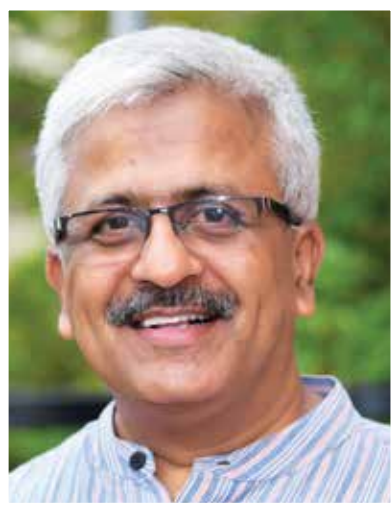
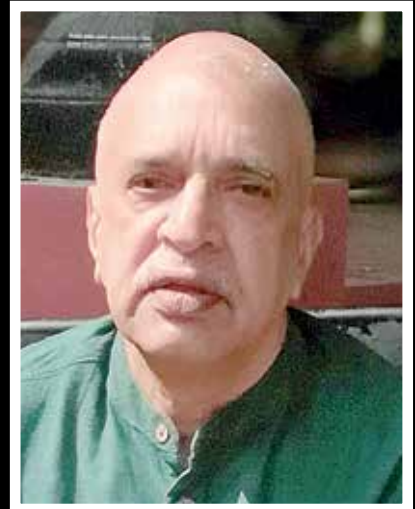


Civil Society

The Interview Issue

QUESTIONS & ANSWERS



10 VOICES
ON 10 BIG
STORIES
OF OUR
TIMES



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When people agree to open up

OUR Annual Interview Issue once again showcases 10 interviews worth recalling and preserving separately. They are chosen from a much larger hoard of interviews that you will find in the archives of *Civil Society*.

We are often asked how we get our stories. By talking to people, is what we say in reply. Not all interactions yield detailed interviews. But those that do are valuable for the trends and concerns they capture and the insights they provide.

Long-form interviews, for which we have an appreciative audience, take us into the lives of the people we talk to so that we can better understand their work and the issues dear to them.

There is much to be learnt through the medium of an interview, which is why we allow some of our interviews to run over two and three pages. We find great value in getting into the kind of detail that makes the interview reference material for the future.

These are mostly people who have a deep understanding of the spheres in which they work.

We see them as newsmakers, but the reality is that they exist far from the limelight. You won't find them among the talking heads on television.

At the same time, they are not unknown. Jean Dreze and Aishe Ghosh, for example, were very much visible in the news when we interviewed them: Dreze on hunger deaths in Jharkhand and Ghosh in her role as a student leader in JNU. We like to believe that our interviews with them were more meaningful than the sound bites they had been reduced to.

The ability to connect with people and keep a conversation going is at the heart of good journalism. You could do it for a sound bite or go deeper as we do with someone like Darshan Shankar who has spent many decades creating bridges of understanding between traditional and modern systems of medicine.

Shankar's interview on whether Ayurvedic doctors should be allowed to practise as surgeons, based on the training that they get in surgery, is a great example of how a controversial issue can be addressed. He provides an unbiased insight into the poor standards of Ayurvedic training and, at the same time, successfully argues the case for better use of traditional medicine in the public interest.

Interviews allow remote voices to be heard. For instance, Abhijit Prabhudessai of Rainbow Warriors details efforts made by activists in Goa to preserve the state's natural environment and bring scrutiny to bear on new projects that create unwarranted imbalances.

There is often the opportunity to present an alternative view as Rajiv Khandelwal and Divya Verma do on the new Labour Codes. Kavitha Kuruganti on the farm laws is also another point of view.

In the interview with R. Balasubramaniam we get to track how the idea of having a social stock exchange is taking shape and Harsh Jaitli speaks for NGOs who find the government's regulations too constricting.



THE INTERVIEW ISSUE

Civil Society's interviews bring to our readers interesting people and contemporary concerns. Here are voices that matter but tend to be lost in the noise of the news. Take a deep dive with us.

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Phone: 011-46033825, 9811787772
Printed and published by Umesh Anand on behalf of Rita Anand, owner of the title,

from A-53 D, First Floor, Panchsheel Vihar, Malviya Nagar, New Delhi - 110017.
Printed at Samrat Offset Pvt. Ltd., B-88, Okhla Phase II, New Delhi - 110020

Postal Registration No. DL(S)-17/3255/2021-23.
Registered to post without pre-payment U(SE)-10/2021-23 at Lodi Road HPO New Delhi - 110003
RNI No.: DELENG/2003/11607
Total no of pages: 24

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Harsh Jaitli on why the voluntary sector is shrinking

‘NGOs tangled up in messy regulation and negative vibes’

Civil Society News
Gurugram

VOLUNTARY organizations have increasingly been under pressure to meet regulatory requirements, find funds for causes and cope with COVID-19 and its fallout.

There is a sense that the current Union government led by the Bharatiya Janata Party (BJP) has been making it difficult for non-governmental organizations (NGOs) to function with changes in regulations on income tax and foreign contributions.

Some of the pressure, in fact, dates back to pre-2014 and the government led by the Congress, which, though supportive of social activists, began introducing regulatory requirements that voluntary organizations found difficult and irksome to comply with.

The COVID-19 pandemic has also taken the lives of many activists. The stories of those in the big cities are known while activists in the rural areas and small towns haven't been fully accounted for. There has also been a drying up of Corporate Social Responsibility (CSR) funds for causes with companies tightening their budgets and giving liberally to the PM CARES Fund.

For an assessment of the situation and the road ahead, *Civil Society* spoke to Harsh Jaitli, CEO of VANI (Voluntary Action Network India), which represents a large number of voluntary organizations across India, particularly small ones in remote areas.

What has been the impact of the coronavirus pandemic on the NGO sector?

COVID-19 has exposed the fault lines in all sectors, whether it's the health sector or the education sector. The pandemic has impacted the social sector across the world. For two decades, I have noticed, there has been a systematic attempt to restrict the space of the social sector globally. Some countries, like China, Russia and currently India, are doing it crudely while other countries are doing it subtly. The pandemic exposed all these fault lines. The day-to-day functioning of institutions, the restrictions imposed, played a major role.

But in actual terms what has it done to NGOs in India?

Earlier, calamities were localized and small-scale, whether it was a flood in Kerala or an earthquake in the Himalayas. These were simpler to manage despite the fact that even local civil society organizations (CSOs) did not have much resources or capacity. Since these were isolated and local they could manage them. But the pandemic has been on such a large scale that worldwide the realization has dawned on everyone that no one can handle it — neither the CSOs nor the government nor even countries.

Along with the first wave of COVID-19 came the migrant crisis. Grassroots or service organizations are always the first to respond to such a crisis. Until a few years ago CSOs used to have a little money with them. Based on those resources they would provide some services. But now income tax laws and the FCRA (Foreign Contribution Regulation Act) don't allow you to save anything. In the past five years CSR funds were another resource for NGOs. But the PM CARES Fund cleaned that out also. So most grassroots organizations have no money.



Harsh Jaitli: 'I'm not saying it is the BJP or the Congress. Everybody has squeezed NGOs'

Still, they responded as best as they could.

Fortunately, a lot of CSOs got support from local communities. Like the small business person. Local people provided money, food supplies and other resources. This was the financial impact of regulatory changes made by the Union government.

The second impact was that the first wave was basically managed by the bureaucracy and the police. So to provide services became a tussle for NGOs. The district administration was not ready to give us passes. The question of civic space comes up here too. They would say, 'You cook the food and give it to us, we will serve it'.

The negative narrative about NGOs, publicized by so-called media, impacted the services NGOs are supposed to provide. It was conceded that NGOs were also frontline workers on the ground, but they were not given that status.

Have rural NGOs been more impacted than urban ones?

Everybody has done their bit to squeeze the social sector. I'm not saying it's the BJP or the Congress. Laws were made by the Congress and implemented by the BJP. In the past two decades complicated laws have been made which are very difficult for rural NGOs to comply with. In the past decade a lot of effort has gone into demystifying the regulatory framework for rural NGOs because the penalty of not implementing a small rule was very high.

Small organizations were already facing the problem of compliance. Many of them lost their FCRA licence. If you work in a deprived area there are even more checks on you. The local police starts implementing some unsaid law and wants to know what the NGO does every day. The NGO faces lack of capacity to implement all those regulations.

Secondly, in September the Union government prohibited sub-granting. The budget of small organizations is now even less. Otherwise the system was that large organizations who were good at advocacy and research and had good human resources would raise finances from large international donors. Then they would work with small organizations to implement projects, giving them outreach. The rural NGOs were good at mobilization and working at the grassroots. They were small in terms of budgets.

Earlier, funding from big donors like DFID (Department for International

Development) and USAID (United States Agency for International Development) had already reduced since they were forced to give money to the government. Now sub-granting has also disappeared. Small organizations lack the capacity to comply or to generate resources and they are the first to get harassed.

Weren't there CSR funds earlier, though?

See, the tradition of support by the private sector to the voluntary sector is a very old one. The concept of CSR is new, just five years old. We were part of a five-year review carried out by the Ministry of Corporate Affairs. We gave several recommendations which were accepted by the ministry.

In the review meeting the corporate sector said working on advocacy or capacity building or a rights-based approach was not their cup of tea. They want visible results. They were interested in financially supporting projects which yielded very tangible deliverables. Such projects could then be analyzed and reported in their annual reports. That's what the government wanted them to do, they said.

So most CSR money was going into running schools, planting trees, painting competitions...non-contestable issues, easy to understand and calculate. CSR money didn't go into critical development work. Then they would fund us only for a year because they thought they had to report their CSR activities every year in their annual report.

In the recommendations it was made clear that companies can give money for long-term projects just like any international donor. Nowhere is it written that they can't. We were hoping things would change.

But then COVID-19 came along and the PM CARES Fund as well. The Ministry of Corporate Affairs said that money given to PM CARES is also part of CSR. For companies it has always been easier to put money in the PM's National Relief Fund or other government funds. It puts them in the good books of the government and they don't have to do anything.

A lot of money went to the PM CARES Fund. It was supposed to go to CSOs. Now they are saying that if companies give more than their authorized CSR limit they can carry over that expenditure to the next year. Besides, CSR is calculated on the basis of profit. If the economy doesn't do well, they can say they did not make profits.

Is the NGO sector shrinking?

Yes, you can say that it's shrinking. All these changes, like not allowing sub-granting, have had an adverse impact on NGOs. It was done abruptly without any debate in Parliament or any discussions. On-going projects were halted immediately. Large organizations are not able to spend the money they had planned to with their partner NGOs. Small NGOs aren't able to even maintain a small staff to deliver those projects.

It was calculated that around ₹10,000 crore per year comes in through the FCRA route. For the past seven or eight years there has been no report on FCRA which analyzes how much money we are getting and for what purpose. The number of development organizations receiving money under FCRA is going down. So who is getting FCRA money? All non-profits are registered under one law so money is going to other institutions also. Reduction in resources impacts the capacity of NGOs to implement projects and human resources. So, yes, the sector is shrinking.

How many people does the NGO sector employ?

It is one of the largest employers in India but there is no firm calculation for that. Everything is speculation. The size and nature of the sector, highlighted by studies and the media, says there are 3.2 million NGOs in India. But where has that figure come from? There is no explanation. This figure includes every organization which is a non-profit in this country.

But you can't compare India Habitat Centre with a rural NGO or Batra Hospital with a small dispensary in Gadchiroli or Deepalaya with St Stephen's.

Which projects are the most affected now?

Initially, projects on entitlements and rights-based approach, valuations, capacity building and communication were affected. In the past decade no investment has been made in capacity building.

Earlier, we used to make a lot of films. Now no organization has the budget to produce communication material.

Now the recent amendment has said our administrative expenses can't be more than 20 percent. Apart from implementation, like planting trees, all the work we do is like the software industry. We depend on human resources. If you

curtail that to 20 percent you know what gets affected.

We are part of an empowered group for CSOs created under the disaster management rules by the NITI Aayog. They asked us to support them in creating awareness on vaccination, popularizing COVID-19 appropriate behaviour and in importing oxygen and medical equipment from abroad.

We told them all three are prohibited by your FCRA law. For popularizing vaccination or COVID-19 appropriate behaviour I need to undertake a communication exercise but expenditure under that comes under administrative expenditure.

If I get oxygen concentrators from my donor in Germany, it will be categorized as an FCRA asset. I can only use it within my organization. I can't give it to a person in a slum to use or in a rural area because then you will say it's a sub-grant. We requested them to change the law and they asked us to write a letter.

Then you can't go outside in Delhi when there is a curfew. During lockdown you expect people to renew their income-tax certificates, open an account in State Bank of India (SBI). Now, SBI is famous for making excuses not to work. So they said you can open an account in your local SBI branch.

