

For Equality & Justice

A PEOPLES' AGENDA



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Deliberative policy-making is the cornerstone of democratic governance. The present document aims to embody this maxim by bringing the felt need of peoples and vulnerable communities, front and centre to further inform broad-based and inclusive processes. This document has been compiled through extensive discussions in multiple states with various communities, community-based organisations, civil society organisations and people's movements. It represents the concerns and needs of people from marginalized communities such as Dalits, tribal peoples nomadic tribes, de-notified tribes (NT/DNT), minorities and focusing on women among them, who form the multitudes of farmers and agricultural labourers, fishworkers and rural and urban informal workers in the country.

The document builds upon the idea that the current rights framework, which is predicated on individual human rights, must be expanded towards the establishment of collective rights and the protection of collective goods or commons. Therefore, it carries recommendations for ensuring the protection and rehabilitation of commons such as water. It also emphasizes policies to enable access and control over land, forest, and water resources of tribal peoples, NT/DNT communities and women,

who have been historically and unjustly denied access yet play an important role in conserving and maintaining them in all their traditional and customary wisdom. The document encompasses a range of issues such as the rights and entitlements of workers, right to education, the need for land reforms, provision of housing as a right, ensuring urban governance, and effective and timely disaster response and mitigation.

We are witnessing a crisis of ecology, which is marked by climate change, worsening inequalities, multiple and protracted conflicts, and mass displacements, and it cannot be addressed unless we challenge the hegemonic forces of social, cultural, political, economic, and environmental exploitation. The way forward entails bringing forth the knowledge and protagonism of dispossessed communities and supporting their struggles for social and ecological justice, while strengthening legal frameworks and protective mechanisms. We hope that this document and the demands herein provide people a template for mobilising and undertaking progressive actions which are based on the leadership of excluded and vulnerable communities, feminist principles, and inter-community synergies. We also hope that it will propel further discussions and deliberations, thus deepening democratic spaces and discursive policy-making in the country.

This document is open for further evolution and refinement and we welcome all comments and suggestions to this conversation. Please write to us at Comms.India2@actionaid.org



Establishing Water as Commons and Ensuring Water Security For All

1. Stop water privatisation and re-municipalise water supply services: all forms of privatisation in water supply systems, whether through private operators or Public Private Partnerships, must be stopped.
2. Enact a law to provide water security to all. This must include provisions to protect water commons like seas, rivers, lakes and streams, all of which are currently being unsustainably encroached, exploited, and polluted.
 - 2.1. Include provisions to strengthen public water institutions and democratise their functioning.
 - 2.2. Along with the law, enact a Water Usage policy at the central and state levels.
3. Prioritise water harvesting enforcement: water harvesting enforcement is currently being neglected by local governments and people still are not aware they have a role in it. This needs to be prioritised by local governments. It also necessary to invest in new research and designs for more effective water harvesting and to ensure that all government & private buildings are in line with water harvesting systems.

A photograph of a rural landscape. In the foreground, a person is walking and leading a large, light-colored bullock. The ground is dry and brown. In the background, there are sparse green bushes and trees under a blue sky with scattered white clouds.

Right to Land and Land Reforms

1. Introduce and execute policy on National Land Reforms on a priority basis.
2. Ensure that the National Land Reforms Council and National Task Force on Land Reforms are set up and made operational.
3. Special action must be taken to pass and execute the National Homestead Land Rights Act and to launch a centrally sponsored scheme to allocate at least 15 cents of land to each homeless rural poor person on a priority basis.
4. Land tribunals and fast track courts must be set up for resolving land disputes/cases. Cases that involve scheduled castes and scheduled tribes should be given special cognizance.
5. Guarantee distribution of 5 acres of arable land for cultivation to landless farmers, particularly from SC and ST communities.
6. Ensure survey and updating of records and collective governance of common property resources with the direct involvement of the Gram Sabha and the Gram Panchayats concerned. Also ensure full implementation of Supreme Courts' directions on commons.

7. Ensure that both the central and state governments come out with their respective updated Land Reforms and Use Policy with a social justice perspective as per constitutional mandate.
8. Ensure special provisions for the promotion and protection of women's land rights by ensuring their individual and collective land rights and granting equal status in credit and subsidy schemes.
9. Reacquire Panchami Land, Mahar Land, etc. that is earmarked for SC and ST communities but is under illegal encroachment and occupation by non-Dalits and redistribute it to landless SC and ST communities. Grant *pattas* (entitlements) for the lands that are under the occupation of SC and ST communities on a priority basis.

A photograph of a fisherman in a field, holding a large net filled with fish. The fisherman is wearing a white shirt and a brown dhoti. The net is yellow and white, and is filled with various types of fish. The background is a lush green field with tall grass and some trees. The overall scene is brightly lit, suggesting a sunny day.

Rights of Fishworkers and Fisherfolk Communities

We need to press for the formulation of policies that protect fish resources and the rights of fish workers, especially that of small-scale fishing communities to use fish resources in harmony with nature. Considering the large number of coastal and inland fishworkers in India, it is imperative that the following demands be met:

1. Recognise tenure rights of fishworkers, empowering them to claim these rights and ensuring that they have legal recourse in case of violation. Women must be given preferential rights with respect to tenure rights. Small-scale fishing communities must be empowered with tenure rights that include sustainable access and use of water and fish resources; governance rights to protect water and fish resources from pollution, encroachments and excessive and destructive fishing; and rights to finance, infrastructure, technology, market and social security. Further, there should be residual rights to access and utilise resources for alternative livelihood generation.
2. Promulgate comprehensive legislation which protects the rights and livelihoods of fisherfolk, especially small scale fishworkers and fisherwomen; coastal ecology; and marine biodiversity. The main elements of such legislation would include:

