



How to live with climate change

It won't be stopped, but its effects can be made less bad

Compared with the extraordinary fanfare before the global warming summit in Copenhagen a year ago, the meeting of the United Nations Framework Convention on Climate Change in Cancun has gone unheralded. That is partly because of a widespread belief that the publicity build-up to last year's summit contributed to its failure, but also because expectations have changed dramatically. In the wake of the Copenhagen summit, there is a growing acceptance that the effort to avert serious climate change has run out of steam.

Perhaps, after a period of respite and a few climatic disasters, it will get going again. It certainly should. But even if it does, the world is going to go on getting warmer for some time.

Acceptance, however, does not mean inaction. Since the beginning of time, creatures have adapted to changes in their environment. Unfortunately, such adaptation has always meant large numbers of deaths. Evolution works that way. But humankind is luckier than most species. It has the advantage of being able to think ahead, and to prepare for the changes to come. That's what needs to happen now.

Russian Summer

Even if the currently moderate pace of emissions reduction steps up, the likelihood is that the Earth will be at least 3°C warmer at the end of this century than it was at the start of the industrial revolution; less warming is possible,

but so is more, and quicker. Heatwaves that now set records will become commonplace. Ecosystems will find themselves subject to climates far removed from those they evolved in, endangering many species. Rain will fall harder in the places where it falls today, increasing flooding but in places already prone to drought things will be and large get drier, sometimes to the point of desertification. Ice will vanish from Arctic summers and some mountaintops, permafrost will become impermanent, sea levels will keep rising.

These changes will benefit some. As the melting ice allows access to the Arctic, Russia will become richer still in fossil fuels. For many, though, the prospects are grim. Drought and flood will put the livelihoods of hundreds of millions, mostly in developing countries, at risk. So the question is how to limit those risks.

Those who can adapt will do so mostly through private decisions: by moving house, say, or planting different crops. But governments have a role too.

The best protection against global warming is global prosperity. Wealthier, healthier people are better able to deal with higher food prices, or invest in new farming techniques, or move to another city or country, than poor ones are. Richer economies rely less on agriculture, which is vulnerable to climatic change, and more on industry and services, which by and large are



not. Richer people tend to work in air-conditioned buildings. Poor ones tend not to.

But development is hardly an easy solution to the problem. There are already plenty of good reasons for poor country governments to put sensible economic policies in place, stop stealing money and do the manifold other things necessary to get their economies on the right track; and if they haven't done those things already, the threat of climate change will not spur them into action. Climate change does, however, provide an extra reason for rich countries—which caused the problem in the first place – to find ways to help poor countries develop. That is a matter of justice, not just humanity.

There is another problem with relying on development: although it can help protect poor countries from climate change, it also threatens to make the problem worse, because as economies grow, they consume more and more energy. Here again, rich countries can help, by offering poor countries support for greener energy technologies, and thus allowing them to make use of their capacity for generating renewable energy from water, wind and sunlight.

Beyond encouraging climate-friendly development, governments need to take some focused measures in three areas: infrastructure, migration and food. The Dutch, who have centuries of experience of protecting themselves against high water, are already working out how to adapt and build infrastructure to minimise the risks of flooding as sea levels rise and the rain-fed Rhine grows friskier. Elsewhere, politicians need to assess the vulnerability of their cities to changes in peak

temperatures, in rainfall, in severe-storm frequency and in sea level, and act accordingly.

As life gets harder in vulnerable places, people will need to migrate both between and within countries. Rich people can help make life easier for poor ones by allowing larger numbers across their borders. Within rich countries, governments should stop subsidising insurance in vulnerable areas—such as the Florida coastline – and thus stimulating development there. People need to be encouraged to migrate away from vulnerable areas, not into them.

Going with the grain

Food security will become a crucial issue. Drought-resistant seeds are needed; and, given that the farmers least able to pay will require the hardiest varieties, seed companies' efforts should be supplemented by state funded research. Since genetic modification would help with this, it would be handy if people abandoned their prejudice against it.

Even with better crops, better soil conservation, better planting patterns and better weather forecasts, all of which are needed, there will still be regional calamities. To ensure that food is always available, the global food market will have to be deeper and more resilient than it is now. That means abandoning the protectionism that bedevils agriculture today.

None of this will make climate change all right. It remains the craziest experiment mankind has ever conducted. Maybe in the long run it will be brought under control. For the foreseeable future, though, the mercury will continue to rise and human race must live with the problem as best it can.

Courtesy : The Indian Express, 30-11-2010





Can Women break free of societal fetters?

○ Ragini Nayak

I wonder, when should a woman take the liberty of moving out in public? Can she move out at night in secluded places? Oh, no! comes the expert advice. Don't you know, never do public spaces belong less to women than they do at night? What can explain this better than the fact that a north-eastern call centre employee was abducted and gang-raped in a moving vehicle around 1 a.m. on November 24 in Delhi.

Ok, So, can she move out in daytime at crowded places? Before replying in the affirmative, hang on! Don't forget, recently, Gul Panag was groped at the Airtel Delhi Half Marathon, which was surely organised in the morning with 600-700 participants.

These two examples are just the tip of the iceberg. Hundreds and thousands of incidents of physical/sexual abuse and culturally justified violence happen every day to women in this country. It is unnerving that a woman, even in the 21st century, can-not step out of the household at any given time, assured of her physical and sexual safety.

Gender-based violence which is not just physical or sexual but mental verbal, emotional, financial and intellectual-is a serious problem in our society because it is deep-rooted in the cultural and social relations between the two

The fear of violence restricts a woman's autonomy, curtails her mobility and her ability to work and participate in social activities.

sexes. Deeply internalised patriarchal conditioning gives moral sanction for the use of coercion to enforce compliance by women, and that is why violence becomes a tool that men constantly use to control them. Susan Brownmiller in her book, *Against our will*, emphasised that men dominate women through a process of physical and sexual abuse.

Conscious process

Men have almost created an 'Ideology of Rape,' which amounts to a conscious process of intimidation. This fear of violence determines what a female does, when, where, how and with whom. These acts shape her attitude to life and expectations from herself.

They reduce her self-confidence and make her physically and psychologically dependent on the protection of others. She herself starts believing that she cannot think for herself and take her own decisions. Moreover, it restricts her autonomy, curtails her mobility and her ability to work and participate in social activities.

The extremity of the situation was seen in Afghanistan under the Taliban rule, where a female was not allowed to move out of her house unless she was accompanied by a male relative. This violence not just violates her



human and fundamental rights but deprives her of her identity as an individual.

Benevolent Paternalism

Another important factor is that patriarchy does not directly represent itself as oppressive, rather it operates under the garb of benevolent paternalism which, in order to control women, creates subservient norms: a female has to stay away from places and situations that are potentially violent, avoid public places, stay home as much as possible, should not go out at night, should not travel alone, should not protest if someone misbehaves and so on. But it presents these norms as beneficial to women ensuring their safe and peaceful existence within society, if adhered to.

The immediate consequence of this is that it makes women alone responsible for their safety. The usual argument in cases of sexual harassment/rape is that the female must have provoked the assaulting male by either being out of her home so late at night or by her clothes or manner. It almost amounts to saying that she probably deserved it because she did not follow the norms prescribed by society.

So, essentially, instead of creating conditions in society where women live and function as freely as men, instead of addressing the prevention of sexual harassment and rape while preparing and executing the blueprints of a city, instead of moving into more effective mechanisms of law enforcement and gender

sensitive planning, the patriarchal and paternalist society's norms make the female bear not only the burden of pain and humiliation caused to her but also the responsibility for what happened to her as well.

Recently, Police Commissioner of Delhi, B.K. Gupta briefed the media on his plans to make Delhi University campuses more secure, beginning with the North Campus through the appointment of a Woman Station House officer and deployment of more women officers on beat patrolling, Help Desks and PCR Vans.

Although it is a welcome initial step towards making the Delhi Police more female friendly at least on campuses, it would not strike at the root cause.

Instil confidence

Why can't the male constabulary be gender sensitive enough to instil confidence in female students? When would we start talking about training and sensitising our males at least in the two most important social institutions. i.e., the home and the school? It is high time that 'we, the people of India', both men and women realised that violence against women is not just a 'women's issue' and the responsibility of preventing violence against women lies with society as a whole, not with women alone.

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Courtesy : The Hindu, 12-12-2010



अज्ञान प्रकाश को जाग्रत नहीं कर सकता, लेकिन घृणा तो ज्ञान के प्रकाश को भी बुझा देती है

– गुरुदेव रवीन्द्रनाथ टैगोर



Constitution took nearly three years to compile

○ Ragini Nayak

Why do we need a constitution?

Any society has some set of rules which lays out its basic ideals, which depend on widely-practised social and religious beliefs. Since there could be diverse social norms, particularly in countries as large and heterogeneous as India, a consensus needs to be formulated on what those basic ideals should be. In most modern countries, this consensus has a written form known as the constitution. Apart from codifying the basic set of rules, a constitution also tells us about the operational nature of a country—what type of government it has and how it will function.

What if there is a change in social beliefs over time?

No document governing the people can be written for an indefinite period of time and hence almost every constitution provides for amendments. It's not uncommon to amend and even rewrite constitutions. The Soviet Union saw four different constitutions in the seven decades of its existence, first in 1918, then in 1924, in 1936 and finally in 1977.

The present Russian constitution was adopted in 1993. Similarly, in the two centuries after the French Revolution, France witnessed five French Republics, all with different constitutions. The present fifth French republic came into being after the new constitution was introduced in 1958. But unlike these countries, which had to adopt new constitutions because

of changes in the basic political framework, we as a new democracy have a Constitution which also provides the procedure to amend it. The preface of our Constitution says that the Constitution is a living document, an instrument which makes the government system work, and its flexibility lies in its amendments.

When was our Constitution drafted?

In 1934, Indian leaders started demanding the formation of a constituent assembly to draft the Indian constitution reflecting the ideals of an independent India. It took more than a decade to fructify and the first meeting of the constituent assembly took place on December 9, 1946, in the Central hall of Parliament, which was known as Constitution hall at that time. The inaugural meeting was attended by 207 representatives, including nine women. Dr. Sachchidananda Sinha was elected as the temporary chairman of the assembly to be soon replaced by Dr. Rajendra Prasad.

How did the assembly function?

The members were chosen through indirect election by the members of the provincial legislative assemblies, according to the scheme recommended by the Cabinet Mission. The arrangement was: 292 members were elected through the provincial legislative assemblies, 93 members represented the princely states and four members represented the chief commissioners' provinces, which took the total membership to 389.



On December 13, 1946, Jawaharlal Nehru moved the Objectives Resolution stating the assembly's declaration of India as an independent sovereign republic. It also resolved to draw the operational characteristics of the future government in an independent India. But soon after Mountbatten's Partition plan was declared on June 3 1947, a separate constituent assembly was set up for Pakistan and representatives of some provinces ceased to be members of the assembly reducing its membership to 299.

Prior to Independence, legislation was done through the central legislative assembly created by the Government of India Act, 1919. On midnight of August 14, 1947, it was dissolved and replaced by the constituent assembly. It had 17 committees for discussions on all aspects of the new democracy ranging from the national flag, the power of the states and the Union and so on.

How long did it take to finally draft the Constitution?

