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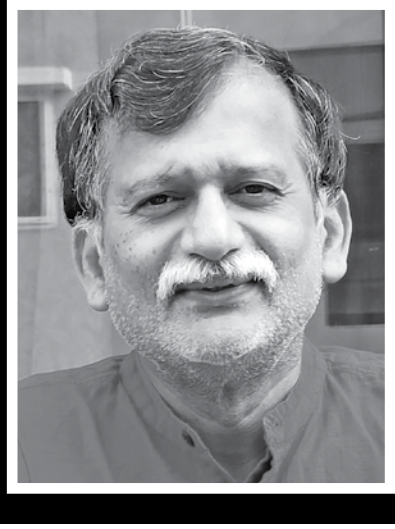
Civil Society

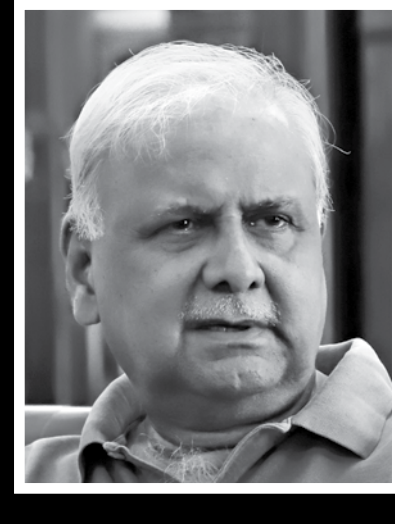
The Interview Issue

QUESTIONS & ANSWERS




10 VOICES ON 10 BIG STORIES OF OUR TIMES



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THE INTERVIEW ISSUE

Civil Society has a vast repository of interesting and relevant interviews. We bring you 10 here on issues as diverse as the northeast, microbes, public healthcare and data privacy.

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The magazine does not undertake to respond to unsolicited contributions sent to the editor for publication.

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Civil Society
READ US. WE READ YOU.

Getting it out in black and white

ONE of the joys of being a journalist is in meeting a range of interesting people and engaging them in conversations about their work. In *Civil Society* we do it all the time. For every issue of our magazine we engage with a whole lot of people. Some of those conversations have been private ones and they have remained off record while being invaluable in understanding an issue. Others have remained in our recorders or saved on Zoom — either waiting to be used or referred to in larger stories and then filed away. At least one interview a month has been published at length in *Civil Society.* From the response we get, our readers are as enthusiastic about these interviews as we are.

Stories serve different purposes. They, inform, explain, entertain and reveal. Stories have many weaves. An interview on the other hand is an opportunity to get things out in black and white. It need not be something earthshaking. But interviewing someone on a matter of great public interest is an opportunity to provide clarity and often prompt fresh thinking. Many experts and scholars are better understood when they are being interviewed. Activists, we can tell you, are far more lucid when you sit them down to a conversation. Government officials similarly need to be brought on record — is it this or is it that?

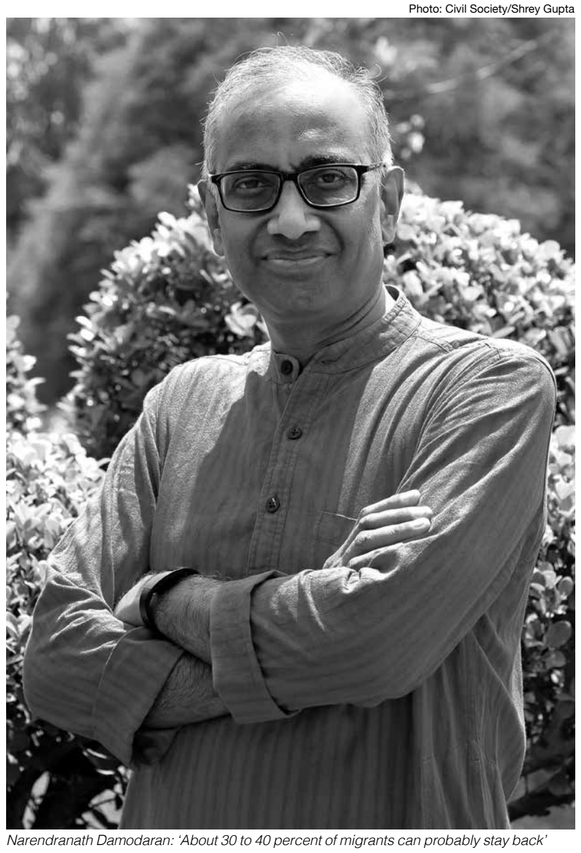
In this special issue of *Civil Society* we bring you a selection of 10 interviews, which we feel have much contemporary relevance. It is always tough to make a choice. But if we felt challenged when we examined our hoard we were also delighted to see how much ahead of the headlines we were in these interviews. We were picking up trends and thinking ahead — not because we are prescient but because as survivors in the rough and tumble of journalism we know we have to have an edge and remain interesting to our readers. It also has to do with our own choice of spaces that we cover and our enduring interest in them. We are looking for stories and talking to people all the time and, as a result, finding straws in the wind.

When Chinmay Tumbe talked to us about the need for an inter-state council on migration, it was as yet unclear what to do about unorganized sector workers. A council however remains an idea whose relevance has only grown. States should interact on the movement of labour. Dr K. Srinath Reddy's interview on what should be done to have an efficient and accessible public healthcare system long preceded the coronavirus pandemic and we can see now what exactly he meant. Similarly, Dr Pallab Ray's emphasis on strengthening the testing infrastructure in the country, though made in the context of microbes and antibiotics, has much resonance in the current situation. For the insights they provide, each of the 10 interviews is worth reading and keeping.

NEED TO DIVERSIFY LIVELIHOODS, SAYS N. DAMODARAN

‘Allow farmers to build their own linkages with markets’

Photo: Civil Society/Shrey Gupta



Narendranath Damodaran: ‘About 30 to 40 percent of migrants can probably stay back’

Civil Society News
New Delhi

AFTER their agonizing experience in cities during the lockdown, migrant workers, in very large numbers, are back in their villages. Can the rural economy sustain them? Will they find ways of earning? The rural employment programme, MGNREGA, offers hope. But it remains to be seen whether in the current context it is the solution.

Rural areas have for the longest time been denied the investments which could have generated the economic activity needed to keep people from migrating. The current crisis is an opportunity to have a better understanding of how this can change.

In our search for answers we turned to PRADAN (Professional Assistance for Development Action), an NGO devoted to nurturing rural livelihoods. PRADAN works in seven of India’s poorest states — Bihar, Chhattisgarh, Jharkhand, Madhya Pradesh, Odisha, Rajasthan and West Bengal.

It has been behind initiatives for boosting agricultural productivity and linking farmers to markets through cooperatives and producer companies. PRADAN’S work has led to several successful examples of income generation.

It has promoted the National Smallholder Poultry Development Trust (NSPDT) which supports 11,351 women poultry farmers across 23 cooperatives. It has also nurtured the Tasar Development Foundation (TDF), which works with 20,000 farmers to rear cocoons for silk. PRADAN has been at the forefront of organizing women into self-help groups and linking them to financial services.

We spoke to Narendranath Damodaran, executive director, on PRADAN’s journey and what can be done now to deal with the tricky problem of surplus labour in the countryside.

Do you think the village economy can absorb all the migrant workers who have returned?
I don’t think it is currently possible. In some of the villages in Jharkhand where we work, we have seen the population increase by almost 30 percent. That’s a large number.

Almost every family has one or more members who have come back so there are many more to feed. One of the things we have been trying to push is MGNREGA. But people who have returned may not have the skills to do earth work in MGNREGA. They haven’t been doing hard manual labour for a few years. About 20 to 30 percent don’t have job cards. Around 30 percent are able to join MGNREGA work. We find 50 to 60 percent are sitting idle at home. A negligible number has started small enterprises like small shops.

About 60 percent won’t stay back in the villages. They are waiting for the lockdown in cities to lift and for shop floors, retailers, eateries, construction sites to reopen so that they can get back to their earlier jobs.

Why do they migrate?
We have been working in villages for nearly 37 years. Our objective has been how to get people to stay back. I know all 100 percent can’t be absorbed but about 30 to 40 percent of those who migrate and have now returned can probably stay back. They will add to the pressure on existing resources. Our endeavour has been to enhance the carrying capacity of those resources so that this additional 30 to 40 percent of migrant workers can be engaged and involved.

> **‘Obviously, one focus area is to ensure that people at least have access to food and nutrition. The issue they are facing right now is there isn’t enough food. Fifty percent of people have reduced their food intake.’**

We work in tribal areas. When we did a ballpark study we found 70 percent of migrating people from Jharkhand or Bihar are distress migrants. There are no opportunities in their villages. Only 30 percent are aspirational migrants who go because they have skills or want a better education for their children or amenities for their families. This is a minuscule number from the poorer states. From better-off states, the southern states or Gujarat, migration could be of a different kind. But from poorer states, the purpose is distress. They go out of poverty.

What can be done to create opportunities?
Land and water are not going to expand in our villages. To overcome resource constraints we look at new ways of agriculture, new technologies and market linkages for better realization. These are the rural hinterlands which are not linked to the market. You have to go through layers of middlemen. In the city you pay high rates for vegetables but in the village you hardly get anything.

When the lockdown was forced on the rural hinterland, farmers had grown a large quantum of cash crops like fruits and vegetables for the *rabi* season, due to our interventions. We were expecting excellent returns in March-April, the main selling season. Last year, the cost of production was ₹3 to ₹3.50 per kg and the farmer got ₹8 from buyers. This time they got just ₹2. About 70 percent got a mere pittance. They couldn’t transport their produce to industrial towns like Bhubaneswar or Rourkela. And they can’t hold on to it either. Transport services and cold storages are the facilitating market linkages we have to create so that farmers aren’t short-changed when uncertainty happens. We have to create predictable market linkages for farmers.

Obviously, one focus area is to ensure that people at least have access to food and nutrition. The issue they are facing right now is there isn’t enough food. Fifty percent of people have reduced their food intake. There is no cash in the house to buy food. Markets haven’t fully reopened as yet.

Most of them are now dependent on the Public Distribution System (PDS). About 70 to 80 percent are also getting rations. But they are getting only wheat and rice and not pulses, oil or spices. About 25 percent of people told us they had food stocks for just one week. And 50 percent of rural families in the poorer states of the country say they have food stocks for two weeks with reduced intake.

Our endeavour this time is to ensure that they grow enough food during the *kharif* season — from June to October — so that it lasts them six months.

And in terms of jobs?
The question is how do we employ this additional labour. We have to remove uncertainties in agriculture by improving market linkages. I mentioned storages, transport and, most important, organizing farmer-producer groups so that people can produce and reach the market in a more coordinated manner. We can provide information on markets. We are trying to build these linkages so people get better realization for their produce.

Secondly, how do we diversify their sources of income. One is farming, the second is livestock. When farming fails, livestock is a life saver. Tribal communities already keep goats, sheep, ducks, backyard poultry.

We enhance the quality and quantity of livestock and provide veterinary support — we have trained barefoot vets called *pashu sakhis* in villages. They can do vaccination and first-aid and reduce animal mortality rates. Better livestock means better income.

Another important area is forest produce. One of our established products is tasar silk. It’s a wild silk with a good price in the market. Then there is *sal patta, indu patta,* etc. We enhance storage capacity and marketing and ensure people get a better price.

Our fourth strand is to build the skills of people and help them become entrepreneurs. Marketing linkages and transport can provide work. They can also use their technical abilities to get a Mudra loan to set up local village enterprises.

But we need the State, the business community and NGOs to come together to think how opportunities can be created in villages and small towns. That is an advocacy activity which we will be engaging in with others.

Do the government’s recently announced reforms in agriculture help?
They are freeing up the market. It’s a very good reform for small farmers and weaker communities since their negotiating skills are low. For such communities NGOs like us get involved and try and organize them into Farmer Producer Organisations (FPOs) or cooperatives. If there are too many rules and regulations governing markets then their mobility gets restricted. Many of the existing establishments have been taken over by powerful vested interests.

The only strength small farmers have is that they can come together and sell. Many are first or second generation farmers so they are not so savvy in the marketplace. Less restrictions make it easier for them to get linked with terminal markets.

An interesting experiment we tried during this *rabi* season was to collect the produce in the village, put it in a vehicle and sell it to customers directly. We called it ‘veggies on wheels’. It’s a producer-to-consumer direct linkage. The farmer herself went to residential apartments or small markets with farm-fresh produce and earned much higher returns. Now this requires a free market.

