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**SPECIAL ISSUE:
URBAN POOR & THE WORLD**

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EDITORIAL

Words with pictures, create stories and limited pages, create unlimited creativity.

CEERA-NLSIU is glad to publish its 8th Volume of the IN LAW Magazine, 2022-23 Edition. This edition is a joint publication of CEERA-NLSIU with the Ministry of Housing and Urban Poverty Alleviation (**MoHUPA**) and the Department of Justice (**DoJ**), Ministry of Law & Justice, Government of India.



This year, the magazine's theme focuses on the issue of Urban Slum Dwellers and Poverty Alleviation. Urban slums actually play a crucial role in fuelling the development of cities. However, the people residing in such places are often forgotten when it comes to recognizing their rights and liberties.

Thus, the essence of this Volume does not only stop with the humane approach to the challenges of urban slum dwellers. However, it goes further and adds a unique touch to the current edition, with the culmination of policy briefs on various socio-legal issues along with the most unique aspect of this edition, which is the addition of Trivia(s). The Trivia(s) recapitulates issues ranging from the conservation of big cats; to the greenwashing carried out during FIFA 2022; to affairs from all across the globe; and brings stories that started small but have created a huge impact in the sands of time.

The IN LAW Magazine offers a venue for practitioners and researchers to put on the writer's hat and contribute to current areas of legal research through legal analysis, research, critical discussion, and debate. We at CEERA-NLSIU actively encourage stakeholders, academicians, researchers, policymakers, and members of the Bar and Bench to submit their work for consideration in our upcoming issues. We even invite creative individuals to contribute to our Magazine with the upcoming editions.

We thank the Ministry of Housing and Urban Poverty Alleviation (**MoHUPA**), Department of Justice (**DoJ**), Ministry of Law & Justice (**MLJ**), Government of India, for their continued support in the spirit of collaboration and cooperation in publishing this volume of the Magazine. We also thank our partner institutions – Christ Academy & Campus Law Center, Delhi, and in particular Dr. Anita Yadav, for her continued support.

We express our sincere regards to Prof. (Dr.) Sudhir Krishnaswamy, Vice-Chancellor – NLSIU for his constant support in all our endeavours. Extending our further gratitude to the entire NLSIU administration.

We deeply appreciate all the authors who have sincerely contributed to this edition of the Magazine. Lastly, I commend the efforts of the entire CEERA Team for their support, time, and efforts to carve out this edition.

With this in mind, we hope that our readers will enjoy reading this issue of the magazine and that it will meet the high standards of the stakeholders. Last but not least, we thank you for your continued support and look forward to continuing our journey.

Prof. (Dr.) Sairam Bhat

*Professor of Law & Coordinator,
CEERA-NLSIU*

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SILVER JUBILEE OF CEERA 1997 - 2022

1997

NLSIU entered into an MoU with the World Bank for Environmental Law Capacity Building Project (CEERA was established through this project)

2002

CEERA under the aegis of the Ministry of Environment & Forest (MoEF) conducted a project for ENVIS (Environmental Information System).
Our websites: ceerapub.nls.ac.in/
enlaw.nls.ac.in/ abs.nls.ac.in

2011

CEERA collaborated with Environmental Law Institute (ELI), Washington for a project on Hazardous Waste. Under this Project, A Handbook titled "Enforcing Hazardous Wastes in India: Strategies and Techniques for Achieving Increased Compliance" was published in March 2014.

2012

CEERA drafted a preliminary Bill for the Government of Rajasthan titled: 'Rajasthan Water Resources Bill 2012'.

CEERA conducted a project in collaboration with Royal Institute of Stockholm on water
The Ministry of Housing and Urban Poverty Alleviation (MoHUPA) chair on urban poor and the law was established, and activities commenced under the chair

2013

CEERA conducted a research study under the aegis of MoEF (Climate Change Division) regarding drawing up of a detailed document including the legal framework for a protocol/agreement or agreed outcome with legal force under the United Nations Framework Convention on Climate Change

2016

CEERA conducted a study for Antrix Corporation Limited, Bangalore for (i) studying complex contractual issues between Antrix and National and International Companies; (ii) reading upon a commercial Arbitration between Antrix and an Indian Private Company; and (iii) advising Antrix on legal grounds to protect the interests of Antrix and Government of India

CEERA conducted a project for ICAR-Indian Institute of Water Management (IIWM), Bhubaneswar titled "Water Governance and Policy" under the Agri-CRP (Agri- Consortia Research Platform on Water) Project

2017

CEERA under the aegis of the United Nations Development Programme (UNDP) conducted a project on "Strengthening human resources, legal frameworks, and institutional capacities to implement the Nagoya Protocol (Global ABS Project). Our website www.nlsabs.com (now www.abs.nls.ac.in) was launched under this project. CEERA conducted a host of workshops under the project and published two handbooks on Biodiversity Act, 2002.

2018

CEERA conducted a project for Directorate of Municipal Administration (DMA) for Codifying, Consolidating and Reforming the Urban Planning and Development Laws in the State of Karnataka. The Karnataka Municipalities Bill, 2020 and Karnataka Urban Development Policy, 2018 were drafted by CEERA under the Project.

CEERA conducted a project on "Strengthening Legal Provisions for the Enforcement of Contracts: Reassessing the Quality and Efficiency of Dispute Resolution of Commercial Matters in India" under the aegis of Department of Justice, Government of India

2018

CEERA conducted a project under the aegis of MoEFCC titled “Collaborative Engagement for Research, Training and Development in Handling of Chemical and Hazardous Waste” to assist and support the Ministry in handling various matters covered and related to Chemical & Waste related Multilateral Environmental Agreements.

2022

CEERA received a project under the aegis of Department of Justice, Government of India for “Pan India Legal Literacy and Legal Awareness Programme” under the Designing Innovative Solutions for Holistic Access to Justice (DISHA) Scheme. The CEERA-NLSIU-DoJ Channel, and Prof. V.S. Mallar Memorial Legal Aid Competition 2022 was launched under the Project.

CEERA received a project from Indian Council for Social Science Research (ICSSR) titled “Towards the Development of a Robust Legal & Policy Framework in Protection, Promotion and Standardisation of Indian Business: Enhancement and Implementation of the Aatma Nirbhar Bharat vision”

CEERA received a collaborative project grant with NUJS on “Wetland Conservation, Sustainability of Commons and Climate Change in the State of West Bengal”

NOTIONS OF JUSTICE, DEVELOPMENT AND THE ROLE OF JUDICIARY: THE ISSUE OF AFFORDABLE SHELTERS IN INDIA

- Ms. Kanchan Lavania

ABSTRACT

The issue of the unavailability of affordable shelter for some specific sections of society is not general but has myriad connotations attached to it, like the issues of discrimination on the basis of race, religion, gender, or region. Also, it has devastating consequences like abuse and violence directed against some specific sections of society like women, children, especially abled persons, old and infirm people or migrants etc. The government has also tried to address the problem through various programmes and schemes and the judiciary has played the role of parens patriae for ensuring the basic right to affordable shelters for various sections of society. This piece shall delve into the above proposition in detail.

Keywords: Un-affordability, Discrimination, Affordable Shelters, Legislative Protection, Right to Shelter and Judicial Approach.

INTRODUCTION

George Gurdijeff, a saint; Pavlov, a Russian physiologist, and Skinner, the American psychologist used to say that “man, as he exists, is nothing but a beautiful machine and that seems true, as even today, most of us are living without souls! We are least aware and bothered about our own men and women, who are homeless.”

As per the 2011 census, there are more than 1.7 million homeless residents in India¹ of which more than 9 Lakhs (52.9 %) alone reside in urban areas. As far as Delhi is concerned, somewhere around 46,724 people are homeless, which is remarked as a gross underestimate by many organizations working in this field.

One of the very basic features of representative democracy apart from selecting the people who will rule you and make rules for you is the circulation and discussion of ideas and issues that would help in the overall growth and progress of the nation as a whole. Thus, the absence of public discussion along with the silence of strong laws on a pertinent issue like homelessness is of concern for the tradition of democracy in India.

PHILOSOPHICAL UNDERPINNINGS

Let's start with the basics, why do some people have beautiful and magnificent homes and some have none at all? Is it hereditary, are people trapped in the vicious cycle of poverty and unable to break the shackles, or otherwise, have they not made an effort required to 'earn the shelter'? If that effort is based on merit, do they lack merit? What is merit and how it decides the access to basic amenities of life?

Michael Sandels, a great American philosopher, has amazingly debunked the myth of merit by putting forth the idea that meritocracy leaves behind a major chunk of people with the feeling of humiliation and develops a society where people are bereft of morality and gratitude for their achievements, forgetting that not only intelligence and hard work but many surrounding socio-cultural factors mixed with a factor of luck decides the so-called success and failure norms in our society.² Thus, acquiring a basic primary good as 'shelter' is not a function of merit, which also proves the thesis of *Thomas Picketty*, a French economist that just as wealth is largely accumulated, so is merit.³ If welfarism of the

1 Homelessness, available at <https://www.hlrn.org.in/homelessnes> (visited on July 03, 2022).

2 Michael J Sandel, *The Tyranny of Merit: What's Become of the common Good*, 17(Penguin Random House UK, 2020)

3 Thomas Picketty, *Capital in the Twenty First Century*,

state could alone have acted as a panacea, many problems would have been solved but that's not the case. Thus, here we need to put our focus on the 'capability approach'⁴ of *Amartya Sen* as well, as disbursement of the resources can't be of much help unless the person to whom it is given has the capability to convert it into a useful commodity. Further, justice does not merely mean just and fair institutions but the focus should be more on the people comprising them as well as the people for whom such institutions are made.

Thus, the conclusion is, policies or laws should be made to take care of the specific needs and circumstances of each vulnerable group along with the objective of enhancing the capabilities of such people to have access to affordable and dignified shelters, for a long-lasting solution to the problem of 'homelessness'.

PIECES OF LAW

An attempt to ameliorate the situation of homeless people was made in 2012 by introducing the **Homeless Pavement Dwellers (Welfare) Bill, 2011** in the Rajya Sabha for the first time subsequently in 2014 and 2016 in Lok Sabha but could not be converted into a law. The draft was limited in its approach, as neither it distinguished between different categories of homeless people nor it dealt with the issue of homelessness in rural areas. Rather it gave an inclusive definition of the 'pavement dwellers'⁵ as people living near bus stands, railway stations, under flyovers or bridges, etc. but it did not provide for the establishment of any specific authority or delineation of responsibility to look after the issue of homelessness to any existing authority.

Apart from these unsuccessful attempts, we have bits and pieces of law dealing with the issue of homelessness. For example, **Mental Healthcare Act, 2017** specifically talks about the right of mentally ill persons who are homeless to get the support of the appropriate government by

providing them with community-based living⁶ along with free treatment facilities.⁷ In addition, legislation that touches upon the aspect of the right to shelter is the **Forest Rights Act, 2006**⁸ which plays a saviour for the scheduled tribe and "other traditional forest dwellers"⁹ to claim their rights of forest-dwelling.

Thus, the absence of comprehensive legislation perpetuates the issue of the availability and affordability of the household in India.

THE PENUMBRA OF POLICY INITIATIVES

The approach of the government has changed tremendously since independence. In the beginning, the state tried to address the problem of housing for everyone, which majorly changed in the 70s when it realized the financial limitations and focused majorly on the weaker sections of society. Later on, there were also attempts to address the issue of shelter along with the issue of urban poverty, specifically focusing on the slum development involving other important stakeholders like communities, NGOs, private entities. What majorly did not change for the poor or vulnerable sections was their inability to access formal finance, due to lack of a clear title and despite the 73rd¹⁰ and 74th¹¹ Constitutional reforms, the local bodies could not come to the rescue of such people, again due to lack of devolution of funds.¹²

Currently, the state only plays the role of a facilitator rather than a developer. As it is

available at <https://www.theguardian.com/books/2014/jul/17/capital-twenty-first-century-thomas-piketty-review> (visited on 6 July, 2022).

4 Amartya Sen, *The Idea of Justice*, 253 (Penguin Books, England, 2009).
5 The Homeless Pavement Dwellers (Welfare) Bill, 2011, (Bill no. IV of 2011), s. 2 (b).

6 Mental Healthcare Act, 2017, (Act No. 10 of 2017), ss. 18 (4) (b), 19 (3).

7 *Id.*, s. 18 (7).

8 Scheduled Tribes and Other Forest Dwellers (Recognition of Forest Rights) Act, 2006 (No. 2 of 2007).

9 *Id.*, s.2(o).

10 The Constitution (Seventy- third) Amendment Act, 1992 available at <https://legislative.gov.in/amendment-acts>.

11 The Constitution (Seventy- four) Amendment Act, 1992 available at <https://legislative.gov.in/amendment-acts>.

12 Piyush Tiwari & Jyoti Rao, "Housing Markets and Housing Policies in India", *Asian Development Bank Institute Working Paper Series* 1-35, (Asian Development Bank Institute, April, 2016), available at <https://www.adb.org/sites/default/files/publication/182734/adbi-wp565.pdf>

not possible to provide ownership of houses to everyone, the recent approach is towards providing affordable rental housing, which would largely help the poor and the migrants.¹³ Under the **Housing for all 2022 mission**, both the rural and urban components are covered. The unique thing about this mission is that unlike the previous programmes dwelling on a ‘one size fits all’ approach, this provides for a variety of financial and design options for the states, strengthening cooperative federalism.

JUDICIAL INTERVENTIONS AND THE RIGHT TO SHELTER NATURALIST APPROACH

In dealing with the issue of the right to shelter, the court has mostly taken a humanistic approach rather than showing a pedantic or positivist attitude. In the 1980s, we first hear the landmark case of *Olga Tellis*¹⁴, which ruled upon many fundamental aspects of constitutional law as well as administrative law, like principles of natural justice specifically the right to be heard and noticed, exclusion of doctrine of waiver for fundamental rights, inter-relation between directive principles and fundamental rights.

In *Chameli Singh* case¹⁵, the court had to decide between two conflicting sets of rights, the right to property (land) *vis a’ vis* the right to shelter of specific groups like scheduled caste and scheduled tribes, as the land was acquired by the government for the constructions of shelters for these vulnerable groups under the Land Acquisition Act, 1894 under public purpose. The court further defined what is ‘shelter’-

“Shelter for a human being is not mere a protection of his life and limb. It is a home where he has opportunities to grow, mentally, physically, intellectually, and spiritually. Right to shelter therefore includes, adequate living space, safe and decent structure, clean and decent surroundings, sufficient light, pure air and water, electricity, sanitation and other civic amenities like road etc. so as to have easy access to his daily avocation.”

The beauty of the judgment lies not only in how elaborately it defined the right to shelter but also in how this right was inter-related with other rights of equality and dignity, the performance of fundamental duties by the citizens and most importantly casting an obligation on the state as a part of the directive principles to provide means for an adequate and sustainable shelter.

In *UP Avas Evam and Vikas Parishad case*¹⁶, the court not only bases the right to shelter on Article 21 but also from Article 19 (1)(e) i.e “right to residence”. The right to shelter is a fundamental right and it is the duty of the state to provide facilities to the poor for the same was strongly reiterated in the case of *State of Karnataka and Ors. v. Narasimhamurthy and Ors.*¹⁷ *Shantistar Builders case*¹⁸ is another landmark judgment, wherein detailed orders were given by the court to construct houses for the marginalized section of the society by private builders under the exemption category provided in Urban Land (Ceiling and Regulation) Act, 1976. The apex court in this case, ordered the state government of Maharashtra to constitute a committee for monitoring the allotment process.

However, this judgment was not complied and after five years, the apex court again directed the government to immediately follow all the directions given earlier. This judgment was also quoted later in the case of *Ahmedabad Municipal Corporation v. Nawab Khan Gulba Khan & Ors*¹⁹ wherein the Supreme Court stated, “it is the duty of the State to construct houses at reasonable rates and make them easily accessible to the poor. The State has the constitutional duty to provide shelter to make the right to life meaningful”. The court, in this case, linked the obligations of the state to ensure socio-economic and political justice under Articles 38, 39, and 46 of the Indian Constitution with that of the right of shelter, specifically of the Scheduled Castes (SCs) and Scheduled Tribes (STs).

13 Affordable Rental Housing Scheme available at <https://pmmodiyojana.in/affordable-rental-housing-scheme/> (visited on July 11, 2022).

14 *Olga Tellis v. Bombay Municipal Corporation* (1985) 3 SCC 545.

15 *Chameli Singh v. State of U.P* (1996) 2 SCC 549.

16 *UP Avas Evam and Vikas Parishad & Anr. v. Friends Cooperation & Housing Society* (1995) 3 SCC 456.

17 (1995) 5 SCC 524.

18 *Shantistar Builders v. Narayan Khimalal Totame and Others* (1990) 1 SCC 520.

19 (1997) 11 SCC 121.

POSITIVIST APPROACH

However, the same line of reasoning was not followed by the courts in every case and circumstance. For example, in the case of *Almitra Patel*²⁰, considered to be a landmark in environmental jurisprudence, the apex court did not consider the slum dwellers as victims but perpetrators of environmental pollution. Words like, ‘good business’, ‘land grabbers’, ‘encroacher of public land’ etc. were used for them. The court sternly said, “The promise of free land, at the taxpayer’s cost, in place of a jhuggi, is a proposal which attracts more land grabbers. Rewarding an encroacher on public land with a free alternate site is like giving a reward to a pickpocket.”

THE FINAL WORD

In the case of *Ajay Maken v. Union of India*,²¹ Justice S Muralidhar and Justice Vibhu Bhakru have not only affirmed that it is the positive obligation of the state to rehabilitate and resettle the people but has given much-needed lens to see the plight of such displaced people by ensuring that not only they be resettled but they must be involved in the entire process. They should be informed, duly consulted, and given the opportunity of being heard. A reference was also placed to the opinion of Nelson Mandela, who had a firm belief in the judiciary to enforce socio-economic rights.

Further, in a recent case, during the pandemic situation, a writ petition was filed in the Supreme Court to restrain the beggars and vagabonds from roaming around. The apex court took a humanistic approach and said, “Why do people beg on the street? It is due to poverty. As a Supreme Court we will not take an elitist view. They have no choice. Nobody wants to beg.”²² The court considered this to be a socio-economic problem and asked for their proper rehabilitation.

This is the kind of judicial interpretation, much in line with the sociological philosophy, that is needed in solving the complex problems of the society.

²⁰ *Almitra Patel v. Union of India* (2000) 2 SCC 679.

²¹ *Ajay Maken v. Union of India* 2019 SCC Online Del 7618.

²² *Kush Kalra v. Union of India* WP. Civil No. 708/2021.

CONCLUSION & SUGGESTIONS

The research highlights *Prof. Hart’s* view that law need not necessarily satisfy the demands of morality, does not withstand much, specifically with respect to the current issues of shelter and housing, wherein we need laws, as perceived by *Fuller* to pass moral functional tests, a law which encompasses the human rights framework.

- We need a national legal framework that addresses the concern of affordable and sustainable housing as a component of the right to shelter, comprehensively dealing with the rural and urban segments. There should be regular analysis of compliance with such a law.
- Further, rental housing should be strengthened on a priority basis, and concrete laws protecting the rights of owners and tenants be formed across all the states in India. This would majorly help in the utilization of vacant property, as we know, the creation of new homes is more difficult as land is a limited resource.

Thus, enhancing the capabilities of the people along with the welfare policies should be the principal approach of the state in dealing with the issues of adequate, affordable, and sustainable shelters in India.

KNOW YOUR BIG CATS – LIONS

10 ROARSOME FACTS ABOUT THE LION

- Only **23,000 Lions** left in the **world**.
- In the past **5 decades**, the Lion population has globally gone down by **95%** - placing these Cats on the **IUCN list**.
- **Previously**, Lions were found all across Asia, Africa, Europe, and the Middle East.
- **Presently**, Lions are only found in **Africa** and **India**.
- In India, Lions are found only in the **Gir National Park** – where only about **700** of them reside.



- The country with the highest Lion population is Tanzania, Africa, home to 15,000 Lions.
- The world **human population** just touched a count of **8 billion v. 3 quarters** of the **Lion** population is already in **decline**.
- Unfortunately, the **Lion population** in Africa is expected to **decline** by **50%** over the **next 2 decades**.
- The reason for the anticipated sharp decline can be credited to the acts of human beings – **habitat loss, climate change, and wildlife trade**.
- Lastly, **posterity** may just witness the **Lions through pictures!**

DID YOU KNOW?

- India has **2967 tigers in the wild**, leading the tiger count in the world.
- In the beginning of the **20th century**, **India** has a **tiger population** of **20,000 to 40,000**.
- By the **1970s** only **2000 tigers** were left.
- Project Tiger has significantly led to an increase in the count of the Big Cats.
- The IUCN's latest assessment estimates between **3,726 – 5,578** wild tigers remain in Asia, with an average of **4,500** individuals.
- Interestingly, tigers are known for exceptional night vision – ideal for their nocturnal hunting lifestyle – however they are born blind.



INTERESTING FACTS AND FIGURES – TIGERS

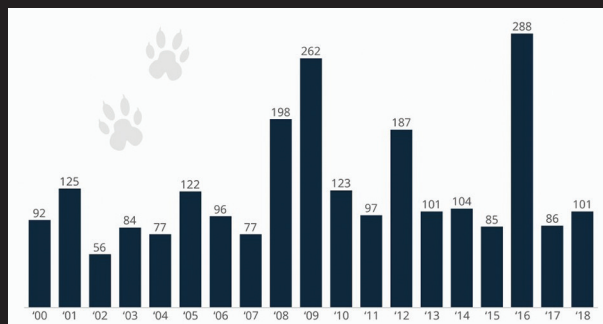
4,500

ESTIMATED NUMBER OF TIGERS LIVING IN THE WILD

All of them could fit on one football field with room to spare

100,000

ESTIMATED NUMBER OF TIGERS LIVING IN THE WILD A CENTURY AGO



TRAFFICKING: THE TIGER SEIZURES GLOBALLY FROM 2000 – 2018

13

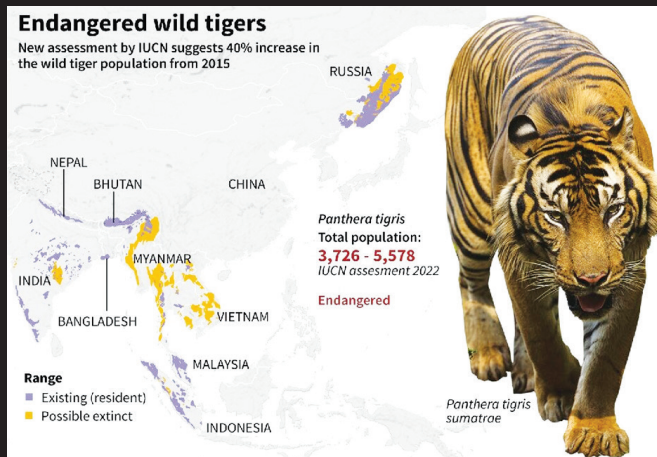
NUMBER OF COUNTRIES WHERE TIGERS STILL LIVE

The Asian countries include India, Bhutan, Nepal, Russia, Thailand, Indonesia, Bangladesh, Vietnam, Cambodia, Laos, Malaysia, China, and Myanmar.

96%

OF THE WILD TIGERS HAVE DISAPPEARED IN THE LAST 100 YEARS

Poaching for the illegal wildlife trade is one of their biggest threats. All tigers are clas classified as endangered



2 MILLION YEARS

THE APPROXIMATE NUMBER OF YEARS TIGERS HAVE WALKED ON THIS PLANET

122 YEARS

ALL IT TOOK FOR US HUMANS TO MAKE THEM ALMOST EXTINCT

THE ANIMAL DEITY: WAGHOBA STORY



A WAGHOBA SHRINE AT WARVADE, MAHARASHTRA

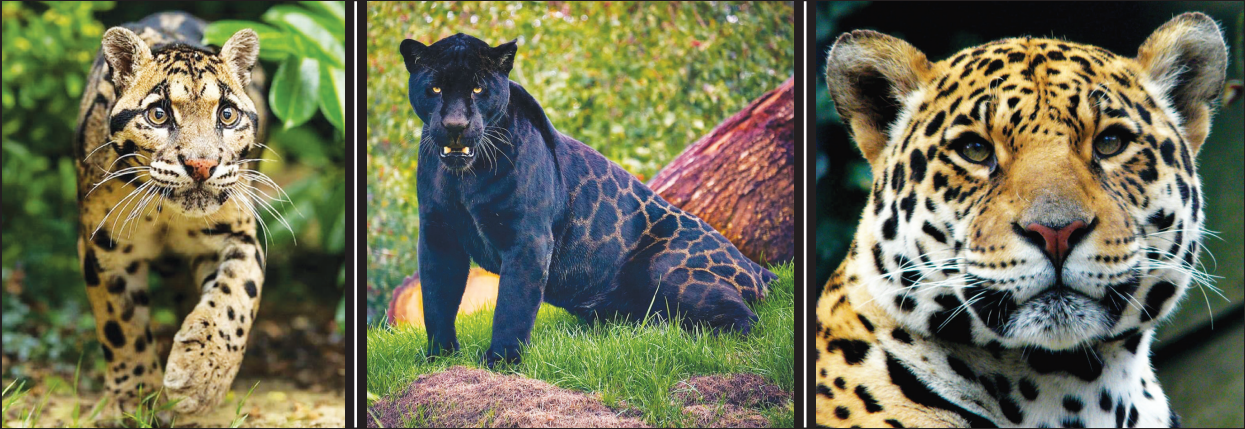
THE WAGHOBA NARRATIVE

The Waghoba Shrine is of a woman who gives birth to a baby boy (Wagh), who shape-shifts into a Tiger and hunts the villager's livestock. As the villagers decide to kill the Tiger, the mother comes to the rescue of her child. The means of rescue was by mediating between the angry villagers and her baby. The conditions for establishing peace were two-fold, first, she asked her child to go away into the forest. While the second was in exchange for the people installing shrines for the Wagh and ensuring that once a year they give an offering of an animal he (Wagh) likes to establish peace and tranquillity.

