in Odisha. Secondary Sources (National Sample Survey Organization) data (about 4 years old) reports 35% Dalit households having access to toilets in India.</li> <li>• Reasons for not using the functional toilet and practicing open defecation were varied including do not feel clean within the toilet, do not feel comfortable in a small place, which stinks, men do not feel comfortable to use as the toilets are used by the women, feel better to go for open defecation as they meet friends and chit chat and do not feel convenient to carry water for washing and flushing.</li> <li>• Nearly 44% of SC women defecate in the land owned by dominant caste people, followed by 26% in community forest area and 22% on road side. When, defecation in the land of dominant caste households and common place like bank of river and pond embankment lead to conflict and atrocity inflicted by dominant caste people, use of road side and railway track for open defecation often result in accidents.</li> </ul>
--	--

	<ul style="list-style-type: none"> <li>• Conditions like incomplete construction, no door, no roof, half-built wall, dirty or broken pan, unavailability of water and too small toilet unit with more people in the household force people not to use existing toilets.</li> </ul>
<b>CONCLUSION</b>	<p>For the marginalized community like Scheduled Caste access to drinking water is not only a major issue but also its availability within the vicinity of the households, the control and choice over resources and voice against the violation of entitlements and rights are equally important. Discrimination and practice of untouchability against Scheduled Caste is prevalent in many parts of the country. There has been hardly any case of exemplary punishment given by the court of law to the perpetrators of such crime. The matter is normally downplayed by the administration instead of mitigating them with the existing law of the country.</p>
<b>RECOMMENDATIONS</b>	<ul style="list-style-type: none"> <li>• Best practices in terms of sharing WASH resources by Scheduled Castes and non-scheduled Castes without any discrimination should be documented to be disseminated amongst people through media and other avenues. At the same time incidences like discrimination and practice of untouchability should be dealt as per the law in fast track courts so that it works as deterrent to the perpetrators of these social evils.</li> </ul>

<p><b>Participating Agency:</b> NACDOR, New Delhi</p>	<p><b>Supported by:</b></p>  <p><b>WaterAidIndia</b> 403-408, 4<sup>th</sup> Floor, CNI Bhawan 16 Pandit Pant Marg, Connaught Place New Delhi-110 001 Phone: +91-11-46084400 Email: <a href="mailto:contact@wateraid.org">contact@wateraid.org</a></p>
---	--

## 23

## Rapid Assessment of Inclusive Water and Sanitation Facility in Schools

<b>THEMATIC AREAS</b>	WASH
<b>FOCUS SEGS</b>	Dalits
<b>GEOGRAPHIC AREA</b>	Bihar, Jharkhand and Uttar Pradesh
<b>SAMPLE</b>	500 schools across 3 States
<b>TYPE</b>	Quantitative and Qualitative
<b>PURPOSE</b>	<ul style="list-style-type: none"> <li>• To understand whether sanitation facilities provided in schools are adequate and usable and to elaborate on the same from a child’s perspective. It will focus on whether schools with toilet(s) and water facilities adequately address need of: <ul style="list-style-type: none"> <li>○ Adolescent girls especially during menstruation</li> <li>○ Children with special needs (CWSN)</li> </ul> </li> <li>• The recommendations with respect to the design will be based on the perspective of the children (Girls and CWSN).</li> <li>• Validate and recommend standards for sanitation in school</li> <li>• Cross verification of availability of toilet facility as reported in data (quantitative) on government online system (DISE)</li> </ul>
<b>METHODOLOGY</b>	<ul style="list-style-type: none"> <li>• The rapid assessment was undertaken in 3 states covering 500 schools using structured formats and discussion guides for the FGDs. The geographical areas were selected based on the coverage under <b>Nirmal Bharat Abhiyan</b> (NBA) and statistics related to the selected states. Under the study, school girls were involved in a group discussion to elaborate on day-to-day problems they face as a result of improper facilities, which indirectly impacts the attendance in the case of adolescent girls and enrolment in the case of children with special needs.</li> <li>• Data was collected based on the following tools: <ul style="list-style-type: none"> <li>○ <b>Surveyor Observation</b> This tool was filled out for each sampled school (503 administered overall), to collect information about the school’s WASH infrastructure based on the surveyor’s observation and suggestions of the school teacher/authority (for certain questions). Information gathered is <i>subjective</i>.</li> <li>○ <b>Interview with Headmaster/teacher</b> This tool was to be administered in 375 of the 500 schools covered. However the field tea administered 475 interviews in all. The headmaster and/or teacher was interviewed, based on availability to get an understanding of their view point on the schools’ WASH status.</li> <li>○ <b>Focus Group Discussion</b>—a. Girls                      b. CWSN or their parent</li> </ul> </li> <li>• Focus Group Discussions were conducted in 450 schools. For the remainder 50 schools, a discussion was done with the CWSN children</li> </ul>




	<p>(subject to availability) or the parents' of the CWSN child were interviewed at the child's household or in the community.</p> <ul style="list-style-type: none"> <li>• A sample of 500 schools was covered across public schools in the three states of: 1. Bihar 2. Uttar Pradesh and 3. Jharkhand.</li> <li>• These 500 schools were split across the target audience of:             <ol style="list-style-type: none"> <li>1. Adolescent girls: 450 FGDs</li> <li>2. Children with Special Needs (CWSN) and/or their parents: 50 interviews</li> </ol> </li> <li>• The chosen sample of 500 covered Government schools: 1. With toilets 2. Without toilets</li> <li>• Out of the 500 schools, 375 headmasters/teachers across 375 schools were to be interviewed.</li> <li>• Post fieldwork, the collected information/data and content was analysed based on the pre-decided analysis plan and report structure. The tabulation and findings were developed and results were interpreted by states and conclusions were withdrawn to make recommendations.</li> </ul>
<p style="text-align: center;"><b>KEY FINDINGS</b></p>	<p><b>Teacher and Student Behavior:</b></p> <ul style="list-style-type: none"> <li>• Students in Uttar Pradesh seemed subservient and keen on pandering to the wishes of the teacher. This owed to fear of being punished or reprimanded. Students had a tendency to lie about available WASH facilities. The teachers occupied a position of reverence on the school premises and their wishes were not ones to be defied. In the case of U.P. and Jharkhand, a few areas visited bordered criminal grounds and were home to anti-social elements.</li> <li>• The districts sampled in Jharkhand, were possibly the most remote areas in this backward state. The girls were unwilling to talk. The teachers on the other hand insisted in being present for the entire FGD. Students spoke in the local dialect of <i>Santhaali</i> and while they often responded in Hindi, this may have negatively affected the outcome.</li> </ul> <p><b>WASH conditions:</b></p> <p><b>Drinking Water</b></p> <ul style="list-style-type: none"> <li>• Nearly all schools visited used hand pumps as the common drinking water source. There was no distinction between the hand washing and drinking water facility and the concept of water purification was largely absent. Problems of muddy or sandy water were commonplace. There were the occasional cases of arsenic or other chemical impurities. An alarming fact was the usage of the same water for cooking of mid-day meals, owing to lack of options.</li> <li>• On the subject of meals, the children would wash their utensils at the same pump, and the remnants of the food would make the area additionally dirty. There was no separate arrangement for disposing food waste in any school.</li> </ul> <p><b>Sanitation</b></p> <ul style="list-style-type: none"> <li>• The sanitation facilities were technically existent in almost all schools visited and yet functionality and usability was questionable. Most schools had unhygienic and dirty facilities. Students as a result avoided</li> </ul>

	<p>using the facility altogether by going out in the open or running back home.</p> <ul style="list-style-type: none"> <li>• There was no running water inside the toilet and the hand-washing source was the same as the drinking water source, i.e. the hand pump. This was located at some distance from the toilet facility.</li> <li>• Toilets were often kept locked. This was done for a variety of reasons. The teachers did not want to share the facility with the children, since they ‘dirtied’ it. Privacy was a major issue for girls who were uncomfortable using the same toilet complex as the boys. The toilet structures were often missing roofs and a tall wall of separation.</li> <li>• Nearly no school had provisions for sanitary napkins or rags. Since the toilet facilities did not have running water inside, the children usually went home to change. Sadly, in a majority of the cases, girls avoided coming to school altogether during their menstrual cycle. If they started menstruating while in school, they would request a leave of absence from the teacher or headmaster by saying they had ‘stomach ache’, which was code for menstruation.</li> </ul> <p><b>Provisions for CWSN</b></p> <ul style="list-style-type: none"> <li>• None of the schools had any provisions for Children with Special Needs. At best, we came across ramps at the school entrance. This could be an explanation to why we did not meet many CWSN at the school. As a result, parents were interviewed to gauge insight into the problem. The toilets and water source were largely inaccessible to students with dysfunctional limbs. None of the sampled schools had handrails in the toilets or any facility for self-cleaning for the child. The toilets were mostly located on raised platforms. No help was made available in schools to assist children to the toilets.</li> </ul>
<b>CONCLUSION</b>	<p>25 Case Studies were developed across three study states. Majority of schools across have drinking water facilities but status of availability of toilets for students especially girls is still an issue including its functional status. Accessible toilets at the school level for CWSN is still a dream. The conditions across the states for WASH issues are found to be dismal.</p>
<b>RECOMMENDATIONS</b>	<ul style="list-style-type: none"> <li>• NBE to be implemented effectively and government efforts need to be strengthened timely</li> <li>• Funds provisioning—sanction, release, payments, etc. need to be streamlined</li> <li>• Facilities should focus on inclusiveness in terms of gender, availability of services and accessibility</li> </ul>

<p><b>Participating Agency:</b> Outline India</p>	<p>Supported by:</p>  <p><b>WaterAidIndia</b> 403-408, 4<sup>th</sup> Floor, CNI Bhawan 16 Pandit Pant Marg, Connaught Place New Delhi-110 001 Phone: +91-11-46084400 Email: <a href="mailto:contact@wateraid.org">contact@wateraid.org</a></p>
---	---

<b>THEMATIC AREAS</b>	Rights
<b>FOCUS SEGs</b>	Muslims
<b>GEOGRAPHIC AREA</b>	Twelve districts—6 rural and 6 urban districts of Uttar Pradesh
<b>SAMPLE</b>	80 households selected randomly from each of the 12 districts
<b>TYPE</b>	Qualitative and quantitative
<b>PURPOSE</b>	<ul style="list-style-type: none"> <li>• To assess the status of Muslim inclusion in the growing economy in Uttar Pradesh</li> <li>• To provide insights into the socio economic status of Muslim households and their access to schools and health services</li> <li>• To assess the degree of polarization of existing government schemes and services</li> </ul>
<b>METHODOLOGY</b>	<ul style="list-style-type: none"> <li>• The study included the analysis of secondary data from different websites and also primary data were collected from target households.</li> <li>• The study adopted semi-structured data capturing formats to collect both qualitative and quantitative responses. Following aspects were included in the questionnaire: <ul style="list-style-type: none"> <li>○ Analysis of demographic conditions and prevailing socio economic conditions with respect to their mode of earning, income level and livelihood conditions</li> <li>○ Examining status of inclusion in the community for various public entitlements entailed by the Govt. machinery</li> <li>○ Tracing out the level of awareness of the respondents.</li> </ul> </li> <li>• The study adopted multistage stratified random sampling. The study included 6 urban districts (Agra, Fatehpur, Kanpur, Lucknow, Allahabad, Varanasi) and 6 rural districts (Barabanki, Pratapgarh, Bareilly, Lakhimpur, Jalaun, Mahoba).</li> <li>• 80 households were randomly selected from each district. Finally, the study included 497 rural households and 472 urban households.</li> <li>• Both qualitative and quantitative data were processed and analyzed accordingly.</li> </ul>
<b>KEY FINDINGS</b>	<ul style="list-style-type: none"> <li>• Educational status of the respondents is not on the line of reported secondary information. Out of the total respondents 57.38 percent are illiterate (69% females and 50% male). In urban and rural areas illiterate male respondents are 55 and 47 percent whereas percentage of illiterate urban and rural female respondents is 61 and 80 percent respectively. These figures are much higher than the reported literacy figures in the state.</li> <li>• Average size of the household of the respondents is 6.27. Average household size in urban and rural areas is 6.68 and 6.14 respectively.</li> </ul>