What about agro-processing units? Why have these not taken off or been encouraged?
Agro-processing needs medium-level entrepreneurs. It’s difficult for farmers with a hectare of land or 50 to 200 mango trees to set up an agro-processing unit. But then entrepreneurs don’t want to go to small towns, rural areas, the hinterland, because of infrastructure, transport, electricity and perhaps some law and order issues. No bank will finance you either. The dynamics are different. Which is why we don’t have that last mile linkage.

The FPOs we have created in fruits and vegetables are not robust enough right now nor do they have the capital to set up and own agro-processing units. But in poultry farming where we have worked for nearly 20 years, we have organized cooperatives of rural women who run poultry farms and they have set up a producer-company. They have been selling chickens in the market and now they have enough capital to set up their own processing units. Once you have enough capital, banks and institutions come in.

It took us years and years of work to set up those backward linkages. We started with the basic poultry farm. Currently we are trying to take these lessons to fruits, vegetables, pulses, oilseeds and other produce. It will take us a few years but we will be able to set up robust farmer-producer institutions which will have capital and the risk-taking ability to set up processing zones.

There is help from the government in terms of soft loans and subsidies. If business people were to come to smaller towns, take the risk and set up processing zones or even small manufacturing industries, a lot of our people can get employed. This will have double benefits: it will create employment and put more money in the hands of farmers.

> **‘If business people were to come to smaller towns, take the risk and set up processing zones or manufacturing industries, a lot of our people would get employed. This will create jobs and put money in the hands of farmers.’**

What you need is domestic investment?
Actually, if some of the bigger processing units downscale their smaller units to towns it will have multiple impacts. It will take the urbanization process into smaller towns. Why shouldn’t I aspire to go to Ranchi or Dhanbad for a better life? Everybody in Jharkhand wants to go to Delhi, Ahmedabad or Mumbai. In fact, the maximum migrants have come back from these three cities. They travel 10,000 km to earn ₹8,000 extra in a most undignified manner. If they could do the same thing in Ranchi, Dhanbad, Giridih or Hazaribagh, small towns would become aspirational. The villages will be better places to stay. There will still be migration but that will be aspirational migration, which is what people want.

You mentioned the forest economy. Are tribal communities getting access to forest produce?
Legal provisions exist on paper. There is the Forest Rights Act, a progressive law. But the general attitude is that the forest belongs to the forest department. So it’s very difficult for communities to access the forest. People aren’t even allowed to plant trees because that is what the law says.

One of our focus areas this year is community forest rights. We have put in applications in 500 cases. In about 100 cases we have had some success, mainly in Odisha. We are working with other organizations on this. We will need to bring in technology to map village boundaries and work with the system.

If each village can have access to 400 to 500 hectares of forest land, they can rejuvenate the forest, replant trees and take minor forest produce.

Forest land has multiple uses. One is its cultural importance for the community, second is that forest produce like *mahua,* honey, *sal patta, tendu patta*, silk can be harvested, third is for livestock rearing like goats, and from an ecological perspective, forests can harvest a huge amount of water if you build water harvesting structures. Most forests are in the upper reaches so ponds and wells in villages downstream can be recharged. ■

Chinmay Tumbe: 'This is an opportunity to fast-forward the one nation, one ration card scheme.'

'Inter-state migration council is the need of the hour'

Chinmay Tumbe on a looming labour crisis

Civil Society News
Gurugram

MIGRANT workers have been at the core of the Indian economy. People from villages work in cities and industrial hubs to send money back to their families. It is a complex equation between urban and rural, which has received little public attention until the coronavirus pandemic and subsequent lockdown resulted in tens of thousands of migrants falling out of jobs and making desperate efforts to get back home.

Chinmay Tumbe, who teaches at IIM Ahmedabad, has for long studied migration in India closely. He has also been a member of the Working Group on Migration set up by the Union Ministry of Housing and Urban Poverty Alleviation. *Civil Society* spoke to him on the many complexities in migration and how the role of such workers can be formalized.

Migrant workers have left cities in droves due to the lockdown. What do you see as the likely impact on the economy in general and cities in particular?
I think once the lockdown is lifted you will see two responses. First, those who wanted to go home but couldn't, will go back. They are desperate to return to their villages. Two, because of this mass exodus, you will have a shortage of labour in a variety of sectors including manufacturing. The shortage will be across industrial hubs, cities and urban agglomerations. That means you will see some wage spikes because of the shortage of labour.

Again, that depends on how many firms are going to be alive and in what capacity they start production. But overall, a labour shortage for a variety of sectors from drivers to loaders to even the logistics sector will make it tougher for the economy to resume its potential.

Typically, workers go back anyways after June for the sowing season. If you see the migration calendar of India — especially of semi-permanent migration — these are people who spend nine to 10 months outside and two months back home. And those two months are typically June and July, the monsoon.

My guess is that a lot of migrants will wait it out (in their villages) till the monsoon is over because they will think things are so uncertain right now. They will eventually come back. But, in the short term, there is going to be a labour shortage.

It's going to hit the construction sector very badly. If the construction sector had kept their workers and looked after them very well they might have been persuaded to stay. A lot of construction projects are now going to be stalled.

So, in terms of restoration of essential economic activity, which would generate money, jobs and so on, we are looking at a hiatus.
I think the coming months are going to be really bad in terms of resuming some sort of economic activity essentially because of the shortage of labour.

In villages there isn't much to do in April and May either. You will have deficient labour in cities and surplus labour in villages. Overall, it's a bad situation to be in. That's why the only safety net is a direct payout to workers as social security. Which is what the government has announced but I think it should be much more.

Given the important role migrant workers play, how can their role be better formalized?
The burden of formality is really on the employer. The majority of migrant workers are employed in small and medium industries, which obviously want to skirt rules. It's tough to impose rules top-down.

Workers would love social security of the right kind. But, from experience, workers also prefer informality because it means they can go back home anytime. Many times they prefer to work in such jobs because of the informal relationship. So there are preferences on both sides. It's not just a story of exploitation.

From a policy perspective, what we have found over the past 10 years and a myriad people in the world of migration have been advocating for in India, is to have a more universalized kind of social security. Or portability of social security programmes. That has started kicking in with the health insurance scheme that has been announced. In theory you can access it anywhere if you have a card.

The most important form of social security in India is the Public Distribution System (PDS) and that works only in your state. Until a few years ago you could access your rations only in the village where you are domiciled. If you went to another district you wouldn't be able to access the PDS.

After a lot of policy advocacy by several organizations and people working on migration the Ministry of Consumer Affairs, Food and Public Distribution has been piloting portability of the ration card. The big announcement made in February, before the pandemic, was 'One nation, one ration card'.

This is a very important scheme. The core reason it hasn't been fielded is the fiscal math. The thinking is, why should the Maharashtra government pay for work being done by Bihari workers? Some compensation or basically fiscal coordination between the states is needed.

This crisis is an opportunity to fast-forward the one nation, one ration card scheme. It was slated to start in June. People are saying it will be postponed because of the pandemic. I think we should start right now. We are, in any case, giving rations to people irrespective of domiciled status, due to the crisis.

This is basic security. People can then get access in any state to subsidized food and other benefits, which can be included in the ration card.

You probably need an inter-state migration council just like for GST there is a council to resolve inter-state issues. This is the one big idea that can emerge from this crisis. We should go into overdrive and not wait till June because then migrant workers don't need to go back and we can tide over the shortage of labour.

Do you think there is scope for a policy that would incentivize employers to formalize the informal nature of employment?
It's a tough trade-off. A lot has been written about this issue in the last 30 years. Our experience is that when we try to enforce top-down measures the outcome is the inspector raj and the labour raj. We know that an entire economy has been built around this. In theory, I would say you are right. The informal sector has to be formalized. On the ground, however, the inspector raj system imposed by the government does not work in practice and leads to all kinds of strange distortions.

I think a smarter way is to incentivize employers by giving tax concessions if a firm actually provides workers all benefits. An award-based system, rather than an inspector raj. If a guy is going to start a small powerloom shed, say, in Surat, employing 15 to 20 workers, which is the standard mode over there, and he has to begin thinking about all the things he ought to be doing, there is a lot of bureaucratic cost involved in that.

> **'You will have deficient labour in cities and surplus labour in villages. Overall, it's a bad situation to be in. That's why the only safety net is a direct payout to workers as social security. Which is what has been announced but I think it should be more.'**

Workers send remittances home. How much does this work out to and does it have an impact on the village economy?
My first work published in 2011 was on India's remittance economy. These numbers are huge in proportion to GDP. Of course, there are domestic remittances and international remittances.

In Kerala it works out to 30 percent of GDP. I have estimated that 150 to 200 of India's districts can literally be classified as remittance economies either from outside India or inside India.

I have also argued that this isn't a new phenomenon. These districts have been remittance economies for more than 100 years. So there is a culture of out- migration and remittances.

Virtually every study has shown that households which do migrate and send back remittances have very good prospects compared to those households which don't have that potential.

Are these remittances fundamentally transforming regions?
My take is that it's not just remittances but remittances plus other factors, which can be very powerful.

A standard contrast is the Gangetic plains, consisting of eastern UP and Bihar, and the west coast of India. The west coast is one of the richest parts of the country. And the lower Gangetic plain is one of the poorest. Both have the same rates of out-migration even today. Both have been sending out people for more than 100 years.

But in the west coast region the remittance economy came in conjunction with better education and governance and transformed the region. So remittances are a game changer but when combined with other parameters.

Another example is Udupi, which is even today a remittance economy. Most migrants run Udupi restaurants. They go back after having worked all their lives in restaurants across India. They keep sending money so a huge part of Udupi's economy is fuelled by remittances.

You can look at Udupi and think, if so many people are leaving something must be wrong. But actually things are quite different. Udupi is not a basket case of poverty. It ranks second after Bengaluru on the human development index in Karnataka.

Upward mobility among migrants has been fairly dramatic. So the first generation of migrants got low-level jobs. Migrants themselves invested in education both at source and destination. In Mumbai they used to have night schools and so on. That's how each generation started coming up and so today they migrate for different jobs.

It is very similar to Kerala. The migrants who used to go to the Gulf from Kerala were very different. It's not anymore just a labour class kind of story. Kerala's entire economy has been transformed in the last 30 years through remittances. Keralites don't do low-end jobs anymore and that's why over two million north Indians now migrate to Kerala to do those jobs. So remittances are fairly powerful, but only in conjunction with other factors.

How can states and cities work in synergy to smoothen migration from village to city and back? Do we have any mechanism for such coordination?
There has been some interesting inter-state coordination. One document to look at is the January 2017 Report of the Working Group on Migration of which I was a member. It had eight ministries involved and it has an appendix, which includes an MoU between Tamil Nadu and Odisha with a focus on workers in the construction sector.

Entire families migrate and children drop out of school. So the specific concern was that kids weren't entering the virtuous cycle of education because of migration. The medium of instruction in Tamil Nadu schools is also different.

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The two states entered into a partnership to register workers, provide facilities, schools, and instruction in the Odia language. Children of migrant worker families are now sitting for exams as per the school calendar. This is a creative solution inspired by non-profits. I think Telangana and Odisha have a similar agreement.

In the current crisis, the UP government is keen to know how many of its people have migrated to Gujarat for work. There aren't any up-to-date figures. This is another lacuna in the world of migration. The 2011 Census figures are all we have and those were released just six months ago.

We have been trying to collate figures. One way would be to release data on transport. We have been trying to characterize migration through simple rail traffic data like unreserved compartments, which is what migrants use to travel.

I think this is the time for an inter-state migration council. You don't even need a constitutional amendment. You just need a committee. States should know, at any given point of time, how many of their people are in other states, how many are on

'In Ratnagiri, which is an out-migration hotspot, the richer *tehsils* send out more migrants. To migrate you also need some capital to live.'

a roll and so on. This would be important data especially once the one nation, one ration card programme becomes operative.

I think this would be on the cards this year if the government is serious about coming out with a policy.

Do you see UP and Bihar developing due to migration?
As I said, (development comes) in conjunction with other factors. The remittances are useful at the household level but you need much more investment in the source region to activate development.

Many times migrants' associations in the city play a useful role. Dadri, for example, has village-level associations which were instrumental in getting mobile towers to the nearest village and activating development. So, is leveraging remittances to activate development happening in UP and Bihar? Less evidence. But in both states migration takes place from relatively better-off districts. In Bundelkhand there is less migration compared to eastern UP.