- 2.1. Inalienable Traditional and Customary Rights of fisher people over coastal lands, rivers, lagoons, back waters, creeks and estuaries, including the river beds.
 - 2.2. Protection of fishing people's homestead land and traditional coastal lands.
 - 2.3. Inalienable Traditional and Customary Rights of fisher people to ocean resources, including the ocean seabed.
 - 2.4. Moratorium on infrastructure projects such as Sagarmala, special economic zones, nuclear power plants, sand mining, polluting industrial projects, etc, and mechanisms to ensure that all developmental planning near coastal areas is done in consultation with fishing communities.
 - 2.5. Rights of traditional fishing people to any part of the coast line including fish landing sites, fishing harbours for parking boats, vending nets and selling fish.
 - 2.6. Conservation of coastal and marine biodiversity that inter alia protects traditional fisher peoples' preferential access and historic user rights to coastal and marine resources.
 - 2.7. Strict statutory rules/licences with regard to the import of fish and foreign vessels fishing in Indian waters.
3. Ensure women's access to coastal land for fish drying, curing and processing. An area of at least fifty per cent should be reserved for women in vending zones and they should be provided with services such as storage space and toilets.
 4. Prepare a national policy on Inland Fisheries and Aquaculture, with the following necessary elements:
 - 4.1. An assessment of the potential for inland fisheries and a road map for utilisation of the potentialities;

- 4.2. Guidelines for the rights and entitlements of the small fishing and fish farmer communities to protect, augment and sustainably use the fish resources in all inland water bodies;
 - 4.3. Guidelines for the protection of water bodies and their catchment areas; and
 - 4.4. Guidelines for recognition and incorporation of fisheries in all development planning that affects water bodies and watershed management.
5. Ensure better coverage of fisherfolk in government schemes on education, sanitation, and housing. Ensure extension of social security measures to men and women engaged in fishing and related activities and extend credit facility to them.
 6. Set up a separate Ministry for Fisheries at the central level.
 7. Withdraw the Draft Coastal Regulation Zone (CRZ) Notification, 2018 and the amendments to the CRZ 2011, which have been brought about in a non-consultative manner. The Coastal Zone Management Plans (CZMPs) drawn up by states under the CRZ 2011 must also be withdrawn as they are incomplete and were not drawn up in consultation with fishing communities. New CZMPs must be drafted after consulting with fishworkers and demarcating the high tide line and hazard lines with their support.



Rights of Workers

1. Minimum Wage

- 1.1. National minimum floor level wage, representing the minimum level of wage for any employment in the country, should be made statutorily binding and incorporated in the proposed Labour Code on Wages. Wages should be no less than Rs.18,000 per month with provisions of indexation.
- 1.2. Universal implementation of the Minimum Wage Act should be ensured.

2. Social Security

- 2.1. All workers should enjoy Universal Social Security cover, which includes:
 - 2.1.1. Basic social security: right to food, right to employment, right to education, right to health and right to shelter.
 - 2.1.2 Work related entitlements, like insurance, health cover and old age security.

- 2.1.2.1. Old age protection: All old aged persons (men and women), widows and physically/challenged persons not under a formal social security cover, should be provided with a pension which is at the level of half of the national minimum wage. The age of eligibility for pension must be revised to 50 years for women and 55 years for men in the informal sector. Within this, special relaxation must be made for particularly vulnerable workers in various occupations and social groups.
 - 2.1.2.2. Health and Maternity: The universal health package should be made available through the public health system and should cover OPD and diagnostics. Women must be unconditionally entitled to a maternity benefit for nine months (3 months before delivery and 6 months after delivery) at an amount not less than half the minimum wage.
 - 2.1.2.3. Life and Disability cover: Workers must be provided an insurance of Rs. 100,000 for death by natural causes and Rs. 200,000 for death or permanent disabilities due to accidents. This should be along the lines of the provisions of the Construction Workers Welfare Board.
- 2.2 Labour addas are essential spaces for informal workers to gather in search for jobs and sell their labour. The immediate requirements at such labour stations in cities are the following:
- 2.2.1. Proper shade, a place for waiting and sitting, drinking water and toilet facilities for men and women near the labour posts;

- 2.2.2. Placement of a/several labour officer/s at labour addas (depending on the size of the adda) for registration and regulation;
- 2.2.3. Registration and card issuance for ensuring that all workers get some minimum work through the year; and
- 2.2.4. Workers' safety ration shops and a minimum Rs. 2000 voucher per informal worker to purchase a helmet, shoes, carabiner, rope, etc.

3. Work and Employment

- 3.1. All workers should receive a living wage for a decent standard of life.
- 3.2. MGNREGA should be fully implemented, with work for all 200 days.
- 3.3. There is a need to promulgate comprehensive legislation to ensure the Right to Wages and Right to Work.



Democratising Urban Governance

1. Implement the 74th amendment and formulate ward committees, ensuring representation of urban deprived communities (slum dwellers, homeless, street vendors, corporation sweepers etc.)
2. Enhance the capacity of local governments regarding local level planning such as industrial zoning, use of automobiles, mapping and preservation of commons, preparing disaster preparedness and response plans. Proper resourcing of urban local governments should also be ensured.
3. Ensure availability of information in the public domain regarding services, responsibilities, nodal officials, physical progress and budgets in a timely and accessible manner.
4. Special Purpose Vehicles should be rolled back because they tend to curb the powers of Urban Local Bodies.
5. Promote practices of participatory budgeting and planning at local/ mohalla levels in urban areas.