It took two years, 11 months and 17 days for the members of the assembly to compile the world's longest national constitution. It held 11 sessions spread out over 165 days. On August 29, 1947, the assembly set up a drafting committee under the chairmanship of Dr. B.R. Ambedkar to prepare a draft constitution.

The Constitution was adopted on November 26, 1949 and the members signed on it on January 24, 1950. It came into force on January 26, 1950 (which is why that date is now observed as Republic Day) and on that day the assembly was changed into the provisional Parliament of India. The date was chosen to honour the Purna Swaraj declaration of 1930, when Indian leaders resolved to fight for complete self rule.

Courtesy : The Times of India, 25-01-2011



ब्रह्म के स्वरूप का प्रेम जिन्होंने पा लिया है, उन्हें फिर किसी काल में भी भय प्राप्त नहीं होगा

- गुरुदेव रवीन्द्रनाथ टैगोर



Smart, Eco-friendly Sanitation for all

○ S. Vishwanath

The four storied apartments in Dongsheng District of Erdos Municipality in Inner Mongolia, China look like any apartment, all 825 of them. They look the same that is until you use the toilet. Detailed instructions nailed to the door tell you how to use them. The urine diverting toilets flush with sawdust instead of water. Urine is collected in tanks tucked away in the basement of the building and used as a fertiliser in a surrounding agricultural field. The solids are composted and reused also as fertiliser. Greywater coming from the washing machine and bath is treated at a small treatment plant in the development and reused for landscape use. The people who bought the flats did so knowing fully well the systems of sanitation in place and paid the same market rates as the flats which had conventional sanitation systems. This is China's brave new world of waste and wastewater management.

China, and rural China in particular, has been well-known for centuries for reusing human waste as a fertiliser. Legendary tales are told of farmers competing with each other in inviting passers by to use toilets in their fields so that they could access the fertiliser. There was never any waste only a resource according to the

Chinese farmers. This was, however, a small part of the story.

Rural sanitation has been a problem for long. In 1996, only about 20 percent of households had

The technology choice that China made for sanitation and wastewater management has led to not only blistering economic growth but also rapid urbanisation as it helped Beijing reduce GDP loss that poor sanitation brings

access to sanitation. The prevalence of open defecation, the use of the traditional pit latrines and in general bad sanitation practices, including the application of untreated human waste for agriculture, had led to the high prevalence of intestinal diseases such as worms in the rural population. A focussed attention first on rural drinking water supply improvement then followed by sanitation access

improvement has resulted in about 50 percent of the population having access to safe sanitation by 2003.

The technology choice made for sanitation was also interesting. These included five major types of sanitation systems –the triple compartment septic tank type, the double barrel urn type, the methane generation digester type, the eco-san separate urine faeces collectory type and finally the conventional sewer type.

While the first and the last are designed exclusively for isolating and treating sewage to safe standards only, the remaining three systems



are designed not only for safe treatment but for reuse of nutrients as well as for generation of energy in the case of the methane digester type.

Take the case of the urine diverting dry toilets. The UDDT'S have a pan designed that collects urine and faeces separately. In the case of washers the wash water is also collected separately. The first experiment in Guangxi Province started with the construction of 70 toilets in Dalu village in 1997. This was followed by the construction of 10,000 UDDT's in 1998 and then scaled up to the construction of 6,85,000 toilets in 2003. The construction of the UDDT's has thus been mainstreamed as one of the sanitation alternative while providing the nutrients that farmers need for their fields in a safe and hygienic manner.

The factors for such a rapid and large up-scaling has been the cultural acceptance of the technology, the water scarcity in the villages also makes the UDDT attractive as it needs no water for flushing, the availability of compost and urine as fertilisers, the technological and political commitment to improve and implement such a system.

The methane digester type of toilet, much like our biogas systems, has an innovative component to it. Typically, the toilet of the house is also connected to pig rearing, a poly-house is also connected to pig rearing, a poly-house and vegetable cultivation. The Chinese call it the four in one model.

Pig effluent and human effluent go into the methane digester that produces biogas for cooking and for electricity for the house usually not connected to the grid. The digested effluent is used as a fertiliser inside the poly-house used for vegetable cultivation by the rural family. More than a million such units have been

established and are running all across China.

Till the 1970s, China meandered along with a set pattern of slow growth till Deng Xiaoping unleashed the economy. The result, decades later, is not only a blistering economic growth but also rapid urbanisation. More than 46.60 per cent of China lived in urban areas in 2009 and the tipping point of 50 percent is expected to be reached by 2015. More than 300 million Chinese will move in to cities between 2010 and 2025. This will put a tremendous strain on water supplies and waste treatment required to manage the sewage flows adequately.

Chinese rivers are under tremendous stress and are hugely polluted mostly through untreated or undertreated waste water flows which reach the rivers. A massive commitment has, therefore, been made by the state to provide wastewater treatment plants in all cities by the end of 2010, though recent reports suggest that the target is unlikely to be achieved this year.

China has currently 4,254 sewage treatment plants with a treatment capacity of 226 million cubic metres. Another 1,849 sewage treatment plants with a treatment capacity 46.6 million cubic metres are under construction.

In 2009 China spent \$1.17 billion on wastewater treatment facilities and \$2.25 billion in just the first half of 2010.

The system of wastewater treatment and reuse is best exemplified by what Beijing does. The city has a population of 22 million. In 2009 it consumed a total of 3.55 billion cubic metres of water though many experts suggest that a sustainable water use is around 2.1 billion cubic metres. Most of the additional water came from the sinking of bore-wells and the exploitation of groundwater which is rapidly sinking.



Almost 93 percent of Beijing's waste-water is collected and treated in 9 treatment plants. The Beijing authorities expect a 100 per cent collection and also a 100 per cent reuse by the end of 2011, thus supplementing Beijing's non-potable water use requirement. By recycling wastewater and by increasing the tariff of water to control its use Beijing, authorities hope to see some sustainability in the city's water needs.

While there are many small sewage treatment plants, the Bailonggang waste-water treatment

plant Shanghai is the world's biggest and treats 3.4 million cubic metres daily. The cause for worry in China is that 61 cities have no sewage treatment plants which are around nine percent of urban areas.

The lessons for India from a neighbour equally large and with a population which is also large are clear. Invest in sanitation and wastewater, make available treated wastewater for reuse in urban areas and reduce the GDP loss due to bad health and disease which bad sanitation brings.

(The writer works on sustainable water management and sanitation issues)

Courtesy : The Pioneer, 12-1-2011



**दोष देखने से हृदय छोटा, स्वभाव संदिग्ध और हृदय में सरसता
का निवास नहीं रहता है**

- गुरुदेव रवीन्द्रनाथ टैगोर



Ensuring Human Rights-Suggestions to Enhance the Efficacy

○ Dr. Syed Mahar-ul Hasan

Owing to the rapid growth various institutions are operating to maintain law and order as well as executing different welfare schemes and capacity building initiatives. In the current scenario it appears mandatory that a group of people and individuals be identified who can sincerely place their efforts to ensure that all activities and assigned tasks to protect human rights are accomplished in letter and spirit.

The Human Rights Commissions and other such institutions generally oversee the implementation of law and order and also ensure that rights of citizen are not violated. Every enforcement agency though is expected to protect such rights, yet, it is observed that, there are certain deviations in resolving the human rights issues; this may be either due to lack of knowledge on human rights and sometimes perhaps, ignorance and restraint on the part of the responsible.

The Human Rights activist or defenders usually point out the lacuna of institutions and agencies for negligence and violations of human rights and retarding the pace of resolving the issues. This attitude of the institutions discourages the sufferers, which ultimately leads to frustration and dismay.

However all such institutions are working on human rights cases in casual manner and doing the patch work that too with adhoc

approach. It is thus extremely necessary to devise a system, where by any complaint or any happening is easily be redressed by reaching the defender or activist, so that they could approach the right forum.

To begin with, all commissions must establish a cell at all such places that are potentially falling under the category of high risk. A box should be placed at all the aforesaid places in which the complaints can be dropped, Similarly, a register can also be maintained by the commissions where the sufferer can file his complaint with all relevant details. The Commissions must see that all such complaints are segregated on the basis of their seriousness and genuineness. Such cases are forwarded to the concerning law enforcement agencies for prompt action. In case of non compliance or unresolved issues within a stipulated time frame, the commissions should have a system for monitoring the pace and progresses of the cases sent by them. The role of Human Rights' Activists and Defenders can also be ensured in expediting the matters by bringing them into the chain of information flow.

Initially every police station should have such a cell and a list of Human Rights Activists and defenders. Each of the identified activist and defender is issued an identity card. These activist/defenders of a particular area will visit the cell as per the pre-planned programme that



is circulated before hand to all – commission and law enforcement agencies, complainant. The aforesaid idea may be discussed at different forums amongst all concerned including authorities activist/defenders sociologists and psychologists. Subsequently nuances and other nitty-gritty can be finalized. More over, all Human Rights Commissions must be given appropriate punitive powers to impose penalties and other coercive actions. They may also be

equipped with the present day technology of software development, data storage, programming, data analysis, so on and so fore enabling these institutions to access all such records which they deem fit for smooth and effective functioning.

(The writer is Aayog Mitra & these recommendations submitted to UN special Rapporteur on 18.01.2011 at New Delhi)



**जो आनंद देता है, उसी को मन सुंदर कहता है और
वही साहित्य की सामग्री है**

- गुरुदेव रवीन्द्रनाथ टैगोर



Problems and Solutions in the Implementation of Human Rights

○ Prof. (Dr.) Senal K. Amin

Human Rights are those rights which we have because we are human beings. There is no distinction of caste, race, colour, religion, gender etc. in enjoying these rights. But unfortunately many of us, specially women, children, backwards, schedule caste and tribes are deprived of these rights due to economical, cultural and social causes.

In order to safeguard these rights the Human Rights Commissions at the State and National levels have been formed. But certain problems come in the way of their effective functioning.

1. It is not mandatory for the government and administration to follow the decisions of the Commission. Besides, majority of complaints lodged in the commissions are against the administration itself i.e. the police and the bureaucracy. If the decisions of the commissions are against the administration itself i.e. the police and the bureaucracy. If the decisions of the commissions are rejected the only course open before the Commission is to go to the judiciary. It is for this reason that the Commission have been called 'toothless tigers'. If human rights are to be protected the commissions should be given more powers thereby making them more effective.
2. As far as the judiciary is concerned it takes too long for any case to be decided. Justice delayed is indeed justice denied. Besides the

courts are very costly and is it very difficult to collect the required proof. What is most depressing is that the conviction rate in the courts is only between five to ten percent which means that about ninety to ninety five percent of the accused go scot free. Is this not the grossest violation of the human rights of the victim? The victim gets victimized twice. Once by the criminals and after that in the courts. Looking at this reality a commission was formed under the chairmanship of Justice Malimath. But unfortunately the recommendations of this Commission bringing about changes in the justice delivery system are gathering dust. Due to delays in the justice delivery system very often evidence is destroyed, witnesses turn hostile, the victim and his family members are threatened and the victim is disheartened. If this situation continues people will lose respect for the law and the judiciary and explore alternative quick ways of getting justice which does not auger well for society. If human rights are to be protected the justice delivery system has to be made time-bound and within the reach of the common man. The fees charged by who charge outrageous fees for every appearance they make in courts.