In Ratnagiri, which is an out-migration hotspot (on the west coast), the richer *tehsils* send out more migrants. To migrate you also need some capital to live in the city for 10 months. There is a class of seasonal migration for two or three months like construction workers but that is not the dominant form of work-related migration in India. ■

'Every year, if we earn more, we pay the farmer more'

R.S. Sodhi on Amul's success

Civil Society News
New Delhi

AMUL is easily one of India's most recognised and loved brands. Much of the following it enjoys is because of the consistent quality of its products. An equally important reason is that Amul is the outcome of a successful farmers' cooperative in Gujarat. The money it makes serendipitously goes back to milk producers.

While the cooperative movement in India has generally been riddled with problems and failures, the Gujarat Cooperative Milk Marketing Federation (GCMMF) has shown how farmers can happily come together to go to market profitably.

The vision for Amul and the foundations of the organisation, headquartered at Anand, came from the legendary Dr Verghese Kurien. But Amul's continuing success over the years is also a story waiting to be documented — particularly in the light of farmers in Maharashtra and Madhya Pradesh throwing their milk on roads to protest low prices. What does Amul do right that others can't?

To find out, we spoke with R.S. Sodhi, the warm and unassuming managing director of GCMMF. Sodhi worked closely with Dr Kurien after graduating from the Institute of Rural Management (IRMA). Like his mentor did, Sodhi has stayed at Amul over the years and has seen the growth of the business and how it has primarily served the interests of farmers.

What is the impact Amul has had in the villages where you have been working for so many years?
Forty years ago people were migrating to Surat or Mumbai to work in the diamond sector. There was no source of livelihood. Agriculture was totally rain-fed. Today just one district is earning ₹25 crore per day, and this money is gearing up its entire economy. The lady dairy farmer uses the money she earns to buy vegetables, household goods, pay school fees, or send money to her son or daughter studying elsewhere.

About three years ago I had attended a *sabha* of widows organised by a district union. Around 10,000 widows who were totally dependent on dairy-farming attended. One of them told me that when her husband passed away, her in-laws told her they couldn't feed her. They didn't have enough to feed themselves.

The lady had just one cow. She started giving that milk to the village cooperative society. From those earnings she bought another calf. Then she bought a buffalo. Not only did she get her children educated, she even sent one daughter abroad for studies and she now earns ₹24 lakh a year. She isn't well-educated at all and has no other assets or source of income.

So you don't see poverty in the areas where you work?
See, for dairy you don't even need land. You need two hands and the will to work. You don't need to worry about market linkages. Every village has a cooperative society. You just go there and give them the milk. Based on quality and quantity you will be paid. Your payment is assured. Milk isn't like other agricultural commodities where production increases in winter and prices fall.

You don't have that kind of price fluctuation?
The price of dairy is steady and gradually increasing. The dairy farmer is giving milk to her own village cooperative society, to a dairy owned by her. The milk is converted into value-added products by Amul, India's number one brand, and whatever value addition is done, the farmer gets the benefit. She owns the entire value chain, not just processing and marketing. She owns the cooperative — not the government or a private entrepreneur.

How much do you pay the dairy farmer for milk?
Around 80 to 82 percent of the price of the milk we sell goes back to the farmer. The rest meets all our expenses, including transportation and margins. If you see our balance sheet — supposing it is ₹36,000 crore this year — by the end of the year our bottom line is nothing.

Every year if we are earning more, we raise the price of milk. Every farmer has a share in the cooperative irrespective of the milk produced. No farmer is interested in dividend.

So, whatever profits we make goes back to the farmer in the shape of price difference. If he gives more milk he gets more money. People are encouraged to produce more and participate more. We see farmers in distress in Maharashtra. They get ₹17per litre for cow's milk. In Gujarat, farmers are getting ₹30-31 per litre.

That's a huge price difference...
Because in Maharashtra the balance goes to the private entrepreneur, the dairy fellow. The entrepreneur will want to maximise his profit. I am

Photo: Civil Society/Shrey Gupta

R.S. Sodhi: 'The farmer owns the entire value chain, not just processing and marketing'

the CEO of a cooperative. My business goal and my board's is to buy my raw material at as high a price as possible and sell my finished product at a price that enables me to sell all my raw material.

We don't buy raw material based on the market. Rather we create the market based on our raw material. That's why we sell at a most reasonable price and we keep a minimum gross margin or EBITDA (earnings before interest, taxes, depreciation, and amortisation).

If I was the CEO of a private company or a multinational my objective would be to buy my raw material at the lowest price possible and sell at the highest price possible. My performance would be based on my maximum gross profit or EBITDA.

In terms of pricing are you aggressive?
You see, branding is basically the tool we use for providing sustainable livelihoods. Our pricing is very clear — every Indian should be able to afford it. We believe in mass scale. No doubt our products, our brands, packaging, advertising is all premium. But our pricing is affordable.

The reason is simple. We want every consumer to buy Amul blindly. Dr Verghese Kurien, my mentor, used to tell us, in marketing you strive to create loyalty to your brand, trust, and then faith. Loyalty may be fluid. But trust is created over time and the most difficult trait to create is faith. He would say, you must create unquestionable faith in the Amul brand.

How much have prices risen for farmers?

'Branding is the tool we use for providing sustainable livelihoods. We believe in mass scale. Our brands, our packaging are all premium. But our pricing is affordable.'

If you look at the last eight or nine years, we have increased prices by around 8 to 9 percent. In the last one or two years, price rise has been minimal, at just 4 to 5 percent because internationally prices are under stress. There is massive recession. That is why farmers in Maharashtra are getting ₹17 per litre when two years ago, they were getting ₹27 per litre for the same milk.

Several international brands have tried to enter the Indian dairy market. Danone is an example. They have given up and gone. What is the lesson from this?
No international brand, be it Danone or Lactalis or Nestle, has come here for charity or for developing our rural society. They have come mainly for EBITDA. Amul and other cooperatives buy at the maximum price, sell at a reasonable rate and keep costing at a minimum. How can you compete in a market where the market leader operates with this philosophy? Also, we operate on a mass scale.

Of the total earnings that you have what would your balance sheet be?
Last year at the GMMF (Gujarat Milk Marketing Federation) it was ₹29,000 crore. This year it will be around ₹35,000 crore. The Amul brand has a turnover of about ₹40,000 crore.

What does it cost you to run your business?
If I sell milk at ₹1, the farmer will get 0.81-0.82 paise. For more value-added products like ice-cream where packaging is involved, it may be 0.50 paise, because of the 28 percent tax and our margins to distributors and retailers are high. Out of our total business 60 percent comes from milk.

Many cooperatives in the agro sector have dissolved in disputes and politics. Do you have a dispute mechanism?
Wherever there are people there will be politics. Politics is part of a democratic society. We have 3.6 million members. I will not say there is no politics. It exists till the elections of the board. After that, decisions are taken based purely on business. I interact with the board. Amul is managed by professionals who have nothing to do with politics. There is no political interference.

Amul is India's number one brand, but let me tell you, in each state its respective cooperative is the number one brand. You go to Punjab, it is Verka. In Bihar, it is Sudha. In Rajasthan, it is Saras. In Karnataka, Nandini is doing very well.

They may not be able to mark a presence like we do because we are independent. In those cooperatives the state government has a say. It will appoint the managing director, most probably an IAS officer for maybe one, two, or three years. Their term is short so they may not be able to implement their ideas.

In Amul we have great continuity. I have been with Amul for 37 years. I worked with Dr Kurien. In 44 years I am only the third MD since 1973. The DNA of our organisation was formed by its founders. What I have learnt is that it is important to transmit this DNA, our value system, to the people who join.

What is Amul's DNA?
Very simply, first, we are working for farmers. Second is integrity. Dr Kurien told me, never compromise on integrity. Then there is excellence in whatever you do, whether it is standards or technology or buildings or design.

I am often surprised when an organisation is built by pulling in people from different organisations. Imagine what its DNA will be, I think.

How large is the strength of Amul?
We have a three-tiered structure. At village level, we have 18,000 cooperative societies. We have 18 district unions, each covering one or two regular districts. We have our processing facilities and our state cooperative federation at the apex. Where I work at the apex we have 1,000 people. ■

Photo: Civil Society/Shrey Gupta

Poonam Mutreja: 'If women don't have agency, there is no way you can have population stabilization'

'The people have done better than govt in family planning'

Poonam Muttreja on the need to go beyond slogans

Civil Society News
New Delhi

A useful voluntary organization should be ahead of its time. The Population Foundation of India was one such when it was founded by industrialists JRD Tata and Bharat Ram all of 50 years ago.

But issues pertaining to population are complex and don't get resolved easily. Changes have arrived, but even so women don't have the same say as men. The poor lack access and awareness. Conservatives set restrictive boundaries for society. A communal divide results in unfounded fears.

Finding ways forward requires the ability to build new equations. Tact and forthrightness are needed in equal measure. The Population Foundation of India has held its own as a beacon for new ideas, and noticeably so in recent years with Poonam Muttreja as executive director.

Under her, the foundation has worked aggressively but happily with government. She has also been the driving force behind *Main kuch bhi kar sakti hoon*, a popular television serial on women's empowerment, now in its third season.

We spoke to Muttreja on the state of reproductive health services in India and what needs to be done to live up to the challenges of the times.

For a large and diverse economy with aspirations, how well has India done in family planning? What is the picture that emerges?
Well, I would give India six on 10. But I won't give that ranking to the government but to the people of India. Despite poor quality services and limited choices, and key elements like counselling missing, the people have done better than the government.

India has had, for the past 50 to 55 years, only five methods of contraception, while the rest of the world, even neighbouring small countries, have gone on to eight or nine contraceptives. The government could have done better although family planning is the oldest programme in India.

I think it's fantastic that population stabilization is taking place in 22 states. But even with services improving, if women don't have agency, the education, or the freedom to decide, there is no way you can have population stabilization. And if you look at Bihar, UP, Rajasthan, Odisha and Assam, indicators for women are very poor in these states for literacy, agency and education. They lag behind the rest of the country. Also, if you don't have good governance you are not going to have good public health systems that are responsive to people's needs. In other states where women have had better opportunities, they have done well.

The tragedy is that we have let down the poorest women who have the maximum number of poor indicators starting with nutrition, health, education and poverty. So, family planning for the poorest and most marginalized has not worked yet. But it has worked for the better-off and it has certainly worked for educated women. Education is the best family planning method. And women who are educated even if they are Class 12-pass, opt to have fewer children. Women who are graduates and postgraduates are likely to have just one child.

India's population is fast declining not just for one community but for all communities. And in the last census we had a huge decline amongst Muslims in terms of numbers and the percentage increase was less than in the past because, again, I think women are just exercising agency.

The one shame India has is the huge number of abortions that take place. We have 15.6 million abortions every year which are, by and large, a proxy for contraception. While abortion is a right for women, abortion as a proxy for contraception is a bad idea.

Another area where we really need to do something drastically for future demographic decline is to put in place more spacing methods and not rely so much on sterilization. Seventy percent of our population momentum is fuelled by the young. They don't need family planning. They need access to contraception, especially those who aren't married because sexual debut is getting younger and younger.

Empowerment of women and access to services are clearly linked. How much of this is the domain of the government and what has been the outcome of your own outreach to women?
The government has successfully shared information on family planning methods. *Hum do hamare do* is a slogan that reached people. But that didn't give people the agency, choice, quality or access to those services. And even if women know about family planning methods, they need counselling to decide what's best for them.

The government has done nothing to change social norms on early marriage. Anaemic young girls take the risk of having a child. The baby may die or the young girl herself. Nor have we changed the social norm that a girl has to prove her fertility at the age of 15 as soon as she gets married. Where have we seen anything done on that? We have this slogan *beti bachao, beti padao.* But slogans don't get converted into practice in the absence of changing behaviour and social norms.

Changing social norms is not easy but we haven't even attempted it. Thanks to the Emergency, family planning became such a hot potato, it got politically neglected. We took leave of family planning and women's reproductive rights for a very long time.

There is no funding for behaviour change. The government has money for communication. It relies on non-evaluated things like posters. Global research evaluation shows that they don't work.

Interpersonal communication does not work when it is done by people from the same community with the same regressive social norms. For example, an Asha worker gets her own daughter married at the age of 13 or 15. How can they convince people in their community not to get their daughters married at this young age? They put pressure on their daughters-in-law to prove their fertility as soon as they get married. How will they convince others?