Right to Housing

1. Minimise and prevent displacement of urban poor people by exploring and promoting non-displacing or least alternative displacing measures for meeting the housing and developmental needs of the urban poor.
2. Moratorium on Evictions: Ensure that there is no eviction without consent, resettlement and rehabilitation. For the slum dwellers on tenable land, full property rights must be guaranteed together with in-situ development option. For residents living on non-tenable hazardous land and homeless persons, full rehabilitation must be provided for before any efforts to relocate them; and for residents on tenable land who are non-eligible (under the current state definitions).
3. For the city makers, ensure provision of adequate shelters such as workers' hostels and permanent 24-hour shelters. Such hostels and shelters should be made operational by the government and may later be handed over to NGOs and other agencies. There can be a minimal access fee levied on the usage of such hostels and shelters.

- 3.1. The Scheme on Urban Homeless should be expanded to develop hostel stock for cyclical/temporary migrants in a time bound MoU at a subsidised rental.
- 3.2. 30% of such hostels and shelters should be reserved for women, women with children, families, etc at a minimal cost, i.e. 50 rupees/day for each person.
4. Municipal services provisioning for slums is a precondition and needs to be an integral part of urban development. This includes direct municipal water supply to each building (at 135 litres/per person/day), drainage standards, health care facilities and education/balwadi facilities for clubbed housing units, management mechanisms for maintenance and operational standards.
5. For long term migrants and permanent migrants (based on a rolling cut-off date), as a principle social and other housing programmes must clearly enunciate the following aspects:
 - 5.1. Steps in preparation of housing action plans: mandatory consultations with slum dwellers on both tenable and untenable (hazardous etc) land in development of Housing Action Plans for each slum; a mandatory consultation with at least 90% of the slum dwellers in the individual slums, to be developed guided by the Urban Local Body, where the appropriate authority presents the proposals on what on the contours of the housing and community amenities, and public service plan. Such a plan should be published at local sites for wider consultations.
 - 5.2. Redevelopment of housing plans after slum dweller consultations and seeking informed consent of at least 70% of slum dwellers on the overall plan, including one for housing and common amenities and other municipal facilities and common spaces.
 - 5.3. Written agreement with individual families on the plan for each family, including timelines and manner of re-location, if a move is necessitated to new housing sites.

- 5.4. Interim provisions of rental housing options or compensatory rentals, in the phase of reconstruction of housing units. Allocation of land and building to functionalise homeless shelters near to bus stand, railway station and around market areas.
6. In cases where resettlement of slums and informal settlements is unavoidable the following steps should be followed:
 - 6.1. Livelihood access and provisions should be ensured in the sites of resettlement. Steps should also be taken to ensure minimal distance from the city (within 5km from the location of earlier settlement);
 - 6.2. Transport allowances should be given to people to be relocated beyond the threshold;
 - 6.3. Municipal and civic amenities should be provided for at new sites, and no cost of infrastructure should be passed on to residents – infrastructure and services costs should be met fully; and
 - 6.4. Where multi-storeyed buildings are considered as units, this must be with the prior approval of people and they should be fully equipped with supporting amenities (lifts above 3 floors, parking facility, water facility and storage space), apart from adequate spaces within building units.



Rights of Women

1. Equal representation of women across all forms of governance

It is imperative to have a reservation of 50 per cent for women in all tiers of governance to ensure that women have a voice at all levels, from panchayats to parliament.

2. Women in agriculture

- 2.1. **Recognition of women as farmers** – recognition of women farmers should be done in accordance with the National Policy for Farmers 2007 and should include those who are cultivators, agricultural labourers, pastoralists, livestock rearers, forest workers, fisherfolk, salt pan workers, etc. There should be a simple level of registration at the village level along with provision of identity cards or certificates. Women farmers should have Kisan Credit Cards so that they can access agricultural loans, crop damage relief, input subsidy support, etc.
- 2.2. **Protect and promote land rights of women farmers** – all landless women should get land rights on priority – homestead land, agriculture land and forest land. There should a database of landless women, particularly from marginalised communities,

and priority should be given by the government so that these women are given land in land distribution schemes. The database should be completed within a suitable time frame of 2 years and be updated regularly.

- 2.3. All existing **land titles should be in the joint name of both husband and wife**, instead of single male ownership. There should be a minimum lock in period of 10 years before land that has availed a discount on stamp duty (owing to the land title being in the name of a woman) can be transferred to a man. A single window system in the form of a 'Women Resource Cell' that aims to address and resolve all land issues related to women in a time bound manner should be created at the panchayat/block level. Land that is cultivated by women farmers should be developed with the support of MGNREGA.

2.4. **Support to women farmers:**

- 2.4.1. Women farmers should be mandatorily included in Agricultural Produce Market Committees.
- 2.4.2. Technical support should be designed and provided for women, including in the form of agricultural implements, tools and technologies to reduce drudgery for women farmers.
- 2.4.3. Equal and decent wages should be ensured for women agricultural labourers.
- 2.4.4. All existing social security schemes must be reviewed to ensure financial and other support is adequate and appropriate and that women farmers can access them. This includes maternity and pension entitlements, and insurance.
- 2.4.5. The Farmer Producer Organisation Scheme must be effectively implemented to ensure that women farmer collectives are provided financial and technical support.

2.5. Support to women in cases of farmer suicide

In the case of farmer suicides due to crop loss, indebtedness etc, the female head of the household should be adequately compensated, their debt should be nullified, and they should be provided appropriate livelihood, including ownership of agricultural land.