First of all, it was very difficult for grassroots organizations to convince local SBI branches to work extra and open their bank accounts. It was a long struggle for us. Then they wanted NGOs to bring all their board members to the branch to see them physically. Now board members don't live in the same locality. How do you bring them to the bank during curfew? Some of them are over 70 years old and they are not supposed to leave their homes.

Next, what documents are needed? Finally that was worked out with the MHA (Ministry of Home Affairs). It was easier for those living in the NCR (National

‘Changes such as not allowing sub-granting have been made abruptly. Large organizations are not able to spend the money they had planned with partner NGOs.’

Capital Region) because they could go to the main SBI on Parliament Street and show those documents. But for rural NGOs it was tough. Your documents go back and forth. First they get stuck in the local SBI branch and then in the main SBI branch.

Do you think it would be an advantage to have a single law governing the voluntary sector as was proposed by the Congress many years ago?

We worked on that. A good law was made. The Planning Commission formed a committee. But it was rejected by the law ministry. They said it is a state subject. We approached the prime minister. We said we should have a single law as you have for the private sector like the Companies Act. The Ministry of Corporate Affairs was asked to draw up a law which they did. They called it the Multi State Society Registration Act. It talks about NGOs working in more than one state. But smaller organizations working in one state weren't included. So it was like dividing the sector.

After that no one has taken an interest. A sub-committee of the NITI Aayog is working on a regulatory framework for the sector. We are part of that.

What has been your experience of working with the NITI Aayog?

There was no space for NGOs when they first shifted from the Planning Commission to the NITI Aayog. The Planning Commission had an NGO cell headed by Lalit Kumar and Syeda Hameed. For the past two or three years they have started interacting with NGOs.

Under the Congress the nature of NGOs they used to call was different. Likewise with the NITI Aayog. The nature of NGOs invited for consultation changes according to the party's ideology.

During the COVID-19 crisis their respect for NGOs has gone up. Never in the past seven years has the PM appreciated the role of NGOs. But this time he has been quoted as having appreciated their role. The NITI Aayog has created 17 groups to work with NGOs on health, education, Sustainable Development Goals (SDGs), regulatory framework and so on. We asked them to work on a national policy for the voluntary sector. That is being worked on. But they have their own limitations. When disaster comes, the relationship with NGOs improves but when disaster disappears, the goodwill also disappears. □

‘7 hunger deaths in Jharkhand were related to Aadhaar’

Jean Dreze on faultlines in the government’s delivery system

Civil Society News
New Delhi

IN the past two years starvation deaths are being consistently reported from Jharkhand. Activists who went to investigate found that it was people who were very poor and not being given their rations who lost their lives. They just had no food — in a country where there is no shortage of food!

The major reason why people were not getting their rations was Aadhaar. It has been made mandatory by the central government for getting rations. The poor depend on inexpensive food from ration shops and they are being turned away because either their Aadhaar has not been linked to their ration card or their fingerprints do not match. Or connectivity is very poor.

And all this is not the fault of the people but the government. Similarly, a Direct Benefit Transfer (DBT) scheme of the government in Nagri block of Jharkhand has people asking for a return to the old system of ration cards. For the elderly, things are even worse. Pensions are now linked to Aadhaar. There are old people running back and forth to banks because pensions are delayed — in one case for two years — or even transferred into someone else’s account. So they do not have money to buy food.

Right to Food campaigners protested outside Jharkhand Bhavan in Delhi on July 13 against such starvation deaths and lynching. They demanded delinking of Aadhaar from all public services, withdrawal of DBT, a grievance redressal system, and implementation of all the provisions of the National Food Security law.

In an interview with *Civil Society*, economist and activist Jean Dreze provides insight into these concerns and developments on the ground in Jharkhand.

Is there any estimate of how many people have died of starvation in Jharkhand since the Aadhaar card began to be used for receiving rations?

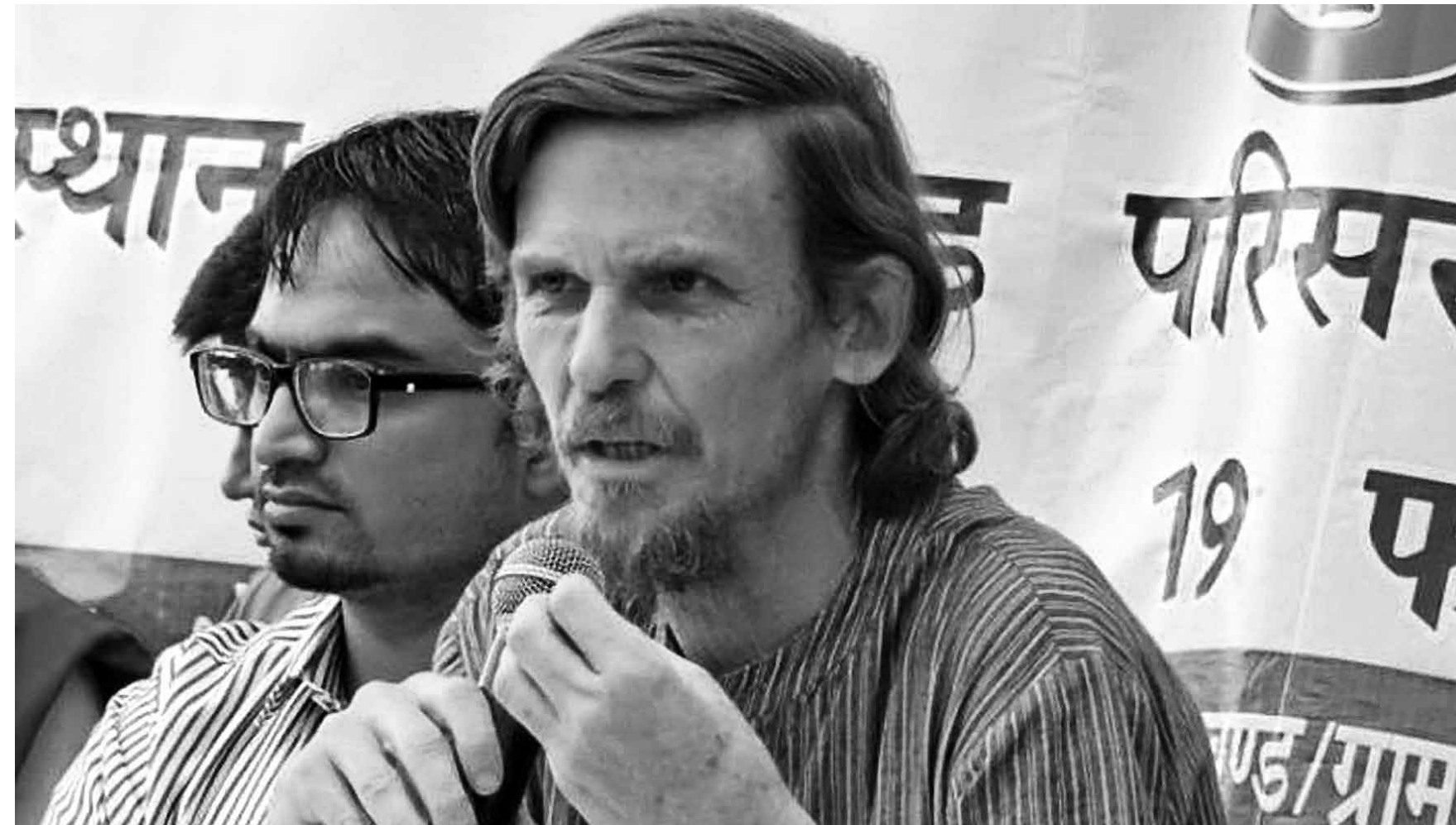
Starvation deaths are not easy to define and counting them would be

difficult even if we had all the relevant information. What we do know is that a dozen hunger-related deaths have been reported in Jharkhand since Santoshi Kumari, a young Ghasi girl, died of starvation last September. Most of them have been carefully investigated and I don’t think there is any doubt that prolonged hunger played a part in most cases.

Out of 12 reported hunger deaths, at least seven were related in one way or another to Aadhaar. In Santoshi Kumari’s case, for instance, the family’s ration card had been cancelled for lack of linkage with Aadhaar. Other Aadhaar-related factors include pensions being discontinued or diverted due to faulty Aadhaar linkage, and biometric failures at the ration shop.

The Union government did announce that Aadhaar authentication is not compulsory for securing rations. Another state minister said that any form of verification like a voter ID card would do. Why is the government’s order not being followed by ration shop owners?

The Union government has never retracted its policy of making Aadhaar compulsory in the public distribution system (PDS). The only qualification, under the Aadhaar Act, is that if you don’t have Aadhaar then as long as you apply for enrolment you are entitled to an alternative means of



Jean Dreze: ‘The Union government has never retracted its policy of making Aadhaar compulsory in the PDS’

identification in the interim. So, the bottom line is the same: no rations without Aadhaar, at least not beyond the deadline, which varies from state to state. In Jharkhand, the deadline is already over.

Aside from linkage of ration cards with Aadhaar, the Union government is trying hard to impose Aadhaar-based biometric authentication (ABBA) on the PDS. A few months ago, the food ministry did order the states to ensure that PDS cardholders who are unable to pass the biometric test receive rations using an exemption register. A recent verification of exemption registers in Ranchi district, however, found that none of the sample ration shops maintained such registers.

Has Aadhaar actually ended up expanding the scope for corruption in the PDS? Where does the ration which is not given to the people go?

I don’t think that Aadhaar necessarily leads to more corruption in the PDS, but it can certainly happen. It did happen in Jharkhand, at least initially. One reason is that when cardholders failed the biometric test, their rations were appropriated by the PDS dealer.

Closing stocks were meant to be adjusted against the next month’s allocation, but that did not happen for a long time. Another possible reason is that biometric authentication leads to a large increase in distribution time, because of connectivity problems and so on. When dealers spend, say, two weeks

‘In Jharkhand, a lot of the Aadhaar-related work, such as linking ration cards with Aadhaar, is palmed off to PDS dealers for lack of departmental staff. This puts people at the mercy of the local dealer. It reinforces the real root of corruption which is the imbalance of power between cardholders and dealers.’

distributing rations instead of three days, they naturally want to get something for it. So they look for new ways to cheat.

Has the government acted against ration owners who don’t give rations due to non-authentication of Aadhaar? Is there any grievance redressal mechanism in the state which people can seek help from?

I am not aware of any instance in Jharkhand of a dealer being penalised for failing to give rations to someone who is unable to pass the biometric test. I doubt very much that this ever happened.

Grievance redressal mechanisms tend to be very weak. In Jharkhand, a lot of the Aadhaar-related work, such as linking ration cards with Aadhaar, is palmed off to PDS dealers for lack of departmental staff. This puts people at the mercy of the local dealer. In other words, it reinforces the real root of corruption, which is the power imbalance between cardholders and dealers. Independent assistance facilities, such as the district grievance redressal

officer, are very difficult to reach for most people.

Considering that malnutrition, especially among women and children, is extremely high in Jharkhand, is the state implementing any aspect of the food security law? Do ration shops give pulses and oil, for instance?

By and large, Jharkhand is complying with the National Food Security Act (NFSA) as far as the PDS is concerned, except that many eligible persons are still excluded. The Act, however, does not prescribe distribution of pulses and oil. Some states do it of their own initiative, but not Jharkhand.

NFSA provisions relating to midday meals and the Integrated Child Development Services (ICDS) are also being implemented in Jharkhand. In fact, Jharkhand is now serving eggs in both schools and *anganwadis*, a real step forward in a state where child under-nutrition levels are so high.

Maternity entitlements, however, are being violated in Jharkhand and for that matter across the country. Under the Act, all pregnant women are

entitled to maternity benefits of ₹6,000 per child. After dilly-dallying for five years, the central government finally launched a national maternity benefit scheme this year, the Pradhan Mantri Matru Vandana Yojana (PMMVY). Under the PMMVY, however, maternity benefits are restricted to the first living child and reduced to ₹5,000 per child. This is a flagrant violation of the Act. Further, the application procedure is cumbersome, and of course, Aadhaar is compulsory.

A survey done recently in Jharkhand showed that an overwhelming number of people in villages preferred the old system of ration cards. Should the old system be revived?

That survey pertained to the so-called ‘DBT for food subsidy’ experiment in Nagri block. The Nagri experiment is even worse than Aadhaar-based biometric authentication. Instead of getting rice at ₹1 per kg at the ration shop, PDS cardholders in Nagri receive money in their bank account, so that they can buy rice at the ration shop at ₹32 per kg.