In criminal matters we are following the Adversarial System in which until the crime



has been conclusively proved against the criminal by the complainant or the police punishment will not be preponderance of probability punishment should be meted out.

Courts are further guided by the principle that not a single innocent should suffer even if many criminals get away. No doubt an innocent man should not be punished but care should also be taken that not a single criminal should be able to get away. Besides we should be more concerned with the rights of the victim.

3. Just as is imperative to respect human rights it is equally important to be concerned about human duties. From the inception of our constitution. Along with rights, duties need to be emphasised. For it is a fact that if everyone does his duties, rights will by themselves be protected. Besides, our culture is duty-oriented. We have equated performance of duty with Dharma.
4. Basic change in our thinking, priorities and character need to be brought about. We are becoming more and more self-centred and greedy. Our society is giving utmost priority to material possessions. A man is judged by his house, car, clothes, bank-balance and not by his intrinsic qualities. Gandhiji strongly believed that in this world there is enough

for everybody's need but there can never be enough for their greed. Even Socrates, a Greek philosopher, preached that the path to happiness is to curtail ones want. In our blind desire for things we lose all sense of right and wrong and start grabbing from others which leads to exploitation of the weak by the strong and deprivation of their rights. Indian Culture has always praised contentment and renouncement and looked upon them as virtues to be cultivated. A Sanyasi, who is highly revered turns his back to worldly and possessions.

5. At times human rights are denied to women, schedule caste and tribe on the plea that they are against our culture, social norms, and religion e.g. child and forced marriages, honour killings, dowry demands, gender inequality, caste discrimination, denial of upward mobility to lower castes etc. Concentrated awareness programmes, implementation of progressive laws, due protection to social workers and NGO's working in this field and efforts to bring about a change in the mind-sets should be undertaken on a war footing. Above all what is needed is a strong will and commitment to respect and protect human rights.

(The writer is an Ex-member of women's commission of Madhya Pradesh & member of Aayog Mitra Samiti Jabalpur)



त्याग के बिना किसी स्वाधीनता की प्राप्ति नहीं होती

- गुरुदेव रवीन्द्रनाथ टैगोर



Fertilizer Subsidy : What is good for the farmer and the farm?

Is the chemical fertilizer-based food production system sustainable? As a result, what happens to the soil and the larger issue of food security?

○ Raghuvansh Prasad Singh

After a raging debate, the government finally decided to hike the chemical fertilizer subsidy, to catch up with spiralling fertilizer prices in the global market. Also, there is talk about bringing urea under the Nutrient Based Subsidy (NBS) system and decontrolling its prices. Obviously, the fertilizer industry is happy. But there is hardly any discussion on what is good for the farmer and the farm. What is the state of the soil in the country? Is the food production system sustainable?

The past debate and NBS

The government has been spending a huge amount of money to support chemical fertilizer production and its usage. It has touched almost a lakh crore in 2008-2009. This investment has always been under criticism as it was promoting an overuse of chemical fertilizers and thereby catalysing soil degradation. As a result, agricultural production in the bread baskets of the country has stagnated and even started to decline, posing a threat to the food security of the country. The drylands have never received the benefits of the cores of money being given out as fertilizer subsidy, as most farmers in these regions are, by default, organic as they cannot use chemical fertilizers; water being the limiting factor.

There have been concerns raised by several policy experts and others that the fertilizer policy of the country is only helping to move out the Indian tax payers' money to foreign petroleum companies and fertilizer producers. It is to be noted here that fertilizer production is highly dependent on fossil fuels, and that most fertilizers are imported.

In 2009, Union Finance Minister Pranab Mukherjee gave us a glimmer of hope when he announced a fertilizer subsidy reform and introduced the NBS system with a promise that the subsidy amount would be disbursed directly to farmers. In 2010, this policy was made effective, but there was no transfer of money to farmers. One year down the line, the NBS is proving to be a complete failure. Media reports point to the fact that after the introduction of the NBS, urea usage has gone up leading to a further degradation of the soil. Now, with the government increasing the fertilizer subsidy, it is also clear that the NBS has also failed to reduce the burden on the exchequer. It is neither helping the farmer nor the Government.

Soil degradation: Farmers' view

In the mad rush to balance the chemical fertilizer kitty with global prices, policy makers are forgetting a huge problem that is staring us



in the face—the deteriorating soil in the country and the resultant threat to food security. However farmers are aware of the crisis, but are helpless in the absence of support systems from the government. A recent Greenpeace India report, "of Soils, Subsidies conducted in five Indian States, has revealed that 96 per cent out of the 1,000 farmers surveyed were of the opinion that the use of chemical fertilisers led to soil degradation but they continue to use them as there was no other option. Ninety-four per cent of the surveyed farmers believed that only organic fertilisers can maintain soil health. However, only one per cent of the farmers received any kind of support for production and the use of organic fertilisers. Ninety-eight per cent of the surveyed farmers were ready to use organic fertilisers if they are subsidised and made easily available.

Further, only 34 per cent of them knew that chemical fertilisers are subsidised. Of those who knew, only seven per cent knew that a new subsidy system (NBS) was introduced by the government for chemical fertilizers. Even at the subsidised rate, 94 per cent of them thought that chemical fertilisers are un-affordable and not economical.

These are some of the eye-opening revelations that the government should look into. Whenever a fertilizer sop is announced, it is lauded as a farmer-friendly measure. But farmers are not even aware. They are more worried about the soil, a resource on which their livelihood is dependent. But the government tends to ignore this.

Support for alternatives

It is a well-accepted scientific fact that organic matter is the lifeline of the soil which is critical to maintain the health of this

ecosystem. Measures have to be taken to promote the generation of sufficient biomass in a field to be added to the soil. Ecological fertilization offers a range of ways to nourish the soil, with no damage to the ecosystem, be it in irrigated or rainfed regions. Indian farmers were once aware of these practices. However with the mad promotion of chemical intensive agriculture in the country, invaluable, traditional knowledge has faded away. From a knowledge driven system, agriculture production in the country has become an external input-driven system. This is when the crisis started to emerge.

The agriculture research system in the country has always neglected an ecofriendly means of soil nutrition and never approached it in a holistic way. It has always revolved around a chemical intensive agricultural model. There is an impending need to refocus scientific research to identify the value of the traditional knowledge available with a farmer. Scientific research should go hand in hand with farmers' wisdom to help the country tide over the crisis.

The government should think about how long we can depend on a volatile fossil fuel-based agriculture system. How long can we be dependent on fertilizer imports? How long can we ignore a farmers' plight?

Now is the time for the government to start building an alternative support system which is both farmer and farm friendly. This can open up a lot of rural employment opportunities and contribute to the livelihood security of a farmer. This will also bring prosperity to rural India.

(The writer is Member of Parliament and former Union Minister of Rural Development.)

Courtesy : The Hindu, 28-02-2011



Plug the Hole in the Bucket

[Poorly designed welfare programmes make government throw good money after bad]

○ Santosh Mehrotra

Thanks to the Right to Information Act, 2005, and also the activism of NGOs and of the media, a culture of country. That is the good news. However, the media, NGOs and RTIactivists can only do so much. They can focus the attention of the public and parliamentarians on egregious scams, but rarely address the systemic flaws that result in leakage of funds.

We have a long history of publicly funded welfare programmes. If programmes are well-designed, they will be more effective in reaching the poor and leak less. But most developed economies that have effective programmes that leak little also have a system which monitors, evaluates and redesigns programmes to improve effectiveness. The trouble is we do very little of the first two and so end up repeating past mistakes. All that happens is that the names of welfare programmes change when a new government comes to power—with very little fundamental change in programme design.

The classic examples of this problem of history repeating itself are all the wage-employment creating public works programmes that India has been famous for in development literature. We have had an over 40-year history of such programmes, but it was not until the National Rural Employment Guarantee Act in 2005 that we finally had a well-designed programme that reached the self-targeted

beneficiaries, minimised leakage and has had a major impact. Prior to NREGA, we had a plethora of programmes that fed the contractor-petty bureaucrat nexus. They resulted in some infrastructure but neither generated the scale of employment that was needed, nor raised market wages in rural areas or stemmed large-scale migration as NREGA has succeeded in doing. It is not suggested here that NREGA has not faced leakage of funds—at times on a large scale—but these are largely the result of failures in implementation, not failures of design.

For failures of design to be discovered, there is a need for programmes to be monitored well—using an on-line, publicly available management information system (MIS) So that they generate data that programme managers in central ministries can then use to provide feedback to the state governments implementing these programmes. However, of the 14 flagship programmes of the central government, only eight have a publicly accessible in-line MIS. Moreover, there are well-known issues about the authenticity of the data these MISs provide to the central line ministry. In addition, there are issues about the speed with which the data reaches the ministry from block level.

One outcome of this state of affairs is that the prime minister's office created a delivery monitoring unit in 2009 to run an MIS on the flagship programmes.



In any case, monitoring systems can only generate a limited amount of information on inputs (e.g. financial resources released and spent) or processes. An MIS gives the manager very little information about outputs (e.g. number of tanks construct), let alone outcomes (e.g. quality of school learning). Those who implement programmes also need information on such indicators, especially to understand whether their programmes are having the outcomes originally desired. Even more importantly, they need rigorous evaluations once every few years (usually five years) to be able to check if the programme spending is having the desired impact.

However, we have only one organisation in the country that specialises in doing evaluations, the Planning Commission's Programme Evaluation Organisation (PEO). It used to have 15 offices around the country soon after it was created in the 1950s; that number is down to 10 even though government spending has gone on increasing, both in absolute terms as well as share of the country's GDP. Since the number of staff in the PEO engaged in evaluations has been dwindling, most evaluations have been outsourced to NGOs or research institutions. They may or may not know the difference between regular social science research and a programme evaluation that is meaningful to policy makers or programme implementers.

State governments don't particularly seem to be interested in evaluating their own programme efficiency, and have not built up any

capacity in the field of monitoring or evaluation. So we have a situation where a culture of acceptance of poorly designed or indifferently implemented programmes has thrived a culture in which leakages of programme funds are also accepted as a given.

It is in this context that the central government announced the creation of an independent evaluation office in the president's speech to Parliament. The cabinet has just approved its creation. It has its task cut out. It will first have to ensure that monitoring systems are built up in every central government line ministry and then in the state government departments. It will then have to ensure that data collected through such monitoring systems are authentic and validated so that they are reliable tools for management and more effective implementation of programme objectives. It will then have to develop training to build generally, and impact evaluations in particular since there is very limited capacity to conduct rigorous evaluations in the country.

Finally, and most importantly, it must take the lead in conducting others to undertake such evaluations, especially of large-spending flagship programmes—so that the bad design of programmes can be discovered and flaws corrected, before funding is released the following year.

(The writer is director-general of the Institute of Applied Manpower Research.)

Courtesy : Times of India, 24-02-2011



असफलता निराशा का सूत्र नहीं बल्कि वह तो नई प्रेरणा है

– गुरुदेव रवीन्द्रनाथ टैगोर



With Different Abilities

○ Harsh Mander

For them, the world is beyond reach. The most ordinary of aspirations to enter school, work in the fields, go out to worship, get married, the prosaic ingredients of even the most humble person's workaday life cycle are denied to them. Despite profound and consistent denial of their human rights, an estimated 50 million men, women and children with disabilities have remained on the outer periphery of both public policy and social action in India. Hidden away behind the walls of homes and institutions, they are most frequently victims of extreme social prejudice and ostracism, even as they struggle to achieve their potential of a fulfilled, dignified and useful life.