	<ul style="list-style-type: none"> <li>• Only 35 percent of the total respondents are living in Pucca houses and 49 percent are living in Kachcha houses, 3 percent are homeless and 12 percent are living in thatched houses.</li> <li>• Eighteen percent of the females in the survey sample were widows</li> <li>• Twenty two percent households did not had ration card. Twenty three percent had not voter ID and 63 percent did not had a bank account.</li> <li>• Though 63.98 percent of the rural respondents are mainly dependent on daily wage work for survival but benefits of NREGA are only accessed by 20.52 percent of the total respondents.</li> <li>• Nearly one quarter of the families were not getting benefit of any of the listed social welfare schemes that include NREGA (rural employment guarantee scheme), Mid-Day Meal for school children, Public Distribution System (subsidized ration) or ICDS.</li> <li>• 70.3 percent of the rural respondents have said that their issues are not included in the Panchayat meetings.</li> <li>• 93% of the households are engaged in informal sector for their livelihood.</li> <li>• Average per capita income per day is less than INR 10 (17 cents), rural comparatively less (8.18 INR) as compared to urban (9.65 INR). 21% households had a monthly income of less than 1000 INR (17 USD)</li> <li>• 63% families reported that their monthly income is not sufficient to meet the food requirement of their families.</li> <li>• Nearly half of the families admitted that they have debt. Of these, more than three fourth have taken loans from informal sector.</li> <li>• 57 percent of the surveyed families are without any sanitation facility and defecating in open. Another 5 percent are using dry latrines. Total 62 percent do not have access to safe sanitation facilities.</li> <li>• Nearly 72 percent households do not have access to electricity.</li> <li>• Nearly 40 percent of the total respondents have said that the nearest health center is situated more than 5 KM from their habitation and 22 percent mentioned it 2-5 KM from the habitation.</li> <li>• Out of the total respondents having school going children 73.80 percent sending their children in formal Government of private schools, 16.18 percent are sending their children in Madarsa, children of the 5.08 percent respondents are going to alternative learning centers and 4.94 percent have opted mixed options.</li> <li>• Nearly 60 percent families reported discrimination in getting access to government social protection schemes.</li> </ul>
<b>RECOMMENDATIONS</b>	<ul style="list-style-type: none"> <li>• No Recommendations proposed</li> </ul>

<p><b>Participating Agency:</b> Action Aid</p>	<p><b>Supported by:</b></p>  <p><b>Action Aid</b> R-7, Hauz Khas Enclave New Delhi-110016 Phone: +91-11-40640 500 Fax: +91-11-41641 891 Email: <a href="mailto:indiasite@actionaid.org">indiasite@actionaid.org</a></p>
--	---

<b>THEMATIC AREAS</b>	Livelihoods
<b>FOCUS SEGS</b>	Dalits and Muslims
<b>GEOGRAPHIC AREA</b>	Varanasi, Uttar Pradesh
<b>SAMPLE</b>	Analysis of Secondary Data
<b>TYPE</b>	Qualitative
<b>PURPOSE</b>	To evaluates the social issues faced by weavers in Varanasi, Uttar Pradesh, with particular regard to depression, physical health issues, malnutrition and suicide
<b>METHODOLOGY</b>	<ul style="list-style-type: none"> <li>• Data collection through secondary sources and evidences drawn from various study reports and features published in magazines.</li> </ul>
<b>KEY FINDINGS</b>	<ul style="list-style-type: none"> <li>• The Banarasi Sari is produced in a few specific area of Varanasi - Lohta, Bazardiha, Sarai Mohana, Lallapura, Saraiya, Bagwanala and Badi Bazar. Most of these areas are predominantly Muslim, reflecting the prevalence of weavers from two disadvantaged groups: poor Muslims and Dalit. A majority of these workers have little or no education.</li> <li>• Weavers are typically dependent on traders who purchase saris in bulk from weavers and sell them in markets. Weavers typically earn only 300 to 400 rupees (about US \$9 - \$10) per sari, which may take 15 days to complete. During this period, a weaver might be helped by his family in the creation of intricate designs and stitching. Usually female members of the household help with this task, essentially serving as unpaid workers. Weavers are only paid by traders when the sari is actually sold in the market.</li> <li>• The Varanasi weaving industry has experienced significant decline since the early 1990s. Demand for the Banarasi sari has stagnated in the face of increased competition from cheaper alternatives, shifting consumer taste, disruptions to the supply and manufacturing process, and trade policies that have exacerbated the price gap between Banarasi saris and imports.</li> <li>• In an unfortunate circumstance, that both protectionist policy (in a move to protect the national domestic silk industry) and free-trade policy (advancement of the Negotiations on Non-Agricultural Market Access (NAMA) by the World Trade Organization) have disrupted the Varanasi weaving industry and its constituents.</li> <li>• The industry is also faced with new worries about upcoming declines in demand due to the global economic slowdown. As some traders have already noted cuts in export orders, and the perception of the Banarasi sari as a luxury wedding dress may hurt its demand.</li> </ul>

	<ul style="list-style-type: none"> <li>• Most weavers remain without direct access to the market, while middlemen continue to earn significant profits. Only a small number of traders have been able to retain their control of the local market.</li> <li>• The delicate Varanasi weaving industry is not structured in a way to benefit its workers. With no culture of unions, this informal sector has traditionally had little public voice, and hence rarely fought together for their common interest.</li> <li>• Weavers and family members also frequently suffer from a range of health ailments related to malnutrition and exhaustion. It is estimated that over 50 percent of weavers' children are malnourished. Survey identified 46 severely malnourished children in weaver areas, with an average age of 2.6 years old and an average weight of 8.2 kilograms.</li> <li>• The situation of most weaver's has deteriorated into a pitiful state, as weavers face increased poverty, hunger, health issues and inability to provide for their families. As a result, suicide has become a sad trend amongst weavers in recent years. 47 suicides were reported between 2003 and 2007. About half of these suicides were related to hunger and malnutrition. Approximately another 30% of the suicides were related to poverty and economic hardship. The rest were due to disease, family strife and inability to escape debts.</li> <li>• Weavers and their families suffer from a range of health problems. Many develop respiratory ailments related to breathing in fibers and dust from the fabrics they work with. Prevalence of tuberculosis is very high among the weavers.</li> <li>• Few weavers have access to health services to treat their health problems, which are often only guaranteed if they have political contacts or are willing to give bribes to gain access to government hospitals.</li> <li>• In weaver districts where health centers are present, they often have severe operational and logistical limitations. The PHC staffs are unenthusiastic about serving the local community. The sub-center and the PHC typically send patients to the District Hospital which is at a substantial distance and the travel to it is both intimidating and expensive for patients.</li> <li>• Women and children are frequently exploited in the Varanasi weaving industry. They are an important part of household production units, but their informal role largely remains invisible and unpaid. Women are generally not paid directly for their work. If they are paid by the traders, they receive only 10 to 15 rupees a day, or about US \$0.25.</li> <li>• Children also often help family members make saris, having to work for long hours in very tiring conditions while suffering from malnourishment. Children sometimes work in different jobs to pay for their own meals or to help repay family loans.</li> <li>• Many weavers have found a way to avoid the cycle of depression and suicide in hard times. Some weavers have reconciled and found alternative employment opportunities like driving cycle rickshaws, cleaning houses or peeling and selling fruit.</li> </ul>
--	---

<b>CONCLUSION</b>	<ul style="list-style-type: none"> <li>• The preeminence of the illustrious Banarasi sari has diminished with the increased popularity of synthetic and imported substitutes.</li> <li>• Varanasi weavers, already operating in a feudal employment and product distribution system, have confronted significantly reduced opportunities in this market.</li> <li>• Under these conditions, health problems, malnutrition and poverty have spread throughout the weaver community. In response, many weavers became despondent. Depression has emerged as a frequent affliction as more weavers are unable to provide for their families, and has led to an increase in weaver suicides.</li> <li>• PVCHR has also worked to combat the social issues that lead to weaver suicide by partnering with and helping to organize the weaver community which has helped some weavers empower themselves with a sense of community and increased access to health services, combating the growing threats of social hopelessness and suicide. Other Varanasi weavers have reluctantly accepted their decline, and many have shifted to non-skilled positions in other industries, such as driving cycle rickshaws.</li> </ul>
<b>RECOMMENDATIONS</b>	<ul style="list-style-type: none"> <li>• The Varanasi weaver's should strengthen themselves through organizations and associations like BDAM and PVCHR, so that their voices are heard. The weaver community needs to develop as an organized sector.</li> <li>• Through organized efforts the weavers should make an effort to revive the handloom industry especially the 'Banaras sari' and age old tradition</li> <li>• String advocacy efforts should be taken to lobby with the government for improved social security for weavers and ensure access to and availability to basic minimum facilities which essentially includes access to PDS, health and education service.</li> </ul>

<p><b>Participating Agency:</b> People's Vigilance Committee on Human Rights (PVCHR)</p>	<p><b>Supported by:</b></p> 	<p><b>Action Aid</b> R-7, Hauz Khas Enclave New Delhi-110016 Phone: +91-11-40640 500 Fax: +91-11-41641 891 Email: <a href="mailto:indiasite@actionaid.org">indiasite@actionaid.org</a></p>
--	--	--

## 26

## Status of Persons with Disabilities in India: Comparison across Social Groups

<b>THEMATIC AREAS</b>	Rights/Discrimination
<b>FOCUS SEGs</b>	People with Disabilities
<b>GEOGRAPHIC AREA</b>	Rural 49,300 and urban 26,679 households
<b>SAMPLE</b>	75979 People with Disabilities
<b>TYPE</b>	Secondary Research using 58 <sup>th</sup> Round Data of NSSO
<b>PURPOSE</b>	<p>This study examines the demographic profile, socio-economic status and access to various services with regard to Dalits with disabilities. It also aims at looking into specific problems and critical issues to draw on policy directions for empowerment of multiple marginalized sections in general and Dalits with disabilities, in particular.</p> <p>Broad <b>objectives</b> of the study are to:</p> <ul style="list-style-type: none"> <li>• Understand legislations and policy initiatives for the empowerment of Dalits and persons with disabilities and their socio-economic status in a comparative perspective.</li> <li>• Study the magnitude, nature, extent and causes of disabilities across social groups.</li> <li>• Examine the socio-economic status and living conditions of persons with disabilities across social groups.</li> <li>• Examine the access of various social groups to support services and interventions provided by Government and Non-governmental organizations in the process of development and rehabilitation.</li> <li>• Draw on policy directions for the empowerment of multiple marginalized sections, in general and Dalits with disabilities, in particular</li> </ul>
<b>METHODOLOGY</b>	<ul style="list-style-type: none"> <li>• Dalits and persons with disabilities suffer deprivation of various forms because of their social and physical characteristics</li> <li>• The study is primarily based on the secondary data drawn mainly from the National Sample Survey (NSS 58th round data 2002). The 58th round, covers details about all kinds of disability- both physical and mental including 'multiple disability' and persons of all ages.</li> <li>• The data on demographic profile, socio-economic status and other particulars with regard to disability were extracted/ generated. Other information sources comprising of documents/ reports, academic studies and experiential accounts with regard to Dalits and disability were also considered.</li> <li>• NSSO adopted stratified multi-stage sample design. Data were collected from households with disabled persons. The sampling frame considered the list of Census (1991) villages for the rural areas and latest available</li> </ul>