Many of them have to make three expensive and time-consuming trips to collect their rations: first to the bank, to check whether the money has arrived; then to the Pragya Kendra (business correspondent), to collect the cash; then to the ration shop. Biometric authentication applies at the Pragya Kendra and the ration shop. The transaction costs are huge and the entire system is a monumental mess. The survey, completed in February by student volunteers, showed that 97 percent of respondents were opposed to it and wanted the old system back.

The Jharkhand government, however, questioned the survey and decided to conduct its own social audit of the Nagri experiment. The findings were almost exactly the same, including the proportion of respondents who oppose the experiment — 97 percent again!

In addition, all but two gram sabhas in Nagri block passed resolutions opposing DBT and asking for a return to the old system of subsidised rice. A third set of evaluations, by Microsave, also came to the conclusion that the Nagri experiment should be discontinued. But this is yet to happen and meanwhile many families in Nagri continue to be deprived of their food rations, in violation of the law.

How has Chhattisgarh, which had a fairly sound PDS, handled Aadhaar?

To the best of my knowledge, compulsory biometric authentication is yet to be introduced in Chhattisgarh. But the central government is determined to impose ABBA on the PDS across the country, and it is only a matter of time until Chhattisgarh caves in.

Should Aadhaar by law be removed as a system of accessing rations? After all, it does not identify the beneficiary since fingerprint authentication often fails.

In my view, ABBA does not serve any purpose in the PDS. It is particularly inappropriate in states like Jharkhand where connectivity is very poor. There are simpler and more reliable alternatives, such as smart cards. In fact, smart cards have been used with good effect in states like Himachal Pradesh and Tamil Nadu. There is no need for a law to remove ABBA from the PDS; the central government can do it any day. n



A Right to Food protest in Delhi



Dr Vinod Shah: 'I wanted to convert general physicians in the government into family physicians'

'The family physician is the patient's advocate'

Civil Society News

New Delhi

FOR a health system to work well it has to be embedded in the community. The family physician has an important role to play because of the rapport with patients. Most ailments can get resolved at this first stage without specialists.

Dr Vinod Shah, 74, spent a good part of his career working as a paediatric surgeon in the tribal areas of Rajasthan and Maharashtra. He then served as the Medical Director and then CEO of Emmanuel Hospitals and was based in Delhi.

Eager to reinvent himself, he returned to the Christian Medical College, Vellore to set up India's first long-distance medical education programme to empower government general physicians and turn them into full-fledged family physicians. A large number have been trained. Family medicine has come to be accepted as a specialty in much the way it is in the developed world.

You started a seminal distance education programme for doctors in government hospitals. Where did this idea originate from?

The private sector can't be expected to meet the entire healthcare needs of India. The government is needed, but there is dissatisfaction with its services. I wanted to help government doctors build their capacity.

Did your idea find acceptance?

I talked to the principal of Christian Medical College in Vellore. I asked if he could re-employ me. He said I was welcome but would have to start on the bottom rung since I hadn't been in academia and had worked in peripheral institutions. But I was welcome.

I asked him if he could give me time to develop a new department, the Distance Education Department. "What is that?" he asked. I said I wanted to attempt to train doctors in primary health in family medicine. He spoke to the director. They said I could work part-time in paediatric surgery and they would give me time off to do what I wanted to do. But they didn't have the money to finance my idea.

And what did you develop?

Have you heard of family medicine? In Europe, Britain and Australia you go to your family medicine doctor if you have a health problem. He will try to resolve it. Or he may say, I think you need an MRI, and if there is a problem, I will refer you to a neurologist.

So, you have a gatekeeper who takes full responsibility for the patient. He has all your records and knows your medical history till you die. He is your family physician. What this does is to reduce costs and prevent misuse of technology.

The family physician in the UK or Europe is the patient's advocate. He makes sure you go to the right person if needed. He takes responsibility for your health.

In India you go to a doctor with a health problem and he says he thinks your uterus needs to be removed. You don't know whether he merely wants to make money by operating on you. So, you go to another doctor for an opinion. He might refer you to an endocrinology consultant, who may send you to a cardiologist.

It goes on and on and you lose a lot of money because you get referred maybe four or five times. Nobody takes responsibility for you.

Is that what your distance learning programme does? It strengthens the family physician?

I wanted to convert our general physicians into family physicians. My main objective was to train all government doctors in Primary Health Centres (PHCs) and all doctors who did not have postgraduate qualifications, which means about 75 percent of government doctors, as family physicians. In any country, 50 percent to 75 percent of doctors are family physicians, the most important specialty. Other specialties are only five percent or two percent.

I presented this model to our director. My motto was 'refer less, resolve more.' Don't refer patients, try and resolve their issues at your doorstep and reduce costs for the patient. The training would be a two-year programme.

What were your priorities for the distance learning programme to achieve this goal?

Medicine has breadth and depth. The family physician has breadth. They know a lot about common problems, but they don't know much in depth. I had to choose a curriculum which comprised common things and left out the uncommon things. I worked that out with specialists in the institution.

What is a common thing?

For example, a person comes to the clinic with a headache. Common causes are migraine and sinusitis. Then there is the tension headache, psychosomatic or psychological or because of stress. If a family physician can manage these three, he has managed 80 percent of all headaches. He has prevented the person from going to the neurologist who will definitely order a CT scan and an MRI. You have prevented the patient from taking these tests and treated his problem.

The family physician doesn't need to know all about brain tumours that cause headaches, or complicated things about aneurysms or bleeding in the brain because they are rare. He needs to know about common conditions.

Q One presumes that this means also telling the family physician when he should act urgently. Because a headache could have a serious cause as well?

Yes, now there are what we call 'red flags' which means they should not waste time. They have to refer immediately. For example, if a patient comes with severe neck pain and neck rigidity and if his pulse rate is very high and he has a severe headache that means that he is having subarachnoid haemorrhage due to hypertension. He needs to be sent at once in an ambulance to a big hospital or the medical college hospital.

Every chapter has red flags. The family physician doesn't go into depth. He will immediately refer the patient. He won't waste time. When the patient goes through the emergency department in a medical college, they will immediately take him in, do an MRI and inform the neurosurgeon who may operate on him. So, the family physician is able to refer quickly and prevent unnecessary trips to the medical college by resolving common conditions. At the same time, he doesn't risk the patient's life by hanging on to him in an emergency situation.

That means you have to be careful in preparing the curriculum material and in the way you teach.

You are dealing with doctors who are 35 or 45 years old and set in their ways. This is adult education and its education principles have to be very different.

At that age they will not have the inclination to read a densely printed textbook like many of our medical textbooks. We have to create material that is very user-friendly. That means lots of pictures, cutouts, tables, designs, boxes, arrows, catchy quotes and white space.

I suddenly discovered a gift I had not realized I had for 55 years. I had never prepared curriculum material. I was a surgeon who operated. When I had to sit down and design this curriculum, these skills just surfaced from within.

I began to draw, make tables, cutouts, simplify complex study material, write objectives and so on. I enjoyed doing it. I found myself working into the night. Normally, you stop working once your duty time is over if you don't enjoy your work. But for three years, night and day, I was just preparing material.

For three years you worked as a paediatric surgeon and at the same time put this curriculum together?

I was asked to work half the time. I wasn't sure about the outcome of my efforts or whether there was any scope at all in what I was doing. It was an experiment. At the end of one year, I completed one booklet. Other people saw it and said it was fantastic. They said I should design and write 15 booklets on 75 common problems. I then reduced my time in paediatric surgery and increased my time in designing this curriculum with the permission of the authorities.

Your distance learning course covers 75 problems?

Yes, it is a problem-based approach because this is how the doctor will see the patient. Normally, say a textbook of neurology will start with diseases of the brain, diseases of the meninges, the bone, metabolic diseases. It will not tell you what to do when a patient comes to you with epilepsy or fits because it is not a problem-based approach. It is a disease-based approach. But my booklet is different. It will start by mentioning convulsions in an adult patient. You start with the problem and then you try and elucidate how you will manage it.

How long has this course been on? When did you start it?

I started the course in 2006. I advertised it. I thought to myself that if there were no takers I would just go apologize to the director and then resign. Initially, there were just four or five applications. Then the next week, we got 100 applications. In three weeks, the figure rose to 500. We eventually got 700 to 800 applications from across the country, including Arunachal Pradesh, because I advertised in all the local newspapers.

How did you scale up the course?

I was waiting for an Air-India flight in Chennai. It got cancelled and rescheduled for the next day. I thought, let me use this time properly. I went to the health department and somehow managed to meet the health secretary. I told him about my project. He was fascinated. He said he would send 50 doctors from 50 PHCs to join the programme.

And then he took it to Delhi and showed it to the head of the National Rural Health Mission (NRHM). He asked me to do a presentation to all the health secretaries from all the states in Pondicherry where they were holding a meeting. After my presentation, eight health secretaries said they wanted to send their

'You have a gatekeeper who takes full responsibility for the patient. He has all your records and knows your medical history till you die. He is your family physician. What this does is to reduce costs and prevent misuse of technology.'

primary health centre doctors for training.

That's how we started working with government doctors. Each state would send 30 to 40 doctors each year for training. We were training about 200 doctors every year. We really enjoyed doing that because we knew we were making an impact in PHCs, which poor people approach for healthcare.

Are you training government doctors from every state?

The model has changed a bit. For example, the Chhattisgarh government wanted us to bring the whole team to the state and train their doctors there itself, in their medical college, batch by batch. "We will pay you for training all 1,000 doctors in the state," they said. Our partnership with the government has increased and the course has undergone a lot of modification. Animation and videos have increased because we have experts in technology. We now have a big educational technology unit which is part of the distance education unit. They have made the course even more interesting than it was before.

There is another important offshoot to this story. After about six years, the doctors we trained formed the Family Medicine Association of India. Members were our alumni. They lobbied with the government to introduce family medicine in India. Because of that the government has approved a three-year degree in family medicine. The Medical Council of India has approved an MD in Family Medicine.

Training doctors made family medicine an acceptable denomination?

I think our alumni made it happen. Some of them were so enthused and excited they became activists, lobbying with the government and always badgering the health secretary. Change happened, but it took a long time.

It is also amusing because I didn't particularly like family medicine. I am a paediatric surgeon. I did it because it was really needed for the country. I also did it because I liked the mode of teaching and making modules and the pedagogy. But the subject was not something I would have loved to learn myself. □

Darshan Shankar on surgery's debt to Ayurveda

'Let Ayurvedic doctors be used as surgeons but train them well'

Civil Society News
New Delhi

AYURVEDIC doctors trained as surgeons in Ayurvedic colleges have been allowed by the government to perform 58 types of surgeries to make up for the lack of surgeons in India.

The decision has led to an outcry by allopathic doctors with the Indian Medical Association (IMA) saying it will lead to 'mixology' and quackery, which the public healthcare system could do without.

The fact is that surgery began in India with Sushruta whose treatises form the basis of Ayurveda. Present-day Ayurvedic doctors also study surgery at the master's level in Ayurvedic colleges. But does that make them good enough to practise?

Darshan Shankar, who has spent a lifetime building bridges between western science and traditional medicine, strikes a note of caution. He says better infrastructure and training are needed in Ayurvedic colleges before the surgeons are treated as the equivalent of general surgeons, as the government has suddenly envisaged.

But India is short of surgeons and modern medicine owes a debt to Ayurveda. Instead of denying Ayurvedic doctors the right to practise as surgeons, they should be trained better and used to bolster the public healthcare system.

Excerpts from an insightful interview with Darshan Shankar, who has founded the Institute of Ayurveda and Integrative Medicine (IAIM) and the Trans-Disciplinary University (TDU) in Bengaluru.

Do you think Ayurveda physicians trained in surgery should be allowed to practise as surgeons? Surgery, after all, began with Sushruta whose treatises form the basis of Ayurveda.

It's true that Ayurveda is a knowledge system that has given surgery to the world. The Burroughs Wellcome Library in London, which chronicles the history of medicine, has the *Sushruta Samhita* — which is an entire treatise on surgery. It is the palm leaf version that has been preserved. Even as late as the 18th century there is evidence that the techniques of plastic surgery were exported from India to Britain.