*The Wagh is known and accepted as the king of the jungle.
We pray to him so that he protects us and does not do us any harm.*



LEOPARDS | PANTHERS | JAGUARS



INTERESTING FACTS – CLOUDED LEOPARD

- The **Clouded Leopard** is found in the **Indian Himalayan foothills** of **northeast India**.
 - These **leopards** are suspected to be **less than 10,000 mature** in the **wild** world and found only in **northeast India**.
-

INTERESTING FACTS – SNOW LEOPARD

- The **Snow Leopard** often called the ‘**ghost of the mountain**’ cannot roar and possesses the ability to hunt prey that is three times its size.
 - The Government of India has identified the snow leopard as a flagship species and has launched **Project Snow Leopard** to conserve the species with an estimated population ranging from **400 to 700**.
-



KNOW YOUR JAGUARS



KNOW YOUR JAGUARS

- The name ‘**Jaguar**’ has its origin in the ancient name ‘**Yaguar**’ that conveys ‘**what kills with one leap**’.
- There are around **1,73,000 jaguars** left in the world today.
- The **highest population** of jaguars is found in the **Amazon River basin** in Brazil.
- The Jaguar population once found in the United States (California, Arizona, Texas, Florida, and New Mexico) was hunted to extinction by the late 1940s.
- Presently, a swiftly declining population is found in Mexico and Central America.
- Jaguars are amongst the 3rd largest Big Cats in the world, with an overall length of 7 feet or more.
- Unfortunately, its geographical distribution has declined by **55% over the last 7 decades** owing to – habitat loss and the degradation of the ecosystem.
- Interestingly, only **10% of jaguars have black fur** owing to a peculiar condition known as ‘**Melanism**’.
- The jaguar is listed as ‘**near threatened**’ on the IUCN List and may be **elevated to vulnerable** in the coming years as per research studies.

DID YOU KNOW?

- Panthers are wild cats natively found in 3 of the world’s continents, with their location depending on whether it is a black leopard or a black jaguar.
 - **Leopards** generally **reside in Africa** (and some parts of Asia) while **jaguars** exist on the other side of the world throughout **Central and South America**.
 - Black panther population has declined by **30% over the last 2 decades** pushing them to the vulnerable category in the IUCN list.
 - One of the major reasons for their decline is due to habitat loss in the form of deforestation.
-
- An interesting, Big-Cat – popularly found in South Florida, known as the ‘**Florida Panther**’ is classified as endangered species under the Federal Endangered Species Act, 1973.
 - Research estimates that as of **March 2022** only **200** of them **remain** in the wild in the US, the only place where it is found in the world.
 - During the **1950s** this specie nearly went extinct, and the ongoing **climate change** is aiding to their extinction.

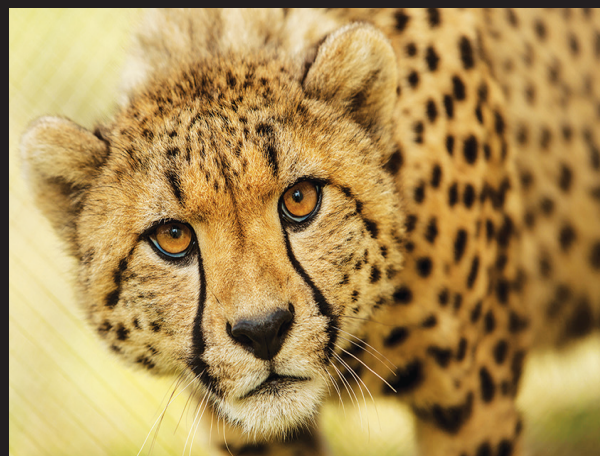


THE CHEETAH STORY

THE 10000+ TO 3 TO EXTINCTION: STORY

Interestingly, during the Mughal reign in India, the number of **cheetahs** was close to **10,000**. It was during Emperor **Jahangir's reign** that the **first instance** of a Cheetah bred in captivity was recorded for the first time in the world. Fast-forward to the **nineteenth century**, owing to captivity, domestication for sports activities, and widespread hunting by rulers, officers of the British government, and the Indian royals the number drastically fell to a **few hundred by the 1900s**.

Unfortunately, the last **3 Cheetahs that walked the Indian soil** took their last breath in the year **1947-48**, as they were hunted down by the Maharaja of Koriya — Ramanuj Pratap Singh Deo, at present-day Chhattisgarh. Coincidentally, that is also the year when India gained independence. Thus, it was independence from the British Raj and the Cheetahs. Subsequently, the **Indian government declared Cheetahs extinct** in the year **1952**.



This time, we'll protect you!

AFTER 70 YEARS WE WELCOME THE CHEETAHS BACK HOME

- **India reintroduced** its reportedly extinct specie the **Cheetah** into the Kuno National Park, Madhya Pradesh all the way from Namibia, Africa.
- This bringing back the Cheetahs home is the **world's first inter-continental large wild carnivore translocation project** — bringing in 5 females and 3 males.
- The project will unfurl in phases — with the **first** phase already executed in **Madhya Pradesh**.
- The **second** and **third** at **Gujarat & Rajasthan** respectively, followed by **Karnataka & Andhra Pradesh**.
- The journey way back home will translocate **50 cheetahs** over a span of **5 years**.
- The reintroduced Cheetahs, **hunted** down their **first prey within 24 hours** of being released from their quarantine. The first prey was a deer.

IMPACT OF COVID-19 ON THE STREET WOMEN AND CHILDREN

- Dr. Misha Bahmani

ABSTRACT

Unfortunately, the Covid-19 pandemic has brought several changes in the livelihood of many people. Among them have been the women and children homeless population which has exposed themselves to more risks. While implementing the precautionary guidelines, they have faced rigorous hunger crises and financial insecurity. In Delhi, despite providing permanent and temporary shelters, they are badly affected by this pandemic. Isolation Centres have been a great support but the majority of the population had no option but to stay in precarious areas for their survival. The ladies who have been daily wage workers had the toughest time fulfilling their family's basic requirements. This paper will highlight 2021's Housing and Land Right Network Survey to understand the pandemic impact on the street women and children in Delhi. The lockdown has saved lives but those who had to survive while taking care of others and themselves faced unbearable discomfort.

Keywords: Covid-19, Homeless population, Housing, Livelihood, Shelters

INTRODUCTION

The Indian government has been taking care of street women and children since the 8th Five-Year Plan which began in 1992. The "Footpath Dwellers Night Shelter Scheme" and 10th to 12th Plan are some of the efforts which were made earlier in facilitating them.¹ Although with the establishment of night shelters known as "Rain Basera" has been a great initiative to safeguard the interest of India's homeless persons.² Interestingly, "access to the roof" got its recognition as a fundamental right under the 11th Plan. The Housing and Urban Development Corporation organized night shelters for the Urban area's homeless population in 1988. In this, they sponsored fifty percent of loans, and the rest support was provided by the government. Despite the "Jawaharlal Nehru National Urban Renewal Mission", it always has been the "National Urban Livelihoods Mission" that has been guiding

the States to protect the homeless person. Unfortunately, when Covid-19 spread began, it resulted an awful impact on society. Among the population, street persons faced many challenges to survive. Recently it was claimed by the Centre for Holistic Development that, in the second week of January 2022, Delhi's winter which resulted in the death of 106 homeless persons comprised of 6 street women.³ Although the Delhi Urban Shelter Improvement Board had denied those claims and emphasized that due to unhygienic and drug intake, these conditions prevailed. Sadly, the second wave made circumstances worse for these people. Women and children have fought bravely for their survival. Delhi's homeless population has reached almost 20 lakhs. Among them, 10,000 comprise women.⁴ While safeguarding society from the Covid-19 spread, the guidelines were

1 "Shelters for Homeless People", *Ministry of Housing and Urban Poverty Alleviation*, April 6, 2011, available at: <https://pib.gov.in/newsite/PrintRelease.aspx?relid=71485> (last visited on July 9, 2022).

2 "Night Shelters for Homeless people", *Delhi Urban Shelter Improvement Board*, July 16, 2022, available at: https://delhishelterboard.in/main/?page_id=3305 (last visited on July 9, 2022).

3 "106 deaths in Delhi in January due to cold, claims NGO; Officials deny", *The Hindu*, January 23, 2022, available at: <https://www.thehindu.com/news/cities/Delhi/106-deaths-in-delhi-in-january-due-to-cold-claims-ngo-officials-deny/article38313840.ece> (last visited on July 9, 2022).

4 "Impacts of the Second Wave of the Pandemic on Delhi's Homeless Population", *Housing and Land Rights Network*, 2021, available at: https://www.hlrn.org.in/documents/Homelessness_Delhi_Pandemic_Second_Wave.pdf (last visited on July 9, 2022).

implemented to save lives. The Delhi government did tremendous and courageous efforts to protect all. For instance, when the positive cases surged in Delhi, it became an urgent need to rescue people and provide essential support. The National Disaster Management Act has motivated the authorities to focus on the relocation of street persons rather than evicting them.⁵ However, due to the lockdown, the homeless persons among the migrants were called the “carriers of the virus” in some areas which resulted in the disturbance in their movement while availing themselves of their basic commodity.⁶ This shows that if there has been adequate housing such a situation wouldn't have occurred.⁷

Sadly, in India up to 1%, there are homeless-mentally ill people.⁸ This has been because of the neglect they receive from the society and authorities' insufficient support.⁹ With this pandemic, their conditions have gone worse due to poor self-care and awareness. Poverty and unemployment have badly affected them. There are street women and children who are victims of violence and abuse and their conditions have gone unbearable. Among them, their family members

have also faced trafficking, exploitation, abuse, and illness because of the absence of facilities and support.¹⁰

SUPPORT OF THE DELHI GOVERNMENT

The Delhi government focuses on the welfare of street women and children. The government has provided 325 hunger relief centers.¹¹ The “Rain Basera” – the night shelters with food facilities have been a great support in this pandemic.¹² Food packets were distributed in these centers for 2 meals. Midday meal kitchens were functioning and 5 shelter management agencies were engaged in providing food in these night shelters.¹³ These efforts focused on every individual including street women and children.

The government has emphasized making women self-dependent by engaging them in skill training.¹⁴ “Short-stay homes” have been the strength of the destitute pregnant and lactating females and they were supported by caregivers and special educators during the pandemic. The authorities facilitated their shelter and kept them away from the footpath.¹⁵ Delhi's Special Police Unit has been working efficiently in addressing the concerns of orphaned children and women.

5 “India: UN expert raises alarm about mass evictions in Delhi”, *OHCHR*, September 20, 2020, available at: <https://www.ohchr.org/en/press-releases/2020/09/india-un-expert-raises-alarm-about-mass-evictions-delhi?LangID=E&NewsID=26303> (last visited on July 10, 2022).

6 “COVID-19: Urgent help for India's forgotten migrant workers must follow Supreme Court ruling, say UN experts”, *OHCHR*, June 4, 2020, available at: <https://www.ohchr.org/en/press-releases/2020/06/covid-19-urgent-help-indias-forgotten-migrant-workers-must-follow-supreme?LangID=E&NewsID=25926> (last visited on July 10, 2022).

7 “Housing, the front line defence against the COVID-19 outbreak,” says UN expert”, *OHCHR*, March 18, 2020, available at: <https://www.ohchr.org/en/press-releases/2020/03/housing-front-line-defence-against-covid-19-outbreak-says-un-expert?LangID=E&NewsID=25727> (last visited on July 10, 2022).

8 “National Mental Health Survey, 2015-16”, *National Institute of Mental Health and Neuro Sciences*, 2016, available at: <http://indianmhs.nimhans.ac.in/Docs/Summary.pdf> (last visited on July 11, 2022).

9 Guru S Gowda, Nellai K Chithra, et. al., “Homeless persons with mental illness and COVID pandemic: Collective efforts from India”, *Asian Journal of Psychiatry* 1 (2020).

10 Muneef Khan, “Abused and deserted, homeless try to find a meaning to life”, *The Hindu*, January 3, 2022, available at: <https://www.thehindu.com/news/cities/Delhi/abused-and-deserted-homeless-try-to-find-a-meaning-to-life/article38095520.ece> (last visited on July 10, 2022).

11 Atul Mathur, “Delhi lockdown: Over 500 hunger relief centres set up for 4 lakh people”, *Times of India*, March 28, 2020, available at: <https://timesofindia.indiatimes.com/city/delhi/govt-to-give-2-meals-a-day-to-4-lakh-people-says-kejriwal/articleshow/74855058.cms> (last visited on July 9, 2022).

12 *Supra* note 2.

13 *Supra* note 14.

14 Priyangi Agarwal, “Taken off streets in Delhi, beggars find new life, skills at shelter”, *Times of India*, available at: <https://timesofindia.indiatimes.com/city/delhi/taken-off-streets-beggars-find-new-life-skills-at-shelter/articleshow/88796744.cms?from=mdr> (last visited on July 11, 2022).

15 “Citizens' Testimonials”, *Special Police Unit for Women & Children*, available at: <https://spuwac.in/shelterhomesw.php> (last visited on July 11, 2022).

THE URGENT CALL — STREET WOMEN AND CHILDREN LIFE MATTERS

Despite government and non-government initiatives, the street population has faced drastic difficulties. While implementing the Covid-19 guidelines, there have been several difficulties that the street-women and children have come across in Delhi. This survey shows that in Delhi they were deprived of their free three-day meals while they were maintaining social distancing. Sadly, this service was not provided to them in the required time. There have been circumstances where they consumed only one-time meal for their survival. The survey depicts that only 63% of women who were interviewed shared that they survived with one meal during the lockdown period. Unfortunately, there were only seven percent of street women who could get a single meal a day.¹⁶ After relaxation in guidelines on July 2021, 40% agreed that they were provided three meals. There were 36% who consumed two meals only regularly.¹⁷ This demarcates that they had a very rigorous situation while there was no availability of free food during the essential hours.

Their families are broken and unhealed as this pandemic has shown the saddest corner of the homeless life. Collecting child's food and milk has been the most difficult task for them.

In some areas, the concerns of the pregnant women were not heard and the primary facilities were not provided to them on time. The non-Covid illness patients were not attended to properly. Also, inadequate medical assistance forced street women into giving birth in public places. The parks and pavements have been the common areas where they were advised to give birth due to the non-availability of medical services.¹⁸

Sadly, during this lockdown, 53% of women respondents have faced police harassment. This has caused insecurity to continue their livelihood in the same area for a longer tenure. Their belongings were stolen while there were staying on the pavement. This made them forcibly shift from one area to the other to feel safe. They have been living in a constant terror and to stay alive

¹⁶ *Supra* note 6.

¹⁷ *Ibid.*

¹⁸ *Ibid.*

they were required to maintain this practice to care for their dependents also.¹⁹ They felt that their dignity was at stake when they approached some of these authorities. They have realized that without a house these difficulties will continue to prolong. Sadly, the temporary shelters have been removed which seems to be quite a concern.

WELCOMING STEPS

Recently “Salaam Baalak Trust” and “Youth Reach” in collaboration with the “Delhi Commission for Protection of Child Rights” has introduced a new project.²⁰ This project focuses on the rehabilitation and reintegration of street children. To safeguard the homeless children's dignity the Delhi government has focused on setting up more residential schools for them. A field task force has been put into action to rehabilitate these children. They will provide financial, educational, and guardian support to them. Those who are a beggar and indulged in non-formal work due to the absence of any caregiver will be taken care of. Adequate healthcare and education are the essential means to their welfare. Its task force would aim to identify and make these children avail of all these facilities. District wise with responsible case workers and counselors, street children will be supported by Child Welfare Committees.²¹

CONCLUSION

In line with maintaining the standards of “Swachh Bharat Abhiyan,” the shelters are kept clean and solid waste has been managed properly which has been beneficial for women and children residing in these shelters during this pandemic. Sanitation and cleanliness helped in breaking the chain of its spread. Proper waste disposal and washing of

¹⁹ *Supra* note 6.

²⁰ “Field Task Force for Homeless”, *Dialogue & Development Commission of Delhi*, available at: <https://ddc.delhi.gov.in/our-work/4/field-task-force-homeless-children> (last visited on July 9, 2022).

²¹ “Kejriwal government institutes a field task force for the rehabilitation of homeless children”, *Dialogue and Development Commission & DCPCR*, March 31, 2022, available at: https://ddc.delhi.gov.in/sites/default/files/our-work/press_release_task_force_for_homeless_children_31_march_2022.pdf (last visited on July 9, 2022).

public places have resulted in clean surroundings.²²

The Ministry of Housing and Urban Affairs through 'DAY-NULM' (Deendayal Antyodaya Yojana-National Urban Livelihoods Mission) has been efficiently contributing by providing shelters to urban street persons.²³ The Delhi government has decided to continue permanent shelters only. "Rain Basera" has been a successful support to old-aged women, children, single mothers, and others.²⁴ There is an urgent need to focus on their employment and educational rights. Awareness about menstrual health and proper vaccination should prevail.

This shows women and their work mode are duly valued and respected in these shelters. Setting up children's libraries in these shelters would be helpful for the mothers and child's guardians who go to work while their child is in the creche. Almost 45% of families follow the same practice to earn their livelihood while living in these shelters.²⁵ Substance use and mental illness are still high-rise concerns that are required to be addressed responsibly. Experiencing this can be resolved by maintaining an adequate health care system, electricity, food quality, safe shelter, financial support, and a non-discriminatory approach.²⁶

There should be proper monitoring of the funds in housing and healthcare facilities to safeguard them. Psychosocial assistance should be provided in all the shelters to motivate them to overcome their struggles caused due this pandemic.

22 Poulami Chakraborty, "Swachh Bharat Mission: Game-Changing India's battle against Covid-19", *BW Business World*, April 7, 2021, available at: <https://www.businessworld.in/article/Swachh-Bharat-Mission-Game-changing-India-s-battle-against-Covid-19/07-04-2021-385767/> (last visited on 12 July, 2022).

23 "Deendayal Antyodaya Yojana- National Urban Livelihoods Mission", *DAY-NULM*, available at: <https://nulm.gov.in/> (last visited on July 13, 2022).

24 Gayathri Mani, "80 homeless people face uncertain future after Delhi govt notice to vacate temporary shelter at Haj manzil", *The Indian Express*, April 30, 2022, available at: <https://indianexpress.com/article/cities/delhi/80-homeless-people-stranded-after-delhi-govt-notice-to-vacate-temporary-shelter-at-haj-manzil-7894461/> (last visited on July 14, 2022).

25 Atul Mathur, "Delhi Urban Shelter Improvement Board to conduct survey, identify beneficiaries in slum areas for housing", *Times of India*, June 28, 2022, available at: <https://timesofindia.indiatimes.com/city/delhi/delhi-urban-shelter-improvement-board-to-conduct-survey-identify-beneficiaries-in-slum-areas-for-housing/articleshow/92500752.cms> (last visited on July 15, 2022).

26 "Factsheet July 2020", *WHO*, available at: [https://www.](https://www.euro.who.int/__data/assets/pdf_file/0005/458780/homelessness-COVID-19-factsheet-eng.pdf)

[euro.who.int/__data/assets/pdf_file/0005/458780/homelessness-COVID-19-factsheet-eng.pdf](https://www.euro.who.int/__data/assets/pdf_file/0005/458780/homelessness-COVID-19-factsheet-eng.pdf) (last visited on July 15, 2022).

THE DARK SIDE OF GREEN ENERGY

DID YOU KNOW?

- The International Renewable Energy Agency (IRENA) estimated solar panels to have produced **2,50,000** metric tonnes of waste in 2018 alone.
- The United States has surpassed 2 million solar installations, just three years after it hit the milestone of 1 million installations.
- Most solar panels made today are made from quartz, then turned into a purer form called polysilicon.
- 4 tons of tetrachloride (extremely dangerous) waste is generated for every 1 ton of polysilicon produced.



- Subsidization of installations of solar panels has led to the growth of the industry at an annual rate of 50% for the last decade.
- It was found that the carbon footprint of a solar panel made in China is twice that of one made in Europe, due to looser environmental restrictions and more coal-fired power plants.
- The solar industry is looking to use fewer precious metals and reduce the use of silver.
- While using less silver is economically attractive up front, it makes recycling the solar panels more challenging.

SAD REALITY OF SOLAR ENERGY

- The International Renewable Energy Agency projects that by 2050, 78 metric tons of solar panels will have reached the end of their life.
- Subsequently, the world will generate 6 million metric tons of new solar e-waste annually.
- In the US, there are no federal mandates for recycling solar panels.



MOTHER EARTH AT 2050

The amount of solar waste will be the following:

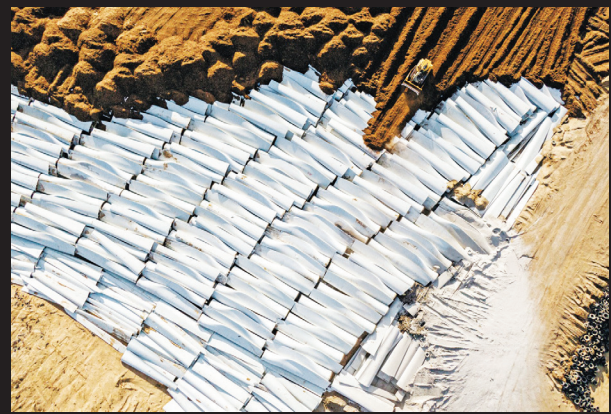
- **United States of America** – 10 million tons
- **Germany** – 3 million tons
- **China** – 20 million tons
- **Japan** – 7.5 million tons
- **India** – 7.5 million tons

- Only **Washington** state and **New York** have any kind of laws about them.
- As a result, only about **10% of American** panels are recycled.
- The other **90%** gets shipped to countries without mandates for reuse, or end up in **landfills**, leaching lead and other toxic chemicals into the Earth.
- While **India** has set ambitious solar power targets, **it does** not yet have a **firm policy** on **managing solar waste**.

DID YOU KNOW?



- Each wind turbine requires about 230 tons of steel, and steel-making requires a very large amount of coal.
- The production, installation and maintenance of wind turbines all rely heavily on fossil fuels.
- EPA notes that windmills produce the least energy.
- Their sheer size and difficulty in disposing them creates a huge hurdle for the environment.
- Shifting used windmill components to other countries simply delays the waste disposal problem and puts it on the shoulders of countries less equipped to deal with the challenge.
- Though environmentalists argue that more birds are killed by cats, cars, and skyscrapers.
- Wind power infrastructure causes the slaughter of apex predators like Eagles, Hawks and Kites which is detrimental to the food chain.



- Based on the EIA Annual Energy Outlook 2021, it is found that in the United States of America 1.17 million birds were killed by wind turbines in the year 2020.
- Harvard University researchers have concluded that the transition to wind or solar power in the U.S. would require 5 to 20 times more land than previously thought, and, if such large-scale wind farms were built, it would warm average surface temperatures over the continental U.S. by 0.24 degrees Celsius solely.

Interestingly, a wind turbine's blades can be longer than a Boeing 747 wing, so at the end of their lifespan they can't just be hauled away.

DEVELOPMENT AT THE COST OF FORCED EVICTION: RIGHTS AND REMEDIES

- Archi Aggarwal & Stuti Singh

ABSTRACT

The vision of 'Smart Cities' or 'Modern India' as seeded in our minds provides us with a vision of urbanized, beautified areas, but this vision fails to interact with reality when millions are compelled to live in informal settlements under grossly inadequate amenities, termed as 'Slums'. The rapid increase in urbanization in the 21st Century is leading to the deterioration of housing as there is more demand than supply, where inadequate housing has led to slum formation. When the government sets out to fulfil the agenda of 'development', it overlooks the interests of the urban poor, who are already overburdened by poverty, unemployment and are somewhere put into this position by non-efficient execution of policies. This paper shall assess evictions of urban poor from a legal perspective with respect to their, Human Rights and Fundamental Rights and whether these evictions overlook the international guidelines, depriving millions of their 'Right to live with Dignity' and their 'Right to Shelter'. Further, it shall answer how we can respond to forced evictions employing several national laws and policies that provide relief utilizing inspecting legality of occupancy, rehabilitation, and compensation to those evicted.

Keywords: Forced eviction, housing, Fundamental Rights, Human Rights, Government Policies.

INTRODUCTION

In the 21st century, India is moving fast towards becoming a world superpower, for which the government is undertaking rapid urbanization programmes for beautification and development. But the cost of this 'development' is borne by forcefully evicting the inhabitants of a land, which constitutes in the context of this paper, the urban poor. And due to this uninhibited State-induced illegal act, today approximately 15 million inhabitants in India survive under the menace of displacement.¹

UNDERSTANDING HOUSING & FORCED EVICTION

The definition of 'Housing' has not been demarcated in any Indian statute. Thus, it can be understood by Art. 25.1 of the UDHR², that "Everyone has the right to a standard of living adequate for the health and well-being of himself and his family, including food, clothing, housing, medical care and necessary social services, and the right to security in the event of unemployment,

sickness, disability, widowhood, old age or other lack of livelihood in the circumstances beyond his control." But unfortunately, citizens in India are being deprived of even the former by illegal and tyrannical means through 'Forced Evictions'.

Forced eviction involves the involuntary exclusion of people from their houses or property, directly or implicitly attributable to the government. The Right not to be persuasively evicted is an aspect of the Human Right to adequate housing.³ In recent years, India has observed innumerable instances of forced eviction.

- Between August and November 2017, South Delhi Municipal Corporation and the Central Public Works Department forcefully evicted over 1,500 homeless people from Delhi.⁴
- The biggest eviction in 2018 took place in Mumbai in October 2018, where the Tansa

1 Housing and Land Rights Network, Report of 2019. Available at: https://www.hlrn.org.in/documents/Annual_Report_2019.pdf

2 Universal Declaration of Human Rights, General Assembly Resolution 217A (III), November 1948.

3 'Forced Eviction International Guidelines' United Nations Office of the High Commissioner for Human Rights. https://www.hlrn.org.in/documents/Forced_Eviction_International_Guidelines.htm

4 Press Release, Over 260,000 people evicted In 2017, Housing and Land Rights Network (November 20, 2021). https://images.citizenmatters.in/wp-content/uploads/sites/2/2018/02/29121802/Press_Release_Evictions-1.pdf

pipeline eviction impacted 3000 families. In Navi Mumbai, 'slum clearance' drives rendered over 3,300 families homeless between January and October 2017.⁵

- Reported on July 14, 2021⁶, to remove encroachers, inducing forcible eviction from Khodi village, which inhabited 10,000 informal workers, including street food vendors and cleaners who have been living there for 15 years, got their houses demolished. This plan was published one day before the demolition.