3. Wage entitlements and other rights of women workers

3.1. **Provide better access to registration** – there should be ease of access to registration processes to ensure women informal workers (women employed in the informal sector and self-employed) can register themselves as workers. This would involve both online and offline facilities for the same. The government should regularly take up awareness and registration drives that reach out to women workers. Labour cards will help women workers gain recognition.

3.2. **Support to women workers** - set up and expand targeted skill building programmes to increase employability of women workers in both formal and informal sectors. Special attention should be given to identify women who are single, survivors of violence and are from marginalised communities and train them on a priority basis.

3.3. Decent Work and Wages for Women Workers

3.3.1. Ensure comprehensive national legislation to protect the rights of domestic workers in line with ILO convention 189 and Recommendation 201, including regulation of placement agencies for domestic workers and other women migrant workers in order to reduce their exploitation. In addition, states must set up migration facilitation and support centres to promote safe migration.

3.3.2. Fix Rs 18,000/- per month as the Fair Minimum Wage for women workers in the unorganised sector.

3.3.3. Set up fast track labour courts at the district level to address issues of non-payment, low payment and exploitation in any form.

3.4. Ensure Social Security for Women Workers

3.4.1. Segregate social security budget by gender and increase it for women workers. Social security for women workers must include maternity benefit, sickness benefit, disability benefit, dependents benefit, unemployment benefit, provident fund and pension.

3.4.2. There is a need to allocate social housing space in city development plans specifically for women workers, including rental housing and workers' hostels for women, with a special emphasis on migrant women workers.

3.5. Ensure Safe and Secure Spaces for Women Workers

3.5.1. Ensure the operationalisation of the provisions of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. The Women Workers' helpline must also be introduced to support the workers and enable them to access justice.

3.5.2. Governments must formulate a policy on and ensure gender responsive public services at the household level, in public spaces and work spaces. These should include free and accessible public toilets, household water connection etc, providing access to safe and secure public transport, installing CCTV cameras in public spaces, ensuring adequate lighting etc to prevent sexual harassment and violence against women. This policy should have adequate budget provision to ensure that women workers are able to access their work spaces without fear.

3.5.3. Women's spaces must be ensured in all markets and vending spaces, with at least 30 per cent of the spaces being devoted to them.

4. Strengthening laws to fight violence against women and girls

- 4.1. **Prevention of violence and strengthening of support for survivors** – allocation of appropriate budget, appointment of adequate number of protection officers exclusively for the implementation of PWDV (Protection of Women from Domestic Violence) Act at all levels, setting up of One Stop Crisis Centres (provision of all services a survivor of violence may require under one roof), and formulating special economic programmes like provision of land, skill and financial allowances are necessary steps to protect and empower survivors of violence.
- 4.2. **To address the issues of trafficking, there is a need to have a comprehensive law** that takes into the consideration the differences that exist between existing laws that address the issues of trafficking, migration and bonded labour.
- 4.3. **There should not be any dilution of the PCPNDT Act (last amended in 2003)** and it should be implemented stringently.



Rights of Single Women

1. Legal definition

- 1.1. The term 'single women' needs to be defined well to include all categories so that all single women, and not just widows, can avail the benefits of schemes for pension, child support, housing, skill training etc.¹ Proper enumeration and sex disaggregated data at the household and individual level is key to institutionalising and ensuring these entitlements.
- 1.2. Process of recognition – in villages, the Gram Panchayat could certify the status of single women after a process of self-identification under the supervision of local government workers (eg teachers, nurses, aanganwadi workers, postmen etc). In urban areas, the municipal ward members could undertake certification after a process of self-declaration verified by NGO staff working in the ward.

1. 'Single Women' include: widows, legally divorced women, unmarried or never-married women (over the age of 30 years), separated women (a woman who has been living without her life partner for 3 years or more), and women with a missing husband/a 'half-widow' (no contact for 1 year).

2. Rights and Entitlements

There needs to be comprehensive policy on single women, which includes the following aspects:

2.1. Access to Land and Other Resources

- 2.1.1. Single women should be considered as constituting a single household. Single women-led households in both urban and rural areas that are BPL must be provided with ration cards and other relevant documentation under the woman's name.
- 2.1.2. All separated, deserted and divorced women must be entitled to at least half of the assets of the marital home or half of the assets acquired by a couple during the period that they have lived together, regardless of whose name the asset is in. For example, the Maharashtra government's Ghar Dokhancha (House for Both) policy ensures that the wife's name is included with the husband's as owner of the house.
- 2.1.3. Single women engaged in agriculture should be recognised as farmers. Demarcation of agricultural or homestead land to single women from marginalised communities must be prioritised and special care should be taken to ensure that the women are able to take possession of the land. This includes making sure that the land is undisputed and clear of unauthorised encroachments.
- 2.1.4. Single women must be linked with existing housing schemes. They should be considered preferential beneficiaries for credit linked subsidy schemes, including all categories of single women in the Middle-Income Group and Low-Income Group segments. The women must also receive a higher interest subsidy and longer loan tenures.

2.2. Social Protection

- 2.2.1. A national law must be formulated to abolish witchcraft, as it is disproportionately used to target single women. Other practices that encourage and enable widow oppression and exploitation of single women must also be similarly identified and strictly outlawed.
- 2.2.2. In addition to pension for widows, single women who have never been married, are divorced, or are separated must also be ensured monthly pension. For example, the Telangana government has promulgated a scheme which will provide monthly pension of Rs 1000 to single women who are residing in a rural area and have an annual income not more than Rs 1,50,000 and for those living in urban areas with an income of less than Rs 2,00,000. The pension amount should be set as at least half of the national minimum wage.
- 2.2.3. Single women must be provided separate job cards under the Mahatma Gandhi National Rural Employment Guarantee Scheme.
- 2.2.4. The performance of family courts with respect to delivering justice and compensation and recognising the rights and agency of women is abysmal. The problem is made worse by former spouses who do not pay maintenance adequately or in time. Therefore, legislation is needed such that when family courts award maintenance to women, the monthly amount is paid by the government from a central/state fund, and the government recovers the money from the separated/divorced husband.
- 2.2.5. There is a need to provide adequate shelter for single women, including homeless shelters, recovery homes for women survivors of violence and abuse, working women's

hostels, shelters for destitute, pregnant, and lactating women, and special homes for women with mental illness.