More than any other large dispossessed social groups, people with disabilities are invisible: in political agendas, in human rights struggles, in development strategies, in social science research. But even more strikingly, rarely do we encounter disabled people in schools, farms, factories, playgrounds, cinemas, streets, markets, temples, mosques, churches, in family celebrations.

We know almost nothing about the existential experience of persons, and even less about women and girls, who live with disabilities in the countryside. What life is like for them really, how do they cope, what do they suffer, what are their dreams? I recall some years ago being associated with a group of mainly disabled researchers, who sought answers to questions like these in a sample of villages in Rajasthan and Andhra Pradesh.

Huge barriers

One striking finding of our investigations was of the nearly insurmountable physical and social barriers that people with disabilities confront in accessing public spaces and common properties. Gaps in village infrastructure like roads, drinking water sources and school buildings disproportionately constrain people with disabilities. Temples are built on hill-tops, and degraded forests require people with disabilities to walk longer than is physically feasible for them to gather fuel and food. Graver are social attitudes, of shame and ridicule, beginning often within the family, which further immobilise people with disabilities.

Society mostly sees what 'disabled' persons can't do, not what they can nor what they will be able to, if only we help them realise their potential and lead a fulfilled life...

Shrouded from out collective view and conscience, they somehow live out their lives, surviving, but only just...



The result is a sense of isolation, dependency and pervasive low self-esteem, which we encountered widely amongst people with disabilities. They felt humiliated by their sense of dependency for sometimes even the simplest acts of daily living, like bathing, eating, and attending nature's call. On many occasions, we found in impoverished homes, all care-givers had to go out for wage work, and severely disabled people forced to remain without food and care for the entire working day.

There was profound denial of schooling to children with disabilities. We could not locate a single teacher trained in working with children with disabilities, or special teaching aids; there were no ramps in any rural school. For disabled children of impoverished rural parents – agricultural workers and small farmers – the chances of going to school, and remaining within it, are especially low. Where mothers have to do wage work to sustain the family, they cannot take the child to school, Girls are more burdened than boys because they have to look after the household work, and take care of their younger siblings. We consistently found, ironically, that disability was no barrier only to the conventional domestic duties of housework of girls and women.

Aids and appliances as well as correctional surgery can do a lot to assist a person with disability to overcome the constraints imposed by her biological condition. But even low-cost appliances are beyond the reach of most rural people with disabilities. We could not find medical records of even a single person with disabilities who underwent corrective surgery or modern medical interventions to reverse or improve their condition.

We found that a third or more of people with disability who were in the working age-

group had absolutely no opportunity to work and they were fully dependent on the members of their family. These included persons with leprosy, visual impairment, and severe mental and multiple handicaps. Although most of these persons were capable of productive work, their families and the larger community regarded them to be incapable. Those who could find work had low-end employment, uncertain, barely averaging 7 to 10 days a month, with paltry wages. But even this low-wage employment was available only when other workers were not available, or in peak agricultural periods. Even such employment was highest for persons with physical disabilities, whereas other disabled peoples like those hearing impaired were considered unsuitable because of difficulties in communicating work demands.

Low and uncertain incomes mean that many people with disabilities and members of their family routinely live with hunger. Even the coping mechanism of seasonal distress migration is usually barred to such people. In the survey, we encountered very few people with disabilities who received any kind of disability pension, of food aid, to protect them through seasons of hunger. The situation is even more tenuous for old persons with disabilities who lack younger care-givers.

Most vulnerable

We found the highest, frequently tragic, levels of vulnerability and social exclusion among rural women with disabilities. Most were forced to marry in highly unequal situations, as second wives to older men, widowers or divorced men. Many reported that they were treated mainly as unpaid domestic labour and sexual objects, and suffered high levels of physical and psychological domestic abuse, sometimes desertion. Girls with disabilities,



particularly those who are mentally challenged, were found to suffer from routine sexual abuse and unwanted pregnancies.

Traditionally, the most positive response that society has been able to muster towards the disabled has been pity, reducing them to passive objects of our charity. However, interventions based on a philosophy of charity, however well-meaning, not only rob the disabled of their dignity, self-esteem and self-confidence, but also perpetuate their dependence and obstruct the possibilities of their achieving a life of self-respect and relative self-reliance. They also reinforce further prejudice in society about disability and the disabled.

In all work for the rights of disabled persons, it is important first of all to remember that people with disabilities are full individual human beings just like anyone else with independent personalities, dreams, aspirations, interests, skills and potential. They have the right, as well as the potential, to lead fulfilled, productive and happy lives with dignity and relative and happy lives with dignity and relative self-reliance, just as much as anyone else. The success of our interventions should be judged by the yardstick by which these potentials are actually realised. Further, whereas institutions

are important as specialised resource centres, they should not be instruments to confine or segregate the disabled; instead the striving should be for the full social, economic, educational and cultural integration of the disabled in the wider society.

The reason why disabled persons are often denied this potential of achieving a full life of dignity is not related so much to the limitations of their disabilities, as to the way that society views and treats the disabled. We see only what they cannot do, not what they can do and even more importantly what they might be able to do. Not that they can do and even more importantly that they might be able to do. We offer them only our ignorance, prejudice, revulsion and rejection, and consciously or tacitly architectural, educational, legal, transport, cultural, health and other barriers to their achieving a fulfilled life with their full potential. This is why most disabled people experience humiliation, segregation and indignity throughout their lives. Shrouded from our collective and assertion that an uncaring state and society will finally be forced to act. There are many examples of hope from happen-that disabled people are themselves ending their long exile from hope.

Courtesy : The Hindu
6/02/2011



**यदि तुम सूर्य को खो बैठने पर आँसू बहाओगे तो तारों को भी
खो बैठोगे**

- गुरुदेव रवीन्द्रनाथ टैगोर



Eating into our growth plan

Malnutrition among urban slum children is a bitter truth. We must counter this calorie deficit

As scam upon scam flood us this festive season, the 'masses' have obligingly faded into the background, quite literally. In Mumbai, where the mega Adarsh scandal is still unfolding, a more insidious scam, that which has caused persistent urban malnutrition has been in the works for decades. While the focus on malnutrition has been largely rural, those in urban slums have fallen between the cracks of apathetic policy and abysmal delivery systems. At last count, 3.5% of urban slum children in Mumbai did not live to see their sixth birthday. If this is the case in affluent Mumbai, the plight of children in urban slums in other smaller metropolises can only be worse.

The issue of malnutrition in urban slums has never really been a priority since the families residing in these don't fall in the below the poverty line category. But what has been overlooked is that often with both parents working to make ends meet, the children receive little or no nutritional attention. In the fetid conditions of slums, the already undernourished child is more susceptible to infections and far less able to overcome them. The problem starts with the undernourished, overworked and illiterate or semi-literate mother whose children are born with a nutritional disadvantage. In Mumbai alone, according to the National Family Health Survey 2006 data, 99.2% of women received no health services of any sort in the slums. This means that the 35-year-old

Integrated Child Development Services which is supposed to provide immunisation and monitor the growth of children up to the age of three has either failed or has been devastatingly ineffective. The reasons why this is so are not very far to seek. There are not enough clinics, there is not enough trained staff and mothers don't realise that something as invisible and silent as malnutrition could impair the child's life forever. It conditions where there is poor sanitation, lack of clean drinking water and excessive population density as in the slums, malnutrition could literally mean the difference between life and death for children.

Rural to urban migration is not a new phenomenon, it is something which will increase in the years to come. It speaks for skewed priorities and shoddy planning that migrant workers are not afforded even a basic standard of living in the cities. In an economy which is and will continue to be driven by skilled labour, children who are malnourished will never be able to be productive. At least in enlightened self-interest, more people who have the power and resources should make the battle against malnutrition more visible and effective than it has been so far. The less people have to eat, the more this will eat into the vitals of the economy in the long run.

Courtesy : Hindustan Times
14/12/2010



A tough innings at the helm

It has been a challenge guiding the Editors Guild of India over two years, in what are difficult times for the Indian media.

○ Rajdeep Sardesai

Two years ago, when I was asked to become the President of the Editors Guild of India, I did so with some trepidation. The Guild had a formidable reputation of having been at the forefront of editorial integrity and independence. Set up in the Emergency years, it emerged stronger through the trial of fire. The members of the Guild comprise the grey eminences of the profession. As one of the youngest members of the Guild, I was both a little awed and certainly very honoured to be president of the august body. Two years later, as I end my term as president, I feel privileged to have been given the challenge of guiding the Guild through difficult times for the Indian media.

'Paid news'

Perhaps, the biggest challenge we have been confronted with is the menace of 'paid news'. That paid news existed across media organisations is one of the profession's worst-kept secrets. It required a journalist of P.Sainath's repute to put it on the front page of The Hindu and force a national debate on the issue. At the Guild, we decided to make 'paid news' the focus of our activities in 2010. We may not have succeeded in erasing it from the media landscape, but at least there seems to be a greater consciousness now than ever before of the need to control 'paid news' journalism.

We have worked together in the last 12 months with other journalist bodies—most notably the Indian Women's Press Corps and the Press Association – to create an atmosphere which rejects 'paid news' as a journalistic malpractice that erodes the very foundation of our professional integrity. It hasn't been easy. While a number of editors support a move that will not allow news space to be sold as advertising without proper disclosure norms, many proprietors seem reluctant to abandon what is seen as a lucrative business opportunity. It should come as no surprise that it was the news-paper owners who were unwilling to allow the Press Council of India report on 'paid news' to be made public in its entirety.

But where the Press Council has had a limited role, the Election Commission has shown enormous resolve in stepping in to act against 'paid news'. During the last 12 months, the Guild's senior members have interacted with the Election Commission in an effort to find a solution. During the recent Bihar elections, the Commission appointed specific media monitoring officials who worked under expenditure committees in every district. The Commission says it received 86 complaints which were immediately acted upon, forcing candidates to part of their election expenses. According to Chief Election Commissioner



S.Y.Quraishi, this constant monitoring of 'paid news' during the Bihar elections has had a positive effect: candidates were much more careful in their attempts to misuse the media in this campaign than was the case in the 2009 general elections.

The problem hasn't disappeared: 'paid news' during elections is only one aspect of the issue. Corporate through 'private treaties' continue to manipulate news coverage as do other interest groups. Moreover, in a country with over 35,000 newspapers and over 100 news channels, there is an obvious limitation to any policing of 'paid news'. In fact, we need to every corner of the country and empower journalists and editors to feel confident of resisting attempts to allow news to be 'bought'.

Issue of intimidation

The other big challenge for us at the Guild has been the need to protect journalists against attempts by the state to intimidate them. In Manipur, for example, newspapers have found it extremely difficult to function in an atmosphere of fear and violence.

In January this year, a two-member fact finding team of senior journalists, B.G. Verghese and Sumit Chakravarty, visited Imphal, met editors and other stakeholders, and came up with a detailed report. The report was presented to the Prime Minister's Office and the Home Ministry and appears to have had the desired effect of ensuring some minimum accountability on the part of the state machinery. In Kashmir too, during the summer violence, news-papers and news channels were once again in the line of fire. Again, the Guild attempted to

convince the political establishment of the need to allow the media to function independently.