	<p>Urban Frame Survey blocks for the urban areas. A sample of 4637 and 3354 villages/ blocks in the rural and urban areas respectively were selected. The households surveyed in these villages/ blocks included 45571 from the rural areas and 24731 from the urban areas, constituting 8.4% and 6.1% of total households in the rural and urban areas respectively. The overall sample of persons with both physical and mental disabilities in the rural and urban areas included was 49,300 and 26,679 respectively.</p> <ul style="list-style-type: none"> <li>• For the analysis, the data pertaining to prevalence of disability; particulars of persons with disability such as types, degree/ extent, age at onset causes etc.; socio-economic characteristics such as literacy/ education, vocational training, activity status, marital status and living arrangements, housing conditions etc.; and also access to welfare services and other aids-help, were used. The analysis also considered information sources consisting of micro-level studies on persons with disabilities and issues related to their empowerment. The analysis reflected on status of the persons with disabilities within the limitations of the NSSO data. Although it is made from a comparative perspective, it however does not cover inter-state variations.</li> </ul>
<p><b>KEY FINDINGS</b></p>	<ul style="list-style-type: none"> <li>• The incidence of disability is noticeably higher among Dalits (2.4%) as compared to overall prevalence of disability in India (1.8%). There is relatively higher percentage of persons among Dalits having severe disability in each type of disability</li> <li>• The disability-specific prevalence rates across social groups indicate that among Dalits, the prevalence rates of locomotor, speech and hearing disabilities are marginally higher than other caste groups. On the other hand, the prevalence of mental disability is higher among other caste group than Dalits and STs.</li> <li>• About 8% of households with disabled persons have more than one disabled member.</li> <li>• Disability is basically a childhood problem. Highest rate of disability occurs at or shortly after birth and again at the onset of old age.</li> <li>• Irrespective of the types of disability, highest percentage of disability is caused by anemia, followed by pneumonia, and then malnutrition.</li> <li>• Distribution of disabled persons by literacy status reveals a wide gap between various groups. Significantly higher educational deprivation is found among disabled persons in rural areas and in socially excluded groups like Dalits, Adivasis, women, and mentally retarded.</li> <li>• Only about 2-3% of various types of disabled persons receive any kind of vocational training’.</li> <li>• Among many reasons for non-enrolment of children with disabilities in any type of schools, economy is most prominent. While more than half of Dalits with disabilities report ‘economic reasons’ to be responsible for the non-enrolment, it is not at all important for disabled persons among other social groups. About 15% do not enroll because of the ‘disability condition itself’ and ‘school distance’. School distance remains a</li> </ul>

	<p>prominent reason for Adivasi disabled children (more than one-third of Adivasis report so).</p> <ul style="list-style-type: none"> <li>• A large majority of disabled persons were found capable of performing productive work with or without aid/appliances but the work status of disabled persons is significantly lower than general population. About three-fourth of the persons with disabilities are out of economic activities</li> <li>• Gender differences on activity status of persons with disabilities reveal significantly higher percentage of males than females across all social groups involved in economy activities that include household enterprises, salaried /wage employment, casual labour and even immoral activities. The proportion of males and females who are engaged in economic activities in rural areas are relatively higher than urban areas. The gender gap in all activities appears to be relatively higher for other caste group than Dalits and Adivasis.</li> <li>• Those who have higher education and vocational training, have relatively better employment prospects as compared to other disabled people. The percentage of disabled persons engaged in household economic activities (self-employment and unpaid work) is remarkably lower among Dalits than other social groups.</li> <li>• About 70% of households with disabled member have less than 1 hectare of land. The economic situation of households with disabled members is thus more likely to be under constant threat because of poor work status especially among disabled members, relatively higher family size and additional cost of upbringing of disabled members. There are significantly lower rates of ownership of key assets for Dalit households with disabilities than without disabilities.</li> <li>• A little less than half of the adults with disabilities are never married. The marital status varies considerably across types of disabilities. Expectedly, highest percentage of both males and females with mental disabilities across all social groups are never married.</li> <li>• Living conditions of disabled persons indicate that significantly higher percentage of persons with disabilities as compared to normal people are vulnerable to a life of loneliness. A majority of disabled adults live with members other than spouse only.</li> </ul>
<b>CONCLUSION</b>	<ul style="list-style-type: none"> <li>• The study draws a clear connection between interface of caste and disability and the multiple marginalization of people with disabilities in all spheres of life. Although, persons with disability are kept apart from the rest of the society through socially constructed barriers, when they are from socially excluded groups, the social barriers in traditional caste system accentuate the problems. Despite the fact that more than half of the disabled persons from all social groups are capable of taking self-care without aid/ appliance, they are not provided with adequate opportunities for the development of skills to engage themselves in appropriate economic activities. Low educational attainment, poor employment and stigma attached to persons with disabilities means</li> </ul>

	<p>that disabled persons and their households are notably worse off than average. With long history of deprivation of resources Dalits with disabilities are in more vulnerable positions as compared to other castes. The presence of disabled member(s) in the family makes the entire family's life full of struggles and vulnerable to severely poor living conditions. Since the Dalits with disability, as a minority group does not have any political and economic power, they tend to be mostly ignored by society. There is a challenge of integrating and including persons with disabilities in the education mainstream. Across all categories of disability, Dalits with disabilities very rarely progress beyond primary school.</p> <ul style="list-style-type: none"> <li>• The working status of the disabled persons is not of 'non-working' but 'working with little earning' and most importantly 'being engaged in uninvited work', which as a matter of fact accentuates the social image of 'pity' or 'charity'.</li> </ul>
<p><b>RECOMMENDATIONS</b></p>	<ul style="list-style-type: none"> <li>• Dalits with disabilities deserves special consideration, even if the concerns for these people have not been categorically mentioned in national declaration for the development of all. While acknowledging the concern of inclusion and empowerment as the cross cutting concern, there is a need to have special provisions for this multiple disadvantaged group. The 11th Five-Year Plan which endorses the ratification the United Nations Convention with important mandates on Rights of persons with disabilities has to ensure that government fulfills its promises. With international commitments, it has to be ensured that equal opportunities are given to all disabled persons from different sections of society to achieve the goal of inclusive society.</li> <li>• Skills development programs have to be taken up with all seriousness to ensure a self-sustained livelihood for each person with disability.</li> </ul>

<p><b>Participating Agency:</b> Indian Institute of Dalit Studies, New Delhi</p>	<p><b>Supported by:</b></p>  <p><b>Christian aid</b> S J House, D-25d, South Extension 2, New Delhi – 110049 Phone: +91-11-26268068</p>
--	---

## 27

## Accessibility Research and Comparative Analysis of Building Standards and Regulations in Various States of India

<b>THEMATIC AREAS</b>	Accessibility Rights for PwDs
<b>FOCUS SEGS</b>	Persons with Disabilities (PwDs)
<b>GEOGRAPHIC AREA</b>	7 States – Delhi, Goa, Odisha, Jharkhand, Rajasthan, West Bengal and Gujarat
<b>SAMPLE</b>	
<b>TYPE</b>	Qualitative
<b>PURPOSE</b>	<ul style="list-style-type: none"> <li>To bridge the gap in the existing Model Building Bye-laws and provide for accessible space standards for every design element in all types of building and public spaces (To study on how to achieve equality and inclusiveness for ‘everyone’ in buildings through accessible design standards for building regulations)</li> </ul>
<b>METHODOLOGY</b>	<ul style="list-style-type: none"> <li>The methodology for documenting the rationales behind the regulations included:             <ol style="list-style-type: none"> <li>Analysis of current regulations/Building Bye-laws of at least seven states.</li> <li>Visit to the state capitals who have adopted Building Bye-laws for discussions with Town Planning Departments, Municipal Commissioners/ officers, urban development authorities, architects, etc. with respect to adoption and usage of Building Bye-laws in accordance with local requirements.</li> </ol> </li> <li>Following activities were undertaken:             <ul style="list-style-type: none"> <li><b>Structured interviews</b> to document rationale and underlying principles as perceived by the planning staff</li> <li><b>Examination of Compliance</b> and viability aspects of implementation</li> <li><b>Data collection and compilation</b> of existing Building Bye-laws and its implementation by the states</li> <li><b>Advocacy and lobbying</b> with the concerned agencies/officers</li> <li><b>Comparative analysis of regulations, recent global best practices and approaches</b> <ul style="list-style-type: none"> <li>Analysis and review of codes/manuals with UNCRPD 2008</li> <li>Bureau of Indian Standard, National Building Code, 2005,</li> <li>CPWD Guidelines and Space Standards for Barrier free Build Environment for Disabled and Elderly Persons, 1998</li> <li>Manual on Barrier free Environment, O/o the Chief Commission for PwDs 2002</li> <li>Identification of gaps</li> </ul> </li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>• Structured interviews using formats were undertaken</li> <li>• In each state, one metro/capital city was selected and study was undertaken</li> </ul>
<b>KEY FINDINGS</b>	<ul style="list-style-type: none"> <li>• Mainly study focused on following set of principles: <ul style="list-style-type: none"> <li>○ Access</li> <li>○ Equitable use</li> <li>○ Enjoyment</li> <li>○ Safety</li> <li>○ Others considerations for equity and inclusiveness</li> </ul> </li> <li>• During the study, key focus was on concept of non-handicapping environments, barrier-free environments and universal design— (a) General planning and design considerations; (b) Physical planning and design; (c) Special needs versus universal access</li> <li>• In addition, study researchers undertook the secondary research to see the status of disability framework which is very crucial in framing the building bye-laws. For this, three important national law and international acts were studied: (i) The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995; (ii) The National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999; (iii) United Nation Convention on Rights of Persons with Disabilities (UNCRPD), 2008.</li> <li>• Building Bye-laws used the term “physically challenged” to describe persons with disabilities. This word actually signify loco-motor disability and exclude sensory and mental disabilities. Hence, “Persons with Disabilities” should be used for the purpose</li> <li>• Several initiatives undertaken at national level were also studied such as (a) Initiatives in Eleventh Plan on Accessibility, (b) Initiatives by Ministry of Urban Development (MoUD) and State Governments; (c) Incorporation of provisions of Barrier free Building by Various State Governments</li> <li>• A review of information on the current status of amendments of Building Bye-laws by various states was also done.</li> <li>• An analysis of Bye-laws of study cities and Model Bye-Laws, 2004, TCPO, MoUD was undertaken in light of universal accessibility and inclusion.</li> <li>• Observations were noted down, evidences were captured and basis for the recommendations for Building Bye-laws were drafted.</li> </ul>
<b>RECOMMENDATIONS</b>	<ul style="list-style-type: none"> <li>• Revision of the Building Bye-Laws of all cities/towns and districts to make them more comprehensive and inclusive should be undertaken immediately. Currently, all Bye-Laws are specifically geared only for ‘physically challenged people’. There is a need to incorporate the specific needs of persons with all kinds of disabilities, senior citizens, temporarily disabled, children and persons with reduced mobility.</li> <li>• MoUD should ensure that Building Bye-Laws are updated, adopted and implemented by all the States and UTs.</li> <li>• MoUD Annual Report (2007-08) states that all states should appoint an officer in every district to bring to notice cases of non-compliance to the</li> </ul>