There are so many myths and misgivings about male sterilization, which is a much easier method. We have done nothing to blow that myth. Men are totally out of the family planning circuit. Women have the privilege of giving birth to children, but they also bear the burden of family planning. Family planning is a men's issue and a society issue.

You did try to change social norms through your TV serial, *Main kuch bhi kar sakti hoon*. What was the impact?
We were told that changing social norms and behaviour is a slow process. But in Brazil we found that due to a similar programme like ours on TV, fertility rates came down from seven to four in just five years.

> **'Family planning for the poorest and most marginalized has not worked yet. But it has worked for the better-off and it has certainly worked for educated women. Education is the best family planning method.'**

We thought in India it won't happen but we were stunned. In the evaluation of Season 1 not only did eight percent of women who never negotiated family planning pick up the courage to convince their husbands, mothers-in-law began to talk family planning to their daughters-in-law.

So a massive relentless campaign can change social norms. Is that what you are saying?
Totally. In India we were able to make huge changes in Seasons 1, 2 and 3 because there was a readiness for change among young girls and women. People's aspirations have changed with access to mass media. It has penetrated even remote parts of the country. People don't want to be poor and with little education. They want their lives transformed.

To take credit, our serial was brilliantly done. We got a Bollywood director. The quality was fantastic so people enjoyed watching it and they related to it. But we also did it so that people who were ready for a change could cash in.

We were nervous that a title like *Main kuch bhi kar sakti hoon* wouldn't attract the men. But guess what? Forty-eight percent of the people who watched the show on TV were men. Fifty-two percent were women. Of this 40 percent were young people who said they could start a conversation with both parents after the episode.

How did the government react?
They have been very supportive. We get free airtime on Doordarshan and All India Radio. The health ministry used to send an SMS to every Asha, ANM and woman registered for pre- and post-natal care to watch the programme. We used to give a little background on every episode and SMS it to everyone we could.

We now have an artificial intelligence chat bot which is embedded in *Main kuch bhi kar sakti hoon* to reach out to young people on their sexual and reproductive health. The government requested us to share it with them and it's now connected to their national helpline. Government officials also requested us to normalize use of the condom. So we did a 'condom rap' which has gone viral. The health ministry doesn't have the creative ability to do a *Main kuch bhi kar sakti hoon.*

But politicians keep talking about punitive measures like the two-child norm and threatening to withdraw benefits to people who have more than two children. A law is being drafted.
The two-child norm has come from a political ideology. They don't know the data and they don't want to understand it either. They think Muslims are going to overtake Hindus in demographic numbers. The motivation behind it is this misinformed thinking. Hence they want to enforce punitive measures.

So we are trying to get the right information out through the media to Parliament and to all those who want to make this Bill. I think we have made huge progress. But if the government still wants to take this political decision, our work will go to waste.

Are there partnerships between government and NGOs working on reproductive health and family planning?
Yes, but the government's partnership is mainly with international organizations. Changing behaviour and social norms and working at the grassroots with women on this complex issue, which is full of myths, misconceptions and regressive norms, is not easy. You need people who are grounded in Indian realities. There are a lot of international NGOs that have come to India in the health sector and begun to engage in family planning because there is funding for it. But I think we need to look at their impact.

Your organisation has been working at the grassroots both in UP and Bihar. What is your learning from those experiences?
A big learning is that family planning is a preventive measure. It isn't only about not having more children. It also prevents maternal and child mortality and intergenerational anaemia which results in young girls being anaemic.

You need family planning at the doorstep. People are not going to go for an injectable to a district hospital. You need to make it available at the primary health centre or the sub-centre. You need counselling in the village on which method to use, management of side-effects and, secondly, you need convergence. Panchayats, those in education, everyone should work together. ■

Q&A

‘Give access to quality healthcare with costs contained’

Dr K. Srinath Reddy on why healthcare can’t be a business

Civil Society News
New Delhi

Photo: Civil Society/Ajit Krishna

Dr K. Srinath Reddy: ‘A system of universal health coverage should pay for health services from a pooled fund’

EVERY now and then, tragic stories about the consequences of poor quality healthcare make news and come to public attention. They could be stories about infants dying in government hospitals for want of oxygen cylinders as has happened in Gorakhpur or about a private hospital allowing a little girl to die from dengue and then presenting the parents with a massive bill.

Since the government doesn’t provide reliable healthcare services, the private sector has stepped in. Citizens, rich or poor, have been forced to turn to private physicians, hospitals and testing facilities, often paying far beyond their means.

But even after paying, the quality of care is not what it should be because there is no regulation worth the name and private healthcare providers have been doing pretty much as they please.

A Clinical Establishments (Regulation and Registration) Act does exist but is operative in just four states. Health anyway is a state subject and each state is free to make its own rules.

Efforts to mend this broken system in a holistic way have been resisted. Doctors in Karnataka, for instance, protested and went on strike when the state government decided to bring in a law that would ensure standards and put a cap on charges.

Civil Society spoke to Dr K. Srinath Reddy, President of the Public Health Foundation of India (PHFI), on the kind of healthcare system India should be framing instead of a few fixes here and there. An eminent cardiologist, Dr Reddy was head of the Department of Cardiology at the reputable All India Institute of Medical Sciences (AIIMS) in Delhi before he joined PHFI.

Private sector healthcare has grown rapidly but as a business. What are the implications of this for medicine and healthcare?
Industry perceives healthcare as a business. Even senior doctors in private hospitals talk about healthcare as an industry and ask for concessions for the sector as an industry. If we make healthcare into a business the very ethos of medicine is lost.

It is also inaccurate because in any business transaction one expects the consumer to be setting the demand based on a very clearly recognised need and some idea about the value of what he or she is purchasing in that transaction.

Here it is the felt need of a person who is extremely vulnerable. There is huge asymmetry in knowledge and in the decision-making power. Now, if a doctor tells a patient he needs to get these tests or procedures done as part of treatment there is no way an ordinary patient can actually argue with that decision. Quite often, even if the patient is knowledgeable, he is unable to challenge the authority of the doctor. So this isn’t a proper business transaction in the traditional terms of what we understand is a business.

More important, even the moral origins and guidelines of good medical care do not see healthcare as a commercial transaction. The idea of a provider or a consumer or a client has been anathema to medicine over centuries because healthcare has been seen as a very important service. Of course, service providers will have to be paid and compensated so that they can also live. But that price cannot be extracted from a vulnerable patient. It is for the system, which society accepts as just and humane, to provide that compensation.

What is the kind of system you would recommend?
Previously, healthcare was purely a government service paid from tax-funded revenues. Now private hospitals have come up. Their charges should not be imposed on a vulnerable patient. A system of universal health coverage should pay for these services from a pooled fund consisting of tax-fund revenues like employer-provided insurance, government-subsidised social insurance programmes like Rashtriya Swasthya Bima Yojana (RSBY) and some of the Arogyashree programmes. A single-payer system at state level should purchase services from private healthcare providers.

First, we need strong public sector healthcare services. Then, if we need supplementary provisioning by private sector providers, we can carefully purchase those through a single-payer mechanism from empanelled healthcare providers in the private and voluntary sectors. We need to have a very clear mission about the kind of services to be purchased, how they are to be delivered, what is the level of payment, what is the quality of service and what are the accountability mechanisms.

So, universal healthcare can do that. After all, the United Kingdom’s National Health Service (NHS) purchases services, under certain conditions, from general physicians who are all individual private doctors running their clinics. It is possible to get services out of private providers in a responsible manner under a universal health coverage system.

In our mixed healthcare service, which has evolved by default and not by design, you can’t wish away the private sector. But you can’t also allow the public sector to grow feebler and feebler by the day. Strengthen it and then supplement it with private sector services but in a very clearly defined manner through contractual mechanisms which serve a public purpose.

Public-Private Partnership (PPP) in health is not a commercial venture like in infrastructure. It has to be a partnership for public purpose. PPP has a different nomenclature here. Public purpose is foremost. And that public purpose is to provide accessible, assured, quality healthcare at an affordable cost so that no individual or family is rendered financially vulnerable or bankrupt. This is only possible under the structure of universal health coverage.

But this would really mean strengthening government-run hospitals and healthcare facilities?
They have to be strengthened. After Independence we started off with a predominantly public sector healthcare delivery system. But under-resourcing and poor management led to the decline of the public healthcare sector. That led to the private sector emerging as the prominent player in the delivery of healthcare but in a very skewed manner both in terms of its presence — most private facilities are concentrated in urban areas — and in terms of cost. Quality too isn’t always certain.

What would quality in healthcare mean?
We mistake quality to be mere professional competence and a high degree of sophistry in equipment. But if it is inappropriate care, then that, too, isn’t good quality care. You do more tests than are necessary. You do treatments that aren’t really called for. Even if it is done by a highly skilled doctor it is still inappropriate care and amounts to bad-quality care.

So how do we set standard management guidelines? Are those guidelines being followed? Are there quality audits? Are there social audits to find out the level of satisfaction in the community? How are patients and their families being treated? All these become very important while defining quality. This is not happening now. More and more we are venturing into an unregulated zone in which the vulnerable patient and family are at the mercy of the care provider.

It is possible that a number of private doctors and private hospitals are ethical. For example, in eye care Sankar Nethralaya or LV Prasad Eye Institute are highly ethical. But you can’t leave it to the moral compass of an individual doctor or institution or the paying capacity of a family.

Even economists in Western countries, which are free market economies, clearly recognize that there is a market failure in health because traditional market conditions do not operate in health. There is asymmetry and vulnerability.

You are saying that the public healthcare system must be given primacy. But it is in a shambles?
Yes, the public healthcare system has to be better managed. Unfortunately, public sector hospitals are ill-equipped, inadequately staffed and don’t have regular supply of drugs.

One of the terrible things that now happens in government hospitals, even in government medical college hospitals, is that doctors appear there for a short time and then go away to their private clinics and corporate hospitals.

Doctors are getting attached to four or five corporate hospitals apart from their private practice. They put in a guest appearance in the government hospital or government medical college hospital where they are actually supposed to be working. Their patients are left to be managed by postgraduates and others. A very, very decadent system has emerged because of misgovernance. Look at the states. Almost every doctor is allowed private practice right from PHC level. Some even do private practice in the government hospital!

When I was a student in Hyderabad’s Osmania Medical College, my consultants would come at 8.30 am, leave at 1 pm, go to the medical college to teach and open their private clinics only after 5 pm.

Of course, government doctors, including those in primary healthcare and community healthcare settings, have to be paid well, treated well and given enough social amenities to ensure they are happy and their children can go to reasonable schools.

> **‘You can’t also allow the public sector to grow feebler and feebler by the day. Strengthen it and then supplement it with private sector services but in a very clearly defined manner through contractual mechanisms which serve a public purpose.’**

But all this will only happen if there is political commitment to protecting and promoting the public healthcare sector. If we starve the public sector of funds and treat it with poor management practices and then say it doesn’t work and so let’s go to the private sector, then we are giving a free hand to the private sector to do what it wants. In a weak regulatory environment what the private sector wants is to make more money. Therefore, we have to bring out the good in the private sector and that can only happen by strengthening the public sector and then coupling the two.

But over the years the government has shown no inclination to increase funding and radically improve government-run healthcare facilities….
See, apart from AIIMs there are good hospitals like GB Pant Hospital and Kalawati Hospital. They are trying to do their best. The problem is that the government public sector advanced-care institutions are bursting at the seams because of the weakness of primary healthcare and intermediate healthcare.

You don’t have a good urban primary healthcare system. You don’t have good district hospitals. In most places they are starved of funds and personnel. So even for health problems that can be taken care of at that level, the tendency is for people to flock to advanced-care institutions. As a result, these are now overcrowded and, therefore, their standards of care will fall because they just don’t have the resources to cope with this huge mixed demand.

So if we strengthen primary healthcare in rural and urban areas we will be able to take care of several problems: first, by preventing disease and, second, by early detection. We can therefore limit the number of people going to advanced-care institutions in a very sick condition and those hospitals can then play their originally intended role.

In AIIMS because we run an undergraduate programme as well, we are a primary healthcare centre for south Delhi, a general hospital for Delhi and a referral hospital for all of India. That’s not the kind of role the institution should be playing. Despite this, if AIIMS is functioning and maintains a reputation, kudos to the doctors.

Should regulation be applied to both public and private hospitals?
Regulation of quality is essential for both. But mere regulation does not help. You need to resource better.