A considerable number of 4.6 Lakh citizens were evicted throughout 2017 and 2018 and were not relocated by 2019 by the government and remained in unsatisfactory conditions indicated by high uncertainty and lack of access to elementary services and distress. Settlements were dismantled, and the territories were not utilized for any additional purpose after the evictions.⁷

- According to the HLRN report of 2020⁸, during the COVID-19 pandemic, there were at minimum 45 instances of deportations, and at least 20,000 families were forcefully evicted.
- In Bilaspur, Chhattisgarh, the state administration evicted about 400 families living in government housing to accommodate those evicted from 160 houses for the 'beautification' of the Arpa River.⁹
- In Shakur Basti, Delhi, officials of the Indian Railways forced 13 families to demolish their

own houses after threatening to evict them despite the orders issued by the High court of Delhi against the Illegal demolition. In this arbitrary state action, around 5000 people lost their homes.¹⁰

INTERNATIONAL LAWS AGAINST FORCED EVICTION

Forced eviction under international law means "perpetual or temporary exclusion against the resolve of individuals, families from the houses and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection."¹¹

International law mandates and provides for the Right to adequate housing as an amalgamation of first and second generational rights, and it has been incorporated in the Indian legal framework as a guiding policy. In *Vishaka v. State of Rajasthan*¹², the Supreme Court observed that any international convention or customary international law against the fundamental right must be read into the constitutional scheme.

As India incorporates the spirit of international law in its domestic law, the Supreme Court has developed the application of international legal norms in practice over the years. A recent ruling of a division bench of the Delhi High Court in *Ajay Maken & Ors. v. Union of India*¹³ acknowledged forced eviction as an infringement of international law. This petition was filed by a member of the Delhi Legislative Assembly, to seek reliefs in relation to the forced eviction of around 5000 dwellers of a jhuggi jhopri basti (JJ basti) at Shakur Basti (West) near the Madipur Metro Station in Delhi on 12 December 2015. Remarkably, the Delhi High Court marks a clear departure from its jurisprudence on housing rights of slum dwellers. Rather, by taking inspiration from South African jurisprudence, the court asserted the procedural safeguards pertinent to such evictions: genuine consultation, adequate and satisfactory notice for affected persons, and legal remedies to those who need it to seek redressal from the courts.¹⁴

5 Supra 4.

6 Annie Banerji, Demolition near Delhi feared leaving 100,000 Indian villagers homeless, Thomas Reuters Foundation (November 21, 2021) <https://www.reuters.com/article/india-landrights-housing-idUSL5N2OJ2O6>.

7 Ritwika Mitra, Houses being demolished, people continue to be evicted across India, The Indian Express (November 21, 2021) <https://www.newindianexpress.com/nation/2020/aug/19/houses-being-demolished-people-continue-to-be-evicted-across-india-report-2185448.html>.

8 Forced Evictions in India in 2020: A Grave Human Rights Crisis During the Pandemic, Housing and Land Rights Network, 2021 https://www.hlrn.org.in/documents/Forced_Evictions_2020.pdf

9 Gargi Verma, In Covid Times, 500 evicted to house those displaced for Chhattisgarh river beautification project, The Indian Express (June 10, 2020) <https://indianexpress.com/article/india/in-covid-times-500-evicted-to-house-those-displaced-for-chhattisgarh-river-beautification-project-6452263/>

10 Supra note 7.

11 United Nations International Covenant on Economic, Social and Cultural Rights.

12 *Vishaka v. State of Rajasthan*, (1997) 6 SCC 241.

13 *Ajay Maken & Ors. v. Union of India*, WP(C) 11616/2015.

14 Aakash Chandran, How International Law can stop eviction of million Indian tribals, News Click, (November 21, 2021) <https://www.newslick.in/International-Law-Stop-Eviction-Millions-Indian-Tribals>.

Hence the forced eviction, which glaringly frustrates the mandates by international law, poses a question on the efficacy of enforceability of the rights of Indian citizens.

FORCED EVICTION AS A BLATANT VIOLATION OF RIGHTS UNDER INDIAN LAWS

The Fundamental Rights were intrinsically formed on the skeletal of Fundamental wrongs. The Fundamental Rights provided by the Constitution of India are enforceable rights guaranteed to citizens and extend to non-citizens in some regards.

The Delhi High Court held in *Sudama Singh's case*, which was approached by individuals objecting against forced eviction not to view them as “encroachers” or illegal occupants of the land, whether public or private land that an eviction devoid of relocation amounts to a violation of fundamental rights.¹⁵ Implementation of the intimidation of forcible eviction would result in a violation of fundamental human rights.¹⁶

In an egalitarian society, as a member of an established community, the supreme objective of making a man equipped with the right to dignity of an individual and impartiality of prestige is to empower him to cultivate himself into a sophisticated being.¹⁷

The Supreme Court extended the ambit of Article 19 and expressly included the Right to shelter as a Fundamental Right which is violated when forced evictions are executed by public authorities.¹⁸ The Supreme Court, in 1995 in *G. Gupta v. State of Gujarat and others*¹⁹ held that the Right to shelter enshrined in Article 19(1)(g) followed with Article 19(1) (e) incorporates the Right to residence and settlement.

Forceful eviction of inhabitants, even if they are relocated to other sites, entirely disrupts the lucrative life of the people. It is a familiar experience of planners and administrators that every time the

resettlement is forcibly done, squatters sell their new plots and go back to their original sites near the place of employment. It frustrates the entire purpose of forcefully evicting citizens.

- *The Slum Area (Improvement and Clearance) Act, 1956*

The Slum Area (Improvement and Clearance) Act, 1956 is a central government Act extending to Union Territories²⁰ that provides several mandates for the governed areas by establishing a framework for demolition of ‘slums’, which is understood as ‘an area unfit for human habitation’. Firstly, the Act provides a mandate that an area must be assessed to be unfit of human habitation and notified by the official gazette²¹ and further prescribes to serve a six-week notice to carry out the demolition. If the government acquires an area, the inhabitants/owners have a right to receive compensation under S.14 of the Act. Thus, this Act humanizes the need for eviction and provides rights to the inhabitants concerning the abridgement of their housing in need of development by the government. Thus, when forced evictions are carried out, the mandates of this Act are tossed into flames, and demolishing what is believed to be the illegal and illegal process itself is utilized.

- *The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013*

The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation, and Resettlement Act ensures a transparent and participatory land acquisition procedure and provides provisions to give fair and just compensation, adequate rehabilitation, and resettlement to affected persons and families. The obligation of this Act arises when the government acquires land, and thus it naturally extends to cases of forced eviction. This Act provides a list of public-purpose projects for which land can be acquired.²²

This Act also applies when the public-private partnership’s projects occupy the land by private companies for public development. The local governing council must conduct a social impact

15 *Sudama Singh & Others v. Government of Delhi & Anr*, WP(C) 9246/2009.

16 *P.K. Koul and Ors. v. Estate Officer and Anr*, W.P.(C) No.15239/2004.

17 *Chameli Singh and Ors. v. State of U.P.*, AIR 1996 SC 1051.

18 *P. Avas Vikas Parishad v. Friends Coop. Housing Society Limited*, 1996 AIR 114.

19 *G. Gupta v. State of Gujarat*, 1995 SCC.

20 *The Slum Area (Improvement and Clearance) Act, 1956.*

21 *Ibid.*

22 *The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.*

assessment before the land is acquired for public purposes. This study assesses whether the proposed acquisition serves any public purpose, estimating the number of families affected and houses, and common properties affected.²³

REMEDIES AGAINST FORCED EVICTION

It can thus be rightly inferred that the rights provided to the citizens negate the execution of forced evictions and thus several remedies come at the disposal to the one being subjected to this State propelled atrocity. Therefore, any possibility of forced eviction cannot exist in the legal domain. In ascertaining remedies against forced evictions, the guidelines prepared by a special rapporteur on adequate housing indeed provide a model framework, which is ideal to adopt:

- i) No eviction shall occur without the presence of an authorized and duly identified government representative, who shall effectively watch for the safety of the population evicted.
- ii) Duly identified independent observers shall be present to ensure that no force, violence, or intimidation is used and ensure transparency and compliance with human rights principles.
- iii) Formal communication of the eviction shall be delivered further and in writing to all those evicted.
- iv) Evicted individuals shall be relocated to the resettlement site and shall obtain assistance.
- v) The government shall be accountable for eviction and cover all the costs, including transportation and possessions to the resettlement site.
- vi) All evicted people must be compensated, and provided with sufficient alternative accommodation, safe access to essential food, sanitation, basic housing, appropriate clothing, essential medical services, livelihood sources and fodder for livestock, education, and childcare facilities.²⁴

STRIVING TOWARDS A BALANCE BETWEEN DEVELOPMENT & HOUSING RIGHTS

The balance between the need for development

²³ Ibid, Provisions under Ch. II.

²⁴ UN Guide, "How to deal with projects that involve forced evictions and displacement?", https://www.ohchr.org/sites/default/files/Documents/Issues/Housing/Guide_forced_eviction_EN.pdf.

and housing can only be accommodated hand in hand by employing public policies focused on rehabilitation because forced eviction stands illegal at every front. However, the ever-increasing urban population needs to be managed under humane conditions, which requires the upholding of mandates for legal eviction following the Indian legal framework and, more importantly, rehabilitation of displaced people.

The manner in which authors propose and understand this idea to be implemented in Indian context is that the very problem of housing arises from non-availability of land to accommodate every stratum. Thus, concentration of land in the hands of a few should be discouraged and certain percentage of urban land should be reserved for construction of affordable housing spaces. Similarly, in posh areas as well, certain space of land must be mandatorily reserved for construction of affordable housing spaces, as the urban space must be inclusive.

In the same spirit, these state-run policies are already in operation to cater to the need for affordable housing and the settlement of evicted people from their inhabited land.

WAY FORWARD

While addressing the pervading issues pertaining to urban housing and eviction, the authors promote the idea of the '*right to the city*' as a concept which encompasses a bundle of human rights that could turn out to be an effective organizing principle for mobilization and activism. Rendering people displaced should be deemed tantamount to a human disaster demanding urgency, attention and satisfactory rehabilitation. However, they not only go unaddressed in policy reaction but also disregarded in public discourse. It thus becomes crucial to break the silence around these infringements against humanity, investigate them and definitively put an end to them, thereby ensuring people's right to live peacefully and with dignity. By robust judicial activism and ensuring executive accountability, the problem of forced eviction can be addressed to a great extent. The policies which were discussed through the research are ideal to resolve the issue and their imminent execution is the only way towards ensuring '*housing as a right*' to the urban poor.

UNIQUE FACTS ABOUT NATIONAL PARKS & WILDLIFE SANCTUARIES



THE FLOATING SANCTUARY OF THE WORLD

- The **world's only floating National Park**, spread across a total geographical area covering **40 km²**!
- This floating foliage is known as **Phumdi**, a carpet of **dead and decaying flora**, which floats on the lake's surface — about a fifth of it is above the surface. In addition, **1.5-meter-deep vegetation** found in this park actually floats.
- This is the majestic — **Keibul Lamjao National Park** — situated around **45 kms** from Manipur's capital city Imphal in the north-eastern part of India.
- This National Park is home to a plethora of flora and fauna — with around **57 species of waterbirds** and another **14 species of wetland-associated birds** have been noted in the lake including **28 species of migratory waterfowl**.



The **Keibul Lamjao National Park** is also the **world's sole habitat for the Sangai**, or **brow-antlered deer**, in the wild.

- It's also the **State Animal of Manipur**.
- The population of the **Sangais** are in danger of losing their habitat as the **Phumdias** are **no longer able to carry their weight**.



HAVEN TO THREE BIG CATS: NAMDAPHA NATIONAL PARK

Being the third largest National Park of India, this protected area is India's only national park credited with providing a haven to all three top types of **Big cats** – The **Snow Leopard**, the **Clouded Leopard**, and the **Bengal Tiger**.

RICH BIOLOGICAL DIVERSITY – 50 YEARS

- Densely rich in biological diversity.
- Botanists suggest that it will take around **50 years** to **complete research** on its **varied botanical diversity**.
- The **Namdapha National Park** is home to the **Pinus merkusii** and **Abies delavayi**, which are not found elsewhere in India.
- One of the **rarest** and **endangered orchids**, the **Blue Vanda** is also found here.





KHARAI CAMELS — THE DUAL ECOSYSTEM CAMELS

- Their name is derived from the local word khara, meaning saline.
- The Kharai are a rare breed of camel found in the salt marshes of Kutch district in the western state of Gujarat.
- They are known to be champion swimmers.
- Immediately after grazing, they drink the rainwater collected in the depressions of the islands. They are often left on the mangrove islands for three months.
- They swim up to **three kilometres** in the **shallow seas** to reach their grazing land - the region's mangroves.
- But now local herdsmen say it's taking longer and getting harder to find mangroves where their camels can graze.
- Salt companies in the region are blocking tidal water and slowly drying up mangroves. And this is endangering the lives of the camels as well as their future.
- Unfortunately, Kharai camels are starting to disappear.
- There were more than **10,000** in Gujarat about a decade ago. Now there are fewer than **4,500**.



THE STORY OF AYUB AMIN JAT

Preserving a species that has been declared endangered by the Indian government in the year 2015.

Amin says 'My ancestors gave me these camels, they are like my kids. How can I see them die in front of my eyes?'

Amin Jat's semi-nomadic ancestors have kept these camels in the Indian state of Gujarat for hundreds of years. During the rainy season, they swim along the Gulf of Kutch, an inlet of the Arabian Sea, to small forest islands and graze on mangroves.

Their gently padded hooves help them navigate the wet and salty coastal land with ease and they can swim up to three kilometers (1.8 miles). Immediately after grazing, they drink the rainwater collected in the depressions of the islands. When there isn't enough water, the herders take them to neighbouring villages to feed them.

SUBSTANCE ABUSE AMONG HOMELESS CHILDREN IN DELHI – ANALYZING THE ROLE OF THE GOVERNMENT AND ITS POLICIES

- Nidhi

INTRODUCTION

Homelessness is difficult to be defined but way harder to live in. There is no formal definition of homelessness. It can be understood as a phenomenon where a person has no shelter over his head, no fixed space where he can return to after all-day fatigue, no identity, and no belongingness; it is not just living without a roof but living without roots.

Keywords: Homeless Children, Substance Abuse, Legal Safeguards and Policy Interventions.

Homeless children and women are the most vulnerable section of society. Every day is a struggle for their survival wherein they face harassment, assault, sexual abuse, trafficking, etc., apart from the obvious difficulties of hunger, pain, clothing, weather conditions, and loneliness in life. There is no exact figure available for the current homeless population in Delhi. Since it has always been challenging to gather actual numbers and profiles of the homeless as the population is constantly moving from one place to another, many are not interested in giving information about themselves and their family and many of them, especially children go missing every year.¹

The brunt of homelessness is most felt by the children. The time when they should receive the love and care of the family, get proper nutrition and receive education for psychological, physical, emotional, and social growth they are left on the streets begging, doing informal labour, or trained to cheat, snatch and pickpocket to earn a pittance for fulfilling their basic needs. Although there is no single universal definition of street children, they can be broadly categorized under three heads:

- “The first is street-living children who ran away from their families and live alone on the streets.
- Second, street-working children, who spend most of their time on the streets fending for themselves, but return home on a regular basis.

- Third, children from street families who live on the streets with their families.”²

CAUSES & AFFECTS OF HOMELESSNESS

Delhi, the capital city of India every year receives a massive influx of migrant labourers from various states, especially from the state of Bihar, Uttar Pradesh, and West Bengal. The increase in the population of migrant labourers and the lack of housing facilities to accommodate all have increased the problem of urban homelessness in Delhi. Most of the homeless people are migrants from rural areas. Many of them work in hazardous conditions for their survival but their contribution in the development of the city is often not recognized. They face stigma, and exclusion in society and are often displaced in the process of beautification of the city and invisibilized as if they are not part of the city. They have very little access to health, education, and other public services. Delhi is expensive for them especially affording a home. It is impossible to survive here without work but the kind of conditions in which they live and work makes them sick and unfit for labour after a certain age. They often have to resort to beggary or depend on any other member of the family or community for their survival.

In an interesting research conducted in Delhi about

¹ Indo-Global Social Service Society, “Annual Report 2011-2012 on Urban Poverty and Homeless” 27 (2012).

² Department of Women & Child Development Govt of NCT of Delhi, “Samparc- A Sustainable Approach for Multi-Faceted Progress aimed at Reclaiming Childhood” available at: http://www.wcddel.in/pdf/Samparc_policy_action_plan2021New.pdf (Visited on September 05, 2022).

the conceptual understanding of homelessness,³ it was found that there is an inherent problem with the conceptualization of homelessness. Homelessness is not similar to being houseless. There are many homeless children who run away from their homes because of maltreatment or hostility faced in the home. Homelessness is more of a structural problem rather than an individual problem. Poverty indicates a lack of many other things rather than just a house. It has been experienced in the past that even if given permanent houses, homeless people tend to either rent the house or sell it and again move to the streets. This is primarily because unless they have earnings for their basic survival needs, living in a *pakka* house does not make much sense. They see their house as an opportunity to earn extra and fulfil those needs that are more basic in the hierarchy.

IMPACT ON CHILDREN

The impact of homelessness begins much before a child is born and continues till the end of a person's life. Children who suffer homelessness since infancy are mostly born out of homeless parents. The pregnant homeless mother faces many health-related issues in the process of childbirth. Many gestating women and infants die at the time of birth due to a lack of timely and proper access to the health care system.

DRUG ABUSE

Most homeless people are dependent upon addictive substances. Tobacco is the most common, which is taken either as such or in the form of *bidi*/cigarette and *Gutka/Zarda*. The other addictive substances are inhalants in the form of thinner and spirit, sniffing of adhesive glue, petrol, gasoline, etc. Different types of alcohol are also very commonly used by small and young ones. Many children also get addicted to *ganja*/marijuana and cheap *charas*.

It is estimated that around a *lakh* or more children are living on the streets of Delhi⁴. In a research

conducted on street children of Delhi, more than 50% were found abusing substances and more than 25% were using cannabis/ganja. The result of the research showed that the main cause of substance use among these children is unstable homes and maltreatment.⁵

Young children who are addicted to chemical drugs, mostly living in streets and slums often indulge in deviant behaviour such as chain snatching, molestation, theft, acid attacks etc. In fact, the crime rate is more in the areas where families, children, men and women have made drugs and substance as part of their life.⁶

ROLE OF STATE AND POSSIBLE SOLUTIONS

LEGAL ASPECTS

Article 47 of the Constitution of India⁷ lays down one of the most important directive principles that work towards developing a good and accessible healthcare system. It specifically states that the state has the primary duty to constantly endeavour for prohibiting substances and intoxicating drinks that are harmful to the health of people. This constitutional provision encapsulates the true spirit of the welfare state by working towards better health of people and raising the living standard of its people.

The commitment of our nation to eradicate drug and substance dependence arises from the constitutional commitment under Article 47 and the three international conventions to which

³ *Supra* note 1.

⁴ NCPCR, "Assessment of pattern, profile and correlates of substance use among children in India, 2013" available at: <https://movendi.ngo/wp-content/uploads/2019/05/68106596.pdf> (visited on July 18, 2022).

⁵ Deepti Pagare, G S Meena, M M Singh, Renuka Sahu "Risk Factors of Substance Use among Street Children from Delhi" 41(3) *Indian Pediatrics* 221-225 (2004).

⁶ Pallavi Rebbapragada, "Delhi's drug crisis: Drug addiction transcends class barriers, rehabilitation is a massive challenge" (2017) available at: <https://www.firstpost.com/india/watch-delhis-drug-crisis-drug-addiction-transcends-class-barriers-rehabilitation-is-a-massive-challenge-4202397.html> (visited on July 18, 2022).

⁷ Article 47 of the Constitution of India- Duty of the State to raise the level of nutrition and the standard of living and to improve public health- The State shall regard the raising of the level of nutrition and the standard of living of its people and the improvement of public health as among its primary duties and, in particular, the State shall endeavour to bring about prohibition of the consumption except for medicinal purposes of intoxicating drinks and of drugs which are injurious to health.

India is a signatory namely, Single Convention on Narcotic Drugs, 1961, Convention on Psychotropic Substances, 1971 and Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988.

To fulfil the constitutional and international commitments, the Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985 was enacted by the parliament to regulate and control the abuse of drugs and psychotropic substances. It makes consumption, possession; trading, manufacturing, financing, trafficking, and other operations related to drugs & psychotropic substances, a punishable offense and provides stringent provisions for trial and punishments. Homeless youngsters often face harassment at the hands of police who are actually the victims of drug mafias under the provisions of the NDPS Act. Rather than nabbing the real masterminds who traffic drugs and makes poor and homeless youngsters their easy targets, the police catch hold of the homeless and harass them for consuming drugs.

POLICY INTERVENTIONS

The issue at hand is complex involving multiple aspects. Drug and substance addiction among children is one of the most dangerous effects of homelessness. Apart from facing health hazards, these children at a later stage of life become socially deviant; a threat to society and pass their legacy to the next generation perpetuating the stigma; stereotypes, and prejudices about homeless people. Thus, we as a welfare state have to adopt a holistic approach to eradicate both substance addiction and homelessness. One cannot be successfully curbed without curbing the other.

According to a study conducted in Delhi⁸, most people despite having awareness about shelter homes do not prefer to avail the facility. The gender-specific shelters are unsuitable for family people. They prefer to live in open spaces rather than separating from their family and availing of shelter facilities. The lack of family shelters and

8 Soumya Pancholi, "Understanding Urban Homelessness" Available at: <https://sprf.in/wp-content/uploads/2021/01/Copy-of-Urban-Homelessness.pdf> (visited on September 07, 2022).

gender segregation result in the exclusion of the majority of the targeted homeless population.

The Ministry of Social Justice and Empowerment initiated a 'National Action Plan for Drug Demand Reduction' (NAPDDR) for 2018-2023. It focuses on the identification, treatment, and rehabilitation of drug dependents, counselling, awareness generation, capacity building, and training of the service providers through collaborative efforts of the Central and State Governments and Non-Governmental Organizations, preventive education, etc. The broad objectives of the plan are educating people about the ill effects of drugs, identifying the dependents, motivating and counselling them for de-addiction, providing aftercare and rehabilitation of addicts, and putting efforts into drug demand reduction, etc.

The Suryodaya scheme was implemented by the Government of NCT to curb the menace of the drug as a one-stop center for drug de-addiction in Delhi in the year 2021.⁹

POSSIBLE SOLUTIONS

It is important that a person gets a stable house during and after the treatment so that the chance of relapse reduces. The de-addiction plan and housing plan must go together to tackle the problem of drug abuse¹⁰.

The observation homes should target the problem of substance abuse in a systematic manner by identifying and diagnosing the children with dependence issues and then treating them, rehabilitating, and counselling them. Parents, if available, also need to be counselled about the long-term effect of maltreatment of children.¹¹ The impact of homelessness can be minimized by prioritizing their access to various services such as affordable housing, rehabilitative services for drug and alcohol abuse, skill learning, after-school programs, nutritional support, etc.

9 "Suryodaya Scheme Gets Developed To Curb Drug Menace In Delhi" *The Health*, Nov. 9, 2021. Available at: <https://thehealth.today/suryodaya-scheme-gets-developed-to-curb-drug-menace-in-delhi/> (visited on July 18, 2022).

10 *Supra* note 11.

11 *Supra* note 7. Deepti Pagare, G.S. Meena, M.M. Singh and Renuka Saha, Risk Factors of Substance Use Among Street Children from Delhi, *Indian Pediatrics* 2004; 41:221-225

We also need more shelter homes that suit the needs of most of the homeless population by providing staying arrangements for families. These shelter homes can also be restructured in order to impart skills, education, and other training that would help them come out of the vicious circle of homelessness and poverty.

WAY FORWARD

There is a need to devise a working definition of homelessness. The definition is important as it makes us understand the problem more precisely and helps in devising the response and formulating policies and schemes to eradicate the problem. Homelessness reflects various kinds of deprivations that are to be understood for policy interventions.¹² The ‘housing schemes’ without

capacity building, education and skill development that can help in breaking the shackles of poverty which is the main cause of homelessness would not be of much help.

The role of state is of utmost importance to uplift the standard of its people, but the lack of willingness to genuinely deal with the problem of substance abuse is evident not only in the capital city but in the entire nation. India is losing its most valuable asset in the hands of chemical substance. Therefore, the state should address the concern with utmost caution and empathy.

12 Graham Tipple and Suzanne Speak, “Definitions of

homelessness in developing countries” 29 *Habitat International* 337–352 (2005).




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15th MARCH, 2023

THE GRAVEYARD OF EMPIRES: AFGHANISTAN STORY

In September 2021 – when US President Joe Biden called for a full withdrawal of troops, the entire world had its eyes on the Afghanistan crisis. The horrific scenes at the Kabul airport as people rushed to escape, tore apart million families and their loved ones. However, today, the Afghanistan story has gone deep down the graveyard, whilst the Afghan people continue to face a humanitarian crisis.



- Afghans make up one of the world's largest population uprooted by conflict and human right abuses in the world.
- Half of the people in Afghanistan are facing extreme hunger.
- The drought in 2022 was accompanied by a heatwave so intense, that it led to multiple wildfires in the country's eastern region.

A BRIEF UNDERSTANDING OF WHAT HAPPENED?