	<p>concerned authorities. These officers should be appointed as early as possible and should be well versed with access standards and their names should be made known to DPOs/NGOs so that both can work in close coordination.</p> <ul style="list-style-type: none"> <li>• Jawaharlal Nehru National Urban Renewal Mission (JNNURM) and the Urban Infrastructure Development Scheme for Small and Medium Towns (UIDSSMT) should include accessibility and universal design as an essential mandatory component.</li> <li>• Adoption and implementation of accessible and inclusive Building Bye-Laws in totality.</li> <li>• Government officials' in-charge of policy and implementation of developmental projects should be oriented and sensitized to the importance and ways of incorporating access features.</li> <li>• Implementation of the Building Bye-Laws needs to be made mandatory and completion certificate should not be issued to owners/agencies not complying with Building Bye-Laws.</li> <li>• Incentives/tax relief for compliance and penalization for non-compliance should be considered</li> <li>• Costs/funds should be allocated for accessible elements outlined in the Building Bye-Laws of all cities and towns</li> <li>• All existing public buildings (with special priority to hospitals, schools, government offices, service providers, commercial buildings, recreation centres, libraries, parks, malls, etc.) should be audited by a group of trained auditors and modifications carried out in a stipulated timeframe.</li> <li>• In addition, study also provided the Model Building Bye-Laws with updated access standards (for buildings, recreation areas and facilities used by public).</li> </ul>
--	---

<p><b>Participating Agency:</b> Samarthyam, New Delhi</p>	<p><b>Supported by:</b></p>  <p><b>VSO India</b> E-4, Clarion Collection The Qutab Hotel Complex ShaheedJeet Singh Marg New Delhi-110 016 Phone: +91-11-4668-1501-04 Fax: +91-11-4668-1505 Email: infovsoindia@vsoint.org</p>
---	---

## 28

## Anthropometrics of Persons with Disabilities— Users of Mobility and Other Aids

<b>THEMATIC AREAS</b>	Accessibility Rights for PwDs
<b>FOCUS SEGS</b>	Persons with Disabilities (PwDs)
<b>GEOGRAPHIC AREA</b>	Delhi, Odisha and Jharkhand
<b>SAMPLE</b>	2191 Schools across 17 states
<b>TYPE</b>	Quantitative and Qualitative
<b>PURPOSE</b>	<p>The aim of the research study is to map access choices for an integrated anthropometric model of persons with disabilities and evaluate the results, within the Indian perspective. The specific objectives of the research were:</p> <ol style="list-style-type: none"> <li>1. Identification of mobility aids used in India—motorized, manual and makeshift</li> <li>2. Review and documentation of anthropometrics using mobility aids, including space required, reach and view ranges and clearances required</li> <li>3. Access reviews of different space standards in use with the identified mobility aids to highlight best practices and typical hazards in different sites, and climatic conditions</li> <li>4. Recommendations of anthropometrics for specific user groups for general areas of use</li> <li>5. To bring about policy change in the correct standards of mobility aids distributed by the Ministry of Social Justice and Empowerment, Government of India.</li> </ol>
<b>METHODOLOGY</b>	<ul style="list-style-type: none"> <li>• Initially, states for the study selected using a criterion looking at state level development scenario, users' mobility and aids related information, etc.</li> <li>• First of all, a research was undertaken by review of literature of anthropometric studies, existing accessible guidelines and market analysis of space standards in use (by identified aids) to create universal design spaces for optimum use by all users. In addition, review of market availability and usage of mobility aids was also done.</li> <li>• Quantitative data was collected using three different components—Anthropometric data survey; questionnaire survey and mock ups as described below: <ul style="list-style-type: none"> <li>○ Under <b>anthropometric data survey</b>, dimensional data on the following aspects were collected: (a) Wheel chair users—sizes and models; (b) White cane users; (c) Walker users; (d) Crutch users—one and/or two; (e) Walking stick users; (f) Tricycle users; (g) Ground mobility aids used in rural/semi urban areas.</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>○ <b>Questionnaire survey</b> of mobile aid users in different states was undertaken to obtain balanced perspective of available mobility aids being used, environmental and climatic considerations, and relevant anthropometrics—to establish valid, defensible anthropometric models.</li> <li>○ <b>Mock ups</b> were conducted for identification and simulation of environments for experiential exercises assuming different conditions—time, place, context and weather; experience of using different environments and geographical conditions including public spaces (staircase steps, ramps, corridors and toilets).</li> <li>● Age, race, sex, etc. were not used to determine adequate sampling. For example, children were not included due to varying sizes and changing requirements.</li> </ul>
<b>KEY FINDINGS</b>	<p><b>Anthropometric Survey</b></p> <ul style="list-style-type: none"> <li>● A total of 85 persons—60 males and 25 females were administered through anthropometric measurements. Majority of them were from Delhi, Odisha and Jharkhand but some others from Karnataka, Tamil Nadu, Gujarat, Maharashtra, Rajasthan, UP, Bihar, Punjab, Haryana and Kerala were also included. Information on mobility issues, stamina, balance and strength related limitations were also captured.</li> <li>● Close to half the respondents were from urban areas (48%) and 26 percent each were from rural and semi-urban areas.</li> <li>● Nearly three-fifths of the respondents (58%) had loco motor impairments followed by 26 percent those having severe/multiple disabilities and 16 percent with vision impairment or low vision.</li> <li>● Nearly half the respondents were using wheel chairs either self or by caretaker or motorized; 22 percent had crutches; 14 percent with white cane, 9 percent with tetra-pods/tri-pods/stick, 5 percent with tricycles and 3 percent had guides and escort.</li> <li>● Data was compared with international standards data and discrepancies were identified on various PwDs related specifications like standing heights, bending, etc.</li> </ul> <p><b>Questionnaire Survey</b></p> <ul style="list-style-type: none"> <li>● A total of 76 respondents were covered and 49 were males and 27 were females. Majority of them (40%) were in the age range of 26-34 years followed by 30 percent in 18-25 years age brackets. Remaining were more than 35 or more years of age.</li> <li>● About 22% of the respondents were self-employed, 11 percent had their business, 4% had government jobs. In addition, 17% were students, 16% were unemployed and 30% were into other professions.</li> <li>● More than three-fifths of them (61%) did have loco motor impairments, 30 percent with vision impairments, 8% with severe/multiple disabilities and 1% with intellectual disabilities.</li> <li>● Almost half of the respondents had loco motor impairments and used wheelchairs, walkers, crutches, sticks, castors or tripods. This is a</li> </ul>



	<p>reflection of both the impact of polio and scoliosis across the country and accidents resulting in a disability at the India Spinal Injury Centre.</p> <ul style="list-style-type: none"> <li>• Only 3% respondents were using multiple mobility aids, etc.</li> <li>• Of all, 43 percent were used to travel alone, 25 percent along with a care taker or attendant, 19 percent with parents and 13 percent with friends and others.</li> <li>• With respect to frequency of travel, more than half (55%) used to travel on daily basis, 19 percent once a week and 12 percent of them were travel thrice a week.</li> <li>• More than half (53%) were using public transport, 24% using personal vehicle and 16% did not mention.</li> <li>• About 39% had ability to access toilets alone, 26% were taking assistance and 32% did not answer.</li> <li>• Among wheel chair users, more than two-thirds of them (67%) were using wheel chair with assistance and 11 percent were using alone.</li> </ul> <p><b>Mock Ups</b></p> <ul style="list-style-type: none"> <li>• For experiential exercises, comfort levels were adjudged by points on a scale of 1 to 5.</li> <li>• Of the ramp slopes studied, a slope greater than 1:12 is too steep for a person to navigate alone, even attendants too find it a challenge. Ramps at 1:20 are most comfortable, but required long lengths which is hard to accommodate, hence 1:15 too was comfortable. For along navigation, use of hand rails was found to be necessary.</li> <li>• Preferred dimensions for the ramp were: max gradient—1:12, internal ramp—1:15 and external ramp—1:20.</li> <li>• Preferred dimensions for the stairs were: 350 mm tread / 125 mm riser.</li> <li>• Preferred dimensions for the railings and grab bars were: 38-40 mm round.</li> <li>• Preferred dimensions for the toilet were: minimum 1750x2000 mm and preferred 2000x2500 mm.</li> <li>• D-shape door handles or lever type handles were the preferred ones.</li> <li>• Doors should preferably have 1000 mm minimum wide.</li> <li>• Corridors should preferably be 1800 mm minimum.</li> <li>• Work stations or counters should preferably have space under counter — min. 760 mm wide x 200 mm deep x 650-680 mm high.</li> <li>• Preferred Lift car size should be 1500 mm x 2000 mm</li> <li>• Height of Braille signage should preferably be 1400 mm height</li> <li>• Other detailed findings are available in the main report with all possible details like photos, pictures, sketches, line diagrams and types, suppliers, etc.</li> </ul>
<p><b>RECOMMENDATIONS</b></p>	<ul style="list-style-type: none"> <li>• Dissemination of research findings to the concerned authorities including MoSJE, National Building Congress, Departments and Schools of Planning and Architecture and Engineers, IITs and professionals, etc. for ensuring effective implementation.</li> <li>• Empirical data would help revise/update the standards/codes/guidelines of Bureau of Indian Standards, MoUD, MoSJE and other concerned institutions.</li> </ul>

	<ul style="list-style-type: none"> <li>• Advocacy with the MoSJE for ensuring recommendations be replicated and manufactured on a large scale to attain economies of scale that the end users are benefitted.</li> </ul> <p>The benefits would include:</p> <ul style="list-style-type: none"> <li>• Elimination of barriers, provision of correct space and user-friendly standards and safety guidelines, resulting in barrier free environment for persons with disabilities, as the correct dimensions and standards will be available through the research study.</li> <li>• Save on resources and avoid costly mistakes. Provide equal opportunities and full participation to PwDs, ensuring their inclusion in the mainstream society.</li> <li>• Availing mobility aids which are made with right dimensions and standards and are end users friendly.</li> </ul>
--	--

<p><b>Participating Agency:</b> Samarthyam, New Delhi</p>	<p>Supported by:</p> 	<p><b>VSO India</b> E-4, Clarion Collection The Qutab Hotel Complex ShaheedJeet Singh Marg New Delhi-110 016 Phone: +91-11-4668-1501-04 Fax: +91-11-4668-1505 Email: <a href="mailto:infovsoindia@vsoint.org">infovsoindia@vsoint.org</a></p>
---	---	---