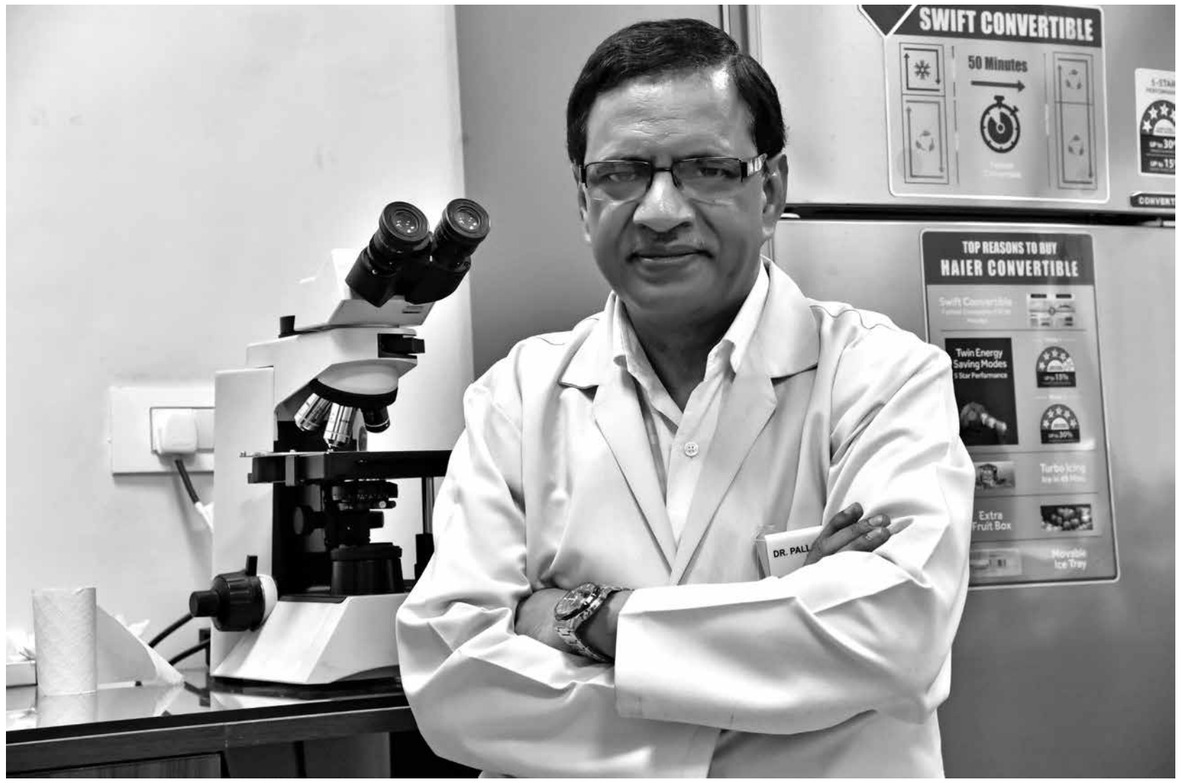
What is the point of mandating a certain quality of care if there is no access since people can’t afford the quality of care? The private hospital will say, I will provide quality of care according to your management guidelines but I will still charge this amount of money.

You have to build in a universal health coverage system in which access is assured, quality is assured, costs are contained and financial protection is provided. Piecemeal solutions will never work. Even universal health coverage requires regulation to make it effective. You need both in tandem, the carrot and the stick.

Is the NITI Aayog’s PPP model for public healthcare facilities an appropriate one?
They are trying to assure access to certain services that don’t currently exist in district hospitals. For instance, non communicable diseases like heart disease, diabetes and cancer. The NITI Aayog’s proposal is to bring in a private partner who will be asked to build institutional structures on the campus of the district hospital and equip and operate services with some shared facilities.

But why not first invest in strengthening district hospitals to provide these services especially if you want to convert them into medical college hospitals, as envisaged in the national health policy? Second, if the private partner is given a 30-year lease, what is the assurance they will leave if they fail to keep their commitments? How will you remove them?

A better arrangement would be for the private partner to invest and build facilities and you can empanel them to augment your services. You are then the master. You can dis-empanel them if they don’t perform. ■



Dr Pallab Ray: 'Every person should ask the doctor whether he really needs an antibiotic'

'We need to bring bacteria back and stop sanitizing everything'

Dr Pallab Ray explains the findings of a study led by him on resistance to antibiotics among Indians

Raj Machhan
Chandigarh

IS the irrational use of antibiotics leading to a public health emergency? Are Indians heading for a situation in which life-saving drugs won't work on patients who desperately need them? A scientific study under the Indian Council for Medical Research (ICMR) has both good news and bad. The situation is not as bad as earlier (perhaps less rigorous) studies had made it out to be. But it is also true that antibiotics are being used too casually for the general good. Left unchecked, this trend could lead to a major problem. Better regulation and education of medical professionals is the answer together with a holistic approach involving humans, animals and agriculture.

The findings of the study, led by Dr Pallab Ray, professor of microbiology at the Post Graduate Institute of Medical Research and Education (PGIMER) in Chandigarh, were made public in June. They made sensational headlines, but for the wrong reasons. The scientific nuances of the research had not been fully understood. *Civil Society* spoke to Dr Ray at length for better understanding.

Your research findings are very worrying. How confident are you of your findings and what are the implications for public health?
I won't say that we have done something for the first time. There have been earlier studies, though they were smaller. But this particular study is a part of the Indian Council for Medical Research's antimicrobial resistance surveillance network study. ICMR has very strict protocols. That way this study is much more advanced as it meets all the scientific parameters set by ICMR.

While drawing conclusions from this study, I want to break down some myths. We need to stop sanitizing everything and get bacteria back into our lives. The general public needs to appreciate the importance of microorganisms. We are on our guard when it comes to letting microorganisms into our gut (though it) is a much more robust place than our lungs, which are comparatively very delicate. There are many other aspects that the general public needs to understand.

The study should not be treated as a sensationalist document. We need to interpret the results in the right context. The other day somebody rang me up and said that one of the Hindi newspapers had reported that from now on 70 percent of the population would not respond to any antibiotic. That is totally untrue.

You must have heard about a study by Timothy Walsh from Cardiff University. He said that the New Delhi metallo-beta-lactamase 1 (NDM 1) makes bacteria resistant to a broad range of antibiotics. He showed the existence of microorganisms or bugs that were resistant to even high-grade antibiotics like carbapenems.

We did not believe it. So we tried to find out the extent (of this resistance) and, truly speaking, we found much less than what he has shown. Till now, it's not that alarming. What we found is that 70 percent of our population has at least one organism that is resistant to one of the drugs we used.

But what is more important is the phenomenon of multi-drug resistance (MDR), which means resistance to a minimum of one member each from at least three groups of drugs. Every group has got multiple drugs in it. In our study, MDR was found in only two percent of the individuals. For all others, if you had an organism which was resistant to X it was sensitive to Y.

We also studied carbapenems, which are the mainstay of treatment in hospitals. Carbapenem resistance is considered to be catastrophic. But, fortunately, we did not find very high carbapenem resistance in the population.

Having said that, we may slowly be moving towards a crisis situation if steps are not taken to control the use of antibiotics. We do not want you to stop using antibiotics altogether, but you should use it only when it is absolutely necessary and not for infections like the common cold.

The dangers of recklessly using antibiotics are well known. Then how and why have we allowed ourselves to reach this point?
We first have to put into the minds of people how important helpful bacteria are in our day-to-day health. The general impression is that antibiotics are lifesavers and bacteria are harmful entities. But things are much more complex than that.

A person who comes to a hospital may already have an infection or may develop an infection at the hospital. When we test it (the infection) for its sensitivity to different antibiotics, we find a lot of resistance and we lay the blame on hospitals for administering antibiotics. Now this is not entirely true because the first concept about this phenomenon is that antibiotics do not cause drug resistance. Drug resistance is a natural phenomenon in the evolution of bacteria.

Humans did not use antibiotics before the 1940s. But when the mummies that had been preserved thousands of years ago were opened, scientists found traces of antibiotic-resistant microorganisms in them. That means we do not need antibiotics to cause antibiotic resistance. It is a natural phenomenon in the evolution of organisms.

When a sensitive organism multiplies there will be one or two organisms in maybe one million or so which will have an aberrant structure. While antibiotics kill the rest of them, the aberrant organism will be resistant because it probably binds to something.

This is the natural process of evolution and what antibiotics do is change the proportion. Earlier, we had, say, one organism in 10 raised to the power of six which was resistant. But when we give antibiotics all the sensitive organisms will die because they are sensitive to the antibiotic and that one organism which is resistant will keep on multiplying and that will make the dominant population. Therefore, the total load of antibiotic used at any particular place will decide the degree of antibiotic resistance, whether we take it to be a state, the country or a hospital.

We have nearly 1.5 kg of microorganisms in our gut. We can expect that a few of them will have resistance to some antibiotics. So if we give that individual some antibiotic because of some disease, the resistant organism will become the dominant one. It still lives in the gut. It's not causing any infection, but the proportion is being changed. Out of the whole quantity of stool which a person passes, two-thirds is undigested food. It is actually bacteria, of which a huge number are coming out.

So how much responsibility rests with the government and how much with the medical fraternity?
You must be aware by now of something called the One Health concept. This is globally in vogue. It means we have three entities — man, animals, and the environment. This means we cannot target one without targeting the others. There is so much exchange of microorganisms between the three that anything going wrong in any one of the three components is sure to have its effects on the others. You know, we are using huge amounts of antibiotics in animals as growth promoters.

> **'We may slowly be moving towards a crisis situation if steps are not taken to control the use of antibiotics. We do not want you to stop using antibiotics altogether but to use them only when it is absolutely necessary and not for infections like the common cold.'**

We have growth promoters for chickens. It costs ₹2,000 for five kg. So there is a huge amount of antibiotics used in poultry, in agriculture, in animals. And those antibiotics again are actually separating out the resistant organisms in the environment and the animals.

The animals will excrete in the environment and resistant organisms will go into everything that we consume uncooked, which comes from the environment. From humans, too, resistant organisms will go into the environment because open defecation is so common everywhere.

So all the three — man, animals and environment — have to be targeted.

Now part of the blame for this overuse lies with doctors. One of the very important reasons is education. Most of the time the MBBS doctors or even those who are MDs do not know much more than the person who sold the antibiotic.

It's not taught from that angle in our curriculum. In the third year, in pharmacology, we study antibiotics to pass the examination. Studying to pass an examination is different from studying to apply ourselves. And by the time we get a chance to apply (what we have learnt) after passing the MBBS examination, we have forgotten much of it. Subsequently we never get an opportunity to read (and refresh our knowledge). Whatever we knew gets mutilated by the medical representatives of the pharma companies. So, what we need are doctors who are more educated about this aspect.

Secondly, again on the medical side, we need to strengthen our diagnostics. Giving antibiotics is one of the ways of somehow overcoming the lack of diagnostics. So even if there is a one percent chance that a patient has a bacterial infection, and the doctor didn't give the antibiotic and something happens, the patient will catch the doctor and drag him to court.

An investigation takes ₹600 but a low-end antibiotic course costs ₹50 to 60. It is a cheaper alternative. To write an antibiotic prescription takes six seconds, but if I have to make a patient understand it will take 10 minutes.

What kind of regulation do you propose? What do you think the government should do today and in a structured/programmed way, moving forward?
We do not have well-formulated policies. For example, a well-documented policy about not to give antibiotics for ailments like common cold and re-evaluate after 48 hours. I think if we have a written document doctors can refer to, they will probably follow it.

The government has adopted a proactive approach on this. What we need is a multi-level policy — hospital, hospital departments and down to the unit level. There are two ways of enforcing a policy. One is punitive and you understand how it goes. Second is regulation by an authority, which monitors and advises doctors about the anomalies that may have been committed while prescribing medicines. This is known as prescription auditing.

ICMR has already started an Anti-Microbial Stewardship Programme.

This programme aims to reduce usage of antibiotics without increasing morbidity. We are proving that antibiotic usage can be reduced by 50 percent without any impact on morbidity. In the US, hospitals have done this.

Many European countries have stopped use of antibiotics for animals. In India we have recommendations not to but there is much more that needs to be done by way of implementation. For example, you will find a growth promoter also contains antibiotics. It's a crude medicine and cheap too because you can get two kg of it for ₹5,000. But the Animal Regulation of Antibiotics is coming up in the next couple of years. Things are moving at a very fast pace. ■

‘Bill on data gives little to citizens and far too much to the State’

Apar Gupta on privacy and the rights of individuals

Photo: Civil Society/Shrey Gupta

Apar Gupta: ‘There is no proposal, within this data protection framework, to reform surveillance laws in India’

Civil Society News
New Delhi

RIGHT through the debate on Aadhaar, the absence of a law on data protection found repeated mention. When the Supreme Court weighed in, it set up the Justice B.N. Srikrishna Committee to this specific end.