It's not just the militancy affected states where the media finds itself being muzzled. There have been instances of attacks on journalists reported from Karnataka and Maharashtra too. In both States, we have received complaints of state power being used to silence journalists who are critical of government. In Karnataka, the Guild stepped in to prevent the jailing of a journalist who was targeted only because he had got on the wrong side of the authorities in the State.

The tapes

As the year draws to a close, the media finds itself facing a serious credibility crisis in the light of the Niira Radia tapes. Like the paid news expose, the Radia tapes too confirm what has been known for some time: journalists and editors share a rather cosy relationship with political and corporate India. This raises troubling questions for a profession whose self-image is rooted in its ability to confront those in power. The easy co-option of the media into the power elite and its consequent manipulation is worrying for those who see the primary role of the media to be that a watchdog.

Facing up to the moral crisis in the prevailing media environment is the next big challenge before the Editors Guild as we enter a new year with a new team.

(The writer is Editor-in-Chief, IBN 18 and outgoing president of the Editors Guild of India. E-mail: rajdeep.sardesai@network18online.com)

Courtesy : The Hindu, 27-12-2010



अन्याय सह लेना भी अपराध है - गुरुदेव रवीन्द्रनाथ टैगोर



Human Rights Based Approach in TB Care and Control Program

○ Rajkumar Rai

LEPRA Society has been initiating interventions in health care over the last 18 years. It is reaching the un-reached in inaccessible and inhospitable areas, looking after the betterment of those afflicted by various diseases such as Leprosy, Tuberculosis, HIV/AIDS, Malaria and Blindness and helping them to face life with renewed confidence. LEPRA believe in working hand-in-hand with the communities for fighting against the disease, stigma and social injustice. By directing expertise and resources to communities, we build on community strengths that will allow families and individuals to lead better lives. Through collaboration with the Governments and funding agencies, LEPRA Society extend their reach into most inaccessible villages of Andhra Pradesh, Bihar, Orissa and Madhya Pradesh, through National and International policy advocacy and research, LEPRA Society acts on programmatic solutions in detecting, diagnosing, curing and providing patients with the much need timely support, we take pride in having touched the lives nearly 20 billion people.

During implementation of Advocacy, Communication and Social Mobilization

(ACSM) TB Project funded by United State Agency for International Development (USAID) through world Vision India with goal of the project; To contribute to the efforts of Revised National Tuberculosis Control Program (RNTCP) of Government of India in reducing TB mortality and morbidity in targeted states and districts of India, with specific objectives; first to engage and empower communities for a

greater role in TB control and care through improved knowledge, changed attitudes, and participation and second to improve access to and utilization of TB diagnosis and treatment through engagement of the private health sector.

Poverty is the major cause of poor health. In turn, sickness causes poverty through the loss of productivity or hospitalisation costs and even though the relationship between poverty and illness is two-way, it is not symmetric as loss of productivity is just one of the factors for being poor in addition to the other socioeconomic and political factors (Katz, 2008).

There is a clear association between socio-economic factors and the incidence of

Poverty and diseases are "the greatest challenges before humanity" but "we have the opportunity to eliminate... from our planet." to lead to meaningful progress and improvements in the lives of society's neediest.



Tuberculosis throughout the world. Poverty, malnutrition and overcrowding are some of the prime factors for the breeding of Tuberculosis. Not all of them infected with the Bacilli will go on to develop the disease, Changes in the host immunity and nutrition status results in the bacilli becoming active. It for this reason that World health Organization (WHO) has declared Tuberculosis as one of the "Diseases of Poverty" (Grange, 1999)

To advocate for rights and responsibilities in Tuberculosis care and treatment ACSM project disseminate information through; Patients' Charter for Tuberculosis Care

THE PATIENTS' CHARTER FOR TUBERCULOSIS CARE

The Patients' Charter (PCTC) outlines the rights and responsibilities of people with tuberculosis. It empowers people with the disease and their communities through this knowledge. Initiated and developed by TB patients from around the world, the Charter makes the relationship with health care providers a mutually beneficial one.

The Charter sets out the ways in which patients, the community, health providers, both private and public, and governments can work as partners in a positive and open relationship with a view to improving tuberculosis care and enhancing the effectiveness of the health care process. It allows for all parties to be held more accountable to each other, fostering mutual interaction and a 'positive partnership'. Developed in tandem with the International Standards for Tuberculosis Care :

(1) To promote a 'patient centered' approach, the Charter bears in mind the principles on health and human rights of the United Nations, UNESCO, WHO, Council of

Europe, as well as other local and national charters and conventions

- (2) The Patients' Charter practices the principle of Greater Involvement of People with TB or GIPT
- (3) This affirms that the empowerment of people with the disease is the catalyst for effective collaboration with health providers and authorities, and is essential to victory in the fight to stop TB. Choes paragraph Accordingly, the PCTC is included as a key element of the WHO STOP TB Strategy, and was launched by Dr. Lee, Director General of World Health Organization (WHO) on World TB Day 2006. The Patients' Charter, the first global 'patient-powered' standard for care, is a cooperative tool, forged from common cause, for the entire TB Community.

PATIENTS' RIGHTS

Care

- The right to free and equitable access to tuberculosis care, from diagnosis through treatment completion, regardless of resources, race, gender, age, language, legal status, religious beliefs, sexual orientation culture or having another illness.
- The right to receive medical advice and treatment which fully meets the new International Standards for Tuberculosis Care, centering on patient needs, including those with X/MDR TB or TB-HIV co-infections, and preventative treatment for young children and others considered to be at high risk.
- The right to benefit from proactive health sector community outreach, education and prevention campaigns as part of



comprehensive care programs.

Dignity

- The right to be treated with respect and dignity, including the delivery of services without stigma, prejudice or discrimination by health providers and authorities.
- The right to quality health care in a dignified environment, with social support from family, community and national programs.

Information

- The right to information about what health care services is available for tuberculosis, and what responsibilities, engagements and direct or indirect costs, are involved.
- The right to receive a timely, concise and clear description of the medical condition, with diagnosis, prognosis (an opinion of the likely future course of the illness), and treatment proposed, with communication of common risks and appropriate alternatives.
- The right to know the names and dosages of any medication or intervention to be prescribed, its normal actions and potential side-effects, and its possible impact on other conditions or treatments.
- The right of access to the medical record concerning the patient's condition and treatment, and a copy if requested by the patient or a person authorized by the patient.
- The right to meet, share experiences with peers and other patients, and to voluntary counselling at any time from diagnosis through treatment completion.

Choice

- The right to a second medical opinion, with access to previous medical records.

- The right to refuse surgical interventions if chemotherapy is at all possible, and to be informed of the likely medical and statutory consequences.
- The right to choose whether or not to take part in medical research programs without compromising the quality of care.

Confidence

- The right to have personal privacy, dignity, religious beliefs and culture respected.
- The right to have information relating to the medical condition kept confidential, and released to other authorities contingent upon the patient's consent.
- The right to health services in facilities that practice effective infection control.

Justice

- The right to make a complaint through channels provided for this purpose by the health authority, and to have any complaint dealt with promptly and fairly.
- The right to appeal to a higher authority if the above is not respected, and to be informed in writing of the outcome.
- The right to vote in open elections for patient representatives on health related bodies, and to develop accountable system of representation to defend the rights of patients.

Organization

- The right to join, or to establish, organizations of people with or affected by TB, and to seek support for the development of these clubs, peer support groups, and community based associations through the health providers, authorities, and civil society partners.



- The right to participate as 'stakeholders' in the development, implementation, monitoring and evaluation of policies and programs for TB Care with local, national and international health authorities.

Security

- The right to job security after diagnosis and/or appropriate rehabilitation upon 'cure'.
- The right to nutritional security or food supplements that are necessary to meet treatment regime requirements.
- The right to anti-tuberculosis drugs and diagnostics that are Quality Assured by a stringent authority or WHO pre-qualification.

PATIENTS' RESPONSIBILITIES

Share Information

- The responsibility to provide the health care giver as much information as possible about present health, past illnesses, any allergies and any other relevant details.
- The responsibility to provide information to the health provider about contacts with immediate family, friends and others who may be vulnerable to tuberculosis or may have been infected by contact.
- The responsibility to inform family and friends, and to share lessons learned of TB.

Follow Treatment

- The responsibility to follow the prescribed and agreed treatment plan, and to

conscientiously comply with the instructions given to protect the patient's and other's health.

- The responsibility to inform the health provider of any difficulties or problems with adhering to treatment, or if any part of the treatment is not clearly understood.

Contribute to Community Health

- The responsibility to contribute to community well being by encouraging others to seek medical advice if they exhibit the symptoms of tuberculosis.
- The responsibility to show consideration for the rights of other patients and health care providers, understanding that this is the dignified basis and respectful foundation of the TB Community.
- The responsibility to help family, friends and neighbours adhere to treatment, from start to completion with cure.

Show Solidarity

- The moral responsibility of showing solidarity with other patients, marching together towards cure.
- The moral responsibility to share knowledge during treatment, and to pass this expertise to others in the community, making empowerment contagious.
- The moral responsibility to join in efforts to make the community TB Free.

(The writer is Project Manager, LEPRa India in Akshya India a Global Fund Round 9 TB Project, Bhopal Madhya Pradesh)



ईश्वर का दाहिना हाथ कोमल, परन्तु बायाँ बहुत कठोर है

– गुरुदेव रवीन्द्रनाथ टैगोर



Who are Human Rights Defenders

○ Sanjay Kumar Vishwakarma

"Human rights defender" is a term used to describe people who, individually or with others, act to promote or protect human rights. Human rights defenders are identified above all by what they do and it is through a description of their actions (section A below) and some of the contexts in which they work (section B below) that the term can best be explained. The examples given of the activities of human rights defenders are not an exhaustive list.

A. What human rights defenders do?

1. All human rights for all

To be a human rights defender, a person can act to address any human right (or rights) on behalf of individuals or groups. Human rights defenders seek the promotion and protection of civil and political rights as well the promotion, protection and realization of economic, social and cultural rights.

Human rights defenders address any human rights concerns, which can be as varied as, for example, summary executions, employment issues, forced evictions, access to health care, and toxic waste and its impact on the environment. Defenders are active in support of human rights as diverse as the rights to life, to food and water, to the highest attainable standard of health, to adequate housing, to a name and a nationality, to education, to freedom of movement and to non-discrimination.

They sometimes address the rights of

categories of persons, for example women's rights, children's rights, the rights of indigenous persons, the rights of refugees and internally displaced persons, and the rights of national, linguistic or sexual minorities.

2. Human rights everywhere

Human rights defenders are active in every part of the world: in States that are divided by internal armed conflict as well as States that are stable; in States that are non-democratic as well as those that have a strong democratic practice; in States that are developing economically as well as those that are classified as developed. They seek to promote and protect human rights in the context of a variety of challenges, including HIV/AIDS, development, migration, structural adjustment policies and political transition.

3. Local, national, regional and international action

The majority of human rights defenders work at the local or national level, supporting respect for human rights within their own communities and countries. In such situations, their main counterparts are local authorities charged with ensuring respect for human rights within a province or the country as a whole. However, some defenders act at the regional or international level. They may, for example, some defenders act at the regional or international level. They may, for example, monitor a regional or worldwide human rights situation and submit information to regional or international human



rights mechanisms, including the special rapporteurs of the United Nations Commission on Human Rights and United Nations treaty bodies. (2) Increasingly, the work of human rights defenders is mixed, with the focus being on local and national human rights issues, but with defenders making contact with regional and international mechanisms which can support them in improving human rights in their countries.