## 29

## Access Audit Report WASH Facilities for Persons with Disabilities in Jharkhand

<b>THEMATIC AREAS</b>	WASH
<b>FOCUS SEGS</b>	Persons with Disabilities
<b>GEOGRAPHIC AREA</b>	Ranchi, Deogarh, Dumka districts of Jharkhand
<b>SAMPLE</b>	91 toilets including 36 in school, 5 in community and 57 individual
<b>TYPE</b>	Qualitative
<b>PURPOSE</b>	<ul style="list-style-type: none"> <li>To assess the existing toilet facilities with respect to their access to people with diverse and reduced/compromised disability.</li> <li>Provide suggestions for further improvement, which benefits not only persons with diverse disabilities but also persons with reduced mobility.</li> </ul>
<b>METHODOLOGY</b>	<ul style="list-style-type: none"> <li>An access audit is regarded as the first step towards improving accessibility and inclusion of all persons including those with disabilities in the society. Access audit is not a fault finding exercise, rather a technique to provide a "base-line" assessment against which recommendations can be made that comprise of accessible design standards to make them barrier free for people with disabilities. As an end result of the access audit, the building / site can be better equipped to bring key changes and make them universally accessible.</li> <li>This study is about the audit of one of the basic needs of human beings i.e. toilet facilities at different locations. The report covers the access needs of students, teachers and individuals with disabilities in schools, community toilets for families and individual household toilets. The community toilets also address the needs of the people with disabilities who use ground mobility device and/or crawl, elderly, pregnant women and other persons with temporary impairments.</li> <li>The audit primarily used photographs of existing features along with description and obvious barriers. A comprehensive checklist was also used to supplement the photographic evidences.</li> <li>91 toilets from three districts (Ranchi, Deogarh and Dumka) of Jharkhand where IPA projects are being implemented by four CSO partners (NBJK, Gram Jyoti, Lok Prerna and Sathi). The sample included 36 school toilets, 5 community toilets and 57 individual toilets.</li> <li>Each facility was photographed and was marked in terms of barriers and constraints to access by a team of experts, using standards norms prescribed for toilet construction.</li> </ul>
<b>KEY FINDINGS</b>	<ul style="list-style-type: none"> <li>Almost all sites- schools, community and individual toilets have approach full of barriers, were not found to be maintained and were full of garbage. More specifically: <ul style="list-style-type: none"> <li>i. 59% sites do not have handrails on steps</li> <li>ii. 67% do not have handrails on both sides</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>iii. Only 18% sites have ramps, which are too steep and 8% of these have slippery landing surface</li> <li>iv. 73% ramps do not have handrails / on both sides</li> <li>v. 65% ramps do not have 900mm clear door width</li> <li>vi. In 65% sites, door cannot be open independently and door handle is higher than 1000mm in 72% sites</li> </ul> <p><b>DOORS</b></p> <ul style="list-style-type: none"> <li>i. 54% sites have double leaf doors less than 900mm (existing clear opening 760-830mm)</li> <li>ii. 41% sites have door hardware above reach range</li> <li>iii. Only 1% site have door mats flush while 75% have level difference</li> <li>iv. 69% sites have threshold at door entrance</li> </ul> <p><b>CORRIDORS</b></p> <ul style="list-style-type: none"> <li>i. 65% sites have corridors less than 900mm wide</li> <li>ii. 63 % sites have less maneuvering space inside corridors at door entrance and do not have ramp in level differences</li> <li>iii. 63% sites have protruding objects/ obstructions not identifiable by persons with visual impairments</li> </ul> <p><b>STEPS / STAIRS</b></p> <ul style="list-style-type: none"> <li>i. 66% sites have stairs width less than 1200mm</li> <li>ii. 71% sites do not have continuous handrails on both sides</li> <li>iii. 70% stairs do not have contrast colour edges, tactile tiles, anti skid surface and equal riser of 150mm</li> </ul> <p><b>HANDRAILS</b></p> <ul style="list-style-type: none"> <li>i. 63% handrails are on one level only</li> <li>ii. 55% handrails have OD more or less than 38mm; are not securely attached; do not extend beyond first/last step; are not grouted or</li> <li>iii. rounded off; do not have contrast colour and do not have any Braille plate</li> </ul> <p><b>ACCESSIBLE TOILETS</b></p> <ul style="list-style-type: none"> <li>i. 68% sites do not have accessible toilets</li> <li>ii. 58% do not have signage</li> <li>iii. 74% do not have wheelchair maneuvering space</li> <li>iv. 75% have size less than 2000mm x 2200mm (existing size lies between 1070-1660mm)</li> <li>v. 63% sites do not have WC ht. between 450-480mm (most toilets have adopted Indian squatting seat)</li> <li>vi. 71% washbasins do not have rim at 800mm ht.</li> <li>vii. 76% urinals are not lowered and do not have chest support grab bar</li> <li>viii. 76% toilets are without mirror mirrors / do not have lower edge at 1m</li> <li>ix. Approach to water facility is unmaintained/out of reach</li> <li>x. 61% toilets do not have grab bars, however grab bars are provided these are not user friendly</li> </ul>
--	--

	<ul style="list-style-type: none"> <li>xi. 68 % - 75% grab bars have OD more/less than 38mm, grab bars cannot withstand load, taps cannot be operated with one hand</li> <li>xii. 76% bathrooms are not accessible i.e. there are no seat/chair for taking bath; Only 36% doors open outside</li> <li>xiii. 76% do not have any accessible bathing facility such as long hose for wheelchair user bathing, door accessories at 500mm and 1m, emergency alarm, easy to operate flushing equipment</li> </ul>
<b>CONCLUSION</b>	<p>99% toilets have access and usability issues. There are no accessible features for users of mobility aids like wheelchairs, crutch or crawlers. There are major issues observed in availability and passage of water, its storage and drainage. The toilets also lack other basic facilities like hand washing.</p> <p><b><i>The study provides the universally recommended and acceptable design for toilets, urinals and bathrooms and includes several elements like doors, signage, types and positioning of seats, stairs, rails, ramps etc. with detailed measurements. Anyone willing to construct a disable friendly toilet can easily adapt these designs for designing and constructing toilets accessible for people with disabilities.</i></b></p>
<b>RECOMMENDATIONS</b>	<p>The recommendations and standards given in this audit report aims at provision of accessible elements in school and community toilets. All toilets should adhere to universal design (provided in the report), should have easy access and should be maintained with regular availability of water. Specifically adaptations to WASH facilities should be made for the three main categories of PwDs:</p> <ul style="list-style-type: none"> <li>• For children and adults with visual impairment (low vision and blind), special grips and guiding systems as well as proper lighting should be provided</li> <li>• For children and adults in wheelchairs or with crutches, provision of ramps, wider doors, and special grips or foldable seats should be made</li> <li>• For children and adults with missing or paralyzed arm(s), lids, taps, and knobs that can be opened with one hand or operated with the feet and are not too heavy, need to be prioritized.</li> </ul> <p>Some non-negotiable and essential elements to be considered while refurbishing existing toilets or providing new toilets:</p> <ul style="list-style-type: none"> <li>• approach- straight and clean paths; door size and entering/exiting problems; cubicle size: space adequacy,</li> <li>• need for support (grab bars) when sitting down and getting up (Indian squatting seat) and wheelchair maneuvering space &amp;</li> <li>• transferring (Western Commode seat), and access to the water source</li> </ul>

**Participating Agency:**  
Samarthyam (Nav Bharat Jagriti Kendra, Gram Jyoti, Lok Prerna and Saathi)

Supported by:



**WaterAidIndia**

403-408, 4<sup>th</sup> Floor, CNI Bhawan  
16 Pandit Pant Marg,  
Connaught Place  
New Delhi-110 001  
Phone: +91-11-46084400  
Email: [contact@wateraid.org](mailto:contact@wateraid.org)

## 30

Ensuring Basic Services to the Urban Homeless—  
City-level Plan for Shelters and Allied Services

<b>THEMATIC AREAS</b>	Poverty
<b>FOCUS SEGs</b>	Urban Poor
<b>GEOGRAPHIC AREA</b>	Coimbatore, Tamil Nadu – 21,51,466
<b>SAMPLE</b>	367 families
<b>TYPE</b>	Quantitative
<b>PURPOSE</b>	<p>The study was carried out with the objectives to understand:</p> <ul style="list-style-type: none"> <li>• The magnitude of the problem of the homeless</li> <li>• The profile and the needs of the homeless in the city so as to formulate a city-level plan for shelters and allied services for the urban homeless</li> </ul>
<b>METHODOLOGY</b>	<ul style="list-style-type: none"> <li>• <b>Primary data collection</b> was through administration of interview schedule, questionnaire, conducting Focus Group Discussions and conducting rapid assessment of the locations</li> <li>• All Persons sleeping or retiring to sleep on the pavements, roads, bridges, parks, temples with no roof above their head who could be identified were covered</li> <li>• Analysis was carried out using SPSS</li> </ul>
<b>KEY FINDINGS</b>	<p>There are 367 families with a total number of 546 homeless people in Coimbatore living under the open sky. Following are some of the major findings from the data:</p> <ul style="list-style-type: none"> <li>• Children constitute 18% of the Homeless population in Coimbatore and these are children who are living with the homeless families. 47% of the total homeless population comprise of men living as individuals (without their families) on the streets. The number of individual men living as homeless in the streets without their families is on the higher side in Coimbatore because the men from the rural areas leave their families behind and come in search of employment. 8% of the total homeless population comprise of single women who live as individuals on the street.</li> <li>• 14% of the homeless earn less than Rs 50 a day, which is adequate only for one meal and two cups of tea a day. 24% earns from Rs 51- 100 as their daily income. 18% of the population generates daily income less than Rs 150.</li> <li>• An analysis of the age-wise distribution of the homeless population reveals that 15% are not aware of their age. 21% of the total homeless populations are the elderly and 46% are of 19 to 60 years age group. There are an increased number of people in the working age signifying the trends of migration of rural labour force into the cities.</li> <li>• The study reveals that 50% of the homeless people belong to other caste groups such as BC and OBC. 37% of the homeless population are Scheduled Caste and 13% are scheduled tribes.</li> </ul>

	<ul style="list-style-type: none"> <li>• The joint enumeration process reveals that 68% of the homeless populations are illiterate. One of the major reasons for the poor literacy rate as pointed out by the family is poverty.</li> <li>• The enumeration process reveals that 44% of the homeless buy food from shacks or hotels. 20% of the homeless eat by begging for food. 19% of them cook for themselves and these are predominantly those who live as families. 7% of the respondents get food from various other sources, those who work as domestic maids are provided food by the families they work for and some in the shops they work. 5% of them receive food from temple and from other religious places. The last 3% of the respondents buy leftover food from hotels for lesser amount. Detailed interaction with the homeless reveals that they are not allowed to cook food for themselves especially after the bomb blast in Coimbatore. None of the homeless people in the city of Coimbatore have access to PDS. With the absence of access to subsidized food materials through the PDS and with no proper space to cook the homeless communities have to thrive on various means to ensure that they eat their meal at least twice a day.</li> <li>• 47% of the homeless have migrated from other places to work in Coimbatore. They are the distress migrants who shift from the rural areas to the urban in search of employment. 20% have been rendered homeless because of broken families. 12% of them are destitute comprising mostly of the elderly. 2% comprises mentally ill and physically challenged individuals.</li> <li>• In the city of Coimbatore 61% of the homeless people have moved into the city over a period of last 5 years. It is sad to notice that 14% of the people have been homeless for over 20 years and 11% for about 10 to 20 years.</li> <li>• The enumeration also reveals that 35% of the homeless have moved into the city from places other than Coimbatore; the highest of interstate migrants are from various states of north India (11%), followed by 4% from Andhra Pradesh, 3% from Kerala and 1% from Karnataka.</li> <li>• 72% of the homeless sleep on the roadsides, 19% of them sleep at the bus stands 7% of them normally sleep at the railway station and 2% of the population sleep in and around the religious places.</li> <li>• 57% of the homeless use the hand pumps for water, 31% of them get drinking water from the nearest shops and 12% of them avail drinking water from the nearest houses.</li> <li>• The main challenge that the homeless face on a daily basis is disruption from the police. The homeless are often prime suspects for the police officials and are constantly taken to the police station for enquiry. The criminalization leads to unavailability of regular employment for the homeless. Even the employers suspect them.</li> <li>• The homeless are constantly evicted from their place of stay - on the pretext of security (during public meetings). Each eviction process has unleashed untold misery on the homeless, whose little belongings go</li> </ul>
--	--

	missing in such processes. In Coimbatore, the police actions have resulted in “invisibilization” of the homeless.
<b>CONCLUSION</b>	<ul style="list-style-type: none"> <li>• Distress migration is the major reason for people to come to cities and live in such adverse conditions</li> <li>• Lack of education and appropriate employable skills reduce the chances of getting a better job and hence hinder in earning wages enough support better living prospects.</li> <li>• Unavailability of any type of identity document often deprive them of any benefits available through government schemes or programmes</li> <li>• These groups are often targeted by the police for any crime happening close to their place of existence, often leaving them unemployment and creating a stigma as being criminals, which further reduces their employment prospects.</li> </ul>
<b>RECOMMENDATIONS</b>	<ul style="list-style-type: none"> <li>• A proper census of homeless people to be undertaken and periodically followed-up to ensure complete coverage</li> <li>• All homeless persons, in shelters or outside these, should be automatically entitled to various individual entitlements through social security schemes, without requirements of additional documents such as address and birth proof, like the Old age, widows, and disability pensions, BPL identification, PDS ration cards, Electoral cards, Bank or post office accounts, ICDS services,</li> <li>• Children should get free admission to government schools</li> <li>• Access to all public hospitals with free medicines and treatment</li> <li>• Creating shelters which offer safety with all other basic amenities like beds, blankets, drinking water, toilets and first aid</li> </ul>