2.3. Access to Basic Services

2.3.1. Single women must be covered under maternal health programmes, the Food Security Act, workers welfare board etc and health insurance schemes on priority. They should also be provided a card such as under the Bhamashah Scheme of Rajasthan, which would enable them to get free services, loans, medicines etc.

2.3.2. The children of single women should be provided free education up to class VIII and scholarships should be made available to them thereafter.

2.3.3. Single women should also be provided scholarships for bridge courses in case they want to resume their education.

2.4. Assurance of Livelihood

2.4.1. Single women must be given priority for skill-building courses. Schemes such as the National Urban Livelihoods Mission, National Livestock Mission and Aajeevika mandate that a minimum of one third of the total beneficiaries must be women. Single women must form at least 50 per cent of this.

2.4.2. Single women entrepreneurs must be prioritised under schemes such as Mudra. The financing banks and micro finance institutions lending to single women under Mudra must do so at a reduced interest rate on their loan. Moreover, under the Stand-up India scheme, which aims to facilitate loans between 10 lakh and 1 crore to one SC, one ST, and one woman per bank branch to set up a greenfield enterprise, preferential loans should be given to single women.

2.4.3. Single women farmers must be recognised, collectivised, trained, and facilitated to access information, credit, and markets under schemes such as the Mahila Kisaan Shasaktikaran Pariyojana of the Ministry of Rural Development. In addition, cooperatives of single women or those whose members are mostly single women must be prioritised for subsidised loans from cooperative banks.



Rights of Dalits

1. Immediate and effective abolition of the inhuman practice of manual scavenging in the country must be ensured.
2. The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989 and Amendment Act 2015 (Act No. 1 of 2016) must be included in the IX Schedule of the Constitution. The SC/ST POA Act and the POA Amendment Act 2015 must be enforced. Also, Exclusive Special Courts as per Section 14 of the SC/ST POA Act must be mandatorily established in each district.
3. Contingency plans in line with the Model Contingency Plan under rule 15 of the SC/ST POA Act and Rules framed by the Govt. of Tamil Nadu must be formulated in all states, and schemes must be framed under the plan for the purposes of rehabilitation, employment, pension, and strengthening socio-economic conditions of the victims.
4. The SC/ST POA Act must be further strengthened, with provision for regular review, and its purview must be expanded to include Dalit Christians and Dalit Muslims as well as Jammu area.
5. There is a need to enact a Central Legislation for Scheduled Castes component and Scheduled Tribe component Budgets with monitoring

mechanisms on the implementation of the same. A special component plan for Dalit and Adivasi women should be introduced in the SCC and STC with specific guidelines for implementation.

6. Sufficient budget allocation for the overall development and rehabilitation of women who are identified as manual scavengers must be done.
7. Central Equal Opportunity and other legislative measures must be enacted to prohibit discrimination in the labour market, workplace, private enterprises, etc.
8. There needs to be legislation for the protection of inter-caste married couples and to ensure strict action is taken against perpetrators who kill these couples in the name of so-called 'honour'.
9. Special provision for the protection of Dalit and Adivasi elected women representatives must be made to ensure that they are not prevented by anyone from discharging their roles in local governance.
10. There should be national legislation to abolish discriminatory and oppressive systems such as the Devadasi system in the country and to provide relief and rehabilitation to the victims, including livelihood and development programmes for them and their families.
11. Special measures need to be enacted to prohibit bonded labour, human trafficking and forced labour of all forms.



Rights of Tribal People

1. Announcement for tribal peoples' treaty: As a conciliatory step, if not an apology, there should be an announcement that recognising the historical injustices suffered by the tribal populations, India will form a treaty with them to restore and respect their sovereign rights and existence. Examples of such treaties exist internationally; for example, Canada has reopened its colonial time treaties for renegotiation with indigenous communities.
2. Meaningful implementation of Panchayat Extension to Scheduled Areas Act, 1996 (PESA) must be ensured. The component of free, prior, and informed consent as defined in the amendments proposed to PESA must be upheld as a necessary condition for the effective implementation of PESA.
3. Only about 39 per cent of the total ST population is now residing in scheduled areas. In order to ensure livelihoods for tribal people, especially those who have migrated to urban areas, the following measures need to be taken:
 - 3.1. Extension of credit and marketing facilities to STs;

- 3.2. Transparent policy and mechanisms with regard to jobs for STs in the public sector; and
- 3.3. The Tribal Sub Plan budget should be used in proportion to the Scheduled Tribe population. Diversions of funds from the tribal sub plan by the Central government ministries should be stopped, and serious action needs to be taken.
4. The inalienability of rights of tribal communities to protect, sustainably use, and be in relation to nature needs to be defended and reinstated through the following:
 - 4.1. Proper implementation of The Schedule Tribe and Other Traditional Forest Dwellers Recognition of Forest Rights Act 2006, with a special focus on Community Forest rights, Habitat rights and territorial rights;
 - 4.2. The Compensatory Afforestation Fund (CAF) rule should be immediately withdrawn and amended to ensure compliance with the Forest Rights Act; and
 - 4.3. Moratorium on the Draft National Forest Policy 2018 as it makes a significant departure from the community-oriented, rights-based and conservation-focused forest governance model, to one focused on increased privatisation, industrialisation and diversion of forest resources for commercial exploitation.
5. The cultures, languages, traditional values, intellectual property and good practices of tribal people in India are rapidly deteriorating due to forceful assimilation processes. Therefore, there is a need for mechanisms to protect tribal identities, which may include:
 - 5.1. Establishing cultural academies at state level and facilitating a national festival for tribal people with a view towards reconstruction, revival and development of tribal culture.
 - 5.2. Increasing the number of tribal universities and residential schools in tribal areas to provide culturally appropriate education

on the basis of a tri-language formula (tribal language, national language and international language) to tribal students.