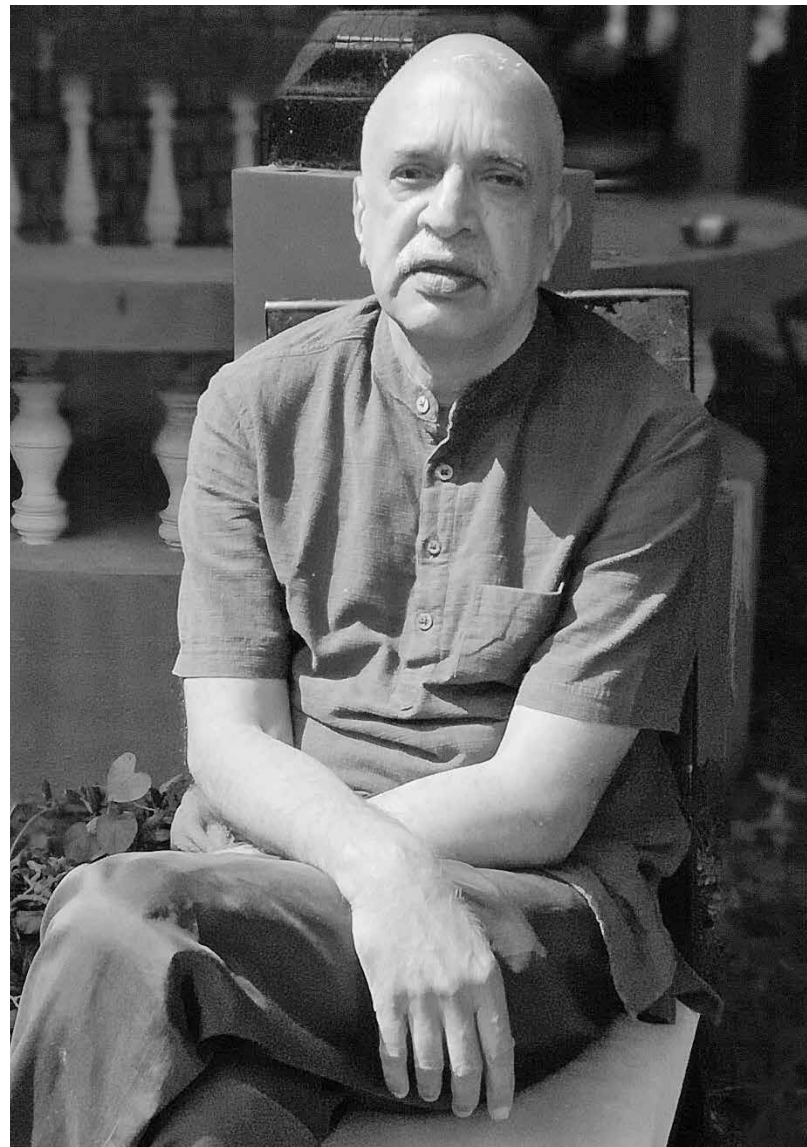
Historically, I would say there is a global debt that surgery owes to Ayurveda. The surgical world is obligated to revitalize surgery in Ayurveda.

At the bachelor's level, the Ayurveda physician learns minor surgery just like in the MBBS course...

What is minor surgery?

Cuts, wounds, sutures. They don't enter operation theatres (OTs) but minor OTs. At postgraduate level the MBBS and the Ayurveda graduates start at the same point. They don't have a background in surgical practice.

It is the master's degree course in surgery that trains the allopathic surgeon in general surgery or whatever he or she specializes in. It is similar in the case of Ayurveda. In my university I have looked at the master's courses in allopathy and Ayurveda. We have compared the curriculum. We find that over 90 percent of the curriculum is the same. In Ayurveda they have used Sanskrit words with



Darshan Shankar: 'Ayurveda deserves to participate in surgery'

'Although they have the same curriculum, the training given to a modern surgeon is far superior compared to that imparted to an Ayurvedic surgeon.'

their allopathic terminology in brackets.

The element which is different in Ayurveda is that it includes features of pre-surgical and post-surgical practices which are very interesting. I think that if you look at such procedures objectively, you may find that allopathic surgery can benefit.

However, the training for both streams is very different. The infrastructure for teaching surgery at postgraduate level in Ayurvedic institutions is certainly much poorer than the infrastructure and human resources available in allopathic medical colleges.

Therefore, although they have the same curriculum, the training imparted to a modern surgeon is far superior compared to that imparted to an Ayurvedic surgeon. The reason is that the infrastructure in Ayurveda colleges is not of the same standard as modern surgical colleges.

What does the Ayurvedic surgeon learn? Who teaches the Ayurvedic surgeons and have they been practising surgery in the past two decades?

Theoretically, both learn the same curriculum. But in practicals the Ayurvedic surgeon does not get the opportunity to practise during the course of his training with the same exposure that the modern surgeon gets during his master's degree.

The situation varies from state to state. In Maharashtra the state has passed a gazette notification similar to the recent one passed by the central government saying that Ayurvedic surgeons can practise to the extent of their training. The training is, of course, decided by the curriculum. As a result, several colleges in Maharashtra improved their infrastructure and you now have surgeons graduating from colleges in the state who do surgery almost on a par with modern surgeons.

I have a friend who is a master's in surgery from an Ayurveda college who practises in Raigad-Ratnagiri district. The state government has appointed him district surgeon because there is such a huge shortage of surgeons in India. People from all over the district come to him and he does a fantastic job.

What kind of surgeries does he do?

He does all general surgeries — appendix, gall bladder, hernia and so on. Laparoscopy too.

Is this the case with all those who graduate in surgery from Ayurveda colleges?

No. I think theoretically they know the range of surgeries but in practice most Ayurvedic surgeons restrict their surgical practice to the anal-rectal region. Even allopaths advise patients with an anal-rectal problem to go to an Ayurvedic hospital. So even though the curriculum is the same, for lack of training, the Ayurvedic surgeon is not equipped to practise from day one.

But this is a ridiculous situation. You teach them the entire curriculum that an allopathic surgeon learns yet despite an acute shortage of surgeons you don't train them adequately.

So you feel concerns over allowing Ayurvedic surgeons to practise are not unfounded?

They are not unfounded for day one.

Do you think it's a good idea?

I think it's an excellent idea and an extremely important one. It's very important for India's public health system. We are acutely short of surgeons. The IMA should welcome this move. They should be constructive and offer to work with Ayurvedic centres and strengthen their infrastructure and training. After all, 500 surgeons graduating annually would be an asset to the world of surgery. Actually, we need hundreds of thousands of surgeons. Instead, there is a very peculiar politics of medicine at play.

In my hospital I have three Ayurvedic surgeons. I find it absurd that they have spent three years learning surgery and they cannot practise general surgery. We have good infrastructure in our hospital. Yet every time a surgery has to be done, I have to invite modern surgeons to participate. I do so willingly because I want my surgeons to build capacity, but I find it humiliating.

Why have a three-year course in surgery if an Ayurvedic surgeon can't practise after that. On day one I would not advise that Ayurveda surgeons be allowed to practise until they undergo adequate training. But Ayurveda deserves to participate in surgery. It gifted surgery to the world and now the world must come forward to create a level playing field.

What is the infrastructure that Ayurveda colleges lack?

The infrastructure needed by an Ayurvedic postgraduate college teaching a master's degree in surgery should be the same as an allopathic postgraduate college. Today, this is not the case.

The teaching staff for a postgraduate programme in Ayurveda surgery must include trained surgeons and anaesthetists. In addition, it should have OT nurses, OT technicians and a resident surgeon. The unit should also have staff trained in BLS (basic life support) and ALS (advanced life support) systems.

With such infrastructure and human resources an Ayurvedic surgical unit should certainly be able to handle emergencies with the same competence as an allopathic surgical unit.

Such capacity can be rapidly built in Ayurveda surgery teaching hospitals if there is active cooperation from the larger surgical fraternity which is currently mostly located in allopathic hospitals.

Would regulation be needed and who would provide it?

Regulation for Ayurveda surgery must be exactly the same as for allopathic

surgery. Ideally, the National Medical Commission for allopathy and AYUSH should create a common regulatory framework and a common register for licensed surgeons.

Today, this is not the case. The registers are different. However, since health is a state subject, state governments can create a regulatory framework and a register which is common for all surgeons. The country should not have separate regulation for Ayurvedic surgeons and allopathic surgeons. This synergy across Ayurveda and mainstream surgery is not administratively difficult to achieve, if the narrow politics of the IMA do not vitiate the scene. India is woefully short of surgeons and constructive collaboration is needed for public health.

Some of this comes out of a feeling among ordinary people and allopathic medical practitioners that what comes from Ayurveda is not science. You've spent your life building bridges between western science and Ayurveda as a science. What needs to be done?

I think an introductory course on the way Ayurveda looks at biological change in the body needs to be introduced in all streams of allopathy. It is certainly ignorance to say that Ayurveda is not a science in a generic sense. The Ayurveda knowledge system is not the same as the allopathic knowledge system. It's not a molecular understanding of biological change but a systemic understanding of biological change.

On the frontiers of biology we have incredible insight into changes happening at the cellular level but we don't know what is happening at the systemic level. And that is the weakness not just of modern medicine but of modern biology.

'The country should not have separate regulation for Ayurvedic surgeons and allopathic surgeons. Synergy is not difficult to achieve.'

Now here is India with a heritage that understands change happening at a systemic level. Therefore, a combination of molecular approaches and systemic approaches is very important to understand biological change. How a cell behaves is not how a tissue, an organ or the whole system behaves. You cannot extrapolate.

We are in the middle of the COVID pandemic and this is what everybody is grappling with. We don't know how the system as a whole behaves.

That's right. I was in Norway a few years ago. I was talking to the head of their government medical system. They are far more open-minded there. He said all that allopathy is good at is managing acute conditions, emergencies and surgeries, not understanding systemic imbalances. Allopathy looks for systemic immunity in a limited way using vaccines. Instead, you have to make the system resilient, which is what Ayurveda does.

You have post-COVID clinics today which are struggling to deal with symptoms that persist in patients.

I think allopathy's forte is in dealing with acute conditions, including COVID. Single molecules are good for an acute condition. If you want to relieve pain you want one molecule which is the analogue of a plant, actually. You extract morphine or its analogues. You can use it for short durations because such molecules are very powerful. For post-COVID what we are seeing are systemic disorders. Allopathy doesn't have the capability to analyze or deal with them.

Your hospital in Bengaluru has worked with innumerable cases dealing with nervous disorders. What is your experience?

The entire turnover of the Ayurveda sector is around ₹70,000 crore per annum, mostly from private clinics, hospitals and industry. The government is a smaller player, as in allopathy. Its investment in allopathy is 1.5 percent of GDP. The actual spend on western medicine is 4 to 5 percent. The rest is happening in the private sector. It's the same in Ayurveda.

It is citizens who are spending on private clinics, hospitals and non-profits. This is their health-seeking behaviour. Take our hospital. It's self-financing. People come on their own for muscular-skeletal disorders, strokes, Parkinson's, skin conditions, gastro-intestinal imbalances, irritable bowel syndrome. I mean, why do they come? Some of the richest people in the city who could go anywhere in the world, come here because they want relief. □



R. Balasubramaniam: 'We need a new breed of assessors who can measure social impact'

Are investors, NGOs ready for a Social Stock Exchange?

With the right ecosystem, India can be an example

Civil Society News
Gurugram

THE idea of having a Social Stock Exchange in India has been circulating since it was proposed by Union Finance Minister Nirmala Sitharaman in her budget speech last year.

Social entrepreneurs face multiple challenges in raising funds for their causes. A structured mechanism would potentially help them find support and scale up more easily.

But what exactly is a Social Stock Exchange and how should a social enterprise be defined? Will investors be ready to support good ideas for 'low' or 'no' returns? Will NGOs be able to transit to this new mechanism?

Dr R. Balasubramaniam has done a detailed report on the concerns and opportunities that emerge from a Social Stock Exchange. He is a physician by training and the founder of the Grassroots Research and Advocacy Movement (GRAAM) and the Swami Vivekananda Youth

Movement (SVYM).

Much of his time has been spent in villages, but he connects easily with the worlds of business and government and knows a thing or two about the functioning of companies.

The Securities and Exchange Board of India (SEBI) has also put together a report on a Social Stock Exchange.

But Balasubramaniam brings to the table insights of a different order because he understands only too well the strengths and frailties of voluntary organizations.

His report goes much beyond finance to explore the possible boundaries and internal dynamics of a Social Stock Exchange in India.

It is also particularly useful that he looks at the experience in other countries like Britain, America and Canada.

Civil Society had a long conversation with him on Zoom — he at his base in Mysore and we in Gurugram. This is an edited version, with the full one being available on our website www.civilsocietyonline.com and on our YouTube channel Civil Society Magazine.

[civilsocietyonline.com](http://www.civilsocietyonline.com) and on our YouTube channel Civil Society Magazine.

What exactly is a Social Stock Exchange?

Let's talk about why people get into business — to get good returns. That is the normative understanding of business. And when they list their company on the stock exchange the intent is to access resources from the public to build their company. In return, the investor gets dividend. To ensure these companies are regulated and transparent, a regulatory body validates their declarations. That's how the concept of a stock exchange came in.