<p><b>Participating Agency:</b> Praxis</p>	<p>Supported by:</p>  <p><b>Action Aid</b> R-7, Hauz Khas Enclave New Delhi-110016 Phone: +91-11-40640 500 Fax: +91-11-41641 891 Email: <a href="mailto:indiasite@actionaid.org">indiasite@actionaid.org</a></p>
--	--



# 31

## Ensuring Basic Services to the Urban Homeless— City-level Plan for Shelters and Allied Services

<b>THEMATIC AREAS</b>	Poverty
<b>FOCUS SEGS</b>	Urban Poor
<b>GEOGRAPHIC AREA</b>	Salem, Tamil Nadu – 9,62,982
<b>SAMPLE</b>	748 families
<b>TYPE</b>	Quantitative
<b>PURPOSE</b>	<p>The study was carried out with the objectives to understand:</p> <ul style="list-style-type: none"> <li>• The magnitude of the problem of the homeless</li> <li>• The profile and the needs of the homeless in the city so as to formulate a city-level plan for shelters and allied services for the urban homeless</li> </ul>
<b>METHODOLOGY</b>	<ul style="list-style-type: none"> <li>• <b>Primary data collection</b> was through administration of interview schedule, questionnaire, conducting Focus Group Discussions and conducting rapid assessment of the locations</li> <li>• All Persons sleeping or retiring to sleep on the pavements, roads, bridges, parks, temples with no roof above their head who could be identified were covered</li> <li>• Analysis was carried out using SPSS</li> </ul>
<b>KEY FINDINGS</b>	<p>A total of 748 families with 1,118 homeless people were identified to be living under the open sky.</p> <ul style="list-style-type: none"> <li>• Children constitute 14% of the Homeless population, 65% of these constituted men and boys. Twelve percent were single women who live as individuals in the street. Two transgender were also found in this cohort.</li> <li>• Only 7% out of the whole population earns more than 300 Rupees per day from their hard work (often multiple works), but 44% of the homeless earns less than 50 Rupees per day. 33% earns from 51- 100 Rupees as their daily income. 12% of the population earns less than Rs. 150.</li> <li>• 70% are in the age group from 19 to 60 years, 28% of the total homeless populations are the elderly, most of them are coolies; and 2% of them are up to 18 years of age</li> <li>• The study reveals that 47% of the homeless people belong to Scheduled Caste and Scheduled Tribes, 47% belongs to the backward classes.</li> <li>• A detailed analysis on the education of the homeless individuals in Salem reveals that 65% of them are illiterate. 24% of them have completed primary education and 10% of the population has undergone higher secondary.</li> <li>• 84% of the whole homeless populations do not have the access to ration card. The prime reason for non-access to ration card is because the homeless have no proof of residence.</li> </ul>

	<ul style="list-style-type: none"> <li>• 40 % of the homeless buy food from petty shops, 24% of the homeless depends on food by begging. 17% of them cook for themselves and these are predominantly those who live as families. 9% of the respondents get food from temples 5% of them avail leftover food from hotels. 3% of the population avail free food provided by charitable organizations and rest 2% get from various other sources.</li> <li>• 41% of the homeless have moved away from their families because of various family disputes and social stigma; 30% of them are destitute population and 29% have migrated from other places in search of employment.</li> <li>• 56% of the homeless people have moved into the city over a period of the last 30 years and 44% are those who have become homeless in the city itself in the last 10 years. This points out to the vulnerability of poor population in the city.</li> <li>• 86% of the homeless are from Salem itself and 5% are from North India. Rest are from other South Indian cities.</li> <li>• 75% of the homeless sleep at the roadside, 10% of them sleep inside the temple and other religious places. 9% of them sleep inside the bus stands 6% of them are sleep at the railway station.</li> <li>• In all, 30% of this population uses public toilets by paying Rs 5 to 7 each and 4% use other modes such as temple ponds and other water sheds for bathing and washing the clothes.</li> <li>• Nearly half of the population use piped corporation water for drinking and 23% of them use street pumps. 20% of the homeless approach shops to get drinking water and 4.2% of the homeless get drinking water from other homes. In some cases, the other communities do not allow them to get water from corporation water tanks and ignore their needs.</li> <li>• 91% of the homeless approach Government Hospital for medical needs, however, interestingly the hospital workers demand bribe especially for maternal care. 3% of them avail services from private hospital and another 3% do not go to hospitals but resort to home based medicines.</li> <li>• The homeless are often the prime suspects for the police officials and are constantly taken to the police station for enquiry, which causes disruption in their normal life on a regular basis including losing jobs.</li> <li>• The homeless are constantly evicted, in the pretext of security (during public meetings), from their place of residence, resulting in missing of whatever little bit of belongings they own.</li> <li>• The women and girls have been attempted to be abused by the by-passers during night time. The women especially in Kottai and in area near the bus stand and uzhar sandhai have expressed concerns over safety. The lack of safety for young girls in this area forces the parents to resort to child marriage in many instances.</li> <li>• The homeless population reveals caste-based discrimination at their work place. The 25 Arunthathiyars families in Sathapet mention caste-based discrimination at work place, they are involved in works including repairing gunny bag and tarpaulins in coconut grooves, fields and shops. When at work these homeless are prohibited from drinking water from</li> </ul>
--	---

	any of the water sources and if they ask for water the owners pour water from a distance and the homeless have to drink from a 'safe' distance.
<b>CONCLUSION</b>	<ul style="list-style-type: none"> <li>• Migration due to family disputes and social stigma is found to be the major reason for homelessness, rather than migration in search of job.</li> <li>• There is prevalence of strong caste based discrimination even among the homeless people and at the places where they work and places they visit</li> <li>• The condition of the elderly seems to be more pathetic compared to the other groups, in terms of accessing food, clothing and healthcare</li> <li>• Women and girls are highly vulnerable and exposed to frequent abuses, which result in childhood marriages in some cases</li> <li>• Unavailability of any type of identity document deprives all of them from availing any benefits including accessing two square meals a day</li> </ul>
<b>RECOMMENDATIONS</b>	<ul style="list-style-type: none"> <li>• A proper census of homeless people to be undertaken and periodically followed-up to ensure complete coverage</li> <li>• The Corporation of Salem should liaison with other departments for the various services for the urban homeless, particularly social security schemes like PDS, ICDS and universal education programme for the children of the homeless families, the Tamil Nadu Slum Clearance Board for providing houses</li> <li>• All homeless persons, in shelters or outside these, should be automatically entitled to various individual entitlements, without requirements of additional documents such as address and birth proof, like the old age, widows, and disability pensions, BPL identification, PDS ration cards, Electoral cards, Bank or post office accounts, admission to all public hospitals with free medicines and treatment, Linkage to Rajiv Awas Yojana (RAY) for free housing etc.</li> <li>• Shelters need to be developed which offer safety to the vulnerable groups like women, girls and elderly with all other basic amenities like beds, blankets, drinking water, toilets, first aid, linking to basic health care system</li> </ul>

**Participating Agency:**  
Action Aid & Praxis

Supported by:



**Action Aid**

R-7, Hauz Khas Enclave  
New Delhi-110016

Phone: +91-11-40640 500

Fax: +91-11-41641 891

Email: [indiasite@actionaid.org](mailto:indiasite@actionaid.org)

<b>THEMATIC AREAS</b>	Rights
<b>FOCUS SEGS</b>	Women
<b>GEOGRAPHIC AREA</b>	Hyderabad and Rangareddy districts in Andhra Pradesh
<b>SAMPLE</b>	105 cases from randomly selected 45 police stations in Hyderabad and Rangareddy districts
<b>TYPE</b>	Qualitative
<b>PURPOSE</b>	<ul style="list-style-type: none"> <li>To analyze the prevalence, patterns and trends of Domestic Violence cases filed under section 498A and to assess the relevance of the provision</li> <li>To ascertain the extent of use or misuse of section 498A</li> <li>To serve the base for conducting further detailed studies pertaining to legal effectiveness of the current statutes and the need for new statutes to combat domestic violence</li> </ul> <p><b>Research Questions</b></p> <ol style="list-style-type: none"> <li>How far is Section 498A approachable by the victims? (by examining the attitude of the police authorities, protection officers, activities of the SLSA and NGOs who determine the ability and willingness of the victims to approach the law)</li> <li>To what extent is the system useful to the victim (presumed) and what kind of difficulties do they face?</li> <li>To what extent is there a possibility of misuse and how effective are the safeguards?</li> <li>What changes can be brought in and what would be the anticipated challenges in bringing about these changes?</li> </ol>
<b>METHODOLOGY</b>	<ul style="list-style-type: none"> <li>Review of literature on domestic violence was undertaken. Also data were collected from across police stations, APSHRC, Protection Officers, Legal Service Authorities, Counseling Centers, APHC, Trial Courts, Family Court, lawyers and other experts in the areas.</li> <li>A <b>theoretical study</b> of certain aspects of domestic violence was undertaken with an aim to examine the generic feminist theory of objectification of women. Functioning of similar systems in another country and a similar report which was made by an NGO in another study was examined. This was then followed by an examination of blogs on the misuse of 498A and analyzing the claims thereof.</li> <li>Primary data were collected at the police station and the courts using checklists and conducting informal personal interviews with the authorities available.</li> <li>A set of randomly selected 45 police stations from Hyderabad and Ranga Reddy Districts were visited by the researchers, including the four women police stations. At the courts, 70 cases under the section and 35</li> </ul>

	<p>cases under the DVC and Section 125 of the CrPC were examined. Two counseling centers were approached (from Basheerbagh WPS and at Masab Tank).</p> <ul style="list-style-type: none"> <li>• Qualitative analysis of the data was carried out to provide the status of the section 498 A and provide recommendations. Data was analyzed at the SHRC regarding the number of cases which were filed with it against the lack of action from the police authorities.</li> </ul>
<b>KEY FINDINGS</b>	<ul style="list-style-type: none"> <li>• The system of law protecting women against violence fails to deliver service as one unit. The system which is supposed to work as a cohesive unit functions in a haphazard and disjointed manner.</li> <li>• A serious lack of awareness among the women about the existing remedies is still prevalent. This is evident from the drastic difference observed between the number of people opting for remedy under 498A and under DV Act.</li> <li>• Success rate of a petition under the section 498A is starkly low and this happens due to two reasons, firstly absence of evidence and secondly lack of professional help or deficiency in the quality provided.</li> <li>• While there are possibilities of misuse, such possibilities are low.</li> <li>• In most cases that are dismissed, according to the police, there have been instances of violence but evidences were not sufficient. The view was confirmed by many lawyers also.</li> <li>• There have been enough safeguards provided in law to control the abuse of law beyond which a safeguard would eclipse the efficacy of the provisions.</li> </ul>
<b>CONCLUSION</b>	<ul style="list-style-type: none"> <li>• The Indian society is still dominated by the patriarchal values wherein to hit is a right and to be hit is a duty. This attitude is so built in the minds of the women by the society that even today most women find no wrong in being hit. Further circumstances surrounding the woman are not supportive of her reacting which may end up in her being thrown out of the society. Another reason why most women do not object is the sustenance of the family institution which holds more importance than individual himself in the Indian back drop.</li> <li>• Women may face financial crisis as even today many women are not independent earners and depend on their husbands for their survival.</li> </ul>
<b>RECOMMENDATIONS</b>	<ul style="list-style-type: none"> <li>• The research does not suggest any change in the law. It does not ask for a fine being levied on a fake case as it is difficult to adjudge which case is lacking evidence and which one is a fake. In absence of this, fines for fake cases would further discourage the few women who come forward to take a step.</li> <li>• The section should not be made gender neutral as this would become a system of perpetrating legal violence on the woman.</li> <li>• The offence should be made non bailable (it is bailable in the state of AP) as otherwise this would render the section useless of providing any remedy at all.</li> <li>• The only available remedy is a self-check mechanism whereby the police authorities make a more keen investigation and the lawyers be more</li> </ul>