- 5.3. Promoting traditional youth groups like Gotul and facilitating leadership schools for tribal youth with special focus on women empowerment.
6. The Particularly Vulnerable Tribal Groups (PVTGs) among tribal people need special attention and protection with regard to their customary rights to land, forest and sources of livelihood. There should be special provisions for PVTGs to ensure their livelihood, education, health care, and other basic necessities.



1. The statutory notification of De-notified Tribes (DNTs) must be done after enumeration and enlisting of DNTs as per the following steps:
 - 1.1. A process for enumeration and classification of DNTs and other Nomadic and Semi-Nomadic Communities should be established for identification of persons belonging to DNT communities. DNTs should be given special focus in the caste census as well as priority in the issuing of UID cards – the district administration must pro-actively issue caste certificates, birth and death certificates to DNTs in the district. A caste certificate is a pre-requisite if DNTs are to receive, at a minimum, entitlements that SCs, STs or OBCs get. Special drives should be conducted to provide DNTs with Voter Identity Cards, BPL Cards, Ration Cards, MGNREGS Job cards etc. During this process, pastoral and ex-hunter forest communities should be given special attention due to their geographical isolation.
 - 1.2. On completion of the enumeration, the Ministry of Social Justice and Empowerment should notify the list of DNT communities State/District wise. Notification lists should be widely publicised in the government, media and wider society.

2. The lack of national level agency and systems is a weakening factor in addressing the rights and development of the NT-DNT community. Therefore, a Permanent National NT-DNT Commission by Act of Parliament needs to be created.
3. Many DNT families have been practising agriculture for several decades – as share-croppers, wage labourers in agriculture and small farmers – but land reform efforts have largely overlooked them. The pattas of DNTs must be given and regularised, and land possession must be facilitated on a priority basis, along the lines of the scheme in Madhya Pradesh. Members of Nomadic communities who have been relocated from forests should be given land titles while implementing the Forest Rights Act, 2006.
4. Social protection
 - 4.1. De-criminalisation of DNTs: Enabling de-criminalisation is one of the key cornerstones in addressing the development deficits of DNT communities. While the communities were de-notified from the list of criminal tribes and the act was abolished several decades ago, DNT communities face deep-seated discrimination in societal attitudes as well as police responses. A vigorous national campaign is needed to inform the DNT communities about their rights as SC/ST/OBC; and to inform the public that violence/discrimination against these communities and violations of their human rights are punishable under law and persuade them to give up their historical prejudices against this community.
 - 4.2. Universal coverage of all DNT school/college students must be ensured with scholarships and other educational support, along with provisions for facilitating adult education.
 - 4.3. A suitable shelter programme for houseless DNTs should be introduced based on a nation-wide survey of DNT settlements, both temporary and permanent. Free or subsidised housing

should be provided to eligible DNT households in a phased manner – adopting special measures like Rajasthan’s Gadaria Lohar community housing scheme. Given the high incidence of homelessness among DNTs, a proportion of the current outlay for Pradhan Matri Awaas Yojana could be earmarked for DNTs.

- 4.4. DNTs could also be assisted financially to construct dwelling units by receiving priority under housing programmes.
 - 4.5. Homeless nomadic fishing communities should be resettled, as far as possible, close to the dams and reservoirs, so they can continue their traditional occupation.
 - 4.6. An Integrated Infrastructural Development Programme should be specially designed to provide basic amenities such as road, school, electricity, drinking water, community centres, etc. in the existing settlements of nomadic and denotified tribes.
5. Livelihoods
- 5.1. Several laws criminalise DNTs and their livelihoods and enable caste/community-based bias. These laws must be reviewed and repealed. For example, the Habitual Offenders’ Act, 1952 is widely used to apprehend DNTs and needs to be repealed.
 - 5.2. There should be a special dedicated Central Fund for the socio-economic empowerment of NT-DNTs. The size of the fund should not be less than the population proportion of NT-DNTs.



Rights of Minorities

- 1. Healing Touch:** Following communal polarisation and incidents of lynching a healing touch is called for by reassuring minorities about their being equal citizens in a secular democracy. This can be done through political statement, action in different legal cases and compensation to survivors, programmes for social harmony and strengthening of the Ministry of Minority Affairs.
- 2. Reinvigoration of the PM's New 15 Point Programme:** there should be a systematic update on the status of the multi-sectoral development programme (MSDP) in minority concentration districts (MCDs) and the PM's New 15 Point programme. This must include year-wise expenditure, number of scheme-wise beneficiaries, monitoring mechanisms, steps for universalisation of programmes, and steps to sensitise functionaries to the poverty, exclusion and backwardness faced by Muslim citizens. The budgetary spending must be monitored to measure its reach to minority citizens. Scholarships for Muslims should be on par with those meant for Dalits.
- 3. Economic & educational inclusion:** Special steps must be taken to raise awareness and increase access for and inclusion of Muslims in

schemes for the poor, including ICDS, health, livelihood, scholarships & education programs.