The concept of a Social Stock Exchange (SSE) is very different. The essential difference is that companies on such an exchange don't exist for the profits of any person. Instead, their purpose is a larger social good. But the exchange plays a role similar to that of a stock market regulator. It gets entities listed, the investment, financial instruments validated whether it's a debenture, an equity

investment, or a debt instrument. The companies transparently disclose if they are making profits and the investor's interest is also protected. While the investor can expect near market returns, the intent and primacy of the listed entity is social change and development.

Over time stock exchanges have been evolving due to the difference in thinking amongst companies. Companies started coming under pressure to mitigate harm they were causing to the planet. Investors began looking not only at profits, but also at how good the company's environmental obligation was or its social obligation or its governance in terms of disclosure. So companies moved to what is traditionally known as ESG (economic, social and governance) thinking. In the world of business, they call it the triple bottom line — people, planet and profits.

Based on these understandings, the United Nations proposed the idea of the Social Stock Exchange Initiative (in 2009) where such disclosures would be mandated, and companies would get returns along with declaring the social good they were creating. So private gains began getting merged with the notion of social gains. Different companies have attempted this, essentially creating social enterprises whose primary terms of existence is to create social good and also ensure that the investor gets some fair returns.

Are you saying like in a conventional stock exchange people would be able to buy and sell shares and so on?

Ideally yes. But let me also provide a caveat. There are close to 14 Social Stock Exchanges globally in several countries in different stages of evolution. Not a single one can be called fully functional and successful.

The ideal is if you can list, declare and trade. Let's say you invest in the Swami Vivekananda Youth Movement (SVYM) and we give you shares and a certain amount of dividends. Tomorrow say someone is interested in buying those shares from you. If they can do it then that's a well-functioning stock exchange. It's only in the Canadian Stock Exchange that a reasonable amount of trading is being transacted. Most of the other stock exchanges haven't fully evolved to this stage.

In my report I have classified five Social Stock Exchanges in the trajectory of reaching a stock exchange. Six are in different stages of evolution. Many are just matchmaking portals. You can't call them a stock exchange in the real sense of the word.

But the idea of a Social Stock Exchange is to attract investment in causes which are crying out for funds and support?

The world of social sector development is always starved of funds but let me put things in perspective. India is a signatory to the UN's Social Development Goals or SDGs. We have 17 goals we have to achieve by 2030, as a member country. The reality is it will require an expenditure of a trillion dollars annually on the social sector. Right now, the resources of the government, PSUs, civil society organizations all put together come to around \$440 billion — which means there is a huge deficit of \$560 billion, and that you just can't generate unless you seek private resources.

How do you attract money? A conventional stock exchange market runs on excitement, bubbles, bull runs, profits...

The working group at the Securities and Exchange Board of India (SEBI) has come out with a report but it has not taken into consideration the issues you are trying to raise. They are talking about the Social Stock Exchange as a single entity. I think there are three components. The stock exchange itself is the regulatory bit. To make it functional a lot of work needs to be done first.

One bucket is the supply side: would I as an investor be keen to invest in an entity where I would see no returns or little returns or lower-than-market returns? There should be a reasonable amount of incentive for me to even think of investing.

The second is regulation: SEBI is focusing on the stock exchange itself. But you need people to assess the company's work, its impact. Somebody has to make those disclosures measurable to convince the investor and bring in transparency guidelines.

'Define the social enterprise and set out its boundaries and obligations. My fear is SEBI in its report has refused to do so.'

Third is the demand side: I've been on the demand side for more than three decades. I know that we in the social sector only know our social commitments. We never tend to think of profits. In our DNA, it doesn't exist.

You need to work on creating the ecosystem first before you can even launch a stock exchange.

A social enterprise is a hybrid of social plus enterprise. How will it be valued on a Social Stock Exchange if it comes in with an IPO?

How do you even define a social enterprise? We use this word so casually. The social enterprise is an entity which hasn't been described by law in India. I know a lot of companies that say they are social enterprises but scratch under the surface and they are formal for-profit companies.

Honestly, every company can say it is doing social good. A car manufacturer can say I am enabling transportation of people, which is a social good. There has to be a legally mandated understanding. Different countries have defined it differently. There are currently 62 different connotations of social enterprise being used around the world.

The closest I would recommend is the British definition. The entity generates profits and ploughs it back into the work it is doing without any dividend to the investor. But it may not be practical in the Indian context. What we are proposing is that the promoters don't get any returns, but the investor may get less than market returns and get to see social good.

It can be a dicey situation. No NGO says it's not doing social good. I've been in the sector for 40 years and we all declare we are doing good. But how

do we measure good? These are uncomfortable questions, which we in the social sector have not asked. One is to measure a social obligation in a way in which it becomes a monetizable commodity for an investor. That is the journey we NGOs have to take first.

I would say define the social enterprise and set out its legal boundaries and obligations. My nervousness is SEBI in its report has deliberately refused to do so.

Is it a challenge to set a value on social enterprises?

A challenge, yes. We have not defined what is social and what is enterprise. We need to put in place a legally mandated obligation of that entity. For example, as a non-profit we run hospitals, schools, charge fees, and charge patients. Our returns are pathetic. If I spend ₹100, I get back ₹40. So ₹60 is still donor dependent. I am allowed to raise revenues because these are health and education activities, permitted by law. But I also run a training institute and a research programme. The current law is very clear: we cannot generate more than 25 percent of our total revenue as user income as an organization.

India's definitions are so very suffocating because of tax laws. If I generate the 26th rupee I have to shut down as a non-profit entity. Now you say I have to become a social enterprise and give dividends. How do I do it when the legal framework doesn't permit it?

You need a new and universally acceptable definition of what a social enterprise is?

Which is legally valid and a lot of changes in policy and taxation laws to match up to it. All this has to come first before we set up a stock exchange. A lot of homework has to be done on the social ecosystem before the system is ready to absorb it.

How would you value social and enterprise together? Which would take predominance and how would an investor be enticed by a company like this one?

Valuation principles exist globally. There is GRI, IRIS, Buffet's impact rate of return, ESG disclosure, SASB, BESPOKE etc. Certain standards have been established. When you say social enterprise, is the primacy of its existence social? You try not just to balance the profit logic with the social logic but affirm the primacy of the social logic. That valuation is very critical.

So, we need a new breed of assessors who can measure social impact. What SEBI and for-profit stock exchanges have today are market valuers, who understand the enterprise part of the system. Either they need to be trained or we need a new brand of assessors and valuers who are actually trained in social impact and then deputed to measure before the enterprise comes into an IPO.

What happens to a social enterprise which is hugely successful beyond its social goals and has multiplied its commercial possibilities? Take the example of Body Shop.

You know, these questions have to be tested as we go along. I don't have a ready answer, but these are troubling questions. That is exactly the reason why we have to get this whole concept clear in the first place. ▢

Dr C.R. Elsy on the search for unique crop varieties

‘GI status gets better prices but quality is important’

Civil Society News

New Delhi

WHEN Dr C.R. Elsy did her Ph.D. it was in breeding rice plant varieties. But when she retired this month as a professor of the Kerala Agricultural University (KAU), her legacy will be her unique initiative spanning a decade or so to get farmers their intellectual property rights over their crops.

Thanks to her sense of mission, a host of crops in Kerala have received Geographical Indication or GI status which means they are unique in the world. To achieve this Dr Elsy has worked with farmers in their fields, hand-held them through the legal process and also helped them create brand identities for their produce.

From her home in Thrissur, Dr Elsy spoke to *Civil Society* on crops which have received GI status and what it has meant to farmers:

How many crops have you succeeded in getting GI status and how many are in the pipeline?

We got the first GI status in 2007. Till date we have succeeded in getting GI status for 10 products and we are working with another 10. They are at different stages.

We have submitted the application to the GI Registry for four products and for two products the formalities are over. We still have to conduct meetings with farmers for two products. Due to the COVID pandemic our meetings got delayed. For six products, we are doing the characterization, documentation, quality analysis, testing and interviews with the farmers.

Can you tell us about these six products?

One is a mango variety from North Kerala called Kuttiattoor, a place in Kannur. Its speciality is its medium sweetness, beautiful colour and it is also fully embryonic. It is specifically available in two or three panchayats in Kannur district.

The second is an Edayoor green chilli variety from Malappuram district. When I presented this chilli to the GI Registry they said five chillis have got the GI status, what is the speciality of your chilli? I told them this is the chilli with the least pungency. People always consider high pungency to be a unique characteristic. But our chilli has the least pungency or hotness. So people consume it as a vegetable, as a fried chilli or as a curd-chilli. This chilli is available in a panchayat in Malappuram district.

Another two products we have submitted are from Attappadi, a tribal area in Palakkad district. It is infamous for malnutrition and poverty. We worked with the tribal community to identify a few products eligible for GI status.

One is a red gram locally known as Thuvara or in general as *Cajanus cajan*. It is widely cultivated in Attappadi. When we compared the speciality of that red gram with other red gram available in other parts of our country, we found it was totally different. It is a wide seeded variety, and its size is different from the normal red gram variety. It is less bitter in taste. The tribal community also uses it as a vegetable. It has less thiamine content.

Another crop is the Dolichos Bean, also called Lablab or Amara. It is used as a



Dr C.R. Elsy: 'More farmers are now aware of the benefits of having crops with GI status'

vegetable and is specifically available only in Attappadi. There is also Snap Melon or Pottu Vellari. When the fruit matures it breaks open and it can then be scooped out or used as a drink.

We are currently tracking a garlic variety from Vattavada and Kanthalloor panchayats near Munnar. This garlic, a traditional variety, is smoky white in colour and somewhat smaller in size to the North Indian variety. Its pungency and flavour are different and it has more medicinal qualities.

I visited the garlic market in Vadugapatti. It has 46 shops which sell only garlic. The preference is for the traditional variety. People ask for the Vattavada or Kanthalloor garlic. It sells for around ₹350 per kg. The North Indian variety sells for some ₹250. Traders also buy the traditional garlic to sell in other places.

And, recently, we've started a project on *Alpinia galanga*, a new crop in Kerala. Farmers in Pathanamthitta district in southern Kerala have been growing this crop. There is a lot of demand for it with enquiries coming in from other countries either for galangal or the oil that is extracted from it.

Our minister suggested we see if it can be registered as a GI product. We collected samples and documented the galangal's area of cultivation. It's an ongoing process and may take some more time before we submit it to the GI Registry.

Has GI made a difference to farmers in terms of price?

I have quantified the difference for two crops: the Changanlikodan banana and Marayoor jaggery. We did a small market survey.

Changanlikodan is a special type of banana available only in Thrissur. During the Onam season demand for bananas goes up. Ten to 15 years ago the price difference between the Changanlikodan banana and the ordinary Nendran banana was only ₹3 to ₹5.

After getting the GI tag the popularity of Changanlikodan gradually increased in the market. In 2019, the price difference was ₹30 per kg. The total production is valued at ₹1 crore. People are coming from other districts and sometimes even

from other states, including political leaders and VIPs, and asking for the Changanlikodan banana. That's how the price differential has increased to ₹30.

So you are saying that the GI status gives it a fresh identity and demand goes up?

Yes. Marayoor jaggery followed a similar trajectory. In 2016, when we started documenting Marayoor jaggery, a lot of fake products were being sold under its name. People were adding chemicals to give it a certain colour. Our agriculture minister, Sunil Kumar, requested us to consider it for GI registration. He supported us in every way.

After GI registration, farmers and traders tell us demand for this jaggery has gone up because we told them not to add colour and to let it be dark brown. If colour is added it changes to golden brown, even red, but it's harmful for health. A company in Munnar selling this jaggery told us that they sell as much as 500 kg per week and pay ₹100 per kg to farmers. When we started, farmers used to get only ₹45 per kg. I think the price may reach ₹150 to ₹200 per kg. And that, I feel, is due to GI registration.

Is there scope for farmers to start a few agro-industries for such unique varieties?

When the prices of such products increase we find that people from outside that area are keen to come and start a small industry. But farmers are hesitant. They think factories are run by really big fellows, that they will incur losses and that everything will go into the hands of the factory owners.

But there are many others who do think of forming a cooperative society. The government is also thinking of supporting such societies and farmer-producer organizations. The agriculture department also helps farmers start their own units. They can also sell online.

But my request to farmers and producers is, don't compromise on quality. They must have a quality standard otherwise demand will decline in a year or two.

There are other issues to be resolved for, say, Marayoor jaggery. The sugarcane has a harvesting period of more than 12 months. But when the price of the jaggery goes up the farmers tend to cut the crop by the 10th month. The quality will then be poor.

So we are continuously telling farmers, maintain your quality, harvest at the right time and don't use colour. Then demand will continue to rise and you will get better prices.

Has the process for getting GI status become simpler over the years?

Frankly, I feel it is becoming more and more difficult. When we started in 2007, it was simpler. They find some problems, they add clauses and legal fines. We have to comply with all that. We have to work hard for getting GI for a product.