	<p>diligent. The entire system should work as a single unit in co-ordination whereby a mutual check and balance system will be in place.</p> <ul style="list-style-type: none"> <li>• Acquittal under 498A should not be deemed to be as dismissal of DVC case, rather the victim should be in a position to seek both the remedies together and the investigation and counseling system coupled with the DIR be together taken as evidence in both forums on the pre-set standard of proof.</li> <li>• If a woman fails to prove guilt beyond reasonable doubt she should be able to immediately seek remedy under the law on the basis of the evidence if the court deems fit. Any finding of the counselors should be taken into account by the court as in many cases it has been noted that husbands accept to the guilt. However if the couple wishes to continue (both sides agreeing before the magistrate) the offence should be made compoundable.</li> </ul>
--	---

<p><b>Participating Agency:</b> Bhumika Women’s Collective and Research Team from NALSAR University Hyderabad</p>	<p><b>Supported by:</b></p>  <p><b>OXFAM India</b> Shri Ram Bhartiya Kala Kendra 4<sup>th</sup> &amp; 5<sup>th</sup> Floor, 1 Copernicus Marg New Delhi-110 001 Phone: +91-11-4653-8000 Fax: +91-11-4653-8099 Email: delhi@oxfamindia.org</p>
---	--

# 33

## A Report on Functioning of Help-lines and Legal Aid System with reference to Women facing Domestic Violence in Andhra Pradesh

<b>THEMATIC AREAS</b>	Rights
<b>FOCUS SEGS</b>	Women
<b>GEOGRAPHIC AREA</b>	Andhra Pradesh
<b>SAMPLE</b>	All 18 government funded helplines
<b>TYPE</b>	Qualitative
<b>PURPOSE</b>	<ul style="list-style-type: none"> <li>e) To find out the accurate number of helplines existing, their outreach and functioning, source of their funding, mode of their monitoring, reasons for low public profile</li> <li>f) Assess the real purpose these helplines are serving and to what extent these are serving the mandated purpose</li> <li>g) Seek suggestions on how to improve the functioning of helplines and suggest course of action</li> <li>h) To survey the quality and quantity of legal services available to women in distress in general and women facing domestic violence in particular</li> </ul>
<b>METHODOLOGY</b>	<ul style="list-style-type: none"> <li>• Helplines were identified through personal information from stakeholders, websites, related NGOs and media. Information about the functioning of these helplines was collected through telephonic interviews as some of them refused to provide written information or access to their records.</li> <li>• For assessment of legal aid received, discussions were held with legal counsels in office of the protection officers, panel of advocated in the district and state legal aid authority.</li> <li>• Information on the number of helplines and their status of functioning was obtained from the Central Social Welfare Board and Department of Women Development and Child Welfare. Information related to legal aid was obtained through discussions with the various legal officers at the district and state level.</li> <li>• The sampling was purposive in nature. All the 18 identified government funded helplines were included. In addition, the relevant stakeholders were included as per their identification and availability.</li> <li>• The study identified the sources of data, mapped the role and responsibilities of different agencies in monitoring their functioning and attempted to understand the reasons for the low visibility of helplines in Andhra Pradesh. The study sought suggestions from stakeholders and also extracted certain recommendations from the findings.</li> </ul>

<p style="text-align: center;"><b>KEY FINDINGS</b></p>	<p><b>Helpline:</b></p> <ul style="list-style-type: none"> <li>a) <b>Staff:</b> The counselors are offered just Rs. 5000 as salary which is not attractive enough even to a fresh post graduate. In most of the helplines they are designated as telephone operators rather than as counselors.</li> <li>b) <b>Timings:</b> The contract of Central Social Welfare Board (CSWB) with NGOs makes it clear that helpline should be run round the clock and throughout the year. Despite 3 staff, these are only functioning from 10 to 5 during day time. No counselor seems to work during the week ends and public holidays.</li> <li>c) <b>Supervision and Guidance:</b> The NGOs that run the helplines are supposed to form a committee of volunteers with representatives from civil society, NGOs, police, legal services authority, shelter homes and local administration to supervise the functioning of helpline. Such committees are not in existence.</li> <li>d) <b>Monitoring of Help-lines:</b> The responsibility of monitoring of shelter homes and helplines are shared by (CWB) and Project Directors of Department of Women and Child Development (DWCD) of state government but there is no clear division of work and responsibilities.</li> <li>e) <b>Publicity of Help-lines:</b> Help-line are hardly visible in public domain as no efforts are being made to publicize the existence of these helplines</li> <li>f) <b>Grant Making:</b> Funding received through CSWB meant to support the women in distress is uncertain and unreliable. All NGOs had a common complaint that funds are delayed by an year or even after that.</li> </ul> <p><b>Legal Aid</b></p> <ul style="list-style-type: none"> <li>a) At present state legal services authority is providing legal aid by representing cases that are screened for eligibility. It also holds Lok adalats for settling old cases and compoundable criminal cases through district legal services authority</li> <li>b) Free legal aid includes payment of court and other fees, charges for preparing, drafting, and filing of any legal proceedings, fee for legal practitioners and costs of obtaining degrees, judgments, orders and other documents required for legal proceeding.</li> <li>c) Victim of trafficking in human beings, who are in protective home and those women who are in licensed psychiatric hospital are eligible for free legal service.</li> <li>d) The council is expected to take prompt and immediate action without any delay and secretaries of District Legal Services Authority (DLSA) should review the progress of the cases by convening meetings every month with the counsel to whom legal aid cases are assigned. The secretaries of DLSA should interact with legal aid beneficiaries periodically and enquire about the progress of the cases and difficulties they face in conducting the cases</li> <li>e) Functioning of legal aid service is in a dismal state. Legal aid counsels are paid pittance for years of pleading for one case. What is paid to a counsel in Magistrate case at the end of the case is not even sufficient for paper work to be done. Lawyers cannot be expected to subsidize the legal aid programme.</li> </ul>
--	--



	f) To deal with the domestic violence case there has to be a combination of the Judiciary and salaried lawyer models depending on the complexity of the case. The funds for providing free legal aid and counseling are being provided by NALSA, which remain under-utilized.
<b>CONCLUSION</b>	<ul style="list-style-type: none"> <li>• There has been lots of staff turnover due to inadequate salaries offered. As a result the helpline as a serious work does not receive as much attention as it deserves and does not attract qualified persons to run the helpline</li> <li>• The NGOs running the helplines also do not necessarily understand the full dimension of domestic violence.</li> <li>• There are no shortage of funds for providing free legal services and counseling.</li> <li>• There are no formal mechanisms for monitoring the advocates providing legal services, which seriously affects the quality.</li> </ul>
<b>RECOMMENDATIONS</b>	<p><b>Recommendations for consideration of Government</b></p> <ol style="list-style-type: none"> <li>a) The government should undertake the process of redefining and redesigning the role of support services in the changed legal policy towards domestic violence, particularly in the spirit demonstrated by PWDV Act.</li> <li>b) Reassessment of the existing policy of support services including helplines should be conducted</li> <li>c) Creation of support services and their allocation to different states and districts should be based on the assessment of the nature and extent of violence against women.</li> </ol> <p>The new policy on support services should have following components:</p> <ol style="list-style-type: none"> <li>d) The role of helplines should be clearly defined not as an adjunct to shelter homes but as an independent entity.</li> <li>e) The NGOs that runs helpline should be experienced in working on women issues.</li> <li>f) The ability of NGOs to network with different agencies to provide services to women facing violence should be taken into consideration while selecting them for running the helpline.</li> <li>g) The formation of committee of volunteers to supervise the functioning of the helplines should be made mandatory.</li> <li>h) The structure of grant should be designed in such a way as to provide effective services to women. The suitability of grant should be assessed once in every three years.</li> <li>i) The salary of the counselors should be adequate enough to attract experienced and committed persons.</li> <li>j) There should be a clear cut policy of monitoring by designated authorities. The present confusion should be removed.</li> <li>k) Different government agencies should widely publicize the helpline and other support services.</li> </ol>

	<p><b>Legal Aid</b></p> <ul style="list-style-type: none"> <li>• There is a need to set up a working mechanism that account for performance of the legal aid which should include facilities like a designated place in the court premises for seeking information about the cases and lawyers etc.</li> <li>• A mechanism for providing confidential feedback on the performance of the lawyers by the victims needs to be established.</li> </ul>
--	---

<p><b>Participating Agency:</b> Bhumika Women’s Collective</p>	<p><b>Supported by:</b></p>  <p><b>OXFAM India</b> Shri Ram Bhartiya Kala Kendra 4<sup>th</sup> &amp; 5<sup>th</sup> Floor, 1 Copernicus Marg New Delhi-110 001 Phone: +91-11-4653-8000 Fax: +91-11-4653-8099 Email: delhi@oxfamindia.org</p>
--	---

## 34

## Rehabilitation Services (Shelter Homes) in Andhra Pradesh for Women in Difficult Circumstances

<b>THEMATIC AREAS</b>	Rights
<b>FOCUS SEGs</b>	Women
<b>GEOGRAPHIC AREA</b>	Andhra Pradesh
<b>SAMPLE</b>	20 Shelter Homes
<b>TYPE</b>	Qualitative
<b>PURPOSE</b>	<ul style="list-style-type: none"> <li>i) Establish a preliminary understanding of operations and functioning and current status of shelter homes for women in difficult conditions in Andhra Pradesh</li> <li>j) To start a dialogue between different stakeholders to formulate guidelines for strengthening the status of shelter homes</li> </ul>
<b>METHODOLOGY</b>	<ul style="list-style-type: none"> <li>• The study started off as a preliminary mapping of homes providing services for women in difficult circumstances. Survey forms were administered to the home-in-charges and information collected was codified. Questions ranged from general details of the home, infrastructure details, security for women, support services provided and financial status.</li> <li>• List of Short Stay Homes, Swadhar, Ujjawala homes was obtained from the state offices of Social Welfare Board and Department of Women and Child Development. Random selection was made from the list of all shelter homes available in government records. Total of 20 shelter homes (40% of total homes) were selected for this study. Both quantitative and qualitative analysis of the gathered data were carried out to draw inferences and make recommendations.</li> </ul>
<b>KEY FINDINGS</b>	<ul style="list-style-type: none"> <li>• The project team could not locate 3 Shelter Homes, though the completed details (name, address and contact phone numbers) were provided by the government department. In addition, few homes were found to be non-operational at the time of the study</li> <li>• Average occupancy in these homes is about 25 inmates per home.</li> <li>• Nearly 80% of the homes are in rented building in residential areas and therefore provide with only the bare minimum facilities (e.g. one bathroom and toilet per home)</li> <li>• 42% (15 homes) in rented premises are paying higher rents than was sanctioned as per approved budget, given the changing housing market scenario.</li> <li>• Most preliminary services that the home has to provide are psychological counseling, medical and legal aid. It is observed that the homes do not have qualified personnel for the services to be provided – especially psychological counseling. Of course, nearly 30% of homes do provide such facilities through committed staff.</li> </ul>



## **IMPACT Partners in Social Development**

JE-1/1 Lower Ground Floor, Khirki Extension, Opp. B-Block, Malviya Nagar, Tikona Park, New Delhi-110 017, INDIA  
Tel: +91.11.2954 5554; 4684 8446 Email: [helpdesk@impactpartner.org.in](mailto:helpdesk@impactpartner.org.in) Website: [www.impactpartner.org.in](http://www.impactpartner.org.in)