Finally, the committee’s report and draft law and the government’s Bill in the Lok Sabha have arrived, but how much better off are ordinary folk who have to deal with the authorities on the one hand and powerful private businesses on the other?

Not much better off, says Apar Gupta, executive director of the Internet Freedom Foundation, who has put on hold his private practice as a lawyer to be an activist in the digital space.

The law is a welcome step forward but it does little to address many of the problems that exist because of the all-pervasive access to personal data, which is then open to misuse.

Gupta spoke to *Civil Society* at his office in Delhi from where the Internet Freedom Foundation currently operates till it shifts to its own premises in preparation for the many battles that lie ahead.

Recently we read about how the privacy of journalists and activists was violated by a spyware called Pegasus. Now a Data Protection Bill has been drafted by the Union government. How do you rate this Bill? Does it protect the personal data of individuals?
First of all, we need to understand the centrality of personal data. In an increasingly digitised society each element of our daily activity generates data since it intersects, in some way or the other, with a process that leads to the collection and creation of personal data. Secondly, the entitlements and disabilities which are, as a result, visited on us as individuals is then on the basis of personal data.

So data has become central to our welfare as human beings, to our mental health, physical entitlements, our bodies, and our relationships with other human beings, including family, friends and foes, and also in all professional settings, trade and commerce. Briefly, data is central to our existence today.

We need to look at whether the legal system by itself has adequate protection and what are the protections that are actually needed. The one central goal such protections should serve is to protect the individual and give you a sense of control over your own life, autonomy and dignity. So if your data is used in a way in which it classifies you as a person with certain attributes, does that violate your autonomy and ability to make choices that concern you?

These core features were articulated by the Supreme Court in 2017 by a nine-judge bench in the Right to Privacy judgment on August 24.

The Court noted that to provide a framework that can make the high principles of the Constitution actionable we need legislation that lists specific protections including restrictions on the government and private bodies. We also need a regulatory body which can come up, first, with ways to make such protections actionable; and secondly — since this is a large area — a great degree of specificity and guidance for different stakeholders such as corporations, small and midsize businesses, NGOs, non-profits or the government itself.

So you need practice guidelines on how these entities can use your data within these protections and limitations. There should also be a system of providing remedy to an individual. If limitations and protections are not respected by people using our personal data, it should be possible to hold them to account and place deterrent mechanisms. Individuals should finally have proactive control, a place to complain and obtain remedy. This is a revolutionary act of legislation. Just like how labour and environmental standards followed industrialisation, data protection today grows out of digitisation.

And does the Draft Protection Bill do all this?
Yes, but only to a degree of insufficiency. It is a warm blanket that fails to cover the head and the limbs. The draft Bill made available recently has several core defects. It is a regressive departure from the base version, which was the output of the Justice Srikrishna Committee set up by the Ministry of Electronics and Information Technology late last year. Even this committee made grievous errors, which have now been compounded by the government draft that has been introduced in the Lok Sabha and is now before a joint parliamentary committee headed by Meenakshi Lekhi.

The Justice Srikrishna Committee gave two outcome documents. The first was an expert committee report and the second was a draft data protection Bill. There are specific omissions and conflicts within the Bill when you look at it from a rights-based perspective, which means protection of the individual.

First, the process. The draft version of the Bill has been baked in secret. So we lack a degree of transparency throughout its drafting process. After the Justice Srikrishna Committee submitted its version of the Bill the government opened up public consultation. Stakeholders sent in comments. Yet these comments, and the responses to them by the government, were not made public. It lacked any substantive transparency.

We also know through press leaks that the relevant government ministries invited private stakeholder meetings. Who met them, what submissions were made and how changes were carried out remain unanswered questions. Further, when the Data Protection Bill was introduced in Parliament it should have ideally gone to a Standing Committee that is constituted as a standing body that is already looking at the issue of personal data and citizens' privacy. However, in a peculiar departure from process, the government, within minutes of its introduction, formulated a separate joint parliamentary committee and proposed members. These moves do not inspire confidence.

Now, coming to the substance, the text of the Bill has very severe lacunae. For instance, it doesn’t deal with any kind of surveillance reform. It only deals with data protection. Data protection conventionally deals only with issues arising when a data collector or processor takes your data with your consent. It does not apply to those circumstances where your data is collected, aggregated and utilised without your consent but is legally permitted. When data is utilised without your consent, but is legally permitted, it is called surveillance. When it is done with your consent then there are additional protections called ‘data protection’.

So, the Srikrishna Committee only looked at data protection. Although the report says surveillance, it does not deal with instances such as the NSO group Pegasus hack. It does not deal with instances when the government asks foreign platforms for our personal data for putting people under surveillance. It does not apply any kind of measures when the government may be surveilling us or even in cases where they may be seeking this information from a third party. This is why, according to us, that (Srikrishna draft) Bill is incomplete and deficient.

This problem is further compounded by the Data Protection Bill introduced by the government. It allows the government to exempt any government department from its application. This is incredible because here arguably even departments which are expected to obtain consent for collecting and processing personal data with consent can fall completely outside the Bill’s ambit.

The government is asking for sensitive personal data to be stored locally in India. Does this protect the individual?
The government wants data, which is classified as sensitive personal data, to be stored locally in India. Such data requires a higher degree of protection. The mere siting of this data will not automatically give a higher degree of protection.

Let us presume data can be nationally segregated and stored in servers in India. This presumes capacity for identification and then cost, where the data processor is able to, after identifying nationality, store it in India — then are there enough servers in India, and, further, security. A lot of all this is lacking. So if our data is kept here and we don’t have any surveillance reform, instances such as Pegasus can happen. There is no proposal, within this data protection framework, to reform surveillance laws in India. In fact, it contains a dangerous power for the government to exempt itself.

At best what this draft is doing is making the job of the government much easier in requesting our data because it can strong-arm and muscle its way since the data is being stored in India.

So it is the State versus the individual. How do you protect the citizen? The State also has the biggest database of citizens in the world in the Aadhaar database.
I think the way we look at personal data has to be from the perspective of theories of power, which place the individual at the centre. Digital rights groups have quite often drawn inspiration from the panopticon proposed by Jeremy Bentham — a central guard tower in the architecture of a prison. All the prisoners are visible at all times to a guard who sits in the tower. Even if the guard is unable to view all prisoners at all times, the prisoners cannot observe the guard and so they always presume that they are under watch. It causes a change in their behaviour. They believe they are being policed all the time. Of course, Foucault developed this much further.

> **‘I think what is being created today are more and more digital panopticons in which people will be observed at all points of time. All elements of their behaviour, socially and digitally, will be catalogued, indexed, profiled.’**

So I think what is being created today are more and more digital panopticons in which people will be observed at all points of time. All elements of their behaviour, socially and digitally, will be catalogued, indexed, profiled, surveyed — leading to terrible outcomes. It can be associated with a degree of profiling which is already taking place for the availability of several services because there is a large amount of commercial interest attached to this kind of activity.

So surveillance won’t apply only to dissidents, activists or civil society actors who work on rights-based issues or challenge the over-breadth of government power. It will apply to every ordinary Indian citizen who seeks to avail of perhaps an insurance product that requires him or her to submit consent for their digital record. Or a request for their dietary habits and patterns which can be easily queried from the many food delivery apps which reside in our phones.

It can, and is already being used by algorithms, for micro-lending services which are offering credit on the basis of personal data. Even if they are not basing it only on personal data, it is one of the elements they use to assess risk. It will be used by political parties to spend immense amounts of money to micro-target specific messages based on your online profile to make you vote for them. In sum it will control your mind, body and wallet.

How do you address that?
You do that through legislative intervention. Whenever there are market failures, which happen in how our society operates on the basis of informational transactions, there needs to be an intervention to correct these imbalances. We often talk about incentives and law is an important measure to create a system or a framework to make a society work towards its constitutional goals. That is why data protection that protects the individual — not the State or a corporation — is so important.

In several respects the present Bill does not do that. For example, there is no provision within the Bill to ensure that legal impacts on the basis of data collection and processing are assessed by a data impact assessment — how data collection and processing will impact rights. This is a provision in Europe’s General Data Protection Regulation.

It was absent in the draft that was proposed by Justice Srikrishna. Legal impacts cannot disqualify people, who are otherwise qualified, to avail of a government subsidy or benefit such as their monthly rations, cooking fuel, or an education entitlement. These would be core deficiencies which would manifest in communities that are disadvantaged and already lack social power and education to negotiate once the system fails them. They don’t have systems to even seek formal legal remedy.

There is no grievance redressal system.
Yes and that’s why this provision is very important. This is lacking right now in the Bill. Also, the Internet Freedom Foundation, along with civil society actors, has actually put together a draft which has been filed as a private member’s Bill first by Dr Shashi Tharoor in the (monsoon) session of Parliament and been introduced in this session of Parliament, and the second is by Dr Ravi Kumar of the DMK, which is a much more developed draft with the same level of political principles to provide this level of protection. So our parliamentarians have been engaging quite actively on this issue and are keenly aware of the impact of the Data Protection Bill.

Another provision, which has been missing from the government’s proposals till date, has been to notify the individual in case data and security are breached in an unauthorised manner. Rather, the government wants such notification to be given to the Data Protection Authority. This is a repeated theme in the structure of the government Bill, which reduces the accountability of those who hold our personal data and our rights over them.

If your login details are stolen from your bank account, at present, the bank is under no level of obligation to inform you because there is no regulatory requirement. Such a system is certainly inequitable. It is in the interest of the bank to

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maintain its credibility and trust with all its customers by disclosing such a breach to its customers.

We are living in a society where people who view data in a very transactional manner call it the new oil, an analogy that equates it to commerce. So not to have protection or even notify a person, whose data is leaked or breached or runs the immense risk of identity theft and financial frauds, is symptomatic of a deeply inequitable and shortsighted system. Data, in many ways, is the extension and a catalogue of our personality. Each individual has an inherent and natural right over it. This is primarily valuable not because it is an item of commerce, but because it holds immense power and control over the people to whom it relates.

We tend to worry about the State. But if you see the number of companies doing surveillance on you and me, in a continuous flow, this requires a concept of governance to which we haven't managed to evolve.

We need data protection. Quite often the argument being made is that because there are large platforms in Silicon Valley companies, which are gathering our data pervasively, let the government gather more data and create a public database of individuals, which will then be available for Indian companies. Such reasoning is absurd and is an expression of a competitive race to the bottom. A democratic republic should not take lessons from exploitative foreign companies, but instead construct its own constitutional values.

Unfortunately, there is a fundamental disconnect to this in the present policy pronouncements. India's response has been to make a tepid data protection law, which does not rein in pervasive data collection.

What about the creators of this system, all of whom come out of the private sector?

The private sector is deeply aware of this argument and more introspective than it was even a few months ago. The first reason is that there is a great deal of criticism of this model of pervasive personal data collection.

Founders have a desire to create companies and products, which will be trusted by their users. These are largely people who are very well educated with a high degree of ambition. They want to be remembered as people who created something of value, of use and convenience and provided employment to a large number of people and were thereby recognised by society as creators.

The challenge for them is to take a system which has commoditised personal data and shift it to alternative systems of value creation in which they can discover and sustain these large businesses. If you see some of their Twitter feeds they are quite open to criticism and respectful of individual privacy. Silicon Valley founders and even our local founders in Bangalore are having introspective conversations with each other. It's not an amoral industry. They don't want to be seen as tobacco companies in the larger course of history but as innovators and value providers to society.

The second and more immediate criticism which is leading to introspection is the fracture of trust between users and the platform that gathers their data. If users lose trust in you they will shift to another platform as soon as they can. ■

'Approvals online are mockery of system'

Learn from the pandemic, says Ravi Chellam

Civil Society News
New Delhi

THE future of the human race depends on the health of the planet. This is the lesson from the coronavirus pandemic. But even in the midst of lockdowns and deaths, the environment continues to get short shrift.

In India, mere video-conferences have become enough for clearing projects, even in ecologically sensitive areas — jettisoned is the rigour of independent public hearings and detailed consultations among experts.