It isn't only because of a problem with the (Geographical Indications) Act. Sometimes a problem will erupt between two states like the West Bengal and Odisha quarrel over GI status for the rasgulla. To avoid such legal fights the GI Registry is telling us to be very careful while putting in our applications.

Even farmers are now more aware of the benefits of having crops with GI. Everybody wants their area to be included in the area of production of the GI product. But we cannot put all the names of the societies in the application. We have to convince them that only one or two groups can be applicants.

Has the idea of having an IPR cell spread to other states?

Most states may already be having an IPR cell because the Indian Council of Agricultural Research (ICAR) directed them to set up IPR cells in 2003. But they have to know how to work with farmers, proceed with legal formalities and put in applications.

Experience helps you do it in a better way. When I started in 2007 I did not know the legal formalities involved. I'm a plant breeder, basically. Gradually I studied all the legal formalities. It is a marriage between science and law. Many things come together: plant breeder science, farmer rights and GI registration. I tell my colleagues, if we have a mind and a will, we can do it.

Have any states outside the South reached out to you and asked if you can create such a cell for them? Has there been any sharing at a national level?

No, they have never asked me to come and help set up the IPR cell. I think the IPR cell has been implemented in states and universities but their way of working will be different. May not be very active, or it could be that the science part is an issue.

I am a plant breeder and I have studied characterizations of plant varieties and GI registration. People with an economics background may see all this differently.

But I'm happy my university gave me this chance to work with farmers. During the last 10 to 13 years I was able to make an impact in the area of intellectual property rights especially GI registration, farmer rights and the conservation of traditional varieties with the support of this IPR cell. And definitely, the agriculture minister gave us a lot of support. Even the prime minister is now telling people to go for local products.

How do you choose a particular crop for GI registration? Does the approach come from farmers or does it come from you?

It varies from product to product. In the case of Pokkali rice, it was my decision. When the Act was implemented in 2003, I considered what product could be taken up for GI registration in Kerala. I began searching. I found Pokkali was available in a particular area in Kerala and that it had specific qualities. When I visited the International Rice Research Institute in the Philippines, they told me how important Pokkali is due to its ability to tolerate salinity. The genes for salinity tolerance in plant breeding throughout the world come from the Pokkali variety. That was the first project I attempted and it was chosen by the university itself.

But in the case of Marayoor jaggery the situation is entirely different. I did not know much about it. The minister visited that area and people complained to him about its low demand and low price. He suggested the university take up the project for GI registration.

For Changanlikodan, when we visited that area people told us this is a special banana with high demand during the Onam season and asked if there was any way it could be marketed better. We decided to go for it.

And then there are my students who are doing PG and Ph.D. under my guidance. I used to give them projects for characterization, evaluation and to assess plant quality. We use that data in our application.

‘The genes for salinity tolerance in plant breeding throughout the world come from the Pokkali rice variety which is available in a particular area of Kerala.’

Apart from genetic characteristics, do you also have to delve into the social aspects or history of the crop?

Yes, definitely. The first question the committee to whom we make our presentation asks is, what is the uniqueness of your product? It is like being the defence in court. We have to answer all questions on how special our product is.

Historical documents are very important. They ask us our product's history of cultivation in a particular area. We used to go to different libraries, collect maps and other documents and put these in our application. Social work, extension work, everything gets mingled in geographical indication.

You have also been supporting conservation in several ways?

Actually, recently two farmers supported by our IPR cell were given the Innovative Farmer Award by the ICAR in New Delhi. IPR is also a part of farmer rights. But farmers don't know much about their IP rights. It is our duty to support them.

The Protection of Plant Varieties and Farmers' Rights Authority in New Delhi gives Plant Genome Saviour Awards every year to farmers who are conserving traditional varieties and for the development of new varieties by research institutions.

Till now 22 farmers or farming communities nominated by our IPR cell and by KAU have received this national award. The Changanlikodan banana received the community award. They have given ₹10 lakh to help them enhance their activities. Individual farmers receive ₹1 or ₹1.5 lakh. Kerala occupies the top position with the maximum awardee farmers.

The application forms for the awards are either in Hindi or in English. Our farmers cannot put in applications in these two languages. Whatever appreciation or reward is given by the Government of India or state government, we ensure farmers can apply.

Our IPR cell helps farmers fill in the application forms and we also do a follow-up. Our farmers don't have the mechanism to receive emails so we step in. We inform them and make travel arrangements so that they can receive the award. This year, despite COVID, 20 farmers have applied and we are awaiting the outcome. □



Rajiv Khandelwal and Divya Varma

‘Basic worker protections taken away under new Labour Codes’

With the right ecosystem, India can be an example

Civil Society News
Gurugram

WHEN millions of workers literally burst on to the scene during the sudden lockdown in India, the entire country was shocked by how vulnerable they seemed. They didn't have housing, savings, healthcare and rights as employees. In their large numbers, they accounted for the majority of the workforce and yet there was no one to speak for them.

The lockdown was expected to be a watershed moment because of this unsettling experience. Going forward, it was hoped that labour laws would be rationalized so that they would be simpler for industry and also enhance the security of workers. Instead, the opposite seems to have happened with the emphasis being on hire and fire by industry and workers ending up more insecure.

Four Labour Codes have been passed: The Occupational Safety, Health and Working Conditions Code, the Industrial Relations Code, the Code on Social Security and the Wage Code, which was passed last year.

We spoke to Rajiv Khandelwal, co-founder and director, and Divya Varma, programme manager, policy and partnerships, of Aajeevika Bureau based in Rajasthan. They have for many years worked closely with migrant workers to get them their rights and have a deep

understanding of their needs and expectations.

Do you think the new Labour Codes will improve employment as industry says it will?

R.K.: Categorically, no. What industry is happy about is that a significant part of its own constituency is being put out of the purview of regulation — by redefining what formalization means and by changing the potential for industrial action by making unions almost redundant.

‘In many industries the cost of labour is just seven to 10%. And imagine we are focussing on that alone as the segment which needs reform.’

It's really very paradoxical that the Codes have been passed just when this migrant crisis happened. At this time we needed pro-worker responses. What the Codes are doing is taking away very fundamental worker protection. Labour laws are not implemented very well, anyway. They don't

come in the way of industrial growth.

The Codes are an even sharper signal to industry to go ahead and continue to do what they do with labour, but maybe with more impunity.

Would you agree that there is a need to rationalize these laws because they come in the way of industry running their businesses?

D.V.: Yes, I would agree there is a need to look at labour laws afresh. I think what is happening is that informality has been legalized. The fragmentation of value chains that used to happen earlier was off the record. Now it's become officially mandated.

Regarding industry's narrative of labour laws stymying growth, we have studied practices in China, Vietnam and other countries witnessing higher growth than India. The experience there is that they are achieving higher growth in spite of labour protection and security.

That's because decisions guiding investments are based on variables like robustness of power supply, infrastructure, the road network, predictability of industrial policy, stability, law and order, and so on. Many other parameters are more important than labour welfare in deciding where investments should be made.

So the problem isn't labour at all?

R.K.: In many industries, processes and production scenarios, the cost of labour is just seven to 10

percent. And, imagine, we are focusing on that alone as the major segment that needs to be reworked for industrial growth to take place.

Of course the multiplicity of labour laws should have been rationalized. There are contradictory provisions in those laws that could have been streamlined. But the idea that labour laws are in the way of prosperity is a very, very mistaken one.

We need action on development, infrastructure, health, education, as a booster to the economy, not labour laws.

I mean, take any country in the world with a robust economy — China, Germany. They have very well-developed and strong labour laws. Labour is really looked after. If that is a marker of growth, then you need more labour protection, not less.

So when industry and government say that they have to compete with other emerging economies, you don't buy that?

R.K.: We talk of being competitive because of our wage advantage, our cheap labour that makes the cost of our goods and services low. But take into account that many of these other countries are able to invest in other aspects of worker welfare. In China, for instance, even if wages are low, food, health and housing are taken care of. And that is what workers spend a large part of their income on.

In our country, low wages coupled with no housing, subsidized food or public healthcare makes us a very extractive economy. It doesn't create any competitive advantage but hollows out our workforce.

And who are we competing with? Cambodia, Vietnam, Bangladesh. Look at their size and scale of problems. We can get away with low wages if public provisioning is existent. Provide this, then okay, pay people low wages.

We see a rise in contract workers today. Do the Codes give contract workers any advantage in terms of wages?

R.K.: The laws now apply to factories that employ more than 50 contract workers. That means if a factory has even 49 contract workers, they will be outside the purview of labour laws. An overwhelming number of factories and units employ less than 50 workers. They have created protection but they have also increased the threshold so a large number of factories are now not covered by legislation. I think contract workers stand to be harmed rather than benefitted.

D.V.: I think employment security will be affected by the new provision for fixed-term employment. It has been introduced to account for fluctuations in demand and supply of workers that industries face. So I get the business logic. But what it creates for workers is a vast sense of job insecurity. There is no provision to compensate them for periods when they don't have any job.

The government is also keen to encourage small units to become large units. Will the Codes help this process?

R.K.: Industry prefers to work with a vast number of small units in its supply chain rather than with a large firm. Small units retain very thin margins. They are run by small-time employers who thrive in the supply chains of industry. In the manufacturing

sector, industry prefers to work with smaller suppliers and vendors because larger suppliers will demand larger margins. So what is preventing smaller units from becoming larger are not labour laws but the structure of the market.

D.V.: There are no incentives for smaller firms. It's not like if they register themselves they get access to more credit or logistic support. Why should they register? Right now they operate outside the scope of legality.

Is there anything in the Labour Codes which would help migrant workers?

D.V.: The Interstate Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979, has now been subsumed by the Occupational Security and Health Code. It does mandate registration of migrant workers. The earlier law mandated registration of only those workers who moved with contractors. We know people migrate through their own social networks and with family. An important provision is that the Code stipulates that anyone who declares himself or herself a migrant worker can register under whatever machinery is set up for the purpose.

Although the PDS is not a matter of labour policy but of social policy, the Code still talks about portability of the PDS and that state governments

‘Imagine a whole Code on safety with no universal standards of what safety should be. We want that to be spelt out very, very clearly. There should be safety from injuries...’

should enable it. It's also being conceptualized differently under the 'one nation, one ration card' scheme.

Also, the Code provides for a national toll-free helpline for migrant workers, that states have to set up. These are good developments under the Code.

Some things which are missing are that the Code talks only about inter-state migrants. But the maximum migration happens intra-state. People moving within state boundaries also face the same vulnerabilities and hardships as inter-state migrants. So I think that providing for intra-state migrants was important. We would have preferred separate legislation for migrants. That has not happened.

Importantly, who is responsible for the machinery of registration has not been spelt out. The responsibility of principal employers and contractors and the different roles of source state and destination state are not delineated. Perhaps that will be come out in the rules.

We have seen how the Unorganized Workers' Social Security Act, 2008, remained on paper. That too called for registration of unorganized sector workers but nothing happened. None of the labour departments has a framework for its implementation.

The same thing can happen here if proper guidelines, role, clarity, division, accountability mechanisms are not clearly spelt out, though these provisions are good.

You already have the Building and Other Construction Workers' Act (BOCW) but very

few construction workers have been registered. What are the linkages with the Labour Codes?

D.V.: The BOCW Act has also been subsumed under the Occupational Safety, Health and Working Conditions Code. Registration has been made portable which is a good thing. The BOCW Act was landmark legislation. We will need to see how that plays out.

R.K.: The big risk is that the boards that have been set up under the BOCW Act can get subsumed. That money is meant for construction workers. It's true the state boards are sitting on crores of rupees and there are problems about registering the right kind of people. But even before this issue could be sorted out at state level, the law is taking it away and incorporating it in larger legislation.

We are resisting this merger because this is a powerful security offering to construction workers, the largest segment of the workforce in the country. The states may be able to retain the boards but at central level that mandate has been taken away.

What would you have liked the Labour Codes to have focussed on?

R.K.: The Codes are very complex. Imagine bringing 40 laws as four. Since we work with migrant workers, we are most concerned about

what the Codes offer to highly migration-sensitive industries. By raising the threshold to 50 workers for the applicability of several regulations we have done away with all kinds of protection and regulation for migrants. Most migrants are employed in smaller units. We would like that provision to be revisited. The only way to challenge it is to question its constitutionality since it is already a law.

Second, in the Occupational Safety, Health and Working Conditions Code standards of work that provide safety to workers have not been spelt out. Imagine a whole Code on safety with no universal standards of what safe work should be. We want that to be spelt out very, very clearly.

Third, there should be working hours, safety from injuries and toxic chemicals. Such parameters should be legislated. These have been excluded.