	<ul style="list-style-type: none"> <li>• Legal aid is being provided to victims of violence through Legal Services Authority and local advocates who are associated with the homes. However, this is largely confined to Swadhar and Ujjawala homes.</li> <li>• Almost all the homes provide vocational trainings to the women and attempt to provide rehabilitation through providing linkages to employment. However, more than 66% of the Homes concentrate on Tailoring, and related activities viz. Embroidery, Maggam work as their basic training programme thereby eventually convert into tailoring centers.</li> <li>• NGOs running the Homes have complained of delay in the release of grants, excessive procedural requirements, complicated accounting system and inadequate government response to their grievances</li> </ul>
<b>CONCLUSION</b>	<p>Key issues identified in the study are:</p> <ul style="list-style-type: none"> <li>• Inadequate measures are being taken towards publicity of the homes. 43% (21 homes) are using pamphlets, 6% (3 homes) are using Television as a medium for publicity.</li> <li>• Legal, medical and counseling services are not being provided at short stay homes whereas Swadhar and Ujjawala homes provide the same.</li> <li>• Trained staff in providing psychological support for the women is a serious deficiency in the programs.</li> <li>• Not enough focus on building capacities of the team involved in running the homes. Therefore, more attention needs to be paid to psychological counseling and sustainable economic rehabilitation of women in Andhra Pradesh shelter homes.</li> </ul>
<b>RECOMMENDATIONS</b>	<ul style="list-style-type: none"> <li>• Capacities of NGO personnel have to be built in the broader areas including gender, legal issues and fund raising at local level.</li> <li>• There is a need to increase focus to enhance publicity of the homes. This will encourage more women in need to access these facilities.</li> <li>• Strong emphasis on counseling is recommended. Mandatory and regular availability of trained personnel would improve the counseling systems at the home.</li> <li>• Market surveys and studies have to be conducted by NGOs, at least at the local level to ensure that income generating activities and vocational trainings imparted to the women are linked to market needs and are economically productive</li> <li>• Regular funding from the Govt will ensure better services to the women.</li> <li>• Create linkages between the home and different Government departments for providing more services to women.</li> </ul>

**Participating Agency:**  
Bhumika Women's Collective

Supported by:



**OXFAM India**

Shri Ram Bhartiya Kala Kendra  
4<sup>th</sup> & 5<sup>th</sup> Floor, 1 Copernicus Marg  
New Delhi-110 001

Phone: +91-11-4653-8000

Fax: +91-11-4653-8099

Email: delhi@oxfamindia.org

<b>THEMATIC AREAS</b>	Violence Against Women
<b>FOCUS SEGS</b>	Women
<b>GEOGRAPHIC AREA</b>	16 districts of Odisha
<b>SAMPLE</b>	80 disposed and 80 ongoing cases
<b>TYPE</b>	Qualitative and Quantitative
<b>PURPOSE</b>	<p>k) To assess status of implementation of PWDVA (Prevention of Women against Domestic Violence Act) in terms of budget allocation, registration of cases, awareness activities and capacity building</p> <p>l) To analyze average time consumed for disposal of cases and the litigation process</p>
<b>METHODOLOGY</b>	<ul style="list-style-type: none"> <li>• The methodology adopted was one to one interviews with the Protection Officers and other stakeholders. For analyzing time scale of DIRs, constant follow up of cases in the courts through the advocates and court employees was taken up.</li> <li>• Two sets of structured questionnaires were developed. The first set of questionnaire was administered with the Protection Officer which was meant for analyzing and monitoring status of implementation. The other set of questionnaire was employed for Time Analysis of individual DIRs.</li> <li>• 16 districts were randomly selected though informed by physical presence of alliance partners of CSRF. The study was mainly based on primary data collection from the office of District Social Welfare Officer and from the concerned magistrate's court at district level. Considering large number of registration of cases before Protection Officers and in litigation phase, decision was taken to analyze 5 pending cases and 5 disposed of cases from each target district. Whenever there are less than 10 cases in litigation phase, total numbers of cases were taken into consideration for time analysis.</li> <li>• Primary data collected from the Protection Officers (POs) and from the court was supplemented with secondary data collected from department of Women and Child Development, Government of Orissa and enriched through a process of consultation with various NGOs working on same issues. The data was analyzed with use of Excel statistical tools for generating report.</li> </ul>
<b>KEY FINDINGS</b>	<p><b>Status of Implementation of PWDVA</b></p> <ul style="list-style-type: none"> <li>• Efficiency of the districts in terms of expenditure is not encouraging. All except 3 districts have spent below 50 percent of allocation in a two year period. The expenditure has been incurred only on conducting Home</li> </ul>

	<p>Visits, Service of Notice and office stationeries. No separate allocation was done for PWDVA till 2010. During 2010-11 and 2011-12 budget a sum of Rs. 25 lakhs has been allocated in each year. But no expenditure has been incurred.</p> <ul style="list-style-type: none"> <li>• During 2009 and 2010, a total of 804 cases have been registered with the PO in the 16 districts included in the study. A total of 764 (95%) DIRs have been filed and gone for litigation phase. Highest number of cases of violence has been registered by Jagatsingpur (179) district followed by Cuttack (143) and lowest (6) has been registered in Kalahandi district. Out of total DIRs 95 (12%) cases have been disposed off by the court.</li> <li>• A total of 752 cases have been registered in Support Centre for Women at Superintendent of Police (SP) office in 5 districts. Being stationed at the premises of SP office, these support centres are giving visibility to the violence issues at district level and legitimizing the violated woman's concerns and needs through a pro-woman perspective within the police system.</li> <li>• The POs of all districts expressed their apprehension about the Magistrates not sending any court proceedings of the cases to them. The POs remain unaware about the final status of the DIRs which they have filed making it difficult for POs to keep track of the cases.</li> <li>• Barring some minor variation, almost all POs are sending notice by registered post or personally if they are going for some other work to that concerned location. In some districts like Deogarh and Bhadrak, Service Providers have been assigned the responsibility of serving notice. As the POs have additional charge and they have been occupied with other duties, it is not possible for them to serve notice within such a short period. Besides, it is also difficult to reach far-off places in a district.</li> <li>• Department of Women and Child Development has organized three 2-day trainings for the POs and two trainings for members of judiciary. Among 16 POs interviewed in the study, 7 POs reported receiving training organized by the department. In many districts, the POs are also in-charge Program Officers of the Department and they are regularly being transferred. Thus the Programme Officers who are newly assigned the job of PO have not received training.</li> <li>• The nodal department has not yet taken any awareness activity.</li> <li>• Out of 804 registered cases, 107 aggrieved women have been provided various support services from different agencies in 8 districts. Police assistance has been provided to 137 survivors, legal aid service to 69 survivors and medical assistance to 32 survivors. Nearly 303 survivors have received referral services within a period of April 2010 to March 2011 by the Support Centres for Women in 5 districts.</li> </ul>
--	--

	<p><b>Time Analysis of DIRs</b></p> <ul style="list-style-type: none"> <li>• <b>Time Scale for disposal of cases:</b> A total of 98 cases have been analyzed out of which 19 cases have been disposed off. Range of time duration of cases to be finalized has been found to be 75 to 613 days. Average duration for finalization of a case is 275 days. Though no case has been finalized within stipulated time period of 60 days, the case being finalized in 75 days shows some hope in this regard.</li> <li>• <b>Duration for Service of Notice:</b> Cases are pending mainly because of two reasons. Firstly, lot of time is consumed for service of notice to the respondent and the respondents do not appear before court for hearing. It has been found that on an average 39 days are used for the service of notice while the Act envisages serving notice within 3 days of receipt of DIR by the Magistrate. Among analyzed cases, highest duration for service of notice is 202 days. However, in Kalahandi district notice has been served with in minimum and mandatory duration of 3 days.</li> <li>• <b>Assistance Sought by the Aggrieved:</b> The PO in pre-litigation stage and the Court in litigation phase comply with the assistance or reliefs claimed by the aggrieved person while filing DIR. It has been found that even during pre-litigation phase, assistance claimed by the aggrieved person and compliance with these is not encouraging. Most of the aggrieved person seeks orders in terms of maintenance order and residence order.</li> </ul>
<p><b>CONCLUSION</b></p>	<ul style="list-style-type: none"> <li>• A major problem faced in implementation of the Act at the district level is the timely release of budget and also the adequate monitoring of expenditure by the nodal department.</li> <li>• Support structures (office space, support staff, mobility) are not available</li> <li>• While domestic violence is a community issue, local governance, panchayats and other grass root service providers are not aware and are not engaged in the process.</li> <li>• Most staff managing the DIRs and other aspects of implementation lack capacities</li> <li>• Documentation of cases is inappropriate and insufficient at the PO level. The formats are not standardized.</li> <li>• Lack of coordination between POs and courts is leading to time delays in management of cases</li> </ul>
<p><b>RECOMMENDATIONS</b></p>	<ul style="list-style-type: none"> <li>• There is urgent need of synergy and coordination between Judiciary and the PO.</li> <li>• Separate PO should be appointed and they need to be provided with all infrastructure and mechanism support.</li> <li>• Regular and adequate budget allocation along with clear guidelines should be mentioned by the nodal department of the state. The budget should be released in time to the PO along with clear guidelines for spending how much of money on what.</li> </ul>



	<ul style="list-style-type: none"> <li>• For service of notice, though the nodal department has notified to take assistance of a constable for this purpose, it has not been practicable. Thus, police notification should be done to make it happen. Besides, alternative mechanism of service of notice should be evolved.</li> <li>• The nodal department should ensure that the court should send all its proceedings and orders under PWDVA to the POs. As a result, the POs could have a track about the cases under PWDVA.</li> <li>• The component of training of Pos should be on process of recording of DIR, particulars of the documents need to be attached with the DIR and assisting the women to receive multi-agency support from the police, service providers, medical facilities and legal aid etc.</li> <li>• The model of the Support Centre for Women should be replicated in other district.</li> <li>• The vernacular version of the Act need to be distributed to all government departments and other stakeholders both at district level and state level. TV spot and advertisements in print media containing provisions of the Act should be released. Hoardings containing important provisions of the Act and its implementation mechanism can also be displayed in important locations.</li> <li>• Regular Capacity building of POs and their role in pre and post litigation phase need to be clarified. CDPOs of the state need to be trained on PWDVA</li> <li>• Considering efficacy of the Support Centre for women being operated from the premises of the SPs in handling domestic violence cases, the model can be replicated in other districts.</li> <li>• Appointment of <b>separate PO along with support structure (separate office room, peon, clerk, mobility support)</b> would be needed for proper implementation of the Act.</li> <li>• To increase registration of cases, discussion on PWDVA need to be done in the meetings of AWWs, SHGs and block level meetings. It should be a mandatory agenda. This will generate more demand from the community for availing service under PWDVA.</li> <li>• On the other hand, the POs need to be trained to fill up DIR forms and handle the cases efficiently. This will enhance the quality of services supplied to the aggrieved persons.</li> <li>• Every visit of a woman to the PO and eventually DIRs filed should be documented properly. The DIRs filed by the PO in form-1 and filed directly in the court in Form-2 should be recorded by the PO. The nodal department should ensure receive of mandatory reports from the POs, Service Providers in a uniform format. The uniform format should furnish the data regarding referral services made by the PO along with date.</li> <li>• Special day should be specified in a week for trials of cases filed under PWDVA or stipulated amount of cases need to be fixed for a week by the courts.</li> </ul>
--	---

The judicial officers should be provided with a list containing details of the POs, Service Providers, shelter homes, state legal aid lawyers for ensuring effective coordination.

<p><b>Participating Agency:</b> Civil Society Resource Facility Centre Friends' Association for Rural Reconstruction Orissa State Level alliance on Violence against Women</p>	<p><b>Supported by:</b></p>  <p><b>OXFAM India</b> Shri Ram Bhartiya Kala Kendra 4<sup>th</sup> &amp; 5<sup>th</sup> Floor, 1 Copernicus Marg New Delhi-110 001 Phone: +91-11-4653-8000 Fax: +91-11-4653-8099 Email: delhi@oxfamindia.org</p>
--	---