4. **A special minority development plan** with committed budgetary allocation to meet the spatial development needs of minorities must be drawn up. There needs to be legislation to guarantee basic services like clean drinking water, drainage, sanitation, electrification, nutrition and primary health care in all Muslim dominant villages, rural hamlets and urban slums.
5. **Special measures for Muslim women and girls:** patriarchal mindsets have prevented political parties from looking at Muslim women and girls as citizens in dire need of support. All poverty alleviation schemes must have provisions for the inclusion of Muslim women and girls. Special measures must be initiated to support home-based women workers through living wages, social security, skill training, credit facilities and marketing support. More government girls' schools with women teachers in Muslim neighbourhoods are required. Special attention needs to be paid to Muslim women, whose work participation rate is abominably low.
6. **Muslim Family Law:** The parliament should pass a Muslim family law to enable legal protection for women just as they passed the Hindu Marriage Act, 1955 and other such laws under Hindu code. Along with education and livelihood measures, this would enable Muslim women to live a life of empowerment and dignity and halt vested politics over gender justice.
7. Clause 3 of the Presidential order attached to Article 341 must be removed so as to facilitate **Dalit Christians and Dalit Muslims to avail Scheduled caste benefits.**
8. Enact a comprehensive **Anti-discrimination Law** and constitute an Equal Opportunity Commission to oversee implementation of such law.

9. Laws against Discrimination, Untouchability, Atrocities, Social Boycotts, Mass violence, Hate Crimes and mob lynching of religious minorities need to be formulated. There is also a need to frame a policy of rehabilitation of people who have been internally displaced by communal violence.
10. Institute 'Waqf services' and revive the Waqf Properties (Eviction of Unauthorised Occupants) Bill 2014. There should be social welfare programmes to ensure access to and benefits from Waqf properties for Muslims and disadvantaged sections of society.



Right to Universal and Quality Education

1. Ensure strict implementation of the Right to Education Act and extend the purview of the Right to Education Act from birth to 18 years, in line with the internationally recognised definition of childhood, by including early childhood care & education (ECCE), pre-school and higher secondary education as legal entitlements.
2. Ensure measures to curb the commercialisation and privatisation of education. Strengthen the accountability of private schools and ECCE centres by drafting and implementing a national regulatory framework that would prescribe fee regulation and compliance with quality and safety norms.
3. Eradicate untouchability and discrimination from all schools. Take stringent and closely monitored steps to ensure social inclusion and provision of safe and secure school environment in all schools. Immediately address the specific barriers to education faced by children of Adivasis, Dalits, Muslims and other minorities; girls; children with disabilities; and other vulnerable groups.
4. Take urgent action to ensure expenditure on education of at least 6% of the GDP in line with global education financing benchmarks and

Kothari Commission recommendations. It is recommended to focus on budget allocation for girl child education, especially for girls from Dalit, Muslim and Adivasi communities, and a dedicated budget for ECCE under the RTE Act. To ensure RTE compliance, the government will require allocating sufficient financial resources, which cannot be achieved through the education cess alone. Additional funds need to be channelled by strengthening progressive taxation systems. The Union and respective State governments should strictly adhere to the recommendation of PAB to spend at least 30 per cent of the funds on entitlements and interventions related to quality initiatives.

5. Ensure the total eradication of child labour up to the age of 18 years and remove the provision in Section 3 of the Child Labour (Prohibition and Regulation) Amendment Act 2016 which legalises child labour in 'family enterprise'.
6. Effective implementation and strengthening of grievance redressal mechanisms in instances of violations of educational rights of children is required.
7. Keep the No Detention policy under the Right to Education Act.
8. Ensure that mass scale public school closures are stopped in the name of merger and re-open those that have been closed to ensure the RTE norms are met and schools are accessible to all.

A woman in a yellow and floral sari is speaking into a microphone at a public gathering. She is gesturing with her hands as she speaks. The background is filled with a large crowd of people, some sitting and some standing, in an outdoor setting. The scene is brightly lit, suggesting it might be daytime.

Protecting Human Rights Defenders

There is a need to promulgate comprehensive legislation and policies for the protection of human rights defenders, keeping in line with international covenants and constitutional mandate. Human rights defenders must be given legal recognition and protection. They must be enabled to carry out their essential work in support of people's individual and collective rights and fundamental freedoms within the framework of social and ecological justice.



Ensuring Effective and Timely Disaster Response and Mitigation

1. Preparedness:

- 1.1. Mapping of vulnerable populations: There should be a mapping of the vulnerable populations and especially single women, aged persons, people with disability, children, pregnant women. Prioritization needs to be done accordingly in rescue and in providing support for their specific needs. These populations should be involved in the disaster preparedness committees and further linkages with social security.
- 1.2. There should be mapping of the people, especially youth, with skills such as skill in first-aid, swimming, fixing electricity problem, driving boats, to provide them with further training to improve their skills so they can effectively respond in any kind of disaster situation.

2. Rescue:

- 2.1. Focus on rescue for people with disabilities, women, elderly people, children and other vulnerable sections of society, as these sections suffer more during disasters. This is in line with section 8 (1 to 4) of the Rights of Persons with Disabilities Act, 2016.