4. Collecting and disseminating information on violations

Human rights defenders investigate, gather information regarding and report on human rights violations. They may, for example, use lobbying strategies to bring their reports to the attention of the public and of key political and judicial officials with a view to ensuring that their investigative work is given consideration and that human rights violations are addressed. Most commonly, such work is conducted through human rights organizations, which periodically publish reports on their findings. However, information may also be gathered and reported by an individual focusing on one specific instance of human rights abuse.

5. Supporting victims of human rights violations

A very large proportion of the activities of human rights defenders can be characterized as acting in support of victims of human rights violations. Investigating and reporting on violations can help end ongoing violations, prevent their repetition and assist victims in taking their cases to courts. Some human rights defenders provide professional legal advice and represent victims in the judicial process. Others provide victims with counselling and rehabilitation support.

6. Action to secure accountability and to end impunity

Many human rights defenders work to secure accountability for respect for human rights legal standards. In its broadest sense, this might involve lobbying authorities and advocating greater efforts by the State to implement the international human rights obligations it has accepted by its ratification of international treaties.

In more specific instances, the focus on accountability can lead human rights defenders to bear witness, either in a public forum (for example, a newspaper) or before a court or tribunal, to human rights violations that have already occurred. In this way, defenders contribute to securing justice on behalf of victims in specific cases of human rights violation and to breaking patterns of impunity, thereby preventing future violations.

A significant number of defenders, frequently through organizations established for the purpose, focus exclusively on ending impunity for violations. The same groups of defenders might also work to strengthen the State's capacity to prosecute perpetrators of violations, for example by providing human rights training for prosecutors, judges and the police.

7. Supporting better governance and government policy

Some human rights defenders focus on encouraging a Government as a whole to fulfill its human rights obligations, for example by publicizing information on the Government's record of implementation of human rights standards and monitoring progress made. Some defenders focus on good governance, advocating in support of democratization and an end to corruption and the abuse of power, and providing



training to a population on how to vote and why their participation in elections is important.

8. Contributing to the implementation of human rights treaties

Human rights defenders make a major contribution, particularly through their organizations, to the implementation of international human rights treaties. Many non-governmental organizations (NGOs) and intergovernmental organizations help to establish housing, health care and sustainable income-generation projects for poor and marginalized communities. They offer training in essential skills and provide equipment such as computers to give communities improved access to information.

This group merits particular attention as its members are not always described as human rights defenders and they themselves may not use the term "human rights" in a description of their work, focusing instead on terms such as "health" "housing" or "development" which reflect their area of activity. Indeed, many of these activities in support of human rights are described in general terms as development action. Many NGOs and United Nations bodies fall within these categories. Their work, as much as that of other human rights defenders, is central to respect for and protection and achievement of human rights standards, and they need and deserve the protection given to their activities by the Declaration on human rights defenders.

9. Human rights education and training

Further action of significance undertaken by human rights defenders is the provision of human rights education. In some instances, education activities take the form of training for the application of human rights standards in the context of a professional activity, for example

by judges, lawyers, police officers, soldiers or human rights monitors. In other instances, education may be broader and involve teaching about human rights in schools and universities or disseminating information on human rights standards to the general public or to vulnerable populations.

In summary, the gathering and dissemination of information, advocacy and the mobilization of public opinion are often the most common tools used by human rights defenders in their work. As outlined in this section, however, they also provide information to empower or train others. They actively participate in the provision of the material means necessary to make human rights a reality – building shelter, providing food, strengthening development, etc.

They work on democratic transformation in order to increase the participation of people in the decision-making that shapes their lives and to strengthen good governance. They also contribute to the improvement of social, political and economic conditions, the reduction of social and political tensions, the building of peace, domestically and internationally, and the nurturing of national and international awareness of human rights.

B. Who can be a human rights defender?

There is no specific definition of who is or can be a human rights defender. The declaration on human rights defenders (see annex I) refers to "individuals, groups and associations... contributing to.. the effective elimination of all violations of human rights and fundamental freedoms of peoples and individuals"

In accordance with this broad categorization, human rights defenders can be any person or group of persons working to



promote human rights, ranging from intergovernmental organizations based in the world's largest cities to individuals working within their local communities. Defenders can be of any gender, of varying ages, from any part of the world and from all sorts of professional or other backgrounds. In particular, it is important to note that human rights defenders are not only found within NGOs and intergovernmental organizations but might also, in some instances, be government officials, civil servants or members of the private sector.

1. Defending human rights through professional activities – paid or voluntary

The most obvious human rights defenders are those whose daily work specifically involves the promotion and protection of human rights, for example human rights monitors working with national human rights organizations, human rights ombudsmen or human rights lawyers.

However, what is most important in characterizing a person as a human rights defender is not the person's title or the name of the organization he or she works for, but rather the human rights character of the work undertaken. It is not essential for a person to be known as a "human rights activist" or to work for an organization that includes "human rights" in its name in order to be a human rights defender. Many of the staff of the United Nations serve as human rights defenders even if their day-to-day work is described in different terms, for example as "development".

Similarly, the national and international staff of NGOs around the world working to address humanitarian concerns can typically be described as human rights defenders. People educating communities on HIV/AIDS, activists for the rights of indigenous people, environmental activists and volunteers working in development are also playing a crucial role as human rights defenders.

Many people work in a professional capacity as human rights defenders and are paid a salary for their work. However, there are many others who work in a professional capacity as human rights defenders but who are volunteers and receive no remuneration. Typically, human rights organizations have very limited funding and the work provided by these volunteers is invaluable.

Many professional activities do not involve human rights work all the time but can have occasional links with human rights. For example, lawyers working on commercial law issues may not often address human rights concerns and cannot automatically be described as human rights defenders. They can nevertheless act as defenders on some occasions by working on cases through which they contribute to the promotion or protection of human rights. Similarly, leaders of trades unions undertake numerous tasks, many of which bear no relation to human rights, but when they are working specifically to promote or protect the human rights of workers they can be described as human rights defenders.

In the same way, journalists have a broad mandate to gather information and disseminate it to a public audience through print, radio or television media. In their general role, journalists are not human rights defenders. However, many journalists do act as defenders, for example when they report on human rights



abuses and bear witness to acts that they have seen. Teachers who instruct their pupils in basic principles of human rights fulfill a similar role. Doctors and other medical professionals who treat and rehabilitate victims of human rights violations can also be viewed as human rights defenders in the context of such work; and doctors have special obligations by virtue of the Hippocratic oath.

Those who contribute to assuring justice – judges, the police, lawyers and other key actors – often have a particular role to play and may come under considerable pressure to make decisions that are favourable to the State or other powerful interests, such as the leaders of organized crime. Where these actors in the judicial process make a special effort to ensure access to fair and impartial justice, and thereby to guarantee the related human rights of victims, they can be said to be acting as human rights defenders.

A similar "special effort" qualification can be applied to other professions or forms of employment that bear no obvious relation to human rights. The individuals who hold these jobs may sometimes choose to conduct their work in a way that offers specific support to human rights. For example, some architects choose to design their construction projects in a way that takes into consideration relevant human rights, such as the right to adequate (temporary) housing for the people who will work on the project, or the rights of children to be consulted on the design, if the building is of particular relevance to them.

2. Defending human rights in a non-professional context

Many people act as human rights defenders outside any professional to campaign for an end to torture in prisons could be described as a

human rights defender. An inhabitant of a rural community who coordinates as a human rights members of the community against environmental degradation of their farmland by factory waste could also be described as a human rights defender.

A politician who takes a stand against endemic corruption within a Government is a human rights defender for his or her action to promote and protect good governance and certain rights that are threatened by such corruption. Witnesses in court cases to prosecute the perpetrators of human rights abuses, and witnesses who provide information to international human rights bodies or domestic courts rights defenders in the context of those actions.

People all over the world strive for the realization of human rights according to their circumstances and in their own way. The names of some human rights defenders are internationally recognized, but the majority of defenders remain unknown. Whether an individual works as a local government official, a policeman upholding the law or an entertainer using his or her position to highlight injustices, all can play a role in the advancement of human rights. The key is to look at how such people act to support human rights and, in some instances, to see whether a "special effort" is made.

Clearly, it is impossible to catalogue the huge variety of contexts in which human rights defenders are active. However, common to most defenders are a commitment to helping others, a commitment to international human rights standards, a belief in equality and in non-discrimination, determination and, in many instances, tremendous courage.



C. Is a minimum standard required of human rights defenders?

No "qualification" is required to be a human rights defender, and the Declaration on human rights defenders makes clear, as explained above, that we can all be defenders of human rights if we choose to be. Nevertheless, the "standard" required of a human rights defender is a complex issue, and the Declaration clearly indicates that defenders have responsibilities as well as rights.

Accepting the universality of human rights

Human rights defenders must accept the universality of human rights as defined in the Universal Declaration of Human Rights. (3) A person cannot deny some human rights and yet claim to be a human rights defender he or she is an advocate for others. For example, it would not be acceptable to defend the human rights of men but to deny that women have equal rights.

Who is right and who is wrong – does it make a difference?

A second important issue concerns the validity of the arguments being presented. It is not essential for a human rights defender to be correct in his or her arguments in order to be a genuine defender. The critical test is whether or not the person is defending a human right. For example, a group of defenders may advocate for the right of a rural community to own the land they have lived on and farmed for several generations.

They may conduct protests against private economic interests that claim to own all of the land in the area. They may or may not be correct about who the land. However, whether or not they are legally correct is not relevant in determining whether they are genuine human rights defenders. The Key issue is whether or not their concerns fall within the scope of human rights.

This is a very important issue because in many countries, human rights defenders are often perceived by the State, or even the public, as being in the wrong because they are seen as supporting one side of an argument. They are then told that they are not "real" human rights defenders. Similarly, defenders who act in defense of the rights of political prisoners or persons from armed opposition groups are often described by State authorities as being supporters of such parties or groups, simply because they defend the rights of the people concerned.

This is incorrect. Human rights defenders are accepted according to the rights they are defending and according to their own right to do so.

Peaceful action

Finally, the actions taken by human rights defenders must be peaceful in order to comply with the Declaration on human rights defenders.

(1) The term "human rights defender" has been used increasingly since the adoption of the Declaration on human rights defenders in 1998. Until then, terms such as human rights "activist", "professional", "worker" or "monitor" had been most common. The term "human rights defender" is seen as a more relevant and useful term.

(2) For more information on international human rights mechanisms, see Fact Sheets Nos. 10 (Rev.1), 15, 16 (Rev. 1), 17 and 27.

(3) Adopted by the General Assembly of the United Nations by its resolution 217 A (III) of 10 December 1948. See Fact Sheet No. 2, *The International Bill of Human Rights (Rev.1)*.

Source:- Special Rapporteur on the situation of Human Rights Defenders (OHCHR)

Compiled by-Research officer, MPHRC.