Fourth, a revival of the participatory process. The process of consultation in drafting the rules must include unions, labour organizations, people's representatives. The tripartite process has not been invoked. The Indian Labour Congress whose recommendations are generally taken have been neglected.

D.V.: I would add, enabling portability of social security benefits for intra-state migrants as well as inter-state migrants along with mechanisms for implementation. Also, a definition of migrants. At Aajeevika we define them as people who move out of their districts and their social safety net so it includes inter-state and intra-state migrants. □

Kavitha Kuruganti on the farmers' agitation

‘Why can't big players buy in the mandi?’

Civil Society News
Gurugram

EVEN as the government holds talks on its three contentious farm laws, promising amendments, farmers insist that nothing less than repealing them will do. Is this just a pressure tactic or do the farmers have a reasoned stand based on a close study of the laws?

Kavitha Kuruganti, who has been a part of the negotiations, explains that the amendments are so many that the laws need to be redrafted. In addition there is the need for a separate law on a minimum support price (MSP) mechanism.

The farmers have fundamental objections to the laws, saying they transgress into the domain of the states and create adverse market conditions instead of improving them as the government is claiming.

Going back to the drafting stage is the only option, says Kuruganti, who though not a farmer herself, has for long espoused the cause of making agriculture sustainable.

She is convenor of ASHA-Kisan Swaraj, a member of the All-India Kisan Sangharsh Coordination Committee (AIKSCC) and Samyukt Kisan Morcha.

Kuruganti spoke to *Civil Society* on the detailed assessment that the farmers have and the private member's bill that they would want passed.

Would farmers prefer new laws for the farm sector with all stakeholders involved?

The new law we are talking about is the MSP becoming a legal entitlement for all farmers. So, yes, we are talking about a new law but not the kind of market reforms that the government has in mind. In any case, state governments have been implementing what the Union government describes as 'Model Acts'. Since 2003, a large majority of states have already incorporated many reforms in relation to private markets, direct marketing, electronic trading, contract farming and so on into their APMC Act.

At state level, reform has been a more organic and natural process — not that we support all those changes — but it makes tremendous sense for the states to undertake reform both in terms of administrative and political accountability. We have been saying this to the Central government during talks. That's the kind of governance we need at state level. The Central government doing it goes against the principle of good governance.

Is this why you are asking for repeal and not amendments?

I have eight or nine reasons listed for repeal. To begin with, reforms have already been underway in states. You didn't need uniform reform across states. Because just like agricultural production is extremely diverse across states and locations, farmers and agricultural markets are also diverse based on commodities, how far their resource structures have moved, what kind of markets prevail predominantly. One size does not fit all.

The second reason is constitutional validity. Both administrative and political accountability are best situated with state governments. That's what's good for the ordinary citizen, the farmer in this case.

Also, when a law goes wrong in its very objective and policy direction then what is the point of tinkering with some provisions here and there? These laws are based on assumptions and not on evidence. They are faulty. There is this assumption that by these laws more competition has been brought in and



Kavitha Kuruganti: 'At state level, reform has been a more organic and natural process'

therefore farmers will realize better prices. In fragmented markets, you are actually reducing contestability, as an economist will call it.

When a farmer is trying to sell his produce, you don't really have many people bidding in these fragmented markets. If the government really wanted competition it should have asked all big players whether Adani or Reliance Fresh, to bid for the price they have to offer inside the mandi. That is competition.

You want to dismantle that. When you create a parallel structure you actually make the transaction invisible. So, I don't know what the next farmer is getting.

The assumption that farmers will get good prices is wrong. So, an amendment here and another one there is not going to correct it. They are saying alright not just Pan Cards, we will register private players and the state governments are free to register them. You have taken away the regulatory authority that used to exist with state governments and given them the clerical job of saying you can maintain an online register if you want to.

By saying fees can also be levied, how does a farmer benefit? That does not protect the farmer from exploitation. And that is the not the equalization we are talking about between parallel markets. Equalizing requires full state regulation. When you have dismantled full regulation, how will amendments work?

We are also talking about why amendments don't help from the protest perspective. If the central government had not ignored the protests which started seven months ago in June- July in Tamil Nadu, Karnataka, Punjab, amendments may still have been acceptable for the protesting farmers. Today, the agitation has intensified to a point where farmers will not accept amendments. The government tried every trick to prevent farmers from reaching Delhi. They have come to Delhi to get a repeal done and they will go back only with that.

It was said to the government during the talks that they have only two options: either repeal or you will be forced to evict the farmers. The government is reacting because it has millions of farmers squatting at its doorstep. Otherwise, they have no reason to respond at all. They didn't when the protests were far away.

We also looked into routine lawmaking procedures to explain why the government has only the repeal option and not amendments. When a bill is

introduced in Parliament and it is sent to a standing committee, the committee may make several recommendations. In my 20 years as an activist engaging with lawmaking, I have seen any number of bills. They withdraw the bill and introduce the legislation as a completely new bill when 12 or 20 amendments are required. It's a routine procedure in law making. The government knows this very well.

They ask us why are you not getting into a clause-by-clause analysis of these laws. They say from what we have gleaned during the talks we have picked up eight points across two laws — they are not suggesting any changes in the Essential Commodities Act — and these three to four we will do in the APMC Bypass Act and these three-four we will do in the Contract Farming Act. You can suggest any number of amendments, but don't ask us to repeal.

Some of us have worked on the laws, clause by clause. We know how many things have gone wrong. In just one law in the definition section of the APMC Bypass Act I would like to see four or five amendments. That many amendments to a law won't make it a better law. It will worsen it.

We have asked them, what evidence do they have to show that these legislations won't worsen the farmers' crisis, that these laws are essential for some policy commitment for doubling farmer's incomes? What empirical evidence do they have? Whereas we already know that just seven months after the implementation of these laws, prices have crashed for farmers. Getting remunerative prices is not easy because 70 percent of trading has moved from the mandis into non-regulated spaces.

In such a short time? That is surprising.

No, it is predictable. We have been saying this. The first ones who move out are the licensed traders, forget the big players who will come in, sooner or later. The traders are today forced to take part in auctions. They have the huge advantage of knowing their farmers, of being moneylenders, of having a relationship with them and they also have some infrastructure and liquidity.

So why would they want to trade with government oversight any longer when they can buy from the same set of farmers at much lower prices using the existing resources and ecosystem they have? Why should they even deal with government oversight when they can go to unregulated markets. It is the licensed guys who have moved out first.

All this evidence is already in front of us. The government has no evidence to give in relation to better prices and benefits for farmers, apart from political posturing and prestige. So, they have no rationale or evidence for holding on to these laws. These are the reasons we are asking for repeal and not amendments.

You would prefer not to have a central law on farm reforms at all and leave it to the states?

Certainly. The constitutional validity of these laws is one reason why we are questioning the amendments route. Because the union government has no business to draw up a central Act here. It is the domain of the state governments, so how can you just offer amendments.

But you have also asked for MSP to be a law. This would be a central law?

It would be at central level. We are not keeping states out and neither are we saying it would have an overriding effect on states. The kind of legislation we have already created as a private member's bill empowers state governments and their authority. The Centre essentially has to provide financial assistance for MSP to be a legal entitlement. Implementation and additional decisions and protecting farmers interests has been left to state governments in the All India Kisan Sangharsh Coordination Committee Bill.

You would like to widen the scope of the MSP to include many more crops?

We are talking about all agricultural commodities, not just crops. That includes milk, meat, seeds and minor forest produce because the definition of a farmer as per the National Policy for Farmers 2007 is an expansive definition. It includes fisher-persons, livestock-rearers, forest dependent persons, beekeepers. All of them are farmers.

We believe that legal entitlement for all commodities will set right the equilibrium required for cropping patterns to be restored in India and help farmers shift from mono cropping not only for paddy but also for wheat. When assured prices exist which give farmers a small profit over and above cost of production, farmers will tend to pick up crops that are locally suitable and are environmentally sustainable.

An extensive MSP like this would require a commission or an entity?

It will certainly require an institutional architecture that will implement the new

entitlement for farmers. We are not asking the government to buy the last produce of the last farmer.

We are asking for a basket of measures. We are asking for government procurement and marketing interventions to get smarter and to expand. Such an MSP law inherently will force the government to also get smarter with its international trade negotiations because you can't promise that entitlement and then allow produce to be dumped by highly subsidized farmers from elsewhere.

Similarly, you can't encourage high-cost farming. In the chemical corporatized agriculture paradigm the cost of production will be high and then you have to give 50 percent over it for MSP. So, the government will be forced to think of a low-cost, environmentally sustainable agriculture paradigm.

Would you also recommend an expansion of mandis?

Of course. We are not talking just about prices. We do need more mandis. We do need more direct marketing options. We need investments in farmer collectives, storages and retention capacity, better warehouse receipts. The government has to invest.

We have placed disproportionate faith in deregulated private markets in these Acts. In the distant past there was disproportionate investment in some locations of mandis. Farmers and their market interfaces are diverse. A woman farmer sells at the farm gate, an Adivasi farmer in the village haat. We haven't invested in multiple marketing channels.

Farmers are not asking the government to buy everything. Initially, a little investment is required. But once the purchasing power of rural India is improved it will benefit the economy to the extent that the government can rake in more revenue. With purchasing power in the hands of producers, there is greater hope for farm workers. It's a virtuous cycle.

‘The union government has no business to draw up a central Act here. It is the domain of the state governments so how can you just offer amendments?’

Has the experience in contract farming not been a good one for farmers?

I find that in the organic farming sector, which is also into contract farming, farmers have actually benefited. The organic market is a niche one they can dip into. It is able to pass on benefits to farmers just like any niche market.

But if you look at contract farming in the seeds industry, for example, there is tremendous exploitation. Child labour exists, very low prices are paid to seed-producing farmers though seed companies charge exorbitant rates to seed-consuming farmers whether its hybrid maize or cotton or sorghum. They don't even get into direct contracts with seed farmers. They go through agents called seed organizers.

The same system is used for potato contract farming. In Punjab I found that farmers who had a written contract with Pepsi for seed potato production were in a different situation from wafer potato farmers with whom Pepsi did not even have written contracts. The company may or may not buy. There is no assurance. If you look at sugarcane, a classic example of contract farming, it's a disaster out there. Tens of thousands of crores in arrears are pending to farmers.

So why are we so enthusiastic about contract farming. The government says it's a voluntary agreement. We are having to point out that contract farming appears attractive to highly distressed farmers who receive no assurance from the government. (But) If you guarantee MSP there will be no takers for contract farming. The market is so adverse to farmers that an enterprise offering contract farming looks attractive. So, we have to dig deeper into what appears to be voluntary.

Maybe they need better regulation for contract farming?

But so many states already have contract farming laws in their APMC Acts. Punjab and Tamil Nadu have separate contract farming legislation. Gujarat, Maharashtra and Odisha have incorporated contract farming provisions in their APMC Acts. Why do we need a central law?

Contract farming has never been an attractive proposition to corporations because they don't want to deal with so many marginal farmers. They would rather have a 500-hectare farmer doing it for them. □

Abhijit Prabhudessai on the Rainbow Warriors

‘It is the Goan system of community ownership we are building on’

Derek Almeida
Panaji

GOA is famous all over the world for its resplendent beaches and dense forests. Yet, for decades, the state has been driven by a desire to build large infrastructure projects that destroy natural habitats. The people of Goa have resisted, going to court and organizing protests. Often, they have won.

The credit goes to organizations like the Federation of Rainbow Warriors, a group of public-spirited citizens in Goa. Since 2014, the year it was founded, the group has been fighting against projects which uproot local communities and destroy the state’s natural richness.

Small, people-driven projects, which would enhance Goa’s ecology and economy, are what the state needs. Rainbow Warriors has been consistently proposing these and is also working with the government’s water resources department on one such project.

In this interview, Abhijit Prabhudessai, general secretary of Rainbow Warriors, traces the ups and downs of their campaigns, and their genesis from Goa’s community land rights movement to current times, when they are locked in battle with the government over three projects — doubling of the railway track from Vasco to Hospet, the Tamnar power line project, and expansion of the national highway through the Mollem Wildlife Sanctuary.

How was Rainbow Warriors formed and what goals has it set for itself?

Rainbow Warriors had its genesis in Goencho Xhetkaranche Ekvott (association of Goan farmers), a body formed to protect community land interests. The name, Rainbow Warriors, comes from the vision of American Indians who believed that the world is a circle of life which has been broken by the advent of the industrial economy.

This vision says that it will keep getting worse till a time comes when people of different colours, creeds and nationalities will rise in opposition and they will be called the Rainbow Warriors. We believe in building land communities which are self-reliant and self-sufficient so that social power is equally distributed among all, especially the oppressed.

When you talk about community and people rising to oppose the industrial and technological economy, aren’t you leaning on the side of Marxism?