- **1989** | A Civil War was triggered when the U.S. and Pakistan-backed Mujahideen tried to overthrow the Soviet-installed Afghan ruler, Najibullah.
- **1996** | The Taliban seized Kabul & instituted a severe interpretation of Islamic law.
- **2001** | Post the 9/11 attacks on the World Trade Center, the Taliban refused to hand over Osama Bin Laden. In retaliation, the U.S. launched airstrikes against Afghanistan, and over the years, the Taliban was ousted from the country into the corners of Pakistan.
- **2001** | December – Bonn Agreement outlined the establishment of a permanent Afghan government and the International Security Assistance Force (ISAF). The primary objective was to rebuild key government institutions & tackle the Taliban insurgency.
- **2002** | Bush administration announced 38 billion USD in humanitarian and reconstruction assistance to Afghanistan majorly for equipping the Afghan forces.
- **2009** | The Obama administration increased the troop surge in Afghanistan to 100,000 from 67,000. And Md. Karzai was appointed as President of Afghanistan.





Uprooted homes and dreams of the Afghan people

- **2011** | Osama Bin Laden was killed in Operation Neptune by the U.S. Navy SEAL Team in Abbottabad, Pakistan in May.
- **2011** | June – President Obama announced a withdrawal plan from Afghanistan. This also marked a decade in the so-called ‘Afghanistan war’.
- **2011** | A decade of loss – 1800 U.S. troops casualties, \$444 billion spent in the name of military equipment. The Afghan loss is more than 2,34,000 people dead, since 2001. More than 70,000 being civilians.
- **2017** | U.S. dropped the ‘mother of all bombs’ & hinted towards the possibility of adding more troops as suicide bombings had increased in Kabul.
- **2019** | Tumultuous negotiations ensued between the U.S. and the Taliban.
- **2020** | U.S. & Taliban entered into an agreement that dealt with intra-Afghan negotiation and an eventual ceasefire. However, violence continued in the form of airstrikes and attacks between the parties.

- **2021** | President Biden ordered a full withdrawal of all troops by September. This led to the fall of the Afghan government and a takeover by the Taliban.
- **2021** | The U.S. deployed 6,000 troops for a quick evacuation of all U.S. personnel as massive violence erupted at the Kabul International Airport leading to loss of several lives and turning countless Afghans into refugees.

THE LAST MAN STANDING

- **2021** | Former Vice President Amrullah Saleh was the last man standing to defy the Taliban insurgency as all the other government officials fled the country. At present he’s the leader of the Resistance Front against the Taliban and continues to be vocal about the ongoing humanitarian crisis and the severe human rights abuses.
- **2021** | After an attack in Panjshir which happens to be his home turf, Mr. Saleh has taken refuge in Tajikistan. He continues to support the National Resistance Front, however, it is appalling to witness that there is absolutely no international support against his defiance to surrender to the Taliban regime.
- **2022** | The Taliban continues to enjoy control over Afghanistan imposing arbitrary rules.



WHAT HAPPENED TO THE OBAMA WITHDRAWAL IN 2011?

- In July 2011, the first set of troops (650 soldiers) left after the withdrawal announcement.
- A complete withdrawal was planned by the end of 2014.
- This never happened since it was hampered due to the green-on-blue attacks by local forces on international allies.
- In 2012, again it was decided that 23,000 soldiers will be pulled out of Afghanistan leaving behind around 68,000 troops.
- In 2013, plans were suspended as the U.S. was amidst bilateral security peace talks with the Taliban.
- A draft agreement was reached but it did not specify the number of U.S. and NATO troops that would remain in Afghanistan.
- In 2017, Donald Trump infused a troop surge in Afghanistan again.



As the World forgets about the severe human right abuses in Afghanistan – it is sad that – by 2023, 28 million people are expected to require humanitarian assistance, out of which 13 million are children!

It is high time, diplomacy be done for humanity and not for weapons and business!

THE HORRIFYING REALITIES OF THE 21ST CENTURY AFGHANISTAN

- 9,48,000+ people were profiled as internally displaced due to the Afghanistan conflict.
- Conflict, poor management, over-exploitation, and the effects of climate change – soil erosion in particular – have degraded more than 80% of the land in Afghanistan.
- Projected temperature increase, evapotranspiration, and shrinking rivers are expected to impact arable land further.
- 28.3% of women aged 20 – 24 years old are married or in a union before attaining the age of 18 years.
- In 2018, 34.7% of women aged 15 – 49 years reported that they had been subject to physical and/or sexual violence by a current or former intimate partner in the 12 months time frame.
- Taliban in yet another step banned women from attending university education, a step taken in Dec. 2022.
- The Taliban further issued a diktat, stating that male doctors will not be allowed to treat Afghan women. Only female doctors shall attend to Afghan females.
- Soon after the takeover, the Taliban banned girls from middle school and high school and ordered them to wear head-to-toe clothing in public.
- The Taliban has ordered its people to stop unnecessary accusations against government officials and avoid criticism against the regime.
- The UN report released in July 2023 recorded – 18 extra-judicial killings, 54 instances of torture and ill-treatment, and 113 instances of arbitrary arrest and detention among others, apart from the thousand un-reported horrific incidents that may never see the light of the sun.



SLUM-FREE CITIES: STRATEGIES AND SOLUTIONS

- Anand

INTRODUCTION

Beyond the high-class edifices and sumptuous lifestyle of the Cosmopolitan cities of India lie the lives of millions of slum dwellers. Slums are considered to be highly populated urban residential areas comprising of closely-packed housing units of frail-build quality that are suffering from a lack of basic amenities. The absence or poor quality of public infrastructure is one of the traits that distinguish slums from other areas. From electricity to clean and safe drinking water, from economical public transportation to fire and ambulance services, and from paved roads to basic medical care are more often than not, absent in slums. Slum inhabitants are subjected to miserable living conditions with a constant fear of eviction.

Keywords: *Slums, Miserable Living Conditions, Reformative Outlook, Public Participation and Rehabilitation.*

At present, 35% of the Urban Indian population is considered to be living in locations considered to be slum.¹ In 2011, the number was 17.4%. As a percentage distribution of Slum Population in States/UT's 2011 Census, Maharashtra has the highest proportion of slum population (18.1%) followed by Andhra Pradesh (15.6%), West Bengal (9.8%), Uttar Pradesh (9.5%), Tamil Nadu (8.9%), Madhya Pradesh (8.7%) and Karnataka (5.0%).² Out of the total 65.4 million population identified in the slum areas during 2011 Census reporting slum population, 13.4 million were Scheduled Castes (SC) and 2.2 million were Scheduled Tribes (ST).

According to data from the 2011 Census, there are 8.08 million children (age group of 0-6 years) living in slums throughout India and they make up 19% of all child living in urban areas of the 31 State/Union areas.”

The distribution of males and females in the slum population, or its sex composition, can be better understood in terms of the sex ratio. The sex ratio is the proportion of females to males in a population. In the slum neighbourhoods, men predominate over the other sex. In slums, there

are 928 females for every 1000 males. According to data from the 2011 Census, there are 8.08 million children (age group of 0-6 years) living in slums throughout India and they make up 19% of all children living in urban areas of the 31 States/ Union areas reporting slums. Only 44.6 million people living are literate. Expectedly, male (24.92 million) out-number female (19.6 million) in terms of number of literates in the slums.

SLUM-LIFE: WOMEN AND CHILDREN CENTRED PERSPECTIVE

Urbanization brings both hope and disappointment. For some, migrating to the urban areas seems a good option to earn some more money and become financial stable as to help the family with a more certain time ahead. Women generally think that opportunities in cities are better than those in their home towns or villages. In many cases, women leave rural areas not because they want a better future but rather to get away from an abusive husband or the lack of prospects for paid labour in the countryside.³ Family unification is also a cause for migration. Most women in slums work, but their jobs are frequently precarious, short-term, demanding, and exploitative. Women who live in slums

1 UN-Habitat, <https://data.worldbank.org/indicator/EN.POP.SLUM.UR.ZS?end=2018&locations=IN&start=1990&view=chart>

2 The Ministry of Housing and Urban Poverty Alleviation, “Slums in India: A Statistical Compendium 2015” 24 (2015).

3 Centre on Housing Rights and Evictions, “WOMEN, SLUMS AND URBANISATION Examining the Causes and Consequences” 10 (May, 2008).

frequently experience gender-based violence. Although the reasons for women's migration vary, the difficulties they encounter once they arrive in slum areas are strikingly consistent. Again, access to water and sanitation emerges as a daunting barrier; there are simply no health care provisions or facilities for persons who are unable to present proof of domicile due to where they live.

“Forcible evictions have highly negative long-term repercussions on women. No matter how traumatised a woman may be from going through a forced eviction, she will very certainly be responsible for caring for her family before, during, and after the eviction.”

Women's security in the slums and violence against them appear as major and recurring issues, time and again. Women are frequently the main targets of forced evictions carried out by government agents, since they typically occur during the day, when women are at home and are often thought to be less likely to resist. Private actors and State security forces, especially the police, frequently commit acts of physical and sexual assault and harassment against women and girls in the midst of the turmoil and violence that frequently accompany forced evictions.

Recent rapid urban population increase and the relative lack of focus on urban poverty possibly have exacerbated the multifaceted deprivation, including the lack of access to education, in urban regions. While many governmental programmes to combat poverty, including those for education, do not specifically target slum residents, they frequently do so for households in India with per capita monthly spending and yearly income below particular thresholds.⁴ One of the main barriers to slum children continuing their education and finishing it is the cost of their education.

“One unsettling aspect of these slum children is that many of them do not attend school in the appropriate class for their age. Even if a child is admitted to a neighbouring school at the age of four or five in the appropriate age-specific class, the study is stopped for a variety of reasons.”

4 Yuko Tsujita (UNESCO), *Deprivation of Education: A Study of Slum Children in Delhi India*, 2010/ED/EFA/MRT/PI/12 (2009) p. 14.

Since children under five living in slums have much lower weight-for-age and weight-for-height indices than children under five in rural regions, the prevalence of underweight, stunting, and wasting (acute malnutrition) is actually higher there than in rural areas nationwide. There is some evidence that in cities throughout the developing world, the urban poor have lower life expectancies and greater infant mortality rates than equivalent groups in rural and formal urban areas.⁵ One unsettling aspect of these slum children is that many of them do not attend school in the appropriate class for their age. This is especially true when taking into account the age breakdown of the pupils in the upper grades.

“As has frequently been noted, planning or regulatory authority in slums is frequently not held by official governing organisations but rather is distributed among a wide range of private actors, including landowners, chiefs and bureaucrats, and gangs.”

In order to implement the criteria outlined in local housing regulations, government policy is progressively favouring the rehabilitation of existing poor properties due to the drawbacks associated with condemnation and demolition. Governmental incapacity to encourage private industry involvement has been the main issue limiting the success of restoration and rehabilitation programmes.⁶ Catering to the interests of the silent majority of slum dwellers might not even be in the best interest of the people in charge in the slum. As has frequently been noted, planning or regulatory authority in slums is frequently not held by official governing organisations but rather is distributed among a wide range of private actors, including landowners, chiefs and bureaucrats, and gangs.

It may be due to competing interests between these parties and policy disagreements between the federal government and local governments that “status quo” interests have frequently prevailed in slums. Slum sites frequently are seen of expediently as empty, barren plots that can

5 Benjamin Marx, Thomas Stoker and Tavneet Suri, “The Economics of Slums in the Developing World” 27 *The Journal of Economic Perspectives* 193 (2013).

6 Larry S. Goldberg, “Receiver's Certificates - Valid First Liens for Slum Rehabilitation.” 1970 *University of Illinois Law Forum* 381 (1970).

be used for development reasons, such as the Commonwealth Games in 2010.⁷ Even when slums adhere to officially acknowledged, impressions of informality are readily overlooked. Hosting a major event has resulted in displacement.

WHAT “CAN” BE THE WAY FORWARD

- Looking at the existing conditions and taking a realistic approach, public participation need to be more emphasized than judicial activism. As has been seen, Courts advocacy for better facilities in slums has not been taken much into consideration while implementing the policies by the authorities.
- As has been observed that slum families will raise their own cash, supervise their own construction, and gradually upgrade their own homes with the help of nonprofit organizations.
- The first stage in slum rehabilitation must be giving the residents land ownership, or if not ownership, at least some level of long-term security of tenure, since this makes them feel more secure.
- A successful plan would have the following key components: providing slum dwellers with infrastructure; giving them the land on which they currently stand so that they have legal status there; allowing them to build ground-and-one-upper structures with freely permitted use of the ground floor for commercial purposes; and financing that infrastructure primarily through the city’s employers or its wealthier residents. One might feel nervous about the hypothesis that what would be done if wealthy residents start taking their business elsewhere to avoid tax and it may lead to a slowdown in the economy.
- One possible answer to this would be to restrict or stop these residents to avoid tax and implementing the same policy in every state of the country would not give any alternatives to these wealthy people to take their businesses anywhere.
- Slum-free cities are an impossible project, a ‘stark utopia’. This statement needs to be taken very seriously. Rather than going for a city-heaven, the focus first should be on removing the injustices that have been done to the slum people. Providing them with basic amenities will foster them to live a dignified life and this incentive may encourage the population in improvising the existing weakly built settlements.
- The only real and viable mode of housing and effective; tried and tested method of producing affordable housing is self-building. So, the policy’s focus should be on upgrading and improving informal settlements and providing service land to people to build their own homes.
- Also, many researchers have found that by freeing up resources that were previously employed to defend home assets, land titling increased household labour supply by 10 to 15%, increasing the rate of housing modifications by around two-thirds. The distribution of legal land titles in Buenos Aires, increased household investments and educational attainment.
- Instead of hiring experts or representing slum dwellers, NGO organisations can assist citizens in creating a housing cooperative that will be able to lobby and petition the appropriate authorities to secure a variety of rights for the slum dwellers.
- Instead of a massive improvement drive, one might drive in specific portions to prevent corruption by powerful individuals.
- Slum renovation schemes are better able to meet the requirements of the community by involving slum residents as participants in development during the rebuilding process. The challenges experienced by middle-class and upper-class communities are the emphasis rather than those faced by slums because higher classes attend public forums and exclude the urban poor from the conversation. The non-profit organization is in charge of the money, and books are maintained. When compared to corrupt authorities, the likelihood of corruption is lower.

⁷ Divya Priyadarshini, “Resettling Slums and Slum-Dwellers in Delhi: The view from Savda Ghevra” 47 *Indian Anthropologist* 73 (2017).

POSITIVE ENVIRONMENTAL STORIES

It is our collective and individual responsibility, to preserve and tend to the world in which we all live - *Dalai Lama*

In a world that is technologically advancing with each passing minute, preserving Mother Earth requires a handful of nature-loving people. Therefore, these stories!

Small efforts impacting millions!



India has lost **30%** of its natural wetlands in just three decades.

One Conservationist has made it his life's mission to resurrect parched ponds and transform mindsets.



Mr. Tanwar bases his revival project upon the ideology that every pond needs a different treatment. Today, Mr. Tanwar is the founder of Say Earth NGO, and he continues to carry forward his passion for conserving the Earth by planting urban forests and reviving water bodies in collaboration with other NGOs in India.

Environmentalist and nature-lover, **Ramweer Tanwar** popularly known as the **Pond Man of India** is known for the **revival of 40+ ponds and lakes** all across India. Ramweer's fondness for nature and his passion to conserve water since childhood ignited a desire in him to restore water bodies. Having grown up in an agricultural family in Greater Noida, Tanwar has always had a special affection for villages and the slowly dying water bodies.

The revival project initiated in his village in 2015, has since grown today to cover water bodies across UP, MP, Uttarakhand, Delhi, Haryana, and Karnataka.



The revival of the ponds is done in respect of a campaign called Jal Chaupan, an initiative to sensitize people about the importance of water and various factors related to water scarcity in society and motivate people to get involved in the restoration programme. The success of this conservation effort can be ascribed to the creation of public awareness and the involvement of public at all stages by educating and encouraging them.



ALL ABOUT THE RENEWAL PROJECT

- The resurrection of the dead ponds ensures clean water availability in addition to raising awareness, restoring groundwater discharge, and attracting various bird species back to the ecosystem.
- The **restorations are done by 10-12 people**, including volunteers, and full-time and part-time workers.
- Duration of this **restoration process** may take up to a few weeks to **6 months**, depending on the difficulty of the restoration.
- Interestingly, once the pond is restored, it is taken care of by the team for a period of **2 years**, before being handed over to the local authorities.

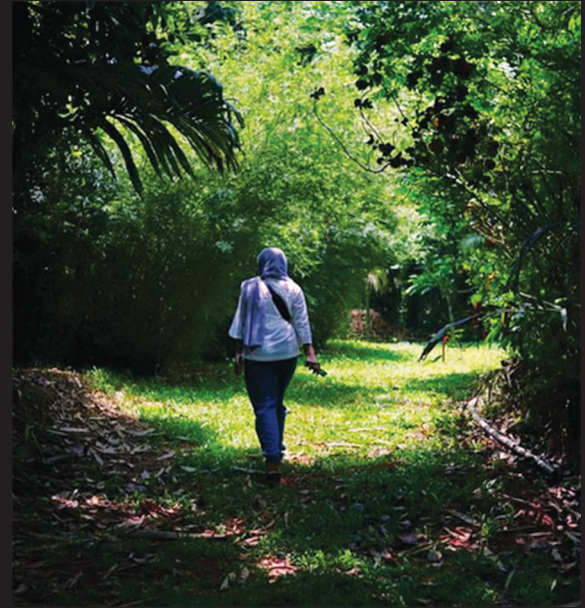
It all begins with awareness and a few steps in the right direction. From a single effort to community efforts – it makes a difference!

FROM QUARRY TO DENSE FOREST

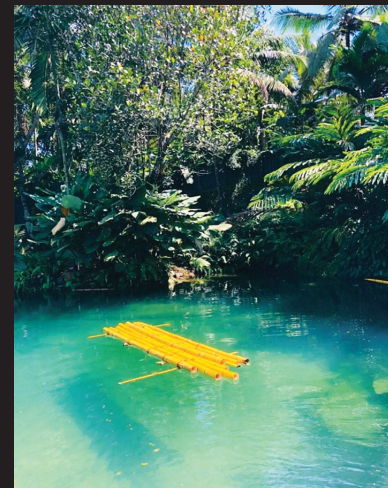
Kerala businessman Musthafa Parammel Ambadi has **transformed** a former **laterite mining land** into a **dense forest** consisting of more than **2000 trees**, dense bamboo, and Miyawaki forest with tropical plants, hundreds of fruit trees, and other ornamental and medicinal plants while attracting over **250+ varieties** of butterflies.



- When he visited the land, there was not a single plant on the property. Mining activity had almost taken away the life of the land.
- However, he was confident to put together his dream space here. This is because Musthafa visited the place during the extreme summer, yet he could spot the presence of water there!
- Musthafa spent a year studying about building an eco-system in a space like this.
- The journey started with creating a big pond in the land and dividing them into streams. This became – the basis of the green cover – the natural setup for trees to foster and form a forest.



*Dusty quarry to Wilderness – a lesson that Nature **can** revive, just that it needs some human assistance.*



WORLD'S LARGEST BEACH CLEAN -UP PROJECT

UN Champion of the Earth, lawyer, and environmentalist Afroz Shaz along with the volunteers of this project, started picking up the trash from the Mumbai Versova beach back in 2015.

They have been instrumental in removing around 430 tonnes of trash over the course of a couple of years.

Recently on 26th December 2022, the Public Works Department has decided to take over the beautification work of this beach involving the building of jogging track, putting up benches and planting trees on the beach all at a cost of Rs. 17 Crores.

The resolve of one man – went on to make Versova beach, from was one of the dirtiest beaches to one of the cleanest!





- The largest beach clean-up drive was joined by many volunteers and nearly took **108 weeks** to clean the Versova beach. It took almost two years to sweep the rubbish and junk. The volunteers would meet up every Sunday to clean the beach.
- After hooking Mumbaikars on the revolutionary drive to clean up Versova Beach, Afroz Shah shifted his focus to the **Mithi River**. He also plans to clean the **Dana Pani beach in Mumbai**.

Cities with clean beaches is Mr. Shah's mission!

While the government is responsible for enacting laws and policies to ensure a clean environment, citizens are equally responsible for the actions taken.

SANKAR AND HIS COMMUNITY DIG CANALS TO SAVE MUTHUPET'S MANGROVES



Muthupet, located in the Thiruvarur district of Tamil Nadu, used to receive significant rainfall over seven months.

In the last two decades, however, as rainfall patterns changed, the quantity of fresh water, flowing from the Cauvery River to the mangroves through traditional fishing canals, dwindled, leading to an increase in the soil salinity levels.

With this, mangrove species that were more sensitive to salinity began to die out.

It was at this point that **54-year-old Sankar** and his community came to rescue by digging canals for regular tidal flow to keep soil salinity intact and preserve the mangroves of Muthupet along with the forest department's assistance.



- Initially, there were **200 traditional fishing canals** in Muthupet, but on realizing the importance of the inflow of fresh water to keep the soil salinity in control, Sankar began to mobilize his community to dig more canals — with the help of the Tamil Nadu Forest Department — leading the Cauvery River water into the wetland.
- Over 20 years, Sankar worked closely with researchers to educate the coastal community on the importance of mangrove forests to their livelihood and, with the Forest Department, to dig over **3,000 canals spread across 5,000 hectares**. These canals are also his legacy.



A TRIAL OF THE TVCS IN DELHI: FROM 2004 TO 2022

- Prashant Narang & Simranjyot Kaur

INTRODUCTION

In 2014, the Government of India enacted the *Street Vendors (Protection of Livelihood and Regulation of Vending) Act* to protect the rights of urban street vendors. A highlight of this Act is the *Town Vending Committees (TVC)*. TVC is a participatory committee with decision-making powers and a consultative role in the regulation and protection of the rights of street vendors. This paper argues one, that TVCs are indeed dysfunctional, at least in Delhi; and two, they are impracticable and hence, not likely to be functional. The first assertion is based on a telephonic survey of 76 vendor representatives cum TVC members from 27 TVCs in Delhi. The questions included the nature and proceeding of meetings, frequency of meetings, and circulation of minutes of the meeting. The second assertion is based on the theoretical framework of simple and complex rules by Epstein. We argue that TVC is a complex rule, i.e., it entails huge administrative costs without aligning the incentives of various stakeholders. Thus, making it impracticable.

Keywords: *Town Vending Committees, Street Vendors, Participatory Decision Making, Delhi.*

INTRODUCTION

Article 19(1)(g) of the Constitution of India grants every citizen the right to livelihood. It is, however, a distant reality for street vendors in India. Vendors right to public spaces competes with the free movement of pedestrians, commuters, and vehicles.¹ Laws that governed municipal spaces prior to 2014 had skeletal provisions allowing sweeping discretion to public officials. For a long time, public officials have exploited these gaps to extort and harass vendors.² India has been through a long journey to fill this vacuum.³

The Government of India signed the Bellagio International Declaration of Street Vendors in 1995 and committed to creating a policy for

giving vendors legal status.⁴ The declaration urged the signatories to set up participative non-formal mechanisms with representation from street vendors, NGOs, local authorities, the police, and other stakeholders to balance various competing interests over the use of public spaces. These mechanisms were aimed at ensuring vendor participation in the broader structural policies. Soon after, in 2004, the National Policy on Street Vendors was introduced.⁵ The policy introduced the concept of Town Vending Committees (TVCs) as participatory decision-making bodies for dispute resolution. This policy, revised in 2009, defined a TVC formally.⁶

1 Lola Salès, “*The Street Vendors Act and the right to public space in Mumbai*”, 17-18 *Articulo - Journal of Urban Research* 20, 25(2018).

2 Prashant Narang. 2019. ‘The Supreme Court and Article 19(6) of Indian Constitution: A Study of Judicial Behaviour’. Unpublished doctoral thesis, Jawaharlal Nehru University.

3 Centre for Civil Society, Report: *Do Street Vendors have a right to the city?* [Centre for Civil Society], [https://ccs.in/sites/default/files/do-street-vendors-have-a-right-to-the-city-iglus.pdf]

4 The Bellagio International Declaration of Street Vendors 23 November 1995 <https://webcache.googleusercontent.com/search?q=cache:dVpNpoz3na4J>

5 Government of India, Report: *National Policy on Urban Street Vendors* Ministry of Housing and Urban Poverty Alleviation, 2004 <http://dcmsme.gov.in/Street%20Vendors%20policy.pdf>. [hereinafter Policy 2004]

6 Government of India, Report: *National Policy on Urban Street Vendors* Ministry of Housing and Urban Poverty Alleviation, 2009 <http://sulmbihar.in/pdf/16930e98711e2c17408e1ea763c82560.pdf>. [hereinafter Policy 2009]

Finally, the Parliament of India passed the Street Vendors (Protection of Livelihood and Regulation of Vending) Act, 2014 (hereinafter ‘the Act’) which clearly laid down all functions and powers of the TVC.⁷ Section 23 of the Act delegates the power to prescribe rules of procedure for the functioning of TVCs to the state government.

In New Delhi, all TVCs were constituted through a notification issued by the Delhi Government after TVC elections were conducted.⁸ Before these TVCs were notified, the Delhi Street Vendors Rules 2016 allowed for the creation of provisional TVCs with nominated vendor representatives to enumerate and certify vendors. However, these provisional TVCs had insufficient vendor representation, and so, TVCs were reconstituted. Several vendor groups complained to the Parliamentary Standing Committee on Urban Development (hereinafter ‘the Standing Committee’) about improper functioning of TVCs.⁹

HOW HAS TVC AS A CONCEPT EVOLVED?

TVCs

The National Policy of Street Vendors, 2004 introduced the concept of participatory decision-making for the first time. However, it did not define TVC within its framework. It only suggested TVCs as a centerpiece to help in facilitating participatory policy making. The revised National Policy on Urban Street Vendors, 2009 took a step forward and defined the TVC as, “the body constituted by an appropriate Government for protecting the livelihoods of street vendors while at the same time imposing reasonable restrictions, if necessary, for ensuring flow of traffic and for addressing concerns relating to public health and hygiene in the public interest”.