On April 7, the Standing Committee of the National Board for Wildlife had examined as many as 31 proposals online. The fate of 15 tiger reserves, notified eco-sensitive zones, deemed eco-sensitive zones on the fringes of protected areas and designated wildlife corridors is at stake here.

So great is the concern over the implications of such seemingly superficial decision-making that several environmentalists have jointly written a letter to Prakash Javadekar, Union minister of environment, forests and climate change.

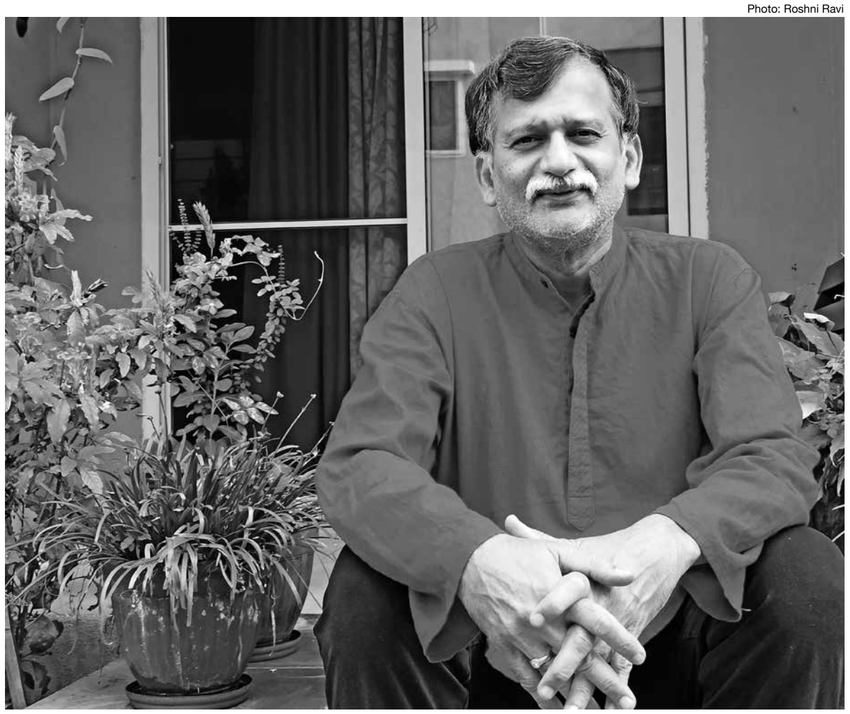
The pandemic should not become an excuse for taking short-cuts in deciding the future of important natural assets, they have said in their letter. The approvals can wait, they feel, till the situation improves and the guidelines of the Supreme Court for clearing projects can be followed.

Among the signatories to the letter is Ravi Chellam, who has spent many years in wildlife protection. He is currently CEO, Metastring Foundation, and director of the Mission Secretariat, National Mission on Biodiversity and Human Well Being.

"It's not just about saving tigers," says Chellam. "It's about saving humanity. There are close links between the natural world and human well-being."

Excerpts from *Civil Society's* Zoom interview with Chellam in Bengaluru.

Photo: Roshni Ravi



Ravi Chellam: 'Project proponents fudge, lie, cover up data'

What are your concerns about the way environmental clearances are being handled during the coronavirus pandemic?

I think it is absolutely crucial that humanity learns the right lessons from this pandemic. It would be a huge mistake to revert to business as usual once the worst is over or a vaccine is developed. If we continue to destroy nature and pollute the environment without any compassion for our fellow human beings, such tragedies are bound to be repeated.

The past five to six decades have seen continual degradation and fragmentation of our natural ecosystems. We have reached a tipping point. Today loss of biodiversity, land degradation, pollution and climate change are acting synergistically. The pandemic is one of the many costs we will have to pay if we don't learn to live with respect for nature.

There have to be limits to our consumption. You can't have endless growth. First of all there is a problem with the way we define growth. We didn't take SARS seriously or MERS. We were lucky to get away with those. Hopefully we will get over COVID-19. But the world has changed. This is a new normal and we better understand and learn to live with it.

The letter states projects are being discussed and cleared on video and this is a completely inadequate way of assessing them…

Well, site visits are not possible and neither are public consultations. The time allotted for the meeting is very short compared to the usual day-long meeting. Maps can't be properly examined. The online format doesn't allow room for discussion by four or five people. You can mute other people. People involved feel cheated. Even those who attend these meetings tell us it's not adequate.

What is the tearing hurry? We are still in a lockdown. The whole approach has been to dilute any kind of environmental control and make it easier for "developers". Nature is seen by the government either as a resource to exploit or as an impediment for development and not as an asset, the essential foundation for human life to flourish.

What are these projects and what kind of impact would they have on the environment?

Typically these would be highways, pipelines, linear development projects or other infrastructure projects. Invariably, it would be something that requires natural habitats to be destroyed, degraded or fragmented. The reason such projects are placed before the National Board for Wildlife is that these habitats have already been identified as ecologically vital parts of India's landscape.

We shouldn't restrict our view to the value these landscapes and waterscapes bring only from a wildlife or an environment perspective. We should see their links to human livelihoods and human well-being. It is not about tigers facing a problem. It is carbon sequestration being undermined. It is about closer contact between potential disease-causing organisms. It is about extreme climate events not being buffered by nature when you destroy and degrade it. So there are a host of other things we need to consider.

And these areas are all eco-sensitive?

The only reason such projects come to the Standing Committee of the National Board for Wildlife is because the government has recognized and notified all of these habitats and landscapes as ecologically valuable. There is national recognition of their ecological value.

So you would like the government to suspend all clearances?

The job of the Union Ministry of Environment, Forests and Climate Change is to fight till its last breath for the environment. It is not called the Ministry of Environmental Clearances. What is its mandate? Its mandate is not to say okay, we'll destroy forests here and we'll make it up there as we have the knowledge and ability to reconstruct. The fact is, we don't and unfortunately our track record in restoration is not at all good.

There is a history of how project proponents constantly fudge, lie and cover up data. Project proponents are primarily interested in the fastest, cheapest way to obtain environmental clearances. Ninety-nine percent of project proponents really have no interest in the environment. Their job is to make profits and report their quarterly results to their board.

That being the fact the ministry really shouldn't be saying it's okay to allow a road or a railway line, we are a poor country, we need to develop.

Who is developing? The pandemic has exposed the fact that millions of our people derive no benefit from this development. And I don't think we can divorce ourselves from the plight of our fellow citizens and our environment. The environment offers enormous support, even if it just means accessing fuelwood and water for millions of people. Nobody has any business to undermine nature's productivity.

But we have made some gains in conservation over the years.

I wouldn't call them gains. Our metrics, the way we measure performance, is very limited. We primarily use populations of animals as the metric of performance. But that means you have to be transparent and accountable about the process of animal population estimation. You need to share the method, the data and the analysis. These exercises are done solely by the government, sometimes in cooperation with scientists and NGOs. These are never open for public audit. Why not? After all, such estimates are done with public money.

India's population, its poor people and the bulk of its economy are still land-based, bio-based and agriculture-based. Which means it's almost in direct competition with other forms of life. Life needs space. We can build multistoried buildings for people. For birds and animals the only multistoried structures they see are in forests.

They cannot live beyond a certain density. Between 10 to 20 tigers or lions could live in 100 sq. km. If their population grows to 22 or 30 the extra animals cannot live in the 100 sq. km. They will have to find some other space. So, in the limited context of increased population numbers even if we were to believe official numbers — over which I have a healthy scepticism — large mammals in general have grown in number.

Rhinos, which nearly went extinct, came back. So have lions, tigers and crocodiles. The only large animal we have lost in the past 120 years is the cheetah in the 1950s.

So that way we have done very well. We know very little about smaller creatures, for example, insects. Not so long ago when we drove out at night a myriad of insects would hit our windscreens. Nowadays it's a rarity. That tells me that the overall density and possibly diversity of insects has gone down. And that is something very few people are noticing. Insects drive our world.

What can be done to ensure we don't destroy our ecologically sensitive habitats?

Our success needs very strong management because our protected areas on an average are very small. They can't hold our growing large mammal populations. Especially in the last 20 to 30 years, since our conservation policy began separating people from all our protected areas, especially tiger reserves, this creates a new challenge. Now, if a tiger walks into human-dominated areas the local people ask, why is it coming here?

This is not what I heard in the 1980s and 1990s. In the past 20 to 30 years there has been a strong pushback from people because they definitely feel alienated from forests and let down by the government.

The other problem is we are constantly fragmenting habitats and denotifying protected habitats. So, where is there room for wildlife?

And we are not totally honest with our data as raw data and the analysis are seldom shared with independent scientists. We claim plantations are forests. Strips of plantations along roads and railway lines and canals are classified as forests. Those are not functioning natural ecosystems.

How should the environment ministry be strengthened to take on these challenges?

That's not an easy question to answer. I have been involved in the past couple of years with people looking at these questions. It's not only about biodiversity conservation but its links with human well-being, education, health and much more.

This is a knowledge-based economy. We cannot any more use the narrow lens of the GDP to measure growth. It has failed us. What do we do when that system breaks? We somehow remove every rule which kept a check on how that old system operated.

In a free market why are we supporting failed businesses? We did that in 2008, and now that's what is coming home to roost. Market forces are saying these businesses are not viable. Airlines probably need to drastically reduce their services.

If for most people it will take two days to travel from Delhi to Chennai then that's what it takes. Why do we need to ensure flights which take only a couple of hours between Chennai and Delhi? How does it contribute to the well-being of the planet or humans? We need to ask these questions.

If current trends are any indicator the EIA is going to get weaker. What do you recommend?

I think more people should recognize the cost of what is happening and demand higher levels of transparency and accountability. I believe we are still living in a responsible democracy and it is going to require active citizenship.

The time for silence is over. We need to speak up now. Five years down the line if this is the rate of destruction and the model of development, it will be too late. Growth numbers will be thrown at us but when we step out of our homes we will see how the urban and rural environments have been degraded. And environments, once degraded, are very difficult to restore. Don't get taken in by how the Yamuna is cleaner. Most of it is bunkum. ■

Nandita Haksar: 'We do not seem to realize that the cultural diversity of 220 communities in the Northeast is a resource for development'

'The Northeast's fears of being swamped are genuine'

Nandita Haksar on the problems of identity

Civil Society News
Panaji

A jumble of assertions has engulfed India over the passing of the Citizenship (Amendment) Act (CAA) and plans for a National Register of Citizens (NRC). Similarly, the normally harmless exercise of updating the National Population Register (NPR) has now become controversial.

A majoritarian government with a brute majority in Parliament seems to have plunged the country into social turmoil of a kind not witnessed in the past six decades. Students are up in arms on the most docile of campuses and middle-class folk have been holding protests in the streets.

Civil Society spoke to Nandita Haksar on what to make of these developments. A civil rights lawyer, activist and a close observer of life and politics in the Northeast, Haksar's is a clear and knowledgeable voice. Excerpts from a lengthy conversation at her home in Dona Paula in Goa where Haksar now lives with her husband, Sebastian M. Hongray, an author, human rights activist and a Naga.

As a human rights activist who has worked extensively in the Northeast on people's rights, how do you see CAA-NRC-NPR?
As a human rights lawyer I have one major concern which goes beyond the current debates on the NRC in the Northeast or for the country as a whole.

The census has always been about collecting information for the purpose of governance and control over population. The old census was a part of data collection; the new kind of census using new technologies (mainly based on artificial intelligence) leads to the creation of metadata. Edward Snowden has shown us how metadata is being used for worldwide surveillance. And he has also demonstrated how dangerous it is for citizens because there is no legal framework in place for the protection of individuals (or nations) who are victims of breach in data security.

Coming to the Northeast, we have seen how the collection of data for the NRC led to disenfranchisement of thousands of men, women and children and illegal detentions, families torn apart and people living with fear, insecurity and uncertainty.

There is no legal framework for redress of the grievances of the magnitude that we have seen with the NRC in Assam. There is no remedy for the 1.9 million people left out of the NRC in Assam except to approach lawyers individually and, till their turn comes, endure endless pain, insecurity and humiliation.

Courts are equipped to deal with individual violations of fundamental rights, not with violations on this massive scale.

As far as the Northeast is concerned, I have three or four things to say.

I first went to the Northeast in 1982. I remember the first petition filed by someone in Manipur against Armed Forces Special Powers Act (AFSPA). Half that petition was on the issue of Nepali migrants. It is true that India has a special agreement with regard to Nepali migrants but, from the perspective of Northeast tribal communities whether it is Nepali Hindu, Bangladeshi Hindu or Muslim or Chakma Buddhists, all these migrants threaten the fragile ecology and diversity of cultures in the Northeast.