3. Rehabilitation

- 3.1. Focus on a fast and prompt rehabilitation process through a single window (within 6 months) fast track system. This step will prevent tremendous distress and the resultant forced migration among disaster survivors.
- 3.2. Provide compensation packages to the woman as the head of the family. In the case of single women, the cash compensation must be higher.
- 3.3. Ensure that livelihood compensation covers diverse activities other than agriculture such as drying fish, vegetable selling, running small shops etc., as women are disproportionately involved in small economic activities.
- 3.4. Human-animal interactions are devastatingly increasing in a number of areas. Crop damage is the most reported negative impacts from the interactions and that affects the livelihood of the communities badly. Also, there has been report of human deaths, animal deaths, property damage etc. And, the people have not been fairly compensated for this. Hence, this issue need to be dealt properly to reduce the loss as well provide better habitat for animals and for ecological benefit.
- 3.5. Proper post disaster information sharing and coordination system (District Disaster Management Authority (DDMA) up to village/panchayat) should be in place and an Emergency Operation Centres should be made functional entrusted with all the information for larger use of the affected communities. And, there should be effective coordination among the various departments of Government in assessment of damages and loss and further process of providing compensation and rehabilitation of the people.
- 3.6. Transparency and accountability mechanism should be made in place and the practice of putting sign board and sharing of

expenditure details on emergency work should be done at Gram Panchayat level for better transparency.

4. Resilience

- 4.1. Ensure that disaster preparedness plans consider the concerns of adolescent girls and women belonging to Dalit, tribal and minorities. It is recommended that at least 50 per cent representation of women in the village and district level committees for dealing with emergencies must be ensured.
- 4.2. Resilience building work in urban areas should focus on the vulnerabilities and the needs of unorganised labour. Safe shelter, livelihood options with skill building, social security should be the part of the disaster risk reduction efforts. Damage of the temporary shelter is not considered for compensation that put burden on the effected households. Hence compensation should focus more on the vulnerable population rather than the extent of damage.
- 4.3. There is an urgent need to create child friendly spaces and involve children to contribute to the resilience building process and ensure child friendly safe schools through the development of safe infrastructure that is resilient to any disaster. The children should be trained on disaster preparedness and response. Promotion of a culture and practice of safety through the school curriculum is vital in making the school disaster resilient. There is also a need to strengthen the community care mechanism for children who survive disasters.
- 4.4. Promotion of sustainable livelihood and climate resilient agriculture as part of a long-term method for resilience building: Rain water harvesting measures should be undertaken as long term measures to mitigate drought situations. Relevant local climate resilient varieties of seeds and drought resilient millet based mixed cropping should be promoted to increase land

productivity. The government needs to proactively undertake immediate assessment in drought situations by enhancing its forecasting procedure and using technology. Drought declaration and actions like releasing the fund for quick action should be done in the aftermath of disaster.

- 4.5. As part of the process of building the community disaster resilient, the Government should focus more on building capacity of the women, and youth through convergence with different programmes and involve the local civil society organisations in long term disaster preparedness work.
- 4.6. The Disaster Risk Reduction component need to be integrated consciously in the planning and budgeting process of the infrastructure development work being undertaken in different sphere for public purpose so as to reduce the risk of the disaster.
- 4.7. A strict monitoring mechanism should be placed involving community people to make the village level institutions like anganwadi centres, Gram Panchayat Offices and Community Centres safe and accessible to women, children and the most vulnerable populations. Creating safe spaces should be a long term work to address the issue of safety of women and children in disaster as well as in other normal time of use of those institutions.
- 4.8. Water sanitation and hygiene (WASH) is one of the important areas where there is a need to put resources and undertake long term work through involving the women and youth. The specific needs of adolescent girls and women should be prioritised unless that demotivate a large chunk of people to access the shelter and subject them to multiple vulnerabilities.
- 4.9. Alternative livelihood options that is based on indigenous knowledge and skill, climate resilient and sustainable should be created for the most vulnerable population through establishing

single window fast track system, skill building and use of low cost and user friendly technology.

- 4.10. Training on disaster risk reduction to the members of the village level committees should be undertaken in regular interval through refresher trainings. Revisit the members in different committees and ensure that the cadre that has been developed is available to support people during disaster.
- 4.11. People who are being rehabilitated from disaster prone zones should be placed in a conflict free areas with all the access to health, education, safe drinking water, electricity and other essential amenities unless it will further enhance their risks to disasters.
- 4.12. The resources of National and State-level Livelihood Missions should be made use in line with the purpose to make the vulnerable population as well the disaster prone people disaster resilient. For this, the disaster preparedness plan needs to be referred and implemented effectively with accountability.
- 4.13. Shelter management should be a regular process otherwise the already built structures would be dilapidated and will be of no use and safe during disaster. A separate room for the pregnant and lactating women in shelters is very vital and that should be consciously done to ensure safe space for the most vulnerable.
- 4.14. A national policy on commons should be developed as commons are vital for climate change mitigation and adaptation. Conservation, rejuvenation and development of mangroves on along rivers and the sea coast; protection of flood plains, drainage streams and water bodies from encroachment by land mafia; and plantation of trees need be done to resilient building action to reduce the risk of the disasters like floods and cyclones.

5. Rights of refugees, internally displaced persons and climate migrants

5.1. There is a need to promulgate comprehensive national legislation to protect and ensure rights of refugees, internally displaced persons (IDPs), and climate migrants. As climate change induced disasters, conflicts etc. increase, it is imperative to formulate policies to:





5.1.1. Ensure that refugee, IDP, and other forcibly displaced communities are provided with adequate identification, which enables them to access subsidised hospitals and schools. It is also important that community members, especially women, are provided with bank accounts through which they can access credit and other financial services and engage in economic activities.

5.1.2. Ensure that refugee, IDP, and other forcibly displaced communities, especially the women among them, are supported through skill-building and that they are provided with ancillary support such as market linkages to become self-reliant.




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