7 The Street Vendors Act, 2014, No. 7, Acts of Parliament, 2014 (India). [hereinafter “Act”]

8 Notification for Constitution of Town Vending Committees, Government of NCT Delhi, F.No.13(230)/UD/MB/2018/ (2018) <http://it.delhigovt.nic.in/writereaddata/egaz20188260.pdf>

9 Ministry of Housing and Urban Affairs, Report: *Parliamentary Standing Committee on Urban Development*, Parliament of India Lok Sabha (6 August 2021) http://164.100.47.193/lsscommittee/Urban%20Development/17_Urban_Development_9.pdf.

WHO IS IN TVC?

As per National Policy, 2004, TVC must include representatives of the municipal authority, traffic and local police, public land-owning authority, association, and street vendor associations. It also mandated 25-40% vendor representation and at least one-third of women representation in the TVC.

In order to be more inclusive, the 2014 Act gave due representation to the scheduled castes, the scheduled tribes, other backward classes, minorities, and persons with disabilities from amongst the members representing street vendors. The vendor and women representation remained at 40% and one-third, respectively.

WHAT WOULD THE TVC DO?

The National Policy, 2004 empowered the TVC to designate vending and non-vending zones in consultation with the local authority, and ensure provisions for space for vendors in the markets sufficient for meeting existing demand for goods and services and in accordance with the expected population growth.

The subsequent Policy, 2009 added more responsibilities for the TVC such as ensuring good quality of the goods and services that are being provided to the public, facilitating smooth functioning of the vendor organizations, and disseminating helpful information related to credit schemes amongst the vendors. These burdened the TVC with functions that do not correspond to the purpose of a TVC.

However, in 2014, the Act streamlined the functions of the TVC and limited it to activities that would facilitate the welfare of the vendors. Apart from the broad functions that remained the same over the years such as deciding the norms on the public space, survey of the vendors, issuing certificates of vending, penalizing defiant vendors, and ensuring the availability of civic amenities to the vendors, the Act included giving recommendations to the local authority on the drafting of a plan for street vending and framing of schemes for street vendors, publishing a street vendors’ charter, maintaining up to date records of the registered street vendors and carrying social audits of its activities.

WHAT THE SURVEY FOUND?

HIDDEN AGENDA

As per the Act, the TVCs are required to play a key role in regulation of vending activities. Apart from taking surveys and identifying vendors, it should provide consultation to municipal authorities on various important matters like relocation of vendors, preparation of vending plan, demarcation of vending and no-vending zones, determination of holding capacity, and declaration of natural market.

The content of most meetings remains the same. Vendors are generally asked about the problems they are facing but no concrete decisions are taken in these meetings. Vendor representatives are generally informed about the recent developments that have taken place, such as the application process under Pradhan Mantri Street Vendor's Atma Nirbhar Nidhi (PM SVANidhi) Scheme and the upcoming survey process in Delhi. Vendors claim that these discussions are not followed through to find solutions to their problems.

"No agenda is circulated. The authorities inform one or two members over a call and it becomes their responsibility to inform others."

-Vendor Representative of Central Zone, September 2020

EXCLUSION OF VENDORS FROM THE DECISION-MAKING PROCESS

The Delhi Street Vendors Rules, 2016 provides for the constitution of one TVC for a group of four wards.¹⁰ Delhi has 27 TVC Zones. Each TVC has 30 members. As per the law, 12 out of 30 members must be vendor representatives, i.e., elected by street vendors. However, the elected vendor representatives shared with us that in some cases, not all 12 seats are filled.

According to Rule 20 of the Delhi Street Vendors Rules, 2016, decisions in the TVCs should be taken by a simple majority of all the members present in the meeting. The minimum number of members required for any decision to be taken is one-third of the total members.

¹⁰ Delhi Street Vendors 2016, Rule 12, Notification of Urban Development Department, No. F. 13(61)/UD/MB/CC/2014/ 6987, 2016 (Delhi). [hereinafter "Rules"]

In reality, however, vendors noted that voting on decisions is not always the norm. Only 10% of the vendors shared that decisions are taken by voting. More than 50% of the respondents shared that vendor representatives are not given due importance in the meetings. The Deputy Commissioner of the local authority, as the head of the TVC, can influence the decision-making process. Even if vendor representatives get a chance to express their opinion, those inputs are not accounted for in the decision-making process.

TVC – FAR FROM THE PARTICIPATORY UTOPIA

All the survey responses recorded indicate that the functioning of TVCs is far from what it was envisioned to be. There are visible pain points with the TVC meetings that are defeating the purpose of participatory decision-making.

To understand the cause of the failure of the TVCs, its structure needs examination. TVCs consist of municipal authorities, police officials, NGOs, market associations, banks, resident welfare associations, and other such stakeholders of the ecosystem. Despite having other players in the TVC, its functioning is heavily dependent on the local authority in several ways. It is responsible for the constitution of the TVC, allocation of resources to the TVC, and most importantly, it is headed by the Municipal Commissioner who is empowered by the Act to call and conduct meetings. A direct consequence of either the unwillingness, negligence or even the inadequate bandwidth of the local authority would result in the failure of TVC. However, the Act creates more responsibilities for the local authorities without either expanding its bandwidth or putting in place any accountability measures.

The Municipal Commissioner is also burdened with multiple duties. Ensuring the proper functioning of the TVC is not a priority of the Commissioner. They do not dedicate adequate hours and tend to cut short the meetings by taking unilateral decisions and imposing their understanding of the Act on the street vendors.

The costs involved in the working of the TVCs are high. These include the costs of conducting elections for the TVC members and running the TVCs. Another study by CCS revealed that many states have prescribed a lengthy, complicated, and

cumbersome procedure for the election of street vendors to the TVCs.¹¹ This is a huge deterrent for the local authorities from conducting the elections and additionally also imposes huge administrative costs. Not surprisingly, over 53% of the TVCs constituted do not have elected vendor representatives.¹² This study also reveals that many states pay an allowance to members to attend the meetings of the TVC. This allowance ranges from Rs.100-1000 per meeting. This is another disincentive for the local authorities to conduct meetings as it would increase the financial burden.

Using Richard Epstein's model, it is observed that even though the intentions behind TVCs are good, it is a complicated and costly process that also does not align with the incentives of the stakeholders. Epstein argues that the administrative costs imposed by law must be justified based on whether they improve the overall incentive structure of individuals. He presents four scenarios of what a rule may do:

1. A rule may increase administrative costs while creating superior incentives;
2. A rule may increase administrative costs while creating poor incentives;
3. A rule may bring down administrative costs while creating superior incentives; and
4. A rule may bring down administrative costs while creating poor incentives.

Currently, the institution of TVCs falls within the second scenario.

A 'simple' rule would fall in the third scenario. It would align the interests of various stakeholders while minimizing administrative costs. TVCs require huge administrative costs without aligning the stakeholders' interests; unsurprisingly they are dysfunctional.

11 Jayana Bedi & Prashant Narang, *Progress Report 2020: Implementing the Street Vendors Act*, Centre for Civil Society, 17-18, Jun. 9, 2020, <https://ccsindia.org/sites/default/files/progress-report-2020-implementing-the-street-vendors-act.pdf>

12 Jayana Bedi & Prashant Narang, *Progress Report 2020: Implementing the Street Vendors Act*, Centre for Civil Society, Jun. 9, 2020, <https://ccsindia.org/sites/default/files/progress-report-2020-implementing-the-street-vendors-act.pdf><https://ccs.in/sites/default/files/progress-report-2020-implementing-the-street-vendors-act.pdf>

CONCLUSION

The purpose of establishing TVCs under the Act was to balance the competing interests over public spaces. The act aimed to ensure the participation of vendors in the decisions that affect them. As per the 2014 Act, a local authority has to consult TVC on various important matters.

The report analyses the functioning of TVCs in Delhi on all four aspects - nature and content of TVC meetings, decision-making process, frequency, and publication and circulation of the minutes of the meeting. As per the responses received, it can be concluded that the functioning of TVCs is far from the normative standard. The Delhi Street Vendors Rules state that a meeting shall ordinarily be held once every three months. Our report found that these meetings are not conducted in accordance with the mandate. Moreover, the vendors are not informed about the agenda of the meetings. Their opinions are overlooked in the decision-making process and they do not receive the minutes of the meeting. In effect, such deviation in the functioning of TVCs defeats the purpose of participative decision-making— a central feature of the Street Vendors Act, 2014.

Using Epstein's framework, we show that the underlying cause of the failure of the TVCs is the missing incentives for the local authority and the added administrative costs involved in its functioning. This makes the overall structure of TVCs complex and implementation difficult. To rectify this flaw, an alignment of the incentives is needed. Delhi Government's Parking Policy is a good model to pick best practices from.

THE RUSSIA-UKRAINE CONFLICT

1991: END OF COLD WAR

At the end of the Cold War, Ukraine was the **third-largest nuclear arsenal on Earth**. It had an estimated 1,900 strategic warheads, 176 intercontinental ballistic missiles (ICMBs), and 44 strategic bombers.

The war-heads atop the SS-19 and SS-24 ICBMs in Ukraine had explosive yields of **400-550 kilotons** each — that is, **27 to 37** times the size of the atomic bomb that devastated Hiroshima.

1994 – 2001: DE-NUCLEARIZATION

Years of political manoeuvring and diplomatic work, beginning with the Lisbon Protocol in **1992** — to remove weapons and nuclear infrastructure from Ukraine.

In **1994** — Ukrainian government signed a memorandum that brought the country into the global Nuclear Non-Proliferation Treaty while formally relinquishing its status as a nuclear state.

In exchange, the United States, United Kingdom, and Russia would guarantee security to Ukraine as a nation state.



2009: CONTINUING COMMITMENTS

Russia and the United States released a joint statement in **2009** confirming that the security assurances made in the **1994** Budapest Memorandum would still be valid after Strategic Arms Reduction Treaty (**START**) expired in 2009.

2014 – 2020: ARMED INVASION BY RUSSIA

Russia first broke its commitments under the Budapest Memorandum in **2014**, with its annexation of Crimea and aggression in eastern Ukraine.

The U.S. and U.K. responses in the face of Russia's recent aggression have been limited.

2021 – 2023

- **2021** | More than one hundred thousand Russian troops were in place near the Russia-Ukraine border.
- **2022** | February — Russian forces invaded a largely unprepared Ukraine after President Putin authorized a 'special military operation' against the country.
- **2022** | March — **141** of **193** UN member states voted to condemn Russia's invasion in an emergency UN General Assembly session, demanding that Russia immediately withdraw from Ukraine.
- **2022** | July — UN Human Rights Office recorded over **5000** civilian deaths and over **6000** civilian injuries since Russia's full-scale military invasion.



- Today more than **1,584,000** residents of Crimea and Donbas region are internally displaced persons after being compelled to leave their homes.
- More than **7.1 million** Ukrainians have been displaced within their country.
- Approximately **5.3 million** have crossed borders to become refugees in other European countries.
- The Russia-Ukraine conflict has left more than **10,000+ people** dead and up to **25,000+ people** wounded (UN data). This number includes, in particular, **298 passengers of MH17 flight**, including **80 children**, killed as a result of terrorist attack on **July 17, 2014**.
- The United Nations body that tracks civilian casualties in Ukraine has most recently given **6,500** as its figure for the civilian toll, but it only counts a death once a name and other details can be confirmed. Ukrainian officials have estimated that some **40,000 civilians** have been **killed**.
- Meanwhile, more than **7.8 million** people have fled Ukraine as refugees since February, according to the United Nations Refugee Agency; millions more have fled their homes but stayed in the country.
- Ten million Ukrainians are now living without power, Hans Kluge, the WHO's regional director for Europe, told reporters, and half of Ukraine's energy infrastructure has been damaged or destroyed by recent Russian missile attacks.



ATTACKS ARE NOT LIMITED TO ARMED CONFLICTS

- **2014** | Since the annexation of Crimea, Ukraine has also increasingly been the target of thousands of cyberattacks.
- **2015** | More than **225,000 people** lost power across Ukraine in an attack on electricity generation firms.
- **2022** | Ukrainian government websites, including the defense and interior ministries, and banking sites were targeted by distributed denial-of-service attacks alongside the Russian invasion.
- Global warming impact of energetic materials used in explosives varies from **5.06 to 42.4 kg CO₂e** per kg of material with most estimates ranging from **5.06 to 12.9 kg CO₂e** per kg of material.



War that anticipates peace by destroying the future of millions is based upon the ego of a few!

ADDRESSING THE LACK OF AN INSTITUTIONALIZED ELEMENTARY EDUCATION SYSTEM FOR THE VISUALLY IMPAIRED IN THE STATE OF KARNATAKA

There is no greater disability in society than the inability to see a person as more - Robert M Hensel
- **Nikhita & Kritika** (St. Joseph College of Law, Bengaluru)

ABSTRACT

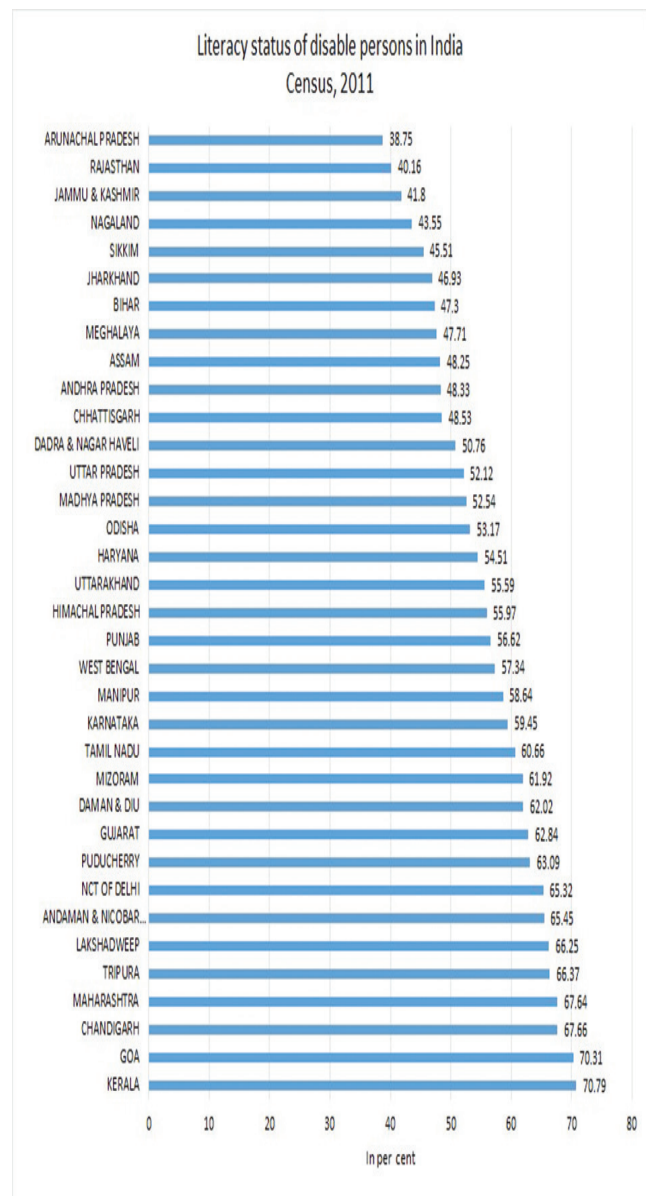
This policy memo focuses on the institutionalisation of elementary education for visually impaired persons in the State of Karnataka. The fundamental problem with any policy for the disabled in the state of Karnataka is the blanket categorization of all kinds of disabilities as one. This apathy has led to the Public Works Departments not receiving the benefits they are entitled to under various schemes. Hence, the authors of this policy memo have adopted an approach that focuses specifically on the visually impaired alone. Additionally, the memo has also employed ‘stakeholder mapping’ using the power-interest technique. The authors have made policy recommendations backed by case studies and statistics.

BACKGROUND

With blindness in India, comes the hard-hit struggle of poverty. India has the world’s largest visually impaired population and thus it becomes even more necessary to ensure quality as well as early childhood education to those who are visually impaired so that they can stand to compete with their peers. In Karnataka, most of the visually impaired belong to underprivileged communities. With this reality, to be able to achieve something on their own is left to the game of chance. Despite Article 45 of the Constitution which focuses on providing free and compulsory education to all children including the specially-abled, there is a lack of infrastructural support and quality elementary education for the visually impaired. Mere equal treatment under the law will not mark growth. Policies catering to a structural and organised system of preliminary or elementary education, along with appropriate care and attention is the need of the hour.

RESEARCH PROBLEM

The problem identified for the purpose of this memo is the lack of an institutionalized and well-structured ‘Elementary education’ system for the visually impaired in the state of Karnataka.



POLICY STATEMENT

- Department must have an up to date and accurate statistics on the number of visually impaired in the state. Additionally, a database of all NGOs and other organisations working for the visually impaired can be prepared.
- Establish more Department Institutes for Blind children, especially at the elementary education level. The same can be facilitated through NGOs already working in the field.
- Separate wings for the visually impaired can be created in all schools (government and private) for the disabled to cater to their specific concerns.
- Additionally, residential schools can particularly be beneficial for the visually impaired. A special emphasis on pre-schools would be very beneficial.
- A special and focused syllabus should be prepared for the visually impaired. A separate wing under the Department of Education can work on the syllabus to be in line with the industry requirements.
- Even when the state government has ordered a 3% reservation of seats in all educational institutions for students with disability, more systematic maintenance of beneficiaries can be done by employing technology for the same, & for the same purpose, the department could float tenders.
- Audio library wings can also be established online hosting audiobooks that can be accessed easily.
- Alternate options for modes of assessment can be explored. The software industry for this purpose can be incentivised to work on software applications that can allow the visually impaired to write exams on their own without the need for a scribe and permit multi-lingual usage. Teachers must be specially trained by establishing training centres in the State in collaboration with educational institutions like the IITs, NITs, and so on, thereby ensuring qualitative improvement in the education of the visually impaired to meet industry standards more effectively.
- Parents and family must be actively incorporated through regular interactions at school, and discussions with experts in the field to ensure continuity in the studies of the visually impaired.
- The schools must necessarily have a special section dedicated to the mental health of the children especially considering the fact that the majority of the visually impaired belong to the less privileged section of society.
- A state-level helpline for the disabled and their families and a door-to-door step servicing centre can be established in each district to ensure that their concerns are heard and addressed.



- Considering unsafe roads and public spaces that are not well- equipped for the visually impaired, the Department. could explore a partnership with the BMTC wherein bus services to and from the school in the case of non-residential schools can be provided.
- For effective education, it is necessary that schools are infrastructurally well accessible for the visually impaired. This would include usage of architecture that in no way can injure the children. Organisations like Rampmy City have started providing ramps at public spaces to ensure better accessibility.

IMPLEMENTATION PROCEDURE

COMMITTEE

To facilitate the recommendations stated earlier, a committee to look into the specific needs and concerns of the visually impaired in the State of Karnataka in the socio- economic, political and cultural areas can be set up. The Committee shall be set up under the Dept for the Empowerment of the Differently abled and Senior citizens, with the Commissioner for Persons with Disabilities acting as the Chairman. The Committee should consist of all relevant stakeholders, particularly the following:

- Deputy Director for Schemes under the Dept for the Empowerment of the Differently abled and Senior citizens
- Representatives from the Department of Education
- Representatives from the Department of Women and Child Development
- Heads of institutions set up specifically for the Blind (4 as of now)
- Teaching professionals from the elementary to higher education levels for Visually impaired
- Visually impaired persons (to be representative of the diversities of the state- urban- rural)
- Doctors and healthcare professionals (Narayana Nethralaya, Retina Institute of Karnataka)
- NGO representation (in sectors like education, healthcare, infrastructural support, accommodation)
- Technology professionals

The Committee shall convene and based on its findings make recommendations in the form of a Report within 6 months' time period. Based on this Report, the concrete action can be taken.

ENCOURAGING STEP!

On November 24, 2022, the current CJI Dr. D.Y. Chandrachud made an announcement while hearing a matter, in which visually impaired Sr. Advocate S.K. Rungta was present that the National Informatics Center in co-ordination with Mr. Rungta

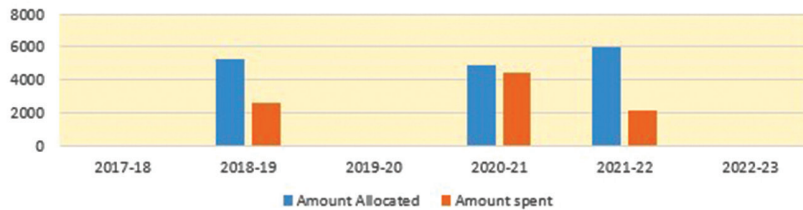
“to make braille translations available to all lawyers across all the courts pan India”.

FUNDING

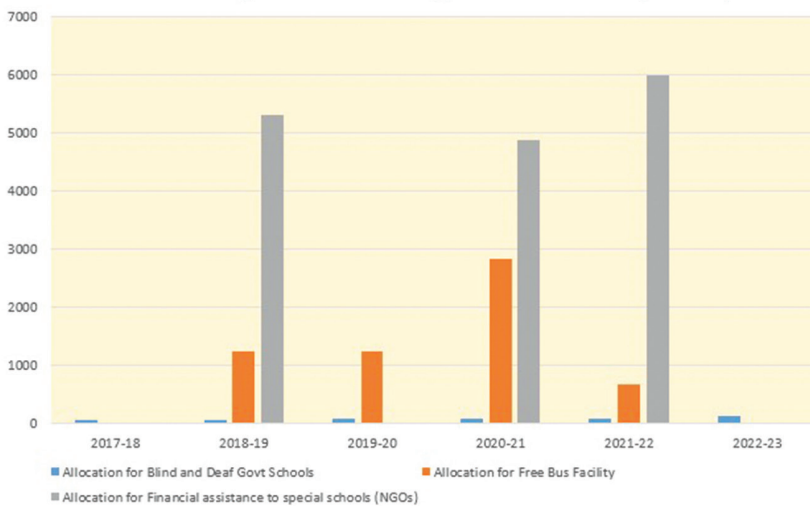
DOMESTIC

In recent years, there has been no separate allocation for the education of the disabled (and hence the visually impaired) in the Annual State Budget of Karnataka, the negligible allocation under other heads has not even been utilised to the complete extent year on year. This calls for a separate sector-wise allocation for the implementation of the above-mentioned policy ideas.

Trend for utilization of funds for financial assistance to special schools (NGOs) in Karnataka



Karnataka Budget Allocation for support of the Disabled (in Lakhs)



The state government can explore collaborations with global companies working in the sector as has been done by other states successfully. The state can attract investments in the sector that can prove beneficial in the long- run. The World Blind Union and affiliated organisations within the state can also be involved in the implementation of the policy. With this, donations by members of society and philanthropists can be mobilised as well.

CONCLUSION

Merely changing the approach towards treating the persons with disabilities, by calling them specially abled or differently abled in legislations won't ensure their survival. There is an urgent need to ensure they are benefitting and not lagging behind which is often due to poor elementary education, educational opportunities and resources, and access to the perennial streams of knowledge. The above- mentioned recommendations and implementational suggestions ensure that the existing policies are availed by those in need and also opens doors to new policies and ideas, taking inspiration from other states in India as well. Karnataka stands amongst the top five amidst States having maximum percentage of visually impaired persons. It therefore becomes imperative to urge the Government bodies to use their power to effectively empower the students, so that they can lead a stable and secure life. It is high time that visually impaired persons have a stage of their own and not get lost in blanket categorisation and public optics.

“I don’t need easy; I just need possible.”

- Bethany Hamilton

COP-27 HIGHLIGHTS

The 2-week long **27th Conference of Parties**, hosted by the Government of the Arab Republic of Egypt at the Red Sea Resort Town of Sharm El-Sheikh from **Nov 06-Nov 18, 2022** had over **35,000 participants** from **200 countries** and **100 Heads of States and Governments**.

LOSS AND DAMAGE FUND

- This pooled fund aimed to assist the developing countries vulnerable to the adverse effects of climate change is one of the significant outcomes of the conference.
- The magnitude of contributions towards building this fund was determined on the basis of 'law of proportionality', in recognition of the developed countries increased contributions of the emissions of greenhouse gas than those of the agrarian countries and low industrialized nations.
- About **€340m** in new pledges for loss and damage were made, including from the EU, New Zealand and Canada.
- The **COP27** has also agreed to establish a 'transitional committee' for making recommendations at the **UAE COP 28, 2023** on the operationalisation of the '**L & D Fund**'.



CLIMATE FINANCE - KEY DISCUSSION OF COP 27

- Parties agreed to “**US\$4 to \$6 trillion** a year to be invested in renewable energy until **2030**.”
- To allow the world to reach **net zero emissions** by **2050**, investment in technology and infrastructure were also promoted.

ACCELERATING DECARBONISATION: A BREAKTHROUGH AGENDA

- This master plan seeks to accelerate decarbonization of five major sectors- power, road transport, steel, hydrogen and agriculture.
- Under this agenda, sectors accounting for **50%** of global greenhouse gas emissions are designed to reduce energy costs and enhance food security, with buildings and cement sectors to be added to the Breakthrough Agenda next year.

MARS: METHANE ALERT AND RESPONSE SYSTEM

- In recognition of the growing menace of methane emissions, the UNEP announced the launch of a new designed to detect it.
- For this purpose, the UNEP will use the satellite detection to notify governments and companies of methane leaks, helping them to take action.

Coca-Cola



COP27
SHARM EL-SHEIKH
EGYPT 2022



COCA COLA AS THE SPONSOR OF COP27: AN IDEAL EXAMPLE OF GREENWASHING

- This company, manufacturing a whopping **120 billion single-use plastic bottles every year**, ranks top among the world's **worst plastic polluter** for the **4th consecutive year**.
- Infact, the same year, when the company admitted to having produced **3 million metric tonnes of plastic waste**, the Greenpeace's report revealed the company's plastic production to have accounted for **14,907,105 tonnes of CO2 emissions**.
- All these figures simply highly the soft drink company's giant contribution to the global plastic waste crisis and its role in perpetuating climate crisis.
- Additionally, despite having options to adopt more environmentally friendlier options containers like glass, the company seems to helping fuel a vicious circle for the production of new plastic bottles that are still generally not covered by processing channels due to the exhaustion of recycle plastic.
- Therefore, this establishes the perfect description of Greenwashing, whereby the company makes lofty commitments to attain **25% of reusable products by 2030** and **carbon neutrality by 2040** without any concrete plan at its disposal to execute the same.