In India many people in civil society have refused to acknowledge the problem as the tribal peoples of the Northeast see it. The problem is simply this: many communities feel endangered by relentless migration from across the international border.

In 2011 my husband and I decided to drive across the Northeast for four months. We touched on all the borders. When we went to the Bangladesh border we could see people streaming in. While I feel deep empathy for migrants who are forced to leave their homes because of religious persecution, climate change, or economic deprivation, we also need to balance their interests with the interests of citizens. I see it as a conflict between human rights and humanitarian concerns.

However, the non-tribal communities living in the Northeast have other concerns. The Muslims living in the Northeast have faced discrimination and prejudice. They have also been targets of violence, the most well-known example is the Nellie massacre. But in Nagaland we saw how brutal and savage an attack on Muslims can be when Nagas lynched an alleged Bangladeshi and murdered him on suspicion of rape but did not so much as protest against a pastor from Kerala who had been involved in the rape and sexual assault of children under his care in Jaipur.

And that is what the anger is about among the people of the Northeast?
Yes. There is anger as well as insecurity. The tribal peoples of the Northeast, like the people in the rest of the country, have been very generous in welcoming refugees and migrants. For instance, in 1971, the erstwhile queen of Tripura opened her palace gates and welcomed Bangladeshi refugees, both Hindus and Muslims. As a result of that, the Tripuri became a minority. Tripura is an ancient kingdom with a long history.

Today, the queen's son, Pradyot Bikram Manikya Debbarma, with great dignity, has asked the Supreme Court to implement an Assam-like NRC to stop illegal infiltration into the state. He wants to say that he belongs to a kingdom which did welcome refugees but nobody wants to become a minority in their own home — culturally and politically. So I would like to stress that the arrival of migrants into the Northeast is a genuine problem. The people of the Northeast are voicing a genuine concern.

Against this background, the idea of extending the NRC to the rest of India or even the CAA and the NPR is disconcerting. The experience of the NRC, the building of detention centres and so many people incarcerated in the Northeast expose the fact that all these laws are not being made in the interest of the people, Northeast or otherwise, but for some other agenda.

The prime minister has said the people of the Northeast would be protected by Inner Line Permits and so on, but again the Inner Line Permit so far does not apply to states with a border with Bangladesh, that is, Tripura and Meghalaya.

So the Northeast leaders are asking either for National Registers as a way to document the illegal migrants or asking for Inner Line restrictions as a means to protect themselves from migrants and outsiders (which includes Indian citizens). But when they demand an NRC they seem to be in conflict with those who are protesting against an NRC on the ground that it is a tool for discrimination against Muslims. We have often seen bitter conflicts between tribal communities such as the Bodos and Muslims. And in the Northeast each community is backed by armed insurgents so the conflict becomes deadly.

For instance, in Manipur there are more than 20 armed groups representing Nagas, Kukis (mostly Christian), Meitei (representing Vaishnav and Sanamahi) and Meitei Muslim or Pangals (Muslims of Manipur).

What do you do then?
As members of civil society we can only try and understand the problem, disseminate information and when necessary protest on the streets as so many people, mainly students, have done. Besides students, Muslim organizations such as the Popular Front of India have also mobilized Muslims to join the protests.

> **'The experience of the NRC, the building of detention centres and so many people incarcerated in the Northeast expose the fact that these laws are not being made in the interest of the people, Northeast or otherwise.'**

We need conversations on the nature of citizenship in an era of globalization. We also need a law for the protection of refugees taking asylum in our country, which is transparent and non-discriminatory. There is also need for a policy for the protection of migrants, both within the country and from outside.

None of these policies will work unless the government at the Centre is committed to democratic values and promotion of human rights.

Do you think this phase is damaging our prospects of building a modern state?
I think part of the problem is global. We adopted the capitalist model of development, which creates wide gaps between the rich and poor, rural and urban. It leads to concentration of wealth in the hands of a few. Some of the injustice and inequity of a capitalist model was mitigated by the idea of a welfare state. But there has been a roll-back of the welfare state and now development does not serve the interests of the people. The vulnerable sections of society like the communities of the Northeast suffer the most.

In this model it is still possible to see the Northeast's enormous cultural and ecological diversity as an economic resource but that has not happened. In these circumstances, identity movements are the response to the threat of extinguishment.

But even before the present crisis I don't think the Northeast was very much part of the Indian vision. Part of my work was to try and include the people and communities living in the Northeast in our vision of India.

And to some extent we have succeeded, haven't we? After all, so many people from the Northeast now work all over India.
I do not think it is a mark of success if young people, with little or no education, are forced to leave their homes in search of a job. Villages in the Northeast do not have young people and old people have no one to take care of them, to fetch water, chop wood or give comfort.

I documented the lives of some of these migrant workers in my book called *The Exodus is Not Over: Migrations from the Ruptured Homelands of Northeast India* (2016). One of the people I wrote about was a young woman, Atim, who worked as a waitress and after she read her own story she said: "I did not realize our lives are so sad."

But if there is any success it is that a generation of young people from all over the Northeast has got a good education and they have become teachers in our universities. They have voiced the concern of the Northeast people and they have become visible in the intellectual landscape of our country.

But these are also people who are the force behind the growth of regionalism which can be destructive of a pan-Indian nationalism.

But if every state in the Northeast is going to ask for an NRC, aren't we going to witness turmoil? The NRC in Assam was a failure. It was a botched exercise.
Not all people in the Northeast are asking for an NRC; the Muslims are demanding that it be scrapped. This has led to a potentially explosive situation.

We see today in the Northeast that the tribal communities and Hindus of the Northeast want the NRC while Muslims see it as a tool to disenfranchise them and are protesting against it.

The all-India protests against the plan to have an NRC have focused on one dimension: the discriminatory nature of implementation, the special protection for non-Muslim refugees and some people have said it is part of a plan to make India a homeland for Hindus much as Israel was conceptualized by Zionists as a homeland for the Jewish people.

For those of us who visualize India as a homeland for all religions and communities, as a living example of unity in diversity, the idea of India as a homeland for one community is abhorrent.

But even for those committed to the idea of India as unity in diversity we have to find a way of making all communities feel at home; the people of the Northeast do not feel they belong fully. The diversity they represent is seen as an obstacle for development. We do not seem to recognize that the cultural diversity that 220 communities living in the Northeast have, could be a resource for development, not to be preserved but to be allowed to flourish. ■

‘People don’t have a real choice’

Jagdeep Chhokar on holding parties to account

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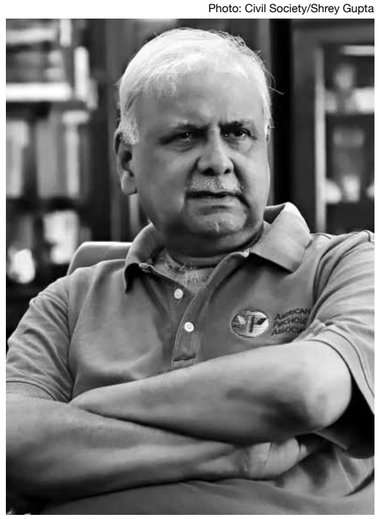
Photo: Civil Society/Shrey Gupta



Jagdeep Chhokar

THE past two decades have witnessed growing concern over diminishing fair play in elections and lack of transparency in the functioning of political parties. To have some idea of where the country has reached, *Civil Society* spoke to Jagdeep Chhokar, a founder-member of the Association for Democratic Reforms (ADR). In citizens’ initiatives, ADR has had a pole position. Its surveys and inquiries have done much to expose what is not working in the general interest. It has been a sponsor of forward-looking ideas.

His activism apart, Chhokar is a former professor of the Indian Institute of Management in Ahmedabad. He is insightful and goes into considerable detail but not without a sense of humour. Excerpts from a lengthy interview at Chhokar’s home in New Delhi:

There seems to be a mismatch between people’s expectations from political parties and what they are willing to offer. What are your observations?
In our surveys of 270,000 people with 500 respondents in each constituency, the topmost issue on the minds of voters is the lack of employment and job opportunities. The next four issues are related to agriculture — non-availability of credit, low prices for agricultural produce despite the MSP (Minimum Support Price), the subsidy on fertilisers, the unavailability of seeds and power. Next is health, primary health, quality of hospitals, and education. We had given respondents a list of 31 issues. So these are the top 10 on the voter’s mind, albeit with a restricted sample.

What political parties are offering is national security, terrorism, caste, religion, *nyay*, full statehood, etc. The tragedy is the media picks up only those issues which political parties and politicians highlight. They think these are vote-catching issues. Whether they are linked to the voter’s needs, desires, aspirations, are of no consequence.

There is a complete disconnect between what the voter is looking for and what the aspiring politician is offering. This disconnect is extremely serious. It leads to erosion in our democracy.

There is another disconnect. The elected representative does not owe his primary allegiance to the voter. He or she is first grateful to the ticket-giver for giving the ticket otherwise people would not have been able to vote for him or her.

How come politicians drift to such an extent?
If you have a person listed from Hyderabad air dropped to Moradabad, how do you expect this person to know what the people of Moradabad are looking for?

The ticket-giver should want the most votes?
Should. The ticket-giver wants the maximum bang for the buck which is not necessarily in the form of voters’ concerns. Voters also have no choice. This question comes up very often when people say, how do criminals get elected? All right, so political parties should not give them tickets but they still do and people vote for them. Don’t people see?

The ticket-giver should also be keen to identify the real problems and have people do something about them in the hope of constantly getting elected. So why is this ticket-giver so off the mark?
They should. But that’s not easy to do nor commonly done. The ticket-giver can’t know the pulse of the entire nation because of India’s size, diversity and so on. Also, ticket-givers are not focused on the electorate but on the candidates. They look for winnable candidates. Their primary consideration is ‘winability’. What this elusive ‘winability’ consists of is anybody’s guess. In some cases, it is large amounts of money or massive muscle power — which may mean 15 criminal cases against the person — or it is caste and community arithmetic. Or a combination of all these.

Has the election become an economy by itself?
I wouldn’t call it that. I would say it has become a charade because our elections have no connection to democracy. Every five years we fool ourselves. Like Diwali or the Kumbh Mela, we have a *mela*. People spend a lot of money, wear new clothes, shout slogans, and then it’s business as usual. It’s just an event. It has no relationship with the way society is governed.

I mean, elections should have an impact on how a democracy runs provided there are discussions in legislative assemblies and in Parliament. When did we last have a reasonable discussion? Decisions are made outside Parliament and then rubber stamped in Parliament. That is not democracy. It is an oligarchy by political parties.

But people do exercise their right to vote.
I ask people, where does governance come from? Universally I am told, we elect the government. Ten or 15 years ago I started doing this exercise. I talked to people across the board — children, youth, Rotary Club members, everybody would say this. I felt very gratified. To my naïve mind it meant that democracy has got ingrained in the Indian psyche.

Then I dug a little deeper. I asked, when you go into a polling booth will you vote for who or what the government should be? After some discussion, they say, we vote for a candidate.

Then I ask, where does the candidate come from? They say the candidate is the person to whom the party gives a ticket. Someone talks of independent candidates. I tell them the number of independent candidates getting elected has been progressively declining. You cannot become a candidate unless you get a ticket from a political party.

So what choice does a voter have? Political parties choose five or six candidates. The choice of the voter is pre-constrained by the choices made by a set of political parties. Does the so-called elected representative then have a choice in supporting or opposing a particular bill? His or her choice is completely controlled by the political party.

Where does the government come from? It comes from political parties. Are political parties democratic? If they are not, and they form the government, do we have a democracy? In a TV interview I said, *hamara loktantra khokhla hain*. People told me I am running down democracy. I said the pillars of our democracy are hollow.

Do you see this changing?
That’s a million-dollar question. The only way we can begin to restore democracy is if political parties can be forced to become democratic in their internal functioning. And I deliberately use the word ‘forced’ because they will not do it on their own.

I have support from no less an institution than the Supreme Court. In its NOTA judgment the judges wrote that as more and more people use NOTA, political parties will be compelled to put up better candidates. I often tell people that the Supreme Court uses its words very carefully. They did not write that political parties will be ‘encouraged’ to put up better candidates, or ‘motivated’ to put up better candidates but that they will be ‘compelled’.

Who can compel them to be more democratic?
There are three elements in society that can have an impact if they work together by accident. They will not ever work together by design. These are — civil society, the media and the judiciary. ■

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