Right to Shelter - Rights of the Urban Poor

○ Dr. M.S. Thakur

In any organized society, right to live as a human being is not ensured by meeting only the animal need of man. It is secured only when he is assured of all facilities to develop himself and is freed from restrictions, which inhibit his growth. All human rights are designed to achieve this object. Right to live guaranteed in any civilized society implies the right to food, water, decent environment, education, medical care and shelter. These are basic human rights known to any civilized society. All civil, political, social and cultural rights enshrined in the Universal Declaration of Human Rights and Convention or under the Constitution of India cannot be exercised without these basic human rights.

Shelter for a human being, therefore, is not a mere protection of his life and limb. It is however where he has opportunities to grow physically, mentally, 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 roads etc. So as to have easy access to his daily avocation. The right to shelter, therefore, does not mean a mere right to a roof over one's head but right to all the infrastructure necessary to enable them to live and develop as a human being. Right to shelter when used as an essential requisite to the right to live should be deemed to have been guaranteed as a fundamental right. As is enjoined in the Directive Principles, the State should be

deemed to be under an obligation to secure it for its citizens, of course subject to its economic budgeting. In a democratic society as a member of the organized civic community one should have permanent shelter so as to a physically, mentally and intellectually equip oneself to improve his excellence as a useful citizen as enjoined in the Fundamental Duties and to be a useful citizen and equal participant in democracy.

Article 19 (1) (e) accords right to residence and settlement in any part of India as a fundamental right. Right to life has been assured as a basic human right under Article 21 of the Constitution of India. Article 25 (1) of the Universal Declaration of Human Rights declares that everyone has the right to a standard of living adequate for the health and well-being of himself and his family; it includes food, clothing, housing, medical care and necessary social services. Article 11 (1) of the International Covenant on Economic, Social and Cultural Rights lays down that State parties to the Covenant recognize that everyone has the right to standard of living for himself and his family including food, clothing, housing and to the continuous improvement of living conditions."

Madhya Pradesh slum dwellers to get land ownership

All forcible evictions and demolitions of the homes of the homes of slum dwellers are the worst violation of human rights as per all



the international human rights commitments. It is not only a violation of right to shelter but also violation of all the rights – right to food, right to livelihood, right to health, right to education and above all the right to human dignity. Therefore, Madhya Pradesh has launched an innovative programme called Ashray Nidhi or Shelter fund to ensure that the economically weaker sections of the society gain access to residential plots or houses Rule 10 of the Madhya Pradesh Nagar Palika (Registration of colonizer, Terms and conditions) Rules, 1998, as amended in 2000, seeks to ensure the availability of plots/houses for the economically weaker sections (EWS) of the society. For providing basic services like sewerage, drinking water, public toilets etc in the slum areas. The scheme affords scope for mobilizing additional funds for housing and water and sanitation projects in slum areas. All urban poor, in particular slum dwellers, will gain access to basic municipal services such as water supply, toilets, waste water drainage, solid waste

management, power, roads, transport, etc. and all urban poor settlements will be integrated and mainstreamed with municipal supply networks resulting in sustainable improvements in the quality of life of the urban poor.

With growth in urbanization, land prices have touched a record high due to massive real estate activities but allocation of land for the poor was further reduced, lack of adequate recoveries and cap on government guarantees have further discouraged local and state governments to take up major housing schemes for the poor. Therefore, the government is taking steps to provide affordable housing to the economically weaker sections of society in urban areas. A comprehensive programme under JNNURM for affordable housing for the poor in cities and town with special attention to the needs of slum-dwellers is being undertaken.

- The writer is a Social Development Expert,
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दण्ड देने वाले वे व्यक्ति आदरणीय बने रहते हैं, जो प्रेम भी करते हैं

- गुरुदेव रवीन्द्रनाथ टैगोर



When Death Liberates

○ Sandhya Jain

The Supreme Court's judgement on euthanasia would have been more wholesome had the judges been forthright in legitimising the right to die and seek the soul's salvation.

The Supreme Court's decision to set parameters for withdrawal of medically unproductive aid to terminally ill patients would have been truly rewarding if it had not fallen into the Abrahamic mindset of viewing life in opposition to death, disregarding India's civilisational ethos which sees life and death as a continuum, and regards the complete cessation of life by reunion with the Divine as the ultimate goal of existence.

Still, the 7 March 2011 judgement on euthanasia, which studies the situation in various countries to arrive at a working paradigm, has moved boldly on legally uncharted seas. The judgement is a welcome respite to the miniscule Jain community that has often been subjected to gross interference by godless atheists who have sought police action against individuals practising sallekhana (also called santhara), religious death by voluntary renunciation of food and water.

This hounding has terrorised the pacific Jain community into hiding rather than celebrating a practice that, if successful, marks

the pinnacle of a believer's spiritual journey. (The writer views the demonisation of sallekhana as part of a sinister agenda to promote the Abrahamic worldview as an empirical universal norm to which India must adjust its spiritual and secular life, negating its own rich heritage.)

While embracing death is not unknown among Hindus (the most eminent examples in independent India include veer Savarkar who renounced food and water when he realised his end was nigh, and passed away on February 26, 1966; and noted Gandhian Vinoba Bhave who refused medication and died in 1983), the Jain laity has been able to incorporate it into the normal practice of faith. Among Hindus, most saints take samadhi (death in meditation), though even today many anticipating death take their families to the holy city of Kashi to have their last rites performed on the sacred ghats of Ganga. But unlike Jains, Hindus awaiting their end at Kashi do not cease intake of food and water; their demise is a natural rather than a ritual process.



There is an immense power and dignity in the Jain way of choosing to end life by choice in full possession of one's faculties, as the climax to a life well lived, abandoning worldly ties, including attachment to the body. Jains believe voluntary embrace of death purifies the soul and ensures the final release (moksh, nirvana) from the otherwise eternal cycle of birth and death. As the ascetic ideal is deeply ingrained in the community, such a 'call' is heard and answered unceasingly; the Supreme Court judgement has emboldened community elders to reveal that daily at least one believer exits his/her mortal coils this way. (This writer's paternal uncle took this route in 1994, in the very pink of health.) Sallekhana goes back centuries.

By preparing devotees for the eternal life beyond transient human existence, Jain tradition redefines the moral contours of natural human hedonism. Sallekhana (literally, thinning one's body and passions) cannot be invoked without an inner call that is itself the fruition of a long karmic trajectory wherein the soul accumulates merit over myriad lifetimes. It is customary to seek the permission of a senior monk to ensure that the person undertaking this fast has the necessary level of spiritual attainment accumulated over past lives, or is dying from old age or an incurable disease. Those with worldly responsibilities to fulfill (like young children) are denied permission. That is why Jains have insisted that sallekhana cannot be equated with ordinary suicide, which is an act of despair committed by those driven by mortal anxiety or mental instability. The Supreme Court has now recognised this truth about suicide and suggested its decriminalisation, with help

extended to such unhappy souls.

Interestingly, Jains believe that animals too have a moral and spiritual dimension. One of the most beautiful stories concerns an elephant, the leader of large herd, which was trapped in a forest fire. In their quest for safety, all the animals clustered around a lake, and the area was soon crammed with creatures large and small. After a while, the elephant lifted a leg to scratch himself, and a small hare swiftly occupied the space thus vacated. Feeling deep compassion for the small animal, the elephant immediately severed all ties with future animal desires. He stood with one leg raised for over three days till the fire abated and the hare left. His limb froze, and unable to set his foot down. He fell down. Maintaining purity of mind till the end, he was reborn as prince Megha, son of King Srenika of Magadha; he became an eminent monk under Mahavira.

This exalted understanding of life and death should have informed the national debate over euthanasia for the incurably ill. Long before author Pinki Virani took up the cause of nurse Aruna Shanbaug, who has been in a persistent vegetative condition for 37 years, long-suffering patients had begun petitioning the president of India, the courts and the Human Rights Commission of various States for the right to die. In June 2008, Ramesh Babu, 38, an ex-Indian Air Force officer suffering from muscular dystrophy, petitioned the Andhra Pradesh State Human Rights Commission for permission to commit suicide. Though avoiding advocacy of such active euthanasia, the Law Commission had, in June 2005, suggested permitting withdrawal of life-support systems



(including artificial nutrition and hydration) in the "best interests" of terminally ill patients. But, as noted by the Supreme Court, the Government has failed to move in this regard.

Some unsatisfactory aspects of the Supreme Court's judgement derive from a tacit assumption that the worldly life is the summum bonum (highest good) of existence. There appears to be a bias towards Western materialism and its bizarre quest to prolong human life to the point of abolishing death. This derives from the belief that there is just one life,

at the end of which the soul remains in limbo for aeons, till the Day of Judgement assigns it to eternal heaven or hell.

Centuries ago, Hindu society dealt with the unnatural quest for eternal human life by lustrating the strenuous exertions of prince Trishanku to enter heaven in his mortal frame, condemning him to a solitary life, upside down, in a special nether world between Earth and heaven (Valmiki's Ramayana). Trishanku seems a prescient metaphor for a medically prolonged comatose existence.



मनुष्य को कोई बंधन में नहीं डालता, वह स्वयं डालता है

- गुरुदेव रवीन्द्रनाथ टैगोर



Human Rights : An Interesting Career Option

○ Jamal Ayub

For anyone interested in a career in the highly competitive legal profession, an internship at the MPHRC is well respected and for the students who are pursuing it, it is a valuable addition to their resume.

Human rights internships provide an opportunity to work on legislation and make a difference in people's lives. It is a chance for students to become part of a vital resource by linking them with legal experts, community organisations or individuals who work in the field of human rights.

For anyone interested in a career in the highly competitive legal profession, an internship at the Madhya Pradesh Human Rights Commission (MPHRC) is well respected and for the students who are pursuing it, it is a valuable addition to their resume.

The MPHRC offers, along with a wide variety of internship options a complete real life conversion course with the practice of human rights and its importance.

Acting Chairman of MPHRC Justice A.K. Saxena quotes the Act as – The protection of Human Rights Act, 1993 – under Section 12 (g) for the Commission to undertake and promote research in the field of human rights. The

Commission, thus, as a concept is promoting internships and research work in the area of human rights.

The Commission is attracting students from the top law institutions in the country. About 500 students come for their internships every year, said Deputy Secretary of MPHRC Kuldeep Jain. The Commission has students from the National Law School of India University of Bangalore, NALSAR University of Law of Hyderabad, Symbiosis Law College of Pune, National Law Institute University of Bhopal and NUJS of Kolkata.

The human rights internships with projects enable the students to gain a unique insight into day-to-day legal practice and the rules of law while witnessing the working in well-respected commission of the country.

If one is interested in promoting human rights as a career choice, then an internship at the MPHRC is an ideal place. The human rights commission upholds the Indian Constitution as



one of the most comprehensive Constitutions in the world, one that enshrines a respect for human rights.

A dozen students from the institute of Law at Nirma University have come to the MPHRC for an internship. The law undergraduates are exploring things they learn during their internship that are different not apart of their regular classroom. During their stipulated internship duration of 21 days, in their second week alone, protection of human rights was on their minds.

They agreed on the fact that protecting human rights cannot be left to individuals or Government alone; there must be independent institutions to ensure that human rights are protected in a country.

Typically, in the first week the students are made to understand as how the Commission works with Government, civil society, and individuals. How it handles complaints about human rights violations and to create a culture of human rights through advocacy, research, and legal functions.

The publicity officer of the Commission, Rohit Mehta explained the tasks of the MPHRC to the students. Firstly, to develop an awareness of human rights among the people, make recommendations to the State to improve and carry out of human rights, undertake studies and report to the National Human Rights Commission on matters relating to human rights and investigate relief.