We are actually building upon the Gaunkari system which is prevalent in Goa. There used to be an ancient system in the state which was based on community ownership of land called *Communidadade*. If our work is Marxist, then all Goan ancestors were also Marxists. We are evolving and maybe similar revolutions have taken place all over the world of which Marxism is the most well-known. If you see the dynamics of social power it is the individual and the State that take power from the community and that is where everything goes wrong.



Abhijit Prabhudessai: ‘We believe in building communities that are self-reliant’

What are the issues that Rainbow Warriors has taken up since its inception and where has the fight reached?

The first issue we took up was Goa’s regional plan because it is with land use that the rot really begins. We have been fighting to prevent changes in land use that are detrimental to the public. And to accomplish this we have been fighting in courts and working with people at village level.

The Regional Plan 2021 was the first exercise in bottom-up planning and it was supervised by the late Charles Correa. So what is your stand on the plan itself. Do you see it as something good or bad?

We are of the view that whatever was done during this process was undone by the chief town planner. The final Regional Plan 2021 has huge stretches of forest and other eco-sensitive land shown as settlement zones. This was at variance with what the people had prepared at their village level meetings. Now, because we are continuing the fight against the plan in court and at the village level, big developments have virtually stopped. This has happened because the government said in court that it would clear only smaller projects which are not in eco-sensitive areas.

So, would it be right to say that your fight against big projects in eco-sensitive zones has proved to be a success?

Yes. You could say that. Although the regional plan is central to our struggle, we are also doing important work on the Coastal Regulation Zone (CRZ) notification and the Goa Coastal Zone Management Plan (CZMP).

Why are you opposed to the Coastal Zone Management Plan?

Initially the CZMP showed all khazan lands (low-lying fertile land along river banks) in the river and the high tide line extending deep into villages which did not reflect the situation on the ground. For instance, fishing communities were not shown, fish breeding sites were not demarcated ... and we see this as part of a larger plan with the National Waterways Act. We believe the centre wants to

take charge of our rivers for shipping. The Sagarmala project is nothing but a takeover of Goa’s rivers by the centre for transportation of coal. The CZMP also reflected the same intent.

So we took this fight to the villages with the help of students and locals. About 100 panchayats prepared plans showing rivers, khazan land and fish, oyster, shellfish breeding sites in detail. Ever since these plans were submitted, the government has been dilly-dallying, for two years. It was only recently that the government revealed new plans which incorporated some contents of the panchayat plans. For instance, the bunds and sluice gates are now shown and, as a result, the high tide line has moved back to the river, but areas where fishing takes place are not yet shown.

How far has this struggle progressed?

The government notified new plans, not all of them, on January 28 and the public hearings are to be held in March. We are opposed to having one public hearing for north Goa and another for the south (two districts). We want public hearings to be held at the village level.

Rainbow Warriors had also opposed the new airport which is coming up at Mopa. How did that struggle pan out?

Our decision to oppose the Mopa airport came only after we realized that the reports produced by the government were at variance with what was present on the ground. We first filed a petition in the High Court challenging land acquisition. We won the case, but unfortunately, land acquisition was quashed for only the 250-odd families who had approached the bench and not for the 500 remaining families who did not join us in the petition. The government used this to go ahead with land acquisition. Land owners were given between ₹40 to ₹80 per sq m, but the struggle is still on because people want their land back. Some have not yet accepted the compensation.

About 7,000 families are dependent on the land. When the environmental clearance was granted in 2014-15, we challenged it before the National Green Tribunal (NGT). When the NGT order did not go in our favour we challenged the environmental clearance before the Supreme Court which stopped work for a year. In January 2020, this stay was vacated, which is unfortunate because the Mopa airport is anti-development. The airport is now being handed over to the Adani Group, which has been given 381 acres for commercial development with an FAR (Floor Area Ratio) of 4.

After Mopa what?

We are also working with the water resources department to reduce the use of concrete in the land-water interface. We have done a study on what’s happening elsewhere and you will be surprised to learn that in Europe, the US and the Far East they are taking out concrete along the land-water interface and restoring with natural material. This will be labour intensive which means you will be creating jobs for many. Use of local material also reduces costs by over half.

Where does Rainbow Warriors stand on the three projects that have rocked Goa in recent times — the Tamnar power line, doubling of the railway track from Vasco to Hospet and four-laning of the national highway?

We have been fighting against these projects since 2016 when Goa’s Wildlife Board gave preliminary clearance and we are happy that in the last one year the entire state has become aware how these coal infrastructure projects will destroy Goa.

What is your main objection to the doubling of the railway track?

The present track can carry 15 rakes per day because it is the steepest track in India. Out of these 15 rakes about 10 to 12 carry coal. Two or three are passenger trains. If you see the Sagarmala master plan you will note that to increase coal transportation, the first step is doubling of the track. If you bring 15 million tonnes of coal into Mormugao port you have to be able to transport the same amount out of Goa. At present, the port handles around 12 to 15 million tonnes of coal and the plan is to increase it to 51 million tonnes.

This coal is not meant for power projects. Almost all of it is headed for steel plants owned by Jindal and Adani with Vedanta also likely to join in. Mormugao Port Trust (MPT) is being privatized and all berths are being handed to private players who want to handle coal. MPT will handle 51 million tonnes but the total amount of coal haulage from other ports is in the region of 120 million tonnes. India has made an international commitment to reduce its dependence on coal and here you are increasing imports. If this plan goes through, global warming targets will go haywire.

Are you against import of coal for use in the steel industry alone or for use in any sort of industry?

We are against import of coal for any kind of use. You do not need to import coal for power generation or steel because India is over-producing coal at the moment. Now, if you look at port policies, the 12th Five Year Plan says that MPT should stop handling coal. In December 2018 the parliamentary standing committee on transport, tourism and culture ports, in its 269th report, clearly told MPT that it has to give up coal and realign itself with cruise tourism. This is because everyone knows that coal is a killer and you cannot have it in a port city like Vasco.

What about the Tamnar power line project?

Our objection to the power line that runs from Karnataka to Goa is based on scientific evidence. The existing power line capacity of Goa can draw power to support a load of 990 MW. Till today the highest peak demand of 625 MW occurred last year.

This new transmission line was planned in 2014 when a study was done and a 24/7 power document was prepared by the central government. At that time the peak demand was 500 MW and the projection was that by 2021 it would cross 1000 MW which today has been proved to be completely wrong. The growth rate has been slow. The power projection is that it will reach 990 MW only in



A candlelight protest

‘The first issue we took up was Goa’s regional plan because it is with land use that the rot really begins. We have been in court.’

2037. This is the projection made by the Central Electricity Authority. Then why are we spending ₹2,500 crore to build a transmission line that will destroy the Western Ghats?

The final nail in the coffin is that the Goa government has been given a mandatory target of achieving 358 MW of solar power by 2022. This is based on a promise made by our prime minister to the world. The Ministry of Renewable Energy says Goa’s solar capacities are 900 MW. We are saying that with ₹2,500 crore we could instal 500 MW of power and every person can be given a solar roof for free.

What are your objections to the four-laning of the national highway?

In 2015-16, when we were looking at highway expansion taking place in Goa, we were told by engineers in the Public Works Department (PWD) that the highways were being designed for coal transportation. As far as the highway passing through the Mollem Wildlife Sanctuary is concerned, we told villagers to monitor flow of traffic. There is literally no traffic. Serpentine queues and bumper-to-bumper traffic does not exist. There are multiple routes to Goa (Mollem, Chorla Ghat, Ambolim Ghat, Gaganbawda) and none of these has excess traffic. So this is being built only for coal transportation because the government does not have a single traffic study to justify expansion of the highway. n

‘JNU stands for what is just, for the right things’

Sidika Sehgal
New Delhi

Aishe Ghosh, president of the Jawaharlal Nehru University Students' Union (JNUSU), spoke to Civil Society on the JNU campus about the events that have engulfed the university.

What does JNU mean to you? Is JNU worth fighting for like this? You've risked your life for it. For any student here, JNU has been their second home, and for many, their home. It means a lot to people because many students aren't given an identity back home. Especially women. They don't always have the freedom to choose what they want to do. JNU gives you that freedom along with academics. It is a dreamland.

A lot has to do with the environment and our professors, the way they nurture us. Obviously, this is worth fighting for. When I think about it, I would want everyone to study in a university like JNU. You feel that this is not a place in India.

The system we have and the culture is rare. Take the library. You can put your things somewhere and go, but nothing will be stolen. People may use your things, but they'll put them back. From your wallet to your body, everything is safe in JNU.

I studied at Daulat Ram College in Delhi University. For a woman studying there, the curfew is 7 pm. It's not that you want to go out for a late night every day, but such a curfew is restrictive. When I came to JNU in 2016, I hadn't experienced this kind of security before. You know that if you return from the library even at 4 am, nothing can go wrong. Because this is the kind of understanding in every student. There is the sense that this university stands for what is just, for the right things. That is what makes it worth fighting for.

The video of the January 5 violence was frightening to watch. You were so badly beaten. What was going through your mind?

It was very scary. We never expected something like that to happen, especially in JNU. Even when the mob came very close, there was a sense of security because some teachers were also there. We thought that the maximum they will do is to shout. But that they would hit us in the way they did never occurred to us.

Why didn't you run away or hide? A lot of people did that night.

Before I could run away, I was attacked. My sister was with me and she doesn't know this campus. She had come to visit me that day. We were sitting and having tea at Sabarmati, and suddenly this happened. I remember because I was telling other students not to panic. But before I could understand the situation, I was already hit.

What has the doctor said about your injuries?



Aishe Ghosh after the attack on her

What is the nature of the fracture in your arm?

There was a deep wound. It's healing now. I have a check-up today. My arm is not fractured per se, it's a hairline injury. I think by January 22, the plaster should come off. I'm not on painkillers any more. I only take them when I really need to.

Your parents said that they won't ask you to come back. You must derive a lot of strength from them.

It has a lot to do with my father's orientation. He has been associated with the Left, so that influence comes from him. It is also the orientation I had in my city. I'm from Durgapur in West Bengal which has been a stronghold of the Left. So this sense, that you need to fight for whatever injustice is happening, was always there.

My father does scold me sometimes. Of course, there are priorities and academics should go hand in hand with other things. But he has never stopped me. My mother is also angry at me at times, about why I'm choosing to do this. My friends are leading a much more comfortable life. They are in jobs and they don't worry about fee hikes. She is concerned about why I'm going an extra step to be involved in all this. She thinks I have a good academic background and that I could be doing well.

So there is also this debate about what 'doing well' means. Obviously, coming from a very middle class family, the orientation is that being economically secure is essential to doing well. I can understand that. My father is also retiring soon.

You have asked for the removal of the vice-chancellor (VC). Is there any chance of going back on that?

No. Even our teachers' association has taken a

strong stand that the winter semester can't start without the removal of the VC. Everything in the life of students has been jeopardized because of this VC. He has not filed a single FIR. He has not met the students who have been affected and injured.

With this kind of VC, the academic integrity of the university is also falling. The basic sense of safety and security is falling. If a mob comes to the campus again tomorrow, we don't know whom to approach or where to go. Even if we go to the VC, he might say, 'I don't care'. He's not bothered with what's happening around him.

You've been accused of vandalizing the server room. What is your version of events?

Obviously, the JNUSU never gave a call to vandalize the server room. Had the server room been vandalized, we wouldn't be receiving emails. But we have. The wi-fi has been working fine.

We have been asking for CCTV footage. Their FIR states that I cut the wire. I want the footage where they saw me destroying servers. These are big claims they are making. I was not masked. I didn't have any rods with me. There is no video that shows me vandalizing anything. So how did they come to the conclusion that I am a suspect?

They are showing my face on national TV as a suspect. You can't malign anybody without authentic proof. Tomorrow it may be dangerous to go out of campus. Is the police going to take responsibility for my security and safety now? If something happens to me tomorrow or if I'm travelling alone, will the police take the responsibility? JNU might be safe for me, but the outside world is quite different.

Is that a fear? Travelling alone?

Yeah, it is. There are people outside who may not know our side of the story and may think that the Delhi Police is right in naming me as a suspect. What if a mob like this attacks me outside the campus?

What is the morale on the campus? Where is the movement going?

We are trying to restore normalcy on the campus because we don't think a protest can happen without doing that. There is a lot of fear. Students have gone back home. To bring them back, we need to bring academics back on track.

We are planning to finish our backlog of classes from last semester with help from our teachers. Then exams should happen. But we're not starting with the new semester at the moment.

We will sit with the council again to discuss how to intensify protests for the winter semester and for the removal of the VC. We are taking legal action also. As much time as it takes, three or four months even, we are ready to fight. But it is also our responsibility as representatives to normalize the situation and facilitate protest along with academics. n



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