UNDERSCORING THE NEED TO RAMP UP CLIMATE ACTION

- UNEP's Emissions **Gap Report 2022** found that policies currently in place point to a **2.8°C temperature rise** by the **end of the century**, a number that could lead to **catastrophic consequences** for the planet.
- Therefore, the only way to **decelerate climate change** is by ensuring the full implementation of the latest pledges to reduce greenhouse gases as it could slow down this increase from **1.8 - 2.1°C**.

DONORS OFFERED SUPPORT FOR ADAPTATION

- A total of **US \$ 230 million** has been pledged to the **Adaptation Fund** by an array of states, regional governments and development agencies to **help communities** around the world **adapt to climate change**.

THE AWARE INITIATIVE

- Egypt COP 27 made water its top priority by launching the new Action for Water Adaptation and Resilience (AWARe) initiative.
- The objectives include:
- To decrease water losses worldwide and improve water supply.
- To promote mutually agreed, cooperative water adaptation action.
- To promote cooperation and interlinkages between water and climate action in order to achieve the **2030 agenda** and in particular **Sustainable Goal Six** on **water** and **sanitation**.



G20 INDIA

VASUDHAIVA KUTUMBAKAM: "ONE EARTH · ONE FAMILY · ONE FUTURE"

- The **theme** of India's G20 Presidency **affirms** the **value** of **all life** – **human, animal, plant, and microorganisms** – and their **interconnectedness** on the **planet Earth** and in the **wider universe**.

FINALLY, THE AGRICULTURE SECTOR WAS BROUGHT INTO THE PICTURE

- Global chains contribute to **1/3rd of the global emissions**. This year, drought caused yield losses in the US, Europe, China and India, while the **flooding in Pakistan** saw **rice harvests plummet** by about **31%**.
- Despite producing as much as **80%** of the food consumed in regions such as Asia and Sub-Saharan Africa, they received only **1.7%** of climate finance in **2018** – just **US\$10bn**, compared with the estimated **US\$240bn** a year they need.
- In response to the same, the **COP27** presidency launched the Food and Agriculture for Sustainable Transformation (**FAST**) initiative, to **improve** the **quantity** and **quality** of **climate finance** contributions aimed at **transforming agriculture** by **2030**, to be led by the UN Food and Agriculture Organisation.

BACKGROUND OF G20

- The Group of Twenty (G20) is an intergovernmental forum comprising 19 countries - Argentina, Australia, Brazil, Canada, China, France, Germany, India, Indonesia, Italy, Japan, Republic of Korea, Mexico, Russia, Saudi Arabia, South Africa, Turkey, United Kingdom and United States and the European Union.
- The **G20 members represent** around:
 - **85%** of the **global GDP**
 - Over **75%** of the **global trade**, and
 - About **two-thirds** of the **world population**.
- The Asian Financial crisis led to the foundation of G20 in 1999 to discuss global economic and financial issues.
- Later, in the wake of the global economic and financial crisis of 2007, it was upgraded to the level of Heads of State/Government.
- Lastly, in 2009, G20 was designated the “premier forum for international economic cooperation”.



INDIA'S PRESIDENCY

- India holds the Presidency of the G20 from **December 1, 2022 to November 30, 2023**. The **43 Heads of Delegations** – the largest ever in G20 – will be participating in the final New Delhi Summit in September next year.
- For India, the G20 Presidency also marks the beginning of “**Amritkaal**”, the **25-year period beginning from the 75th Anniversary of its independence on 2022**, leading up to the centenary of its independence, towards a **futuristic, prosperous, inclusive and developed society, distinguished by a human-centric approach at its core**.
- “**Data for development**” will be an **integral part of India's presidency**.
- The G20 Logo draws inspiration from the vibrant colours of India's national flag. It juxtaposes planet Earth with the lotus, India's national flower that reflects growth amid challenges. The Earth reflects India's pro-planet approach to life, one in perfect harmony with nature.

FINANCE AND SHERPA TRACK

The G20 consists of two parallel tracks:

- **Finance Track** - Led by the Finance Ministers and Central Bank Governors to discuss global macroeconomic issues through its meetings.
- **Sherpa Track** - Led by the Sherpas under 13 working groups focussed on varied aspects ranging from agriculture, anti-corruption, disaster risk reduction, development, environment and climate to tourism, to name a few.

AUTISM: THE INVISIBLE LINK IN THE NEP 2020

How a society treats its disabled is the true measure of a civilization - Chen Guancheng

- Micheal T. Thevaril & Shalini S. Menon (St. Joseph College of Law, Bengaluru)

ABSTRACT

This draft policy aims to explore autism which is the invisible link in the National Education Policy, 2020. To elaborate on the same, the authors of this draft policy have analysed the problems that have been faced by autistic children in the Indian education system at large. In the policy statement, the draft policy addresses issues faced by children with autism such as socialisation skills, sensory sensitivity, and cognitive processing delays. The policy statement also addresses the applicability, inapplicability as well as special situations in which the policy may not be applied. Additionally, the draft policy has also employed 'stakeholder mapping' using the power interest technique.

Each of these issues has been confronted with reasonable and implementable recommendations for the long term. The proposed recommendations have been developed by classifying them under the 4 major principles of education namely equity, accessibility, affordability and accountability.

BACKGROUND

Ancient India's education system not only emphasised on values of humility, truthfulness, discipline and truthfulness but also learning how to accept individuals regardless of caste, creed, sex, identity, language, place of birth and colour, thus focussing on a child's holistic development.

Post-independence, India rolled out two education policies in 1968 and 1986 respectively.

In July 2020, the Union Government rolled out the NEP 2020.

The NEP tackles various problems of mainstream education but fails to recognize children suffering from cognitive disabilities such as autism.

PROBLEM STATEMENT

The National Education Policy is a major reform in the Indian education system. It is an ambitious and futuristic policy but a reality check reveals its failure to address the educational needs of the specially-abled youth with reference to children suffering from autism. This draft policy has identified two grey areas in the National Education Policy, 2020 that needs to be addressed urgently. Firstly, the NEP 2020 ignores children suffering from cognitive disabilities such as autism. Secondly, the NEP 2020 does not include the Department of Empowerment of Persons with Disabilities as part of its early childhood education implementation process.

Bringing these two issues to the forefront is of utmost importance because every child irrespective of their abilities or disabilities has the Right to Education which is a fundamental right guaranteed under Article 21-A of the Constitution of India, 1950.

POLICY STATEMENT

The policy statement drafted by the authors in this draft policy titled ‘Autism: The Invisible Link in NEP 2020’, the policy statement will answer four questions.

- *Firstly*, it covers the primary audience that is required to follow the policy. It is compiled in the form of stakeholder mapping using the power interest technique. The Central Government includes the Department of Empowerment of Persons with Disability under the Ministry of Social Justice & Empowerment and the Ministry of Education. It presumes High power and High interest. The State government also presumes High power and High interest.
- *Secondly*, the policy deals with the problem analysis which contains major conditions that are present in order for the efficient application of the policy it also mentions certain restrictions where the policy finds its limitations.
- *Thirdly*, it analyses the reasonable applicability of the policy and also mentions its inapplicability.
- *Lastly*, it tries to analyze situations and circumstances under which this policy may not be applied.

POLICY ANALYSIS

The exclusion of cognitive disabilities from the ambit of NEP 2020 and the failure to include the Department of Empowerment of Persons with Disabilities has put the future of autistic youth at stake.

Firstly, the NEP 2020 neglects to understand that the term ‘disability’ is a wide term that covers people with different special needs including the blind, deaf, or people with other physical or cognitive disabilities. It fails to recognise autism as a whole. The approach mechanism for a learning disability is very different from that of a cognitive disability and there must be a clear distinction on the same. This negligence indicates a lack of awareness of disabilities or the lack of expertise in the Indian system.

Secondly, the Department of Empowerment of Persons with Disabilities does not find a place in the implementation of early childhood education. This department is the authoritative department to deal with policies for the differently abled. Without their expertise, the policies will continue to exclude students with autism and other disabilities. Early childhood education is of utmost importance to autistic children in order to prepare them for higher education. Disabled individuals are not a different society, but rather a member of the general population of this country. As a result, every law passed, or policy adopted has an impact on them.



RESTRICTIONS

1. MONITORING

The next important step after the implementation of the policy is monitoring the progress. The central government must direct the concerned ministries to compulsorily conduct surveys to analyze the impact and effectiveness of the policy. However, they do not fully capture the number of children not receiving education. This is a major restriction. The major source of data would be from schools and that would not give the statistics of Autistic students who haven't been enrolled. The policy is effective only when it applies to the whole intended audience.

2. INABILITY TO ADAPT

As highlighted earlier under the conditions for the application of the policy, the rate at which autistic students develop skills is different for each individual, hence there exists a risk of poor school adaptation for these children and thus integration becomes more difficult. There are certain cases where mainstream education does not work well for some categories of autistic students even after implementing important preparatory measures. In such circumstances this policy becomes ineffective.

The student may need direct input from the teacher. Addressing the whole hall may not be helpful for the child instead they may need one-on-one attention in order to understand what is expected of them.

3. ESTABLISHING PARENT TEACHER RAPPORT

Establishing a parent-teacher rapport is a prerequisite for the effective implementation of this policy. This is another major restriction. The parents of these children mostly belong to the low-income group and are always in search of a livelihood that they barely have time to invest in their children. Autistic children require extra attention and close coordination between teachers and parents.



Did You Know?

- There has been a 178% rise in the prevalence of Autism in the past 20 years.
- In India every 1 in 100 children below the age of 10 has autism.
- About 1 in 44 children around the world have been identified with autism.
- Unfortunately, autism is 5 times more common among boys than girls.
- Autism Spectrum Disorder is more common than childhood cancer, diabetes and AIDS combined.



ANALYSIS FOR DEVELOPING SOLUTIONS

Employing an integrative approach towards the social, economic, and cultural spheres, the problems have been identified under the following domains. They are as follows:

EQUITY

Since there is a rise in the number of autism cases, there is also a general lack of awareness among Karnataka's population as far as autism is concerned.

The lack of awareness has also resulted in many public and private schools rejecting children who suffer from autism. This also resulted in a high drop-out rate as well.

However, the lack of awareness can be solved through qualities of mutual understanding, empathy, love and acceptance. For example, Goa, in India is one of the leading states in promoting Autism awareness rights.

This has been path breaking in the field of education. When normal children are exposed to children suffering from autism, the issue of equity will be resolved in the years to come.

It is important to look at each person individually in order to ensure that equity and flexibility are at the forefront, thereby discouraging the idea of a one size fits all model which is the greatest barrier to education for children suffering from autism.

As a society that is founded on the values of inclusiveness and diversity, it is important that every child gets life-long opportunities. We must ensure that equity is not a myth but a dream that can be achieved. The NEP 2020 must address this issue on an urgent basis.

ACCESSIBILITY

Accessibility is one of the most important pillars of the modern Indian education system. The Constitution of India prohibits any exclusion from educational opportunities on the basis of sex, ethnic origin, language, religion, nationality, socio-economic conditions and other abilities etc. children with autism are one of the most disadvantaged sections of the society even to this date. Rampant bullying and otherization has also led to this problem as well. Accessibility to education in schools can be improved by making use of visual aids and presentations in the classroom since most of these children are visual learners. For instance, a green placard can be displayed by the teacher when an autistic child answers correctly. In the case of a wrong answer, a red placard can be displayed by the teacher. The schools must conduct cultural events for autistic children on a regular basis. There is a second set of autistic children who are auditory learners, who find the process of learning easier and accessible through vocal medium. The third set are kinaesthetic children who understand their ideas and concepts through hands on activities. The age-old reading- explaining method has been outdated and it does not cater to the needs of special children. The NCERT must prepare a fresh curriculum that caters to the needs of both regular children as well as autistic children in a classroom. would also make an autistic child more comfortable in the classroom setting.

AFFORDABILITY

Affordability is the third pillar of the modern Indian education system. Without paying attention to the financial ecosystem of an autistic child's family, education for these children is a distant dream. Where there is a will, there is a way. Education can be inclusive only if it is made affordable. Only a parent of an autistic child can understand the struggles involved in raising an autistic child. Under the Sustainable Development Goal (SDG) 4, all children have a right to affordable and quality education. The financial implications for parents can be extremely demanding and expensive.

The time required for care of children with autism combined with the limited availability and high cost of specialized child care may reduce parents' ability to sustain paid employment, resulting in substantial productivity losses for the family.

In addition to this, parents may increase their workforce participation to pay for additional educational and health resources, thereby incurring costs in the form of forgone home production or leisure time.

ACCOUNTABILITY

The last pillar of the modern Indian education system is accountability. It is imperative for the teachers as well as other trained professionals to be accountable to the parents and guardians of autistic children. They are the ones responsible for imparting education to these children. Hence, they must be held accountable for the child's day to day activities in the school. Apart from that, the idea of being accountable will also help the child in the long run as this would help him become a better citizen of his country.

IMPLEMENTATION AND COST BENEFIT ANALYSIS

In this section the policy tries to unveil the costs incurred in the effective implementation of the policy and it also draws a comparison with the NEP 2020.

TRAINING

The role of teachers has become more demanding after the implementation of this policy, hence proper training must be ensured. The curriculum would be formed in such a way as to make it easy for autistic children to learn but the teachers must also have the know-how to use alternative teaching methods. All of these must be included as a part of the training process. The central government has to invest liberally in equipping the general education teachers. The NEP 2020 aims to provide this training in a span of four years, but the optimum outcome can only be attained by extending the training period to 5-7 years.

The NEP has certainly tried to promote more teachers to become special educators and that is evident from the fact that it provides that if teachers in service want to specialise and teach students with disabilities, they'll have a chance to do it by completing a certificate course of 1 year.

However, one year training would be highly unprofitable.

SALARY FOR SPECIAL EDUCATORS

Special educators play a huge role in the development of autistic children. The central government must invest another huge proportion for the salary of special educators in order to incentivise. This can encourage more and more teachers to take up the role of special educator.

FINANCIAL AID FOR PARENTS

Parents of Autistic children need financial aid and the NEP 2020 does not cover this aspect. To ensure the participation of autistic students in schools, the parents must be capable of sending them to preparatory schools and mainstream schools. Since the policy deals especially with the urban poor population, most of them belong to the low-income group and would not be able to afford education which will directly affect the enrolment rate of Autistic students in schools. Hence the authors recommend the creation of Supplemental Security Income (SSI) for parents with Autistic children.

Chitra, the founder of Forum for Autism in India says that “Monthly expenditure ranges between Rs 10,000/- and Rs 20,000/- for a child with any special need. For autism, it can range between Rs 6,000/- to Rs 25,000,” she said. Hence, parents should start investing very early in life because not only are they planning for themselves and their retirement but also for their child’s adult life and retirement.

Private insurance does not provide good enough coverage and the urban poor population would be unable to pay high premium amounts. Hence the government must invest a huge sum for providing financial aid to parents with autistic children.

ESTABLISHING PREPARATORY SCHOOLS

Preparatory schools must be established in every district according to the results of surveys conducted on the ratio of autistic students in different localities. The centre and state government must dedicate funds for establishing preparatory schools in every district. These preparatory schools are important for autistic students to acquaint them with the practices in a mainstream school to create a seamless educational path. The cost of establishing preparatory schools would include the infrastructural costs, the cost of various equipment, the cost for its efficient functioning, etc.

CONCLUSION

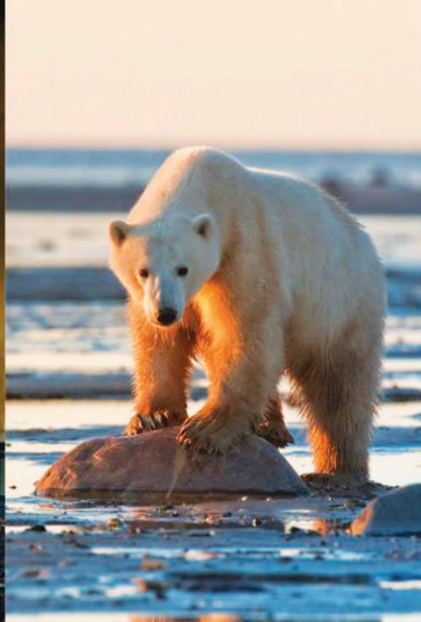
Autistic children along with other children have the right to education guaranteed under the Constitution of India. Hence no policy can turn a blind eye toward them. The inclusion of autistic children into mainstream schools has been reported effective for them. It helps in sensitizing children and teachers at a very early age that autism is normal and every individual must be treated with compassion. This policy memo inculcates various recommendations and implementation procedures to achieve the same and also hopes to transform our social perspectives. This policy complies with all the previous legislations such as the Right of Persons with Disabilities Act, 2016 and the Right to Education Act, 2009 but these acts shall have no effective implementation unless these necessary changes are brought. Let us join hands to include the excluded.

In special education, there's too much emphasis placed on the deficit and not enough on the strength.

- Temple Grandin

CLIMATE DISASTERS AND MIGRATION

Every year, climate disasters displace an average of 21.5 million from their homes. The climate crisis is presently the biggest humanitarian challenge as it drives displacement and makes life harder for those already forced to flee.



2022 - A YEAR OF CLIMATE BREAKDOWN

- The year **2022** alone saw **multiple climate-related disasters** causing more than **\$3 billion**-worth of **damage** each.
- The **2022 Hurricane Ian** in the U.S. and Cuba tops the list of the costliest extreme weather **disasters** in terms of economic **loss**, amounting to **\$100bn**.
- **Pakistan floods** tops the list of the disaster with the highest human cost by **killing 1,739 people** and **displacing around 8 million**.
- As per the **2022 Report** by the State of India's Environment, **India** is the **fourth worst-hit** when it comes to climate change-induced migration, with **more than 3 million forced to leave their homes** in **2020-2021**, following China, Philippines and Bangladesh.



OMINOUS LINK BETWEEN CLIMATE DISASTERS AND MIGRATION

- Today, extreme weather events have surpassed factors such as conflicts, poverty and persecution, to become the topmost driver of forced displacement taking place globally.
- Illustration to understand the link- A 5-year long drought at Syria led to increasing ethnic tensions and civil war resulting in the refugee flow.

CLIMATE DISASTER FUELLING MIGRATION: THE FIGURES SO FAR

- Recent trends suggest that climate change is reshaping the world by triggering the migration of its own inhabitants in large numbers.
- The **2021 Report** by the Internal Displacement Monitoring Centre projected that out of a total of **38 million internal displacements** registered, **23.7 million** were **triggered by disasters**.
- At the **end of 2021**, at least **5.9 million people** in **84 countries** and **territories** lived in displacement as a result of disasters.
- The top 5 countries with the highest internally displaced persons due to disasters: China, Philippines, Afghanistan, Bangladesh, India.

Since 2008, weather-related disasters have forced more than 21 million people globally to leave their homes – The equivalent of 41 people per minute.



FIGURES FROM THE WORLD MIGRATION REPORT, 2022

- This Report published every second year by the International Organisation for Migration, reflects the surge in the number of displaced persons that is from **31.5 million** in **2019** to **40.5 million** in **2020**.
- Since the 2020 Report, a total of **30.7 million** new displacements were recorded to have been triggered by **disasters in 145 countries and territories**.
- The surge in the numbers were distributed among the following climate related disasters:
 - **Storms – 14.6 million** displacements
 - **Floods – 14.1 million** displacements
 - **Extreme Temperatures – 46,000 people**
 - **Droughts – 32,000 people**
- Asia reported the highest number of disaster displacements, with Philippines having experienced the highest absolute numbers of new disaster displacements crossing 5 million.

THE FUTURE TO COME

- The Intergovernmental Panel on Climate Change (IPCC) anticipates more than **one billion globally** to be **exposed to coastal-specific climate hazards** by **2050**, potentially **driving tens to hundreds of millions** of people to **leave their homes** in the coming decades.
- The **White House Report on the Impact of Climate Change on Migration** forecasts that climate change may **lead to nearly three percent** of the **population** in three regions – Sub-Saharan Africa, South Asia, and Latin America – to **move within their country** of origin **by 2050**.
- The **State of India's Environment** suggests that an **alarming** number of **143 million people**, which is little more than the population of Maharashtra, could be **moving within their own countries** in the next **30 years** because of **adverse climate impacts**.

As rightly observed by the Former President Barack Obama, we don't need submerged countries, abandoned cities and floods pushing desperate fellow citizens into seeking sanctuary of nations not their own.

IMPROVING ACCESS TO PUBLIC MATERNAL HEALTH CARE FOR THE URBAN POOR POPULATION

- *Supreeth & Dr. Shohan N. Shetty (BMC College of Law, Bengaluru)*

ABSTRACT

In a world that is recovering from the pandemic, one of the worst affected people is the urban poor. In addition, with regard to the substratum of the population, a paramount focus must be brought on pregnant women from financially unstable backgrounds. Although apathetic, the situation regarding these women before the pandemic set in was on a gradual route of improvement. But these steps of improvement which have been undertaken by the government took a major setback due to the pandemic. An effort has been made through this paper to identify those issues which are hampering the efforts of the government in effectively implementing certain points of action that can bring a positive change in the present scenario in as quick a timeline as possible. Further to identifying the problems, this paper also strives to provide an effective and efficient solution to achieve the required improvements in the lives of these pregnant women and their infants.

SCOPE AND LIMITATIONS OF THE PAPER

This paper is focusing on reasons why pregnant women from the urban poor population prefer to go to private medical healthcare facilities over public facilities despite their poor financial background. This study includes a survey conducted on 40 pregnant women from the urban poor population of Bangalore. These women were selected on a random basis and were asked about their reasons for opting for a private medical healthcare facility for their pregnancy treatment.

The geographical limitation of this paper is the Jayanagar area of South Bangalore. Further, in the cost-benefit analysis part of this paper, the research is limited only to the data available from the budget books, of the Finance department of the Karnataka Government, which has been updated only up to the financial year 2019-20. Our research on the ensuing topic is also a result of the personal experience of one of the researchers who has firsthand experience in the field of public health and medicine.



DID YOU KNOW?

- India's Maternal Mortality Ratio (MMR) has improved from **113** in **2016-18** to **103** in **2017-19**.
- The MMR is 'high' in **Punjab, Uttarakhand, and West Bengal**. This means **100-130** maternal deaths per **100,000 live births**.
- It is 'low' in Haryana and Karnataka (71- 100 maternal deaths per 100,000 live births).
- **Uttar Pradesh, Bihar and Rajasthan** have seen the biggest drop in maternal mortality.

STATEMENT OF PROBLEM

A report of year-wise normal deliveries in BBMP referral hospitals and maternity homes within the jurisdiction of Bruhat Bengaluru Mahanagara Palike (BBMP) was obtained as part of our study (**Table – 1**), which indicated a trend of decrease in maternal deliveries from such public medical care facilities over a period of 5 years. This result of decreased utilization has caused the closing down of various maternity homes across the city like Wilson Garden Maternity Home, Gavipuram Guttahalli Maternity Home, Pobbatti Maternity Home, etc. (**Table – 2**)

YEAR WISE PERFORMANCE OF NORMAL DELIVERIES BBMP REFERRAL HOSPITALS & MATERNITY HOMES					
Year	2015-16	2016-17	2017-18	2018-19	2019-20
Normal Deliveries	13287	12484	11874	11712	10606

(Table 1)

COMPARISON OF ANC REGISTERED WITH DELIVERIES					
Year	2015-16	2016-17	2017-18	2018-19	2019-20
ANC Registered	27380	18628	24340	31350	30252
Normal Deliveries + Caesarian section	16019	14950	15511	15097	14012

(Table 2)

When the number of deliveries (Normal deliveries + Caesarian section deliveries) in BBMP referral hospitals and maternity homes is compared with the number of people who have registered for Antenatal Care (ANC), it can be noted that a considerable number of people are opting for deliveries in private institutions rather than in public institutions.

This policy paper aims at shedding light on the reasons for this parity. The paper also endeavors to find out and implement measures to bring about an equilibrium in the quality of medical care provided by both Private and Public maternal medical facilities.

In light of this study, we are also looking into certainly viable options that can be implemented to ensure affordable quality maternal care is provided by the state to the economically disadvantaged.

An empirical study was conducted by interviewing women from financially poor backgrounds, who underwent their treatment for pregnancy in private medical institutions. These women were selected on a random basis. The result from the study is shown in the tabular column. (**Table 3**)

ISSUES/PROBLEMS FACED	COUNT OF RESPONSES	PERCENTAGE
Lack of Manpower	8	4.60%
Lack of one-stop solutions for all pregnancy-related matters	25	14.37%
Lack of Hygiene	23	13.22%
Lack of Quality Care	22	12.64%
Lack of Readiness of hospital staff with respect to labor complications	9	5.17%
Lack of experienced Professional Staff	15	8.62%
Availability of Insurance	9	5.17%
Lack of Equipment to treat complications arising before during and after delivery	16	9.20%
Lack of awareness of Governmental schemes like Taayi Cards, JSSY, JSY etc.	25	14.37%
Lack of awareness of financial assistance provided by the government	22	12.64%
Total	174	100.00%

The above table contains reasons as to why the 40 women who were interviewed on a random sampling basis preferred to get medical assistance from private institutions over public medical facilities despite their poor financial position.