The Commission's huge library is a vast a source reference for the students. Ayushi Nigam, an undergraduate student, took time to decide her choice of topic for the internship. To her pleasant surprise she said, "At first my choice was euthanasia, then capital punishment and

finally she has decided on JNNURM, the massive city modernisation scheme. It's something that could have never happened elsewhere."

Ayushi is keen to use the opportunity to pursue her project.

Though she expects the evaluation to be very tough, "Fingers crossed, I have to slog it now" she added.

All the students outings are facilitated by the commission to visit institution like juvenile homes, Central Jail, Women Homes and old age homes and involve with NGOs to enable them to understand the ground reality.

The students are generally divided into groups to facilitate them in an organised manner. Yogendar Singh and Pracheta Mishra have taken up the issue of dowry. A native of Jodhpur, Yogendra well understands the issue of dowry and its implication vis-a-vis human rights. He said that a number of cases which are highlighted about dowry are far too less. Pracheta, on the other hand was astonished to know how an entire family was jailed on account of dowry death. "The mother-in-law of the bride, we met in jail was not repentant though she has been convicted for burning her daughter-in-law to death," said the amused student of law.

The legal bindings of the law can be better enforced if the Human Rights Commission had more reach, said the students. As many of the students like Rohit and Aabeer explained, "If the judgements of the Commission were binding on the Government, then there would be a sea change in the human rights seenario of the country. It will be better than what Right to Information Act done and its implications would really benefit the marginalised."



Rohit and Aabeer are tackling the issue of 'Prisoner Rights' as their project during the internship. First of all, said Rohit, the convicts or under trials are mostly illiterate about the law and legal proceedings.

Narrating their experience, Aabeer said, "I met a convict and she was jailed for murder, under Section 302 of the Indian Penal Code. She asked me what was meant by Section 302, when she learnt I was a law student. "Both of them were amused and amazed but pledged to do better when they practice the law themselves.

Another fellow student of law Samiksha Kandya is more sensitive than most for her age. The law student claims she wants to become a lawyer to fulfill her father's dream. Adding she wants to fight for the rights of women

Samiksha challenges the stereotype, the stigma and perverse attitude of people in general. She feels human rights are not only violated in jails and juvenile homes but in everyday life from school to college to offices. Citing a valid point, she said that a fair skinned girl is more likely get help from strangers than someone who is darker.

Samiksha's project on Women's Rights is a wide subject of her own choice, for a non-doctrine research. A couple of local students do take advantage of the internship the Commission offers. Divya Chaturvedi and Srishit Chaturvedi are students of law at the Barkatullah University. Both have a selected to work on 'Sexual Offences' as a theme for their project. They admit it is a challenge as individuals are yet to be identified but are hopeful that they will succeed. They admit the learning during the internship is far more useful than what they usually do in the university.

Some of the students have been a little more adventurous and selected far more intriguing topics like 'Prostitution' as done by Himanshu Sinha. He is yet to get a case study but believes that the vast library of resources will help him through along with some NGOs who have promised to help him in his venture, what he calls is part of the 'unorganised' sector.

Similarly, Naveen Jain has selected 'Rape and Custodial Rape' as his topic for the project. Naveen is confident he has been given this opportunity and will not let it go. He seeks help from his mates and the Commission's library.

Saving the best for last – Navshesh Kshetri – is a young man with lots of ambition. Son of a policeman, he prides on his father's profession. Navshesh's topic is 'Sexual Harassment' adding, "As we progress our cities are becoming more intolerant and so is the increase in cases of sexual harassment." Navshesh thinks the Commission is there to hold people accountable and its role should be appreciated.

The interns along with their final project reports also plan to submit a list of learning and improvements that can be made in the Commission and the various institutions that have been visited by them, said Naveen.

The MPHRC may have provided the students an opportunity of a life time but the most important thing came was the difference in thinking which was accomplished. Normally students want to go Corporate Law and greener pastures alike but after the stint at the MPHRC most now want to work for the marginalised. If that is the real case – the verdict is unanimously in favour of the Commission.

- The writer is a Journalist in Bhopal (M.P.)
Courtesy : The Pioneer, 15-03-2011

अनुभव अमूल्य कसौटी है

- गुरुदेव रवीन्द्रनाथ टैगोर



Child Labour

○ Sonal Mehta

It refers to the employment of Children at regular and sustained labour. This practice is considered exploitative by many international organisations and is illegal in many countries. In many countries it is considered inappropriate or exploitive if a child below a certain age works. This minimum age depends on the country and the type of work involved. States ratifying the minimum age convention adopted by the International labour Organization in 1973, have adopted minimum ages varying from 14 to 16, the incidence of Child labour in the world decreased from 25 to 10 percent between 1960 and 2003, according to world bank.

During the Industrial Revolution, children as young as four were employed in production factories with dangerous & often fatal working conditions. Based on this, wealthy countries consider child labour as human rights violation & is out lawed, while some poorer countries may allow or tolerate child labour. It can also be defined as full time employment of children who are under a minimum legal age.

Present International Scenario :-

Child labour is still common in some parts of the world, it can be factory work, mining prostitution quarrying, agriculture, helping in parents busineses, having one's own small business or doing odd jobs, the list is endless. However, rather than in factories and sweets shops most child labour occurs in the

informal sectors. Like, selling on streets, agriculture sector or hidden away in houses for from the reach of official labour inspectors & media crutiry. All the work that children do is in all type of weathers & minial pay. As long as there is family poverty there will be child labour.

According to UNICEF there are estimated 158 million children aged 5 to 14 in child labour. Worldwide, excluding child domestic labour. The U.N. & I.L.O consider child labour exploitive. The U.N. stipulated in article 32 of the Convention on the Right of the child. Although globally there is estimated 250 million children working. Child labour accounts for 22% works force in Asia., 32% in Africa, 17% in latin America, 17% in U.S. Canada Europe & other wealthy nation.

Situation in India :- The problem of child labour countinues to pose a challenge before the nation. Government has been taking various pro-active measures to tackle this problem. However considering the magnitude and extent of the problem and that is essentially a socio-economic problem inexticably linked to poverty and illiteracy, it requires concerted efforts from all sections of the society to make a dent in the problem. In 1997, research indicated that the number of child labour in the silk-weaving industry of kanchipurram in India exceeded 40,000 including child bonded, labourers. Rural Institute for Development Education undertook many activities to impove



the situation of child labourers. Working collaboratively RIDE brought down the number of the child labourers to less than 4000, by 2007. On Nov. 2005, 480 children were rescued from over 100 illegal embroidery factories in eastern part of New Delhi. In Oct. 2007 labourers were rescued G.A.P Inc.

Initiatives taken by Indian Government :-

Way back In 1979 Government formed the first committee called Gurupad Swamy Committee to study the issue of child labour & to suggest measures to tackle it. This committee examined the problem in detail and made some far-reaching recommendations. It observed that as long as poverty continued it would be difficult to totally eliminate child labour. The Committee felt that in such circumstances, the only alternative left was to ban child labour in hazardous areas and to regulate and ameliorate the conditions of work, in other areas.

Based on the recommendations of above Committee, the Child labour (Prohibition and Regulation) Act was enacted in 1986. The act prohibits employment of children in specified hazardous occupations and processes and regulates the working conditions in others.

In consonance with the above approach a National Policy on Child labour was formulated in 1987. The policy seeks to adopt a gradual & sequential approach with a focus on

rehabilitation of children working in hazardous occupations & processes. The Action Plan outlined in the policy for tackling this problem is as follows:

- Legislative Plan for strict enforcement of Child labour Act.
- Focussing of General Developmental Programmes for Benefitting Child labours.
- Project Based Plan of Action.

Government is taking pro-active steps to tackle this problem through strict enforcement of legislative provision. State Governments conduct regular inspections & raids to detect violation. Since poverty is the root cause of this problem, Government has been laying a lot of emphasis on the rehabilitation of these children & on improving the economic conditions of these families.

In the end :- The Government & Ministry of labours & Employment in particular are taking serious efforts to fight & succeed in this direction. The Government is committed to eliminate child labour in all its forms and is moving in this direction in a targeted manner. Child labour is lined with poverty and illiteracy and legislation alone can not solve it. Only a holistic multipronged and concerted efforts can tackle this problem and bring desired results.

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जब मैं स्वयं हँसता हूँ तो मेरा बोझ हल्का हो जाता है

- गुरुदेव रवीन्द्रनाथ टैगोर



गुरुदेव रवीन्द्रनाथ टैगोर के अमृत वचन



- * सत्य तो यही है कि कोई किसी को गुमराह नहीं करता, बल्कि हम स्वयं ही गुमराह होते हैं।
- * शांति के साथ जीवन व्यतीत करना ही एकमात्र सच्चा रास्ता है।
- * लोग सोचते हैं जैसे मैं कोई अलौकिक पुरुष हूँ। नहीं मेरे भाई मैं भी तुम ही जैसा हूँ। हां, इतना अवश्य है कि मैं अपने कर्तव्य का निष्ठा से पालन करता हूँ।
- * विनम्रता सभी सुखों की जनक है।
- * राह चलते हुए सदैव देखते चलो कि तुम्हारे आस-पास का संसार कैसा है। उससे सीखो जीवन में बहुत कुछ सीख जाओगे।
- * भटक जाना साधारण सी बात है लेकिन भटकने पर अपने घर लौट आना असाधारण बात है।
- * व्यक्ति की भावना ही सब कुछ नहीं है। उसका कर्म भी उसमें सम्मिलित है।
- * मुझसे बार-बार पूछा जाता है कि मैं क्या लिखता हूँ, कैसे लिखता हूँ, तो मेरा एक ही उत्तर है कि लेखन से मुझे शांति मिलती है, इसके अलावा मैं कुछ नहीं जानता।
- * मनुष्य का सहज विश्वास ही उसकी सबसे बड़ी कमजोरी है।
- * चलना ही जीवन है और रुकना है मौत। इसलिए बराबर चलते ही रहो।
- * हम मनुष्य क्यों हैं? इस पर मैंने बहुत मनन किया लेकिन एक बात शायद किसी ने न सोची हो कि यह सब किसकी कृपा है। जिसने इस पर मनन किया है वही मनुष्य है।
- * बाहरी गुलामी से छुटकारा पाना तो संभव है, लेकिन भीतरी गुलामी से छुटकारा पाना संभव नहीं।
- * सभी मनुष्य एक से हैं और सबका एक ही लक्ष्य है कि मनुष्य, मनुष्य को प्यार करे, यही सर्वत्र मैंने पाया है इसीलिए मैं मानवता के गीत गाता हूँ।
- * मनुष्य बाह्य आडंबर बहुत करता है। ईश्वर की आराधना में भी उसने आडंबर को ही अपना रखा है। जाने कितना और आडंबर हम फैलाएंगे।
- * निरंतर कार्य में निमग्न व्यक्ति कभी दुखी नहीं रहता।
- * माता के समान कोई नहीं हो सकता, मैं जो भी रच सका उसमें मां का स्वर ही परिलक्षित होता है। यही मेरे जीवन का वास्तविक सत्य है।
- * प्रेम तो अलौकिक होता है, यदि वह मन से उपजा हो। आंखों से उपजे प्रेम में वासना निहित होती है।