POLICY STATEMENT

o Primary audience required to follow the policy

This Policy is required to be followed by all Front-line workers like Accredited Social Health Activist (ASHA) workers, Anganwadi workers (AWW), Auxiliary Nurse Midwife (ANM), Local Government, State Governments, and Private diagnostic centers and hospitals. There are three reasons responsible for maternal mortality which can be summed up as 3D's. First is the "Delay to seek medical care" due to unpredictable health care costs. This delay is further supplemented by the lack of proper education and awareness of the expectant mother and interference by the family members. The second is "Delay to identify and reach an appropriate medical institution". Finally, "Delay in providing appropriate treatment" by public medical facilities. The primary goal of this policy is to reduce the Maternal Mortality Rate (MMR) and Infant Mortality Rate (IMR) by improving the quality of care provided by public healthcare facilities, building awareness of such public health care facilities and antenatal care follow-ups done by Primary Health Centers (PHC).

o Major conditions and restrictions of the policy

The intervention can be done by routine care and detection of complication before and after delivery to treat them at the earliest is brought about by 3 levels: -

1. Intervention by enhancing awareness
2. Intervention by improving surveillance strategies
3. Intervention by improving infrastructure

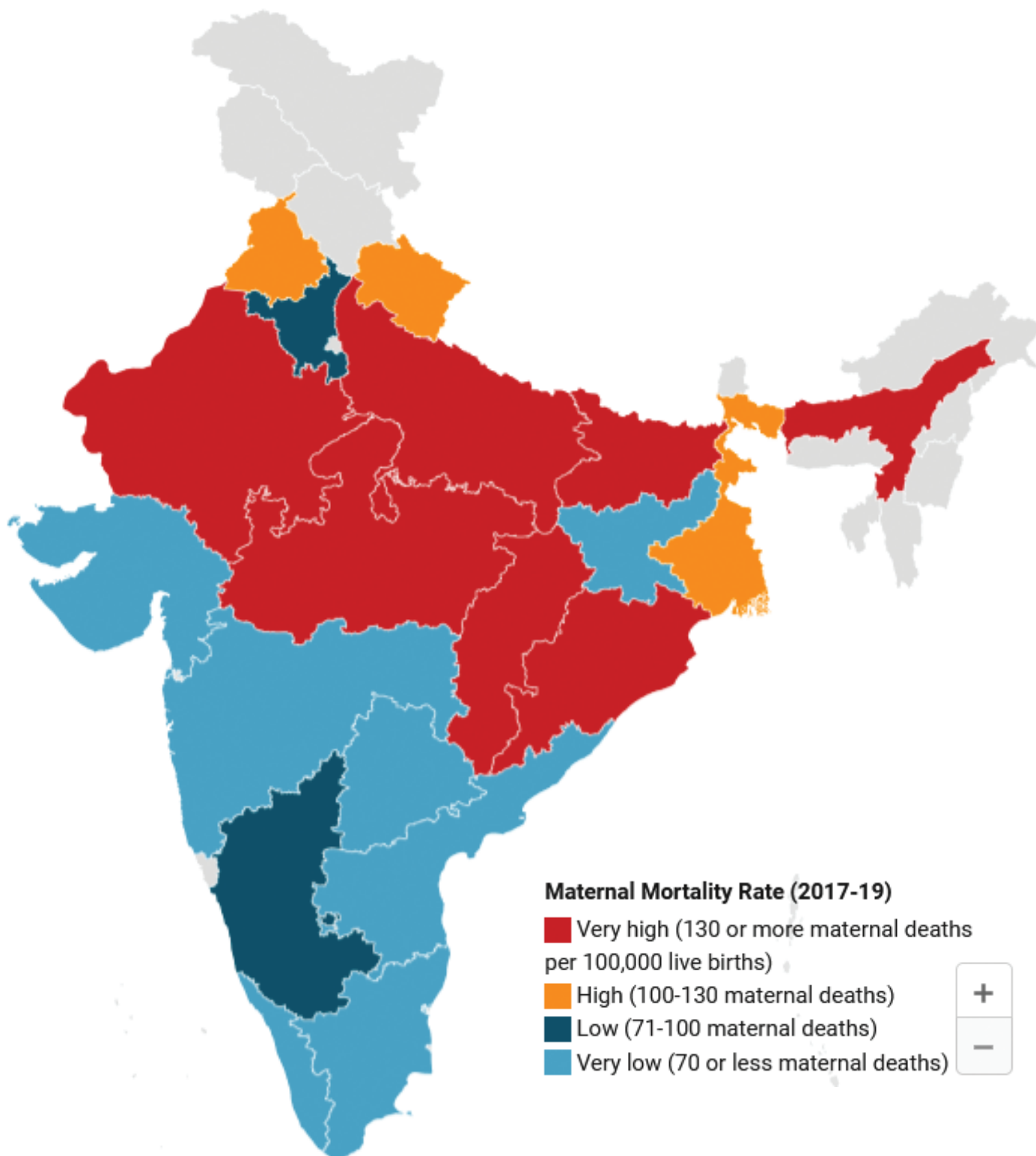
o The Applicability and Inapplicability of the Policy

This policy shall not be made applicable to those persons who opt for Private medical institutional deliveries. However, this policy does not hamper any person's choice to opt for Public medical facilities for such a person's maternity treatment, nor does the policy empower public medical facilities from denying treatment to persons who are financially capable of seeking treatment from private medical facilities or alternate medicine.

o Special situations or exclusions, where the policy shall not apply

This policy will not be made applicable to those women who chose to undergo Medical Termination of Pregnancy (MTP). Further, this policy shall, in the case of emergency deliveries that happen in the most unexpected circumstances like deliveries that happen while on a train, not apply. However, such exemplary circumstances must be brought to the attention of the jurisdictional District/ Zonal Health Officer so that a centralized record can be maintained and updated on a real-time basis.

India's maternal mortality ratio (MMR) has improved from 113 in 2016-18 to 103 in 2017-19 . The ratio has worsened in **West Bengal, Haryana, Uttarakhand and Chhattisgarh**.



IMPLEMENTATION PROCEDURE

COMMUNITY LEVEL IMPLEMENTATION

Various community outreach programs are being conducted at ward level by ANM, ASHA and AWW to raise awareness of the reproductive rights available to women, and the facilities which are made available by the government, throughout their pregnancy. The awareness should involve active participation of male family members at ward level. The Media and health workers must raise awareness about the existence of helpline numbers and control rooms. Involving political and religious heads to take part in various community programs will improve the outreach of the program.

INSTITUTIONAL LEVEL IMPLEMENTATION

The various zonal war rooms/ control rooms during the pandemic can be utilized to prepare and maintain a record of Pregnant women and track their medical status updates by tweaking the existing portal created for monitoring COVID Patients. Regional control rooms also need to analyze the data periodically and report it. Regional control rooms should also have a calling team where monthly recording of antenatal and postnatal care including vital parameters is done. This data can be used to know the status of health of mothers and infants pre- and post-delivery. This data needs to be again reviewed by respective Health officers and Medical officers to take appropriate action wherever necessary. Screening during the antenatal visit is very much essential to detect any abnormality that might arise in later stages of pregnancy or delivery. Timely reminders to be sent to the patients for antenatal visits either through automated SMS or calls. This will improve the screening during antenatal visits.

CONCLUSION

Despite there being a visible trend of reduction in the MMR and IMR over the past few years at an average rate of 4.5% year on year, there needs to be a significant improvement in the percentage to achieve the proposed SDGs whose target has been set for the year 2030. This can be done by improvising the existing infrastructures, bringing changes in the existing systems, and fostering enhanced coordination between the various government facilities and related stakeholders through the Regional Control Rooms (Zonal Control Rooms). By implementing the above-mentioned policy there will be a significant improvement in the functioning of such public facilities. When public facilities begin functioning on par with private medical facilities, then there would be no reason to stop the general population, especially the urban poor, from opting for public healthcare facilities over private facilities. This shift in choice would also foster healthy competition between the public and private sectors to develop and provide patient-centered services.

FIFA 2022 WORLD CUP – QATAR

FACTS ABOUT THE INFRASTRUCTURE

FIFA 2022 – has been estimated to be the most expensive in the Competition’s history with the host country spending **16 times** more than their predecessors (Russia) – i.e. a whopping **\$299 billion just on the World Cup’s infrastructure.**

The Govt. of Qatar took the decision to construct 7 new stadiums, expand the airport, build new metro lines, multiple hotels & other key infrastructural projects.

Construction costs drastically increased owing to the **cooling systems** and **pitches grown in special nurseries.**

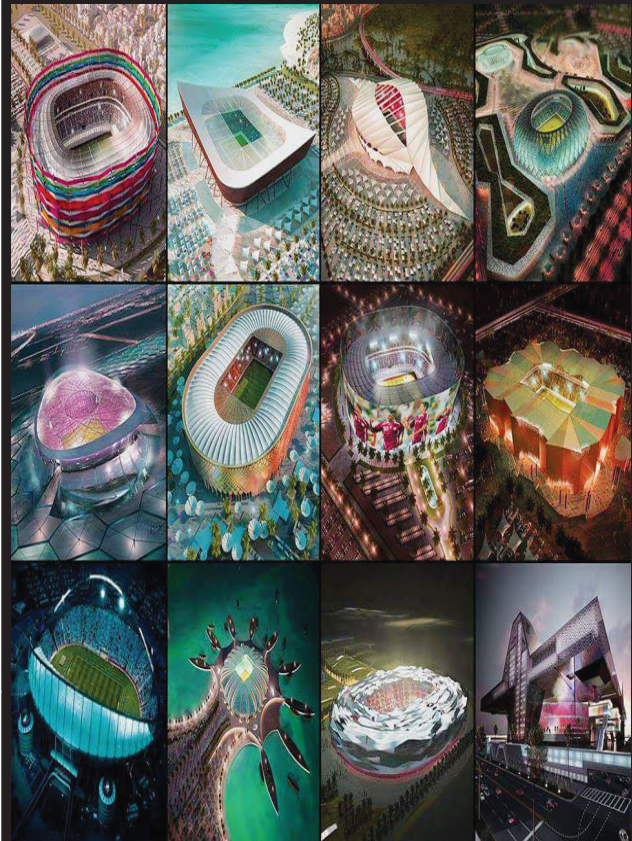
For the 2022 World Cup – Qatar constructed **7 new stadiums** to host **64 football matches.**

DID YOU KNOW?

Stadium 974 – has disappeared. The structure was built from recycled shipping containers and steel. Thus, has now been **dismantled** – the **first fully demountable covered football stadium.**



**FIFA WORLD CUP
Qatar2022**



THE VENUES FOR THE FIFA WC 2022

THE CARBON FOOTPRINT – GREENWASHING!

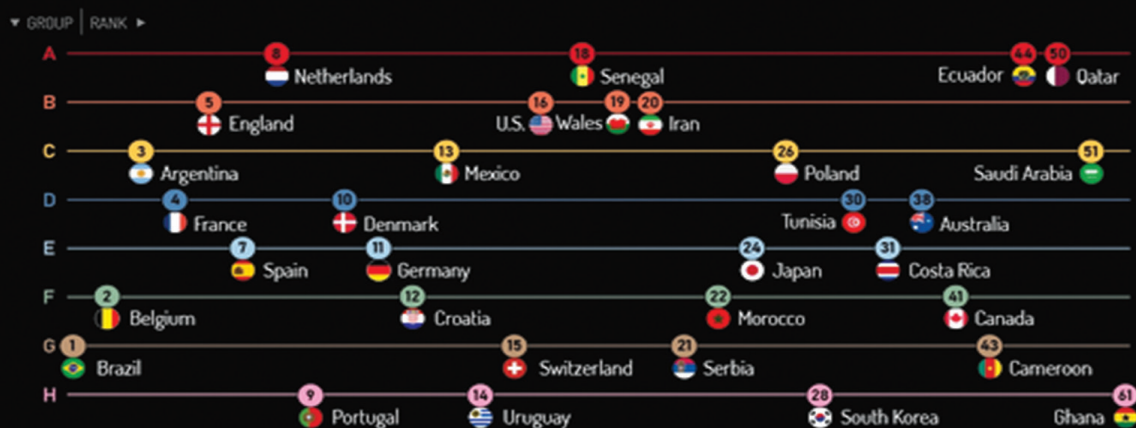
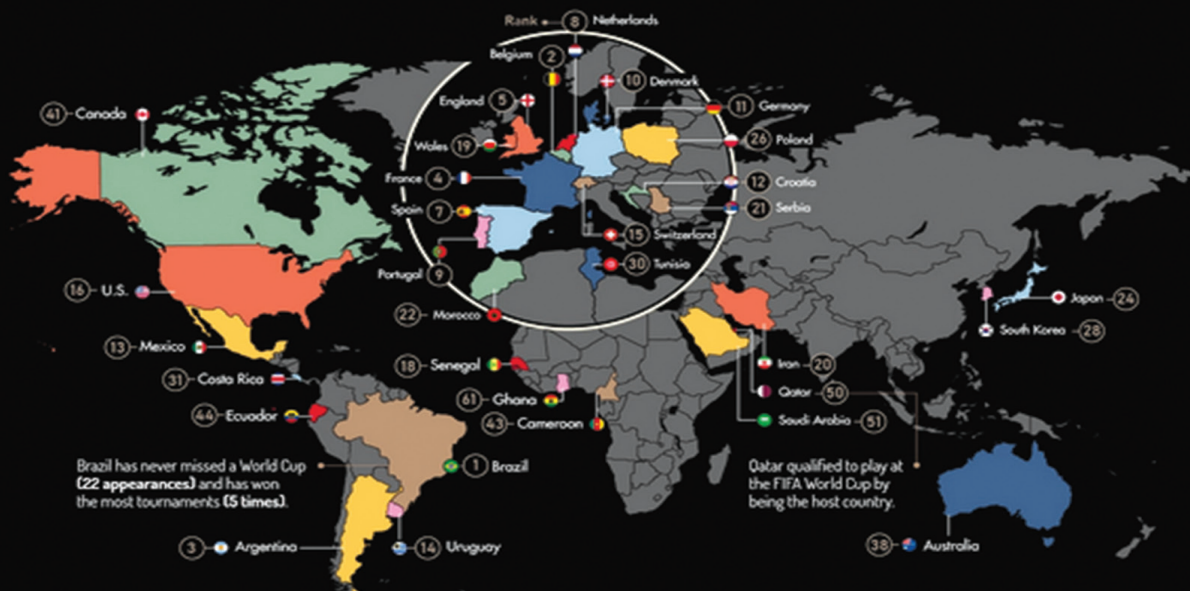
- Qatar witnessed a whopping **1,300 daily flights** to and from the country during the World Cup.
- The grass seeds which gave rise to the tournament’s pristine pitches were **flown in from North America on climate-controlled planes.**
- The grasses in these fields are maintained by groundskeepers.
- There were **8 stadium pitches** and **136 practice fields** prepared for the World Cup.
- Each of these fields requires **10,000 liters** of desalinated water during the winter.
- During summers to maintain the pitch, each of the pitches requires a humongous **50,000 liters** of water.
- The desalination process is energy intensive since Qatar’s groundwater supplies is negligible – thus adding an additional burden to the carbon footprint.

WORLD RANKINGS OF COUNTRIES QUALIFIED TO THE FIFA WORLD CUP 2022

Among 211 countries with a national football team, only **32** qualified to play at the FIFA World Cup Qatar* 2022.

Qualified countries are drawn into eight groups to be played against each other. Here are the rankings as of 6th October 2022.

GROUP A GROUP B GROUP C GROUP D
GROUP E GROUP F GROUP G GROUP H



*FIFA World Cup 2022 is scheduled to take place in Qatar

SOURCE: FIFA

THE DARK SIDE OF THE WORLD CUP

- In the past decade with the new infrastructural facilities coming up – more than **6,500 migrant workers** from India, Pakistan, Nepal, Bangladesh, and Sri Lanka have **lost their lives**.
- It has also come to the limelight, that workers who were unwilling to work were either threatened with having their **pay deducted** or **handed over to the police** for **deportation**.
- There have been several human rights outcries. With workers living in cramped, dirty, and unsafe accommodations. More than **8 people cramped** in bunk beds in **one small room**.
- Passports were confiscated and workers had to obtain an ‘exit permit’ in order to leave the country.
- Lastly, the most pertinent question remains – **did we head towards a climate Qatarstrophe & is it even possible to stage a carbon-neutral mega sports event ever?**

URBAN DEVELOPMENT OF AFFORDABLE ACCOMMODATION (UDAAN)

- Akansha Agarwal & Rihan Shareef (Symbiosis Law School, Noida)

ABSTRACT

Shelter is one of humanity's most basic necessities, and the right to shelter has been recognised as a fundamental human right by international conventions. Article 21 of the Indian Constitution, which outlines the protection of life and personal property, also includes the right to shelter and livelihood, all of which are essential to a person's dignity.

The policy aims at providing the slum dwellers with identity, status, livelihood support systems, emotional satisfaction, community connection, and other needs through a well-designed home which would be in tune with the environment and linked to social infrastructure.

STATEMENT OF PROBLEM

With rapid growth of technology and the economy, urbanisation is on the rise. However, housing infrastructure of cities, particularly mega-cities, globally have been unable to keep pace causing issues such as people travelling hours to reach their workplace and back, lack of access to basic facilities such as clean water, sanitation, and security of tenure. In our paper we focus on the State of Karnataka which has a slum population of over 40 lakh citizens which accounts for more than 18% of the total urban population. (Karnataka State Slum Development Board)

PROPER DRAINAGE

With a moderately warm temperature and good rainfall, one of the biggest issues slums in Karnataka face is a **proper drainage system** which could adversely affect the clean water supply as well. If ignored, it could be a breeding ground for a large number of communicable diseases.

SECURITY OF TENURE

The lack of legal status and **security of tenure** in these slums leave these people in the eminent threat of eviction as they live on the government property or private property, making them ineligible to a proper address and documentation of identity, which is what a number of government policies for the vulnerable require.

STABLE ELECTRICITY

Slums in India face severe shortage of electricity as largely these areas do not have official electricity connection and draw power illegally. This leads to interception of their power supply and extreme fluctuation. Renewable energy sources can change their condition significantly by giving them **stable supply of electricity**.

AFFORDABLE BROADBAND SERVICES

There is a need to provide **affordable or low-cost broadband services** to these areas where traditionally broadband companies might not put their resources into.

SAFE SANITATION SERVICES

More than a quarter of the world's urban population lacks basic sanitation, with the proportion of slum inhabitants being substantially higher. Therefore, there is need for the same.

POLICY STATEMENT

SECURITY OF TENURE

The policy will aim to offer innovative financial infrastructures to alleviate the slum redevelopment spiral effect. We recommend that eligible recipients receive:

- subsidised leasehold rights for the first ten years and;
- formal financial means to select between a title deed by paying the remaining principal or continuing leasehold title by paying unsubsidized rentals at the end of the interim or sooner.

SANITATION

Private family toilets are often favoured over shared facilities in urban India; hence it has been a priority to supply a toilet to every household. Work on constructing and upgrading the requisite toilets and treatment facilities is generally done at the local level as a collaborative effort between municipal officials (ULB), residents, ward committees, and civil society.

To boost private sector investment and efficiency in delivering urban infrastructure and services, ULBs are urged to explore public-private partnerships with contractors and developers. Construction of decentralised sanitation facilities is advised along with the conversion of existing septic tanks into biogas facilities.

MICRO-ENTREPRENEURSHIP AREAS

Indian slums are often workspaces for traditional craftsmen, artists, cottage industries and more. Due to their location, these labours and craftsmen lose on the fair prices. If workspaces are offered near their households, women can easily work and this can help them have a better social standing in society. We also propose a daycare centre for the children where women of the slums can work. Small stores, micro-entrepreneurial spaces, and community gathering spaces will be made available for such purposes.

Through architecture, we hope to ensure economic and cultural sustainability by verticalizing and integrating public spaces into buildings. We propose open places for stalls and businesses throughout the building to create economic viability within the refurbishment. Smaller retailers may be found on the walkways between buildings, as well as on the floor's larger

communal areas. Tenants can work and live in the same place by distributing shared and public spaces around the property.

SOLARISING ENERGY

With the help of roof-top solar installations, the government can provide them with electricity for free. The project has already been carried out by the Gujarat Government. This could change their lives, as stable electricity round the clock can give them a much-needed push in their workspace and can help in the education of their children. Such installations would not only lower electricity prices but will also help in reducing the carbon emissions. This way, the project will be environment friendly.

BROADBAND SERVICES

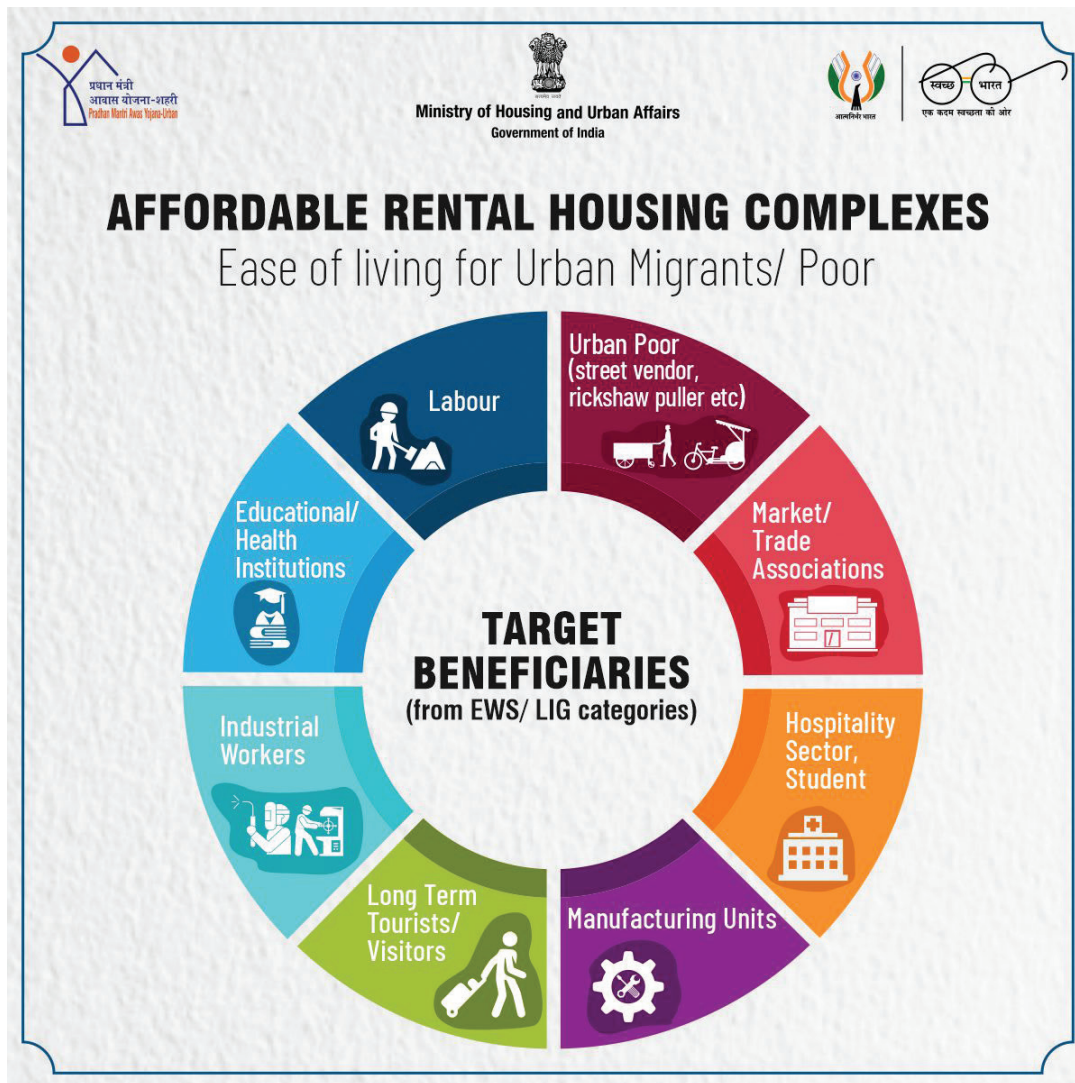
The plan aims at providing affordable 24*7 broadband services through the money saved by low-income households with the installation of solar energy panels. In one of the studies, it was identified that locations with a stable broadband connection had significantly better economic conditions than places without it. The connectivity to stable internet can open up a broad arena of economic opportunities that were previously closed out.

IMPROVING CONNECTIVITY

Mobility and connectivity are considered vital for the growth of the city. With efficient networking of streets and public places with the urban areas, mobility and transportation would be easier. This would enable better access to workspaces and will also increase accessibility within the city. The creation of a significant roadway network alone allows public transportation to enter the region and can increase accessibility.

RAINWATER HARVESTING AND DRAINAGE

Bengaluru has suffered from severe to moderate drought eight times in the last three decades. Despite the fact that the city receives 1,000 millimeters of rain annually (equivalent to 2,30,000 liters of pure water in a plot of 2,400 sq. ft), rapid urbanization has significantly reduced rainwater percolation into the sub-soil, while the volume of run-off water in storm drains has greatly increased. With proper rain harvesting systems installed on the roof of these housings, not only this water can be used by the residents, but also this will ensure proper percolation of rainwater and reduce the chances of flooding.



IMPLEMENTATION PROCEDURE

CREATING IDENTITIES

The first action that is required in slum-like settlements is to conduct an actual survey and create a comprehensive database regarding their family composition, work patterns, density, requirements, major issues, and so on. This could help us know the number of beneficiaries of government schemes in these areas. Once these members of society are brought into the system, they will have access to government schemes that provide subsidized food grains, LPG Connections, Govt- funded health insurance, and so on. This database will subsequently be used for creating a plan charted out for a particular settlement that involves stakeholder consultations in the form of an Impact Assessment.

MEASURING IMPACT

We propose that consultations at various periods should be conducted in order to understand the problems, that the people living in these areas face. These issues may range from unique climatic difficulties that arises, mobility issues, or day-to day hindrances one may face. The identification of these specific issues could effectively reduce the time and costs that may be incurred to solve these costs at a later stage. This would also be able to facilitate the creation of micro-entrepreneurial areas as abovementioned which requires specific plans for specific areas as per their own entrepreneurial requirement.

DEVELOPING COMMUNITIES

- Monthly meetings among the residents, to discuss and formulate the issues that they face. This meeting will be presided over by an elected resident.
- The resident engages in finding viable help through the community.
- If the second step does not obtain results or is hindered by government issues, the representatives can question the authority in a meeting that will be held bi-monthly.

These meetings should not depend on strict rules and procedures as this could hamper the solving of real issues. It is the welfare of the citizens that should be kept in mind while conducting these meetings. Furthermore, in order to ensure proper redressal of the issues faced by the residents are done, we propose to create a toll-free number and a website for redressal procedure.

COST BENEFIT ANALYSIS

COST

There are a total of 40.50 lakh people residing in Karnataka slums. If each housing unit were to have 5 people, a total of 8.01 lakh houses would be required. The cost of constructing one housing unit is estimated to be around 76,000. 8.01 lakh units would estimate to 60 billion.

BENEFITS

Slum redevelopment structures contain an average of 14,000 square feet of vacant rooftop space, with the potential for 50 KW of solar panel installation per building. The adoption of solar technology will cut low-income households' electricity expenses in addition to reducing carbon emissions. In Mumbai, the anticipated annual savings from such installations in an average building is `2,35,790, with 1,821 metric tons of CO₂ saved throughout the project's twenty-five-year lifespan. This equates to the planting of 4,406 trees. An increase of four megabits per second in residential broadband speed translates to an annual increase in household income of 15.3 lakhs. Moreover, people looking for work find a job 25 percent more quickly through online searches than through more traditional

SUSTENANCE

In order to maintain the standard of living, the Ministry of Urban Affairs should conduct a study and release reports bi-annually with the data of growing urbanisation and the need for this project to be conducted in newer locations.

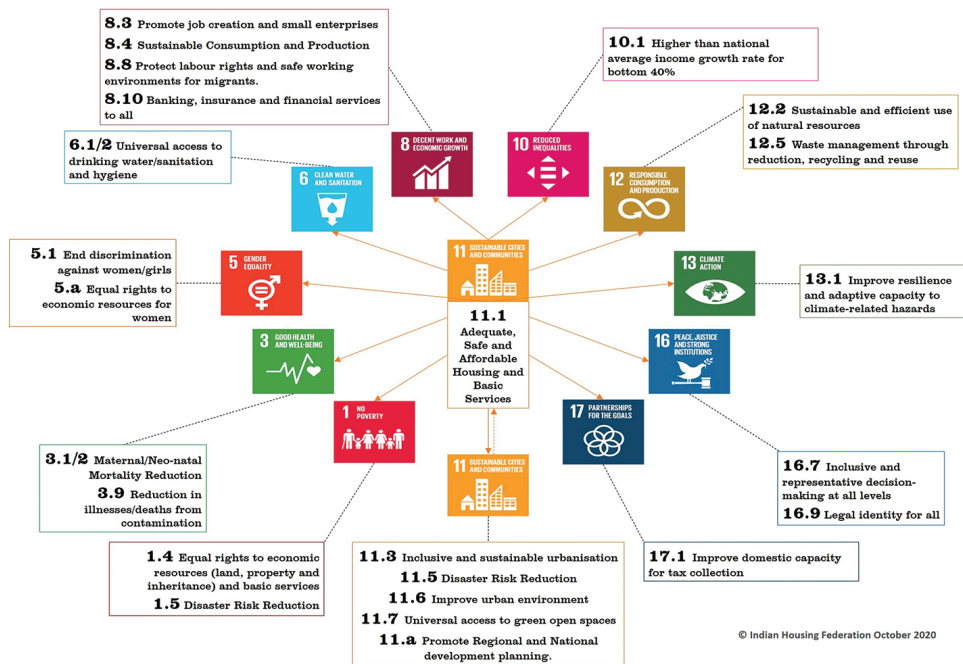
Often, cities such as Bengaluru artificially try to limit the urban zone by bringing in restrictions in peri-urban zones.

However, this merely creates an area filled with illegal construction and squatters that are extremely harmful for the environment.

The rate at which employment increases in urban area should be supplemented by the number of housing solutions the city can accommodate.

approaches. The provision of broadband services would prove to be efficient for people living in such settlements.

The provision of basic facilities, proper sanitation, and sewage disposal will reduce the morbidity rate and also the health issues which arise due to the stagnant water and other pathogens which breed in slum dwellings. The formation of streets and pucca houses will increase the connectivity to other urban areas and will thus, increase the rate of the land over time. Further, such a project would ensure thousands of jobs to the people. If we estimate that there exists a total of 16 lakh adult population out of 40 lakhs who is seeking employment; and the overall participation rate is 50%, then the total employable adults would be around 8 lakhs. The project by providing workspaces as micro-entrepreneurial units would create jobs for at least 1/5 adults of 8 lakhs. If these people earn a daily wage of `300-400 per day, then, this would ensure a total income of around 1920 Crores annually.



CONCLUSION

A proper shelter that caters to the basic necessities is still a dream of many people in India. With UDAAN, we provide low-income families with quality homes and access to essential services.

The policy will aim at granting long-term ownership rights, as well as increased access to formal financial resources. During the interim period, the government will grant leasehold rights while encouraging households to work toward home ownership. UDAAN prioritizes community space and microenterprise locations to improve social and business prospects. In freshly created dense vertical redevelopments, we propose preserving the social, semi-public, entrepreneurial spirit of the streets. This would also create employment for low-income families and prevent the redevelopment of slums.

The policy aims at upgrading the lifestyle of slum dwellers. This would give them recognition and identity. The goal is to recognize these people as citizens; converting shacks into houses; informal settlements into an organized neighborhoods.

AROUND THE WORLD

WORLD BANK REPORT

- The World Bank estimates that by **2030** over **160 – 200 million people** across India will be exposed to severe heat waves annually.
- In pursuance to this, it proposes the opening of investment opportunities of **\$1.6 trillion by 2040** to keep spaces cool by using alternatives and innovative energy and efficient technologies.

FURTHER ESTIMATION

- Food loss due to heat during transportation – **13 billion annually**.
- Job losses due to heat related-stress productivity decline – **34 million people**.
- Estimated that by **2037**, the demand for cooling is likely to be 8 times more than current levels.
- Meaning every **15 seconds**, a demand for a new air-conditioner would arise – leading to an **unexpected rise of 435% in annual greenhouse gas emissions** over the next two decades.

THE DISAPPEARANCE

- Recently, (Dec 2022), the remains of last-known Tasmanian Tiger were found in a cupboard after 85 years.
- Believed to have been lost for 85 years, they were found in a cupboard in a museum in Australia.



PAKISTAN

- Pakistan sends back hundreds of Afghan refugees to face Taliban repression.
- About **250,000 Afghans** have arrived in **Pakistan** since the Taliban seized power in August 2021.

CONNECTIVITY IMPROVES: NORTHEAST INDIA

- Arunachal Pradesh's first greenfield Airport, **Donyi Polo** which cost 640 Crores in Itanagar was inaugurated on November 19
- The name reflects the age-old reverence of 'Donyi' meaning the sun and 'Polo' meaning the moon.
- The **highlight** of the **new airport** is its **entrance**, the **Great Hornbill Gate**, built **entirely** of **bamboo** and **cane**.



INTERNATIONAL FORA

- Peru's top prosecutor's office said it has launched an inquiry into new president Dina Boluarte and members of her cabinet to investigate allegations of genocide after violent clashes that have seen at least 40 killed and hundreds injured since early December.
- By **2050** most world dams to lose a quarter of storage capacity: UN Research
- As a result of sedimentation buildups, erosion of global water and energy security nearly **50,000 dams** are to lose more than a quarter of their storage capacity leading to water disruption over the globe.
- Rohingya refugees bet lives on boat crossings despite rising death toll
- Despite no vaccines and a four-month struggle with the **Ebola outbreak, Uganda** has finally put an end to the health crisis after no active cases were found over **42 days** which represents two full incubation periods of the virus.



THE LUNGS OF THE PLANET

- Since the **1970s** more than **one-sixth** of the Amazon rainforest has been lost.
- Since **1988** an average of **10,000 acres** of the Amazon has been destroyed every day.
- This equates to an area an area the **size of California** being **lost each day** solely due to human intervention.
- In **2021** alone around **4.8 million acres of rainforest** were lost.
- In one Brazilian state **400 square miles of forest** has been cleared for soy farming in the last **10 years**.
- In **2021** deforestation of the **Amazon in Brazil** rose to its highest level in **15 years**.

MORE ABOUT THE AMAZON RAINFOREST

- The Amazon is the largest rainforest on Earth and covers an area of **6.7 million sq. kms**.
- The Amazon currently stores an estimated **123 billion tons of carbon**.
- The Amazon provides a habitat for **2.5 million species** of insects and thousands of species of animals.

RE-THINK EVERYTHING?

If deforestation continues at its current rate it's thought that we could see the demise of the Amazon rainforest by 2064, particularly of southern and eastern areas.

- At current rates of deforestation, 27% of the Amazon rain forest will be without trees by 2030.
- This point periods of severe drought will be so close together that the rainforest will not be able to recover in between.
- The remaining dry and sparse areas of land will not be able to support the native wildlife, indigenous groups, and local communities relying on the water it supplies.

Will human existence be an end to all other existence?

SHARING THE BURDEN: PROPOSED KARNATAKA STATE POLICY ON FERTILITY MANAGEMENT

- Saanchi Singh & Radhika Varma (Army Institute of Law, Mohali)

ABSTRACT

The recent round of National Family Health Survey reveals that India has been successful in reducing its total fertility rate to below replacement level. However, it also sheds light on the colossal gender divide in contraception usage in the state of Karnataka, and the country, as a whole. Speaking of Karnataka, the urban areas in the state have registered zero male sterilizations while female sterilisations accounted for 55.2%. Condom usage accounted for 6.0%, while Pills & IUD/PPIUD accounted for 2.1 and 3.4% respectively. These trends clearly indicate that women are burdened with the responsibility of birth control, even in a state where the literacy rate (75.36%) exceeds the national average (74.04%). This is primarily due to two factors: firstly, the presence of a strong notion that Family Planning concerns women only; Second, the overemphasis on female contraception in India's family planning policies. There is a requirement of equalizing the burden through behavioural changes and policy course correction, which the proposed policy solution seeks to bring about.

OVERVIEW

The Indian society and, to an extent, the governmental policies have compartmentalized family planning as a women's issue. A number of factors have contributed to the lack of acceptance of male contraceptive methods:

- The existing social and gender norms that place the burden of family planning on women;
- The lack of knowledge about contraception and its benefits or the spread of misinformation.
- The myths and misconceptions surrounding the use of contraceptives by men, like the loss of virility or decreased sexual pleasure;
- The lack of faith in the effectiveness of male contraceptives.
- The lack of male-friendly healthcare services and healthcare professionals.
- Untested Presumptions.

TARGET AUDIENCE

The target audience for the purpose of this policy brief is:

Area: People residing in the district headquarters or cities/ towns with a population of or exceeding 50,000.

People: The primary focus of this policy would be on the slum dwellers and marginalised groups, including street vendors, people on the streets/ or homeless people, public transport (railway, bus) coolies, sex workers and migrants.

THE APPLICABILITY OF THIS BRIEF WOULD BE ON:

- Urban poor Males;
- In the urban slums (listed or unlisted);
- In the State of Karnataka.

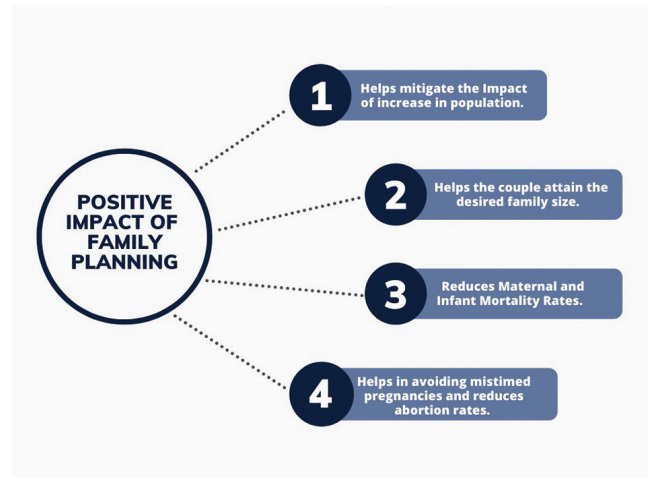
PROBLEM STATEMENT

While it is true that contraception usage has increased for both men and women, the gender gap in Family Planning still remains uncurbed. Nationally, female sterilisation has risen to 37.9% in NFHS-5 from 36% in NFHS-4. In contrast, male sterilisations are stagnant at 0.3%. In urban areas, the figures are 36.3% for female sterilisations and a mere 0.2% for male sterilisations – lower than the national average. Further, despite an increase from 5.6% to 9.5% between NFHS 4 & NFHS-5, the use of male-oriented family planning methods such as condoms remains insufficient

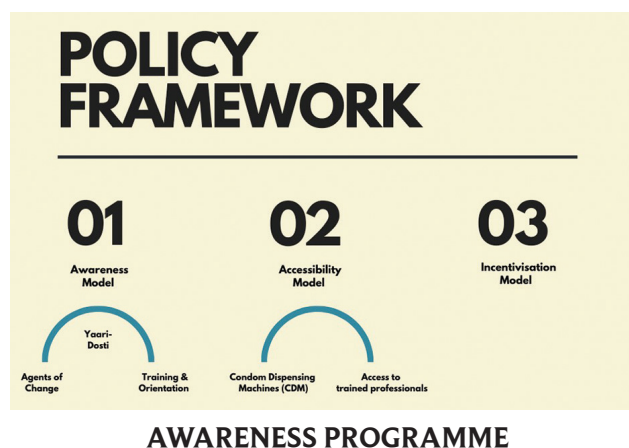
The barriers to bridging the gender divide in contraception usage are twofold - First issue is the existence of a strong underlying belief that Family Planning is a ‘women’ problem. The second issue is the excessive emphasis on female contraception in India’s family planning policies. Modern methods of contraception for males including vasectomy and condom have not been given much emphasis, in comparison to female sterilisation. Thus, acknowledging the urgent need for policy course correction on this front, the proposed policy aims to bring more men into the Family planning process, shift the focus away from female sterilisation as a popular contraception method, and encourage couples to explore less invasive alternatives for family planning.

POLICY PRINCIPLES

- **DO NO HARM:** The policy aims to meet the male-specific needs for family planning while respecting women's autonomy.
- **POSITIVE PERSPECTIVE:** The focus is to engage men and boys from a positive perspective.
- **RIGHTS-BASED:** Providing men and boys with equitable access to voluntary, high-quality family planning services that provide informed choices for men and boys to meet their needs.
- **INFORMED CHOICE AND INFORMED CONSENT:** While adopting permanent methods of family planning (vasectomy) the individual must be made aware of all the possible routes available along with the risks involved (informed choice). The procedure carried out should be with the express consent of the individual after evaluating all the risks and advantages. At the core of the policy is the voluntary involvement of men in family planning, it stands against any coercive or forceful measures adopted to meet its goals.



- **REPRODUCTIVE EMPOWERMENT:** Recognizing the ability of men and boys to choose when, where and how many children to have has a long-term impact on their own lives.
- **YOUTH:** Use an age-appropriate, life-stage approach tailored to cultural contexts.
- **MONITORING AND EVALUATION:** Include measures to track different impacts of family planning policies and programmes by gender.



‘YAARI DOSTI PROGRAMME’ – To share the burden of contraception, the first step is to challenge gender norms that position family planning as a ‘women’s issue.’ Interventions like the ‘*Yaari Dosti*’ programme in Mumbai and Gorakhpur have done just that. The programme, aimed at young adult men, used group educational activities and marketing campaigns to challenge stereotypes of masculinity. These discussions were then extended to the reproductive health context, emphasising on STI prevention and condom use. The current policy proposes to extend this model to Karnataka’s urban areas through the use of social media as well as physical campaigns.

MEN AS SUPPORTIVE PARTNERS – Messages encouraging men and boys to shift their focus to male-oriented contraceptive methods should be positive and empowering, emphasising their ability to change. Several effective programmes around the world use messages that appeal to men’s sense of justice and their willingness to fulfill their family’s/ spouse’s requirements.

AGENTS OF CHANGE is one such intervention. Under this, communities are encouraged to identify male role models who have taken steps to share the burden of contraception use with their partners. These role models will then use their story and social capital to address and demystify misconceptions about male contraceptive use and/or vasectomy, and inspire their peers to do the same.

TRAINING & REORIENTATION OF HEALTHCARE WORKERS – Along with counseling men, there is a strong need to reorient the views of healthcare workers who are trained in catering to women’s-specific contraceptive needs, due to India’s overwhelming emphasis on female contraceptive usage.

ACCESSIBILITY MODEL

This model identifies males as the clients. It aims to provide affordable, accessible and male-friendly family planning options. The policy has identified their needs and challenges to cater to this specific demographic and focused on systematically bridging the gap.

Avoiding uncomfortable Interactions – Given the social climate and the awkwardness surrounding the use of contraceptives- This model proposes to install Condom Dispensing Machines (CDM) in

areas identified under the NUHM. The machines shall be set up in high accessibility areas like railway stations and identified health care centres.

Access to trained professionals – As clients, men required trained healthcare professionals. This model aims to increase the access of urban poor (men) to qualified healthcare professionals in a judgment-free, affordable setting. As per the data published under the Karnataka National Health Mission, the number of impaneled Non-Scalpel Vasectomy Surgeons stands at 19. This points towards a ‘demand’ for professionals and the ‘shortage’ in the state to cater to that need.

INCENTIVISATION MODEL

This intervention focuses on the audience that has shown absolute resistance to adopting family planning measures. It aims at incentivising the urban poor males skeptical about family planning by providing compensation (in the form of 1 kg of rice, per person/per couple, spanning over 4 sessions, across 6 months). The goal is to inform the males about the available resources and encourage them to make informed choices.

Since this policy will be incorporated into the National Urban Health Mission, the existing governance structures and planning processes prescribed by NUHM must be appropriately adapted to meet the requirements of this policy. The Mission Steering Group established under the National Health Mission will also serve as the apex body for this policy. Locally, each Municipal Corporation, Municipality, Notified Area Committee, and Town Panchayat will become a planning unit with its own approved broad norms.

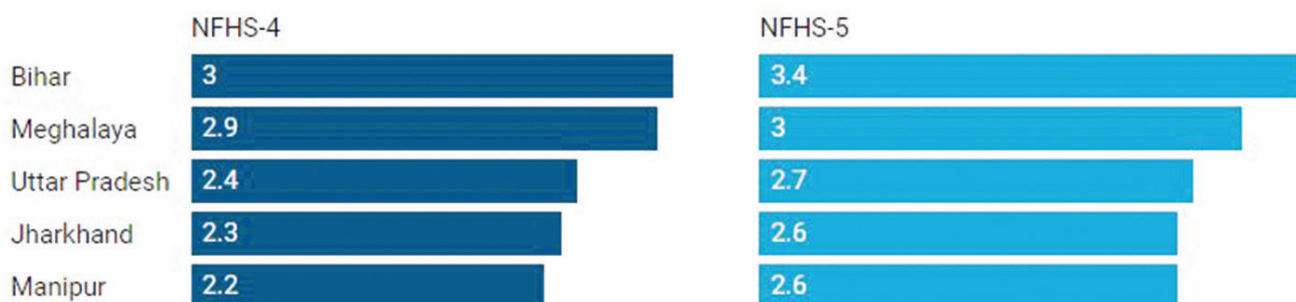
MONITORING AND OVERSIGHT

The Monitoring & Oversight framework for this policy would be similar to the one as prescribed under the National Health Mission. Through analysis of data & identification of trends collected from credible surveys. Second, special evaluation studies will be conducted on a regular basis for each of the policy interventions until the goal of equalising the burden of contraceptive usage on both genders is achieved. In addition, an end-of-project impact evaluation survey would be conducted. Third, by analysing data collected through the Health Management Information System (HMIS).

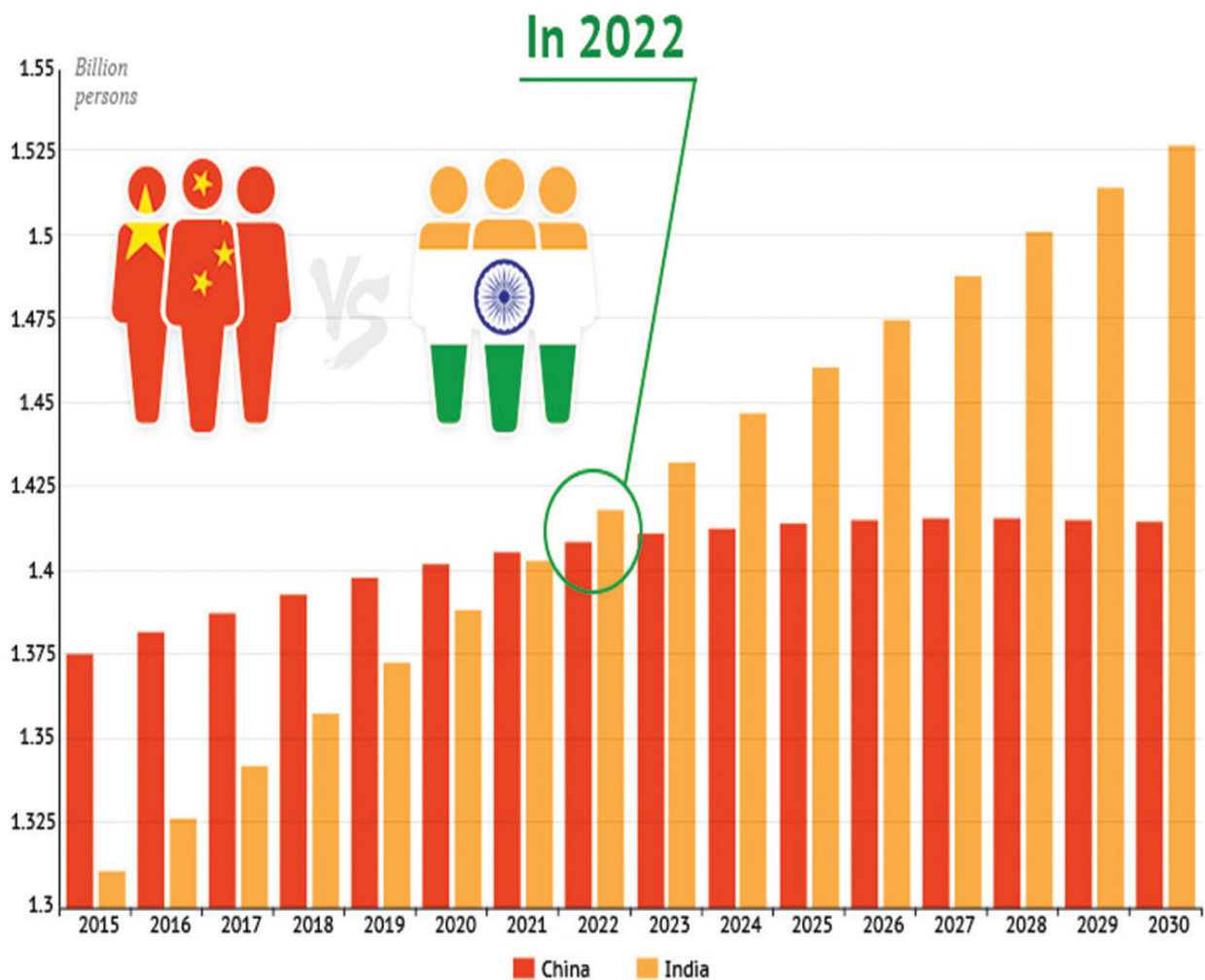
COST BENEFIT ANALYSIS

COST	BENEFIT
<p>1. COSTS OF CONDOM DISPENSING MACHINES (Estimated cost - Rs. 15,000 per unit x number of units installed across the state in the areas identified under the NUHM) + cost of condom production and distribution.</p>	<ul style="list-style-type: none"> ▪ Helps in foregoing hesitation in procuring condoms + ▪ STI/HIV protection owing to the usage of barrier methods. ▪ Currently, India has the 3rd highest number of HIV Cases in the world. ▪ Leads to behavioral change due to higher accessibility and judgment free environment.
<p>2. TRAINING SESSIONS Cost of training and sensitising healthcare professionals + geographical distribution of healthcare professionals.</p>	<ul style="list-style-type: none"> ▪ Enhanced accessibility healthcare professionals trained to cater to male contraceptive needs including permanent methods of sterilisation (Vasectomy). ▪ Enhanced Pre & post-surgical assistance.
<p>3. COUNSELLING SESSIONS Cost of conducting educational sessions with trained psychologists and healthcare professionals + cost of 1kg rice per person/couple, per session, spanning across 4 sessions</p>	<ul style="list-style-type: none"> ▪ Increased participation of men in family planning. ▪ Increased communication between couples. ▪ Equal responsibility for contraception between spouses.
<p>4. AWARENESS MODELS Costs of conducting social media physical campaigns. CSR funds can be directed toward holding these campaigns</p>	<ul style="list-style-type: none"> ▪ Higher reach of the scheme amongst young adults.

Top five states with High Fertility Rates



When will India have more people than China?



Source: UN, World Population Prospects: The 2015 Revision



CONCLUSION

Although India's fertility rate has declined significantly in recent years, the gender gap in family planning remains a pressing issue that has gone unaddressed.

Through a three-pronged approach, the proposed policy solution aims to alleviate the overwhelming burden of family planning on women. First, we will concentrate on increasing male participation in family planning. Second, we strive to improve access to male-oriented contraceptive methods and healthcare facilities. Finally, we incentivize both partners to make decisions based on informed choice and informed consent.

This framework would be supplemented by a strong implementation mechanism that focuses on planning, monitoring, and evaluating proposed measures, as well as funding interventions through models such as public-private partnerships in healthcare and corporate social responsibility. To assess the model's feasibility, a thorough Cost-Benefit Analysis has been performed. The policy proposal is expected to produce the desired results, bringing about more sustainable fertility management patterns in the state of Karnataka.

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END NOTE

‘The earth is what we all have in common’ - *Wendell Berry*

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