



DAYS OF NDA III GOVERNMENT



Coordinated by
Wada Na Todo Abhiyan

100 DAYS OF NDA III GOVERNMENT



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Note from Convenors

Wada Na Todo Abhiyan is a campaign formed by 3000+ Civil Society Organisations in 2004 to promote governance accountability while reflecting the needs and voices of marginalized communities. Towards these efforts, one of our key consistent works has been this collaborative report that annually reviews the elected union government's performance within different sectors, issues, and communities to document an assessment against the electoral promises and Constitutional mandates.

The first review was held in 2005 of UPA-I followed by annual reviews every year. Additionally, consolidated reviews of the 100 days of UPA II, 9 years of UPA (I&II), 100 days of NDA-I, and 4-years NDA-I were also done. Most recently in November 2023, we published 'Promises and Reality 2019-2023: Citizen Review of 4+ years of NDA-II Government'. Continuing this effort in the same spirit to review government initiatives in the full term, we are bringing out this year's report '**100 Days of NDA III Government**', to reflect and amplify citizen perspectives on governance, especially those from marginalised communities.

The report this year focuses on 10 broad themes including Civic Space, Peace and Security, Health Education and such to examine the trends established within the first 100 days to analyse the government's priorities. While 100 days may seem insufficient to evaluate a government's performance, the campaign decided that it would be worthwhile to examine the trends established within this timeframe to shed light on the government's priorities for the rest of its term.

The contributors of this report include members of the civil society including organisations, rights-based campaigns and coalitions, academics, and individuals – all renowned experts in their own fields. This report would truly not be possible to bring out, if not for the time and energy provided by our contributors to this entirely voluntary process.

With every edition, this report draws focus on the need to uphold economic and social rights. Additionally, we also focus on the eminent need to uphold civil rights, such as freedom of expression, freedom of life and freedom of liberty in the face of the shrinking civic space and the nature of challenges being posed across sectors and communities.

These challenges have cast a shadow on the production of this report as well and made the production of this voluntary report increasingly difficult over the past few years. This report is a sincere labour of love and commitment to include citizen voices in policy and governance dialogues. As we move towards the next 5 years of the elected government, we truly hope that the insights contribute towards strengthening inclusive governance accountability and deepening our democracy. We also hope it inspires other efforts across the country towards keeping alive processes of dialogue and participation, both critical elements of a vibrant democracy.

With deep gratitude to the Steering Group, the contributors, and all others who have been able to contribute their time and resources to make this report a reality.

Convenors,

Wada Na Todo Abhiyan

Summary

While the result of the union elections in June 2024 was observed as a rejection of the NDA II government and Bhartiya Janta Party's ideology by several people, the NDA III government has not made major deflections from its past policies to reflect a significant impact. Despite shifting to a coalition government, to maintain 'continuity' even the cabinet barely changed.

As the government completed 100 days of this term on September 17, all ministries released a release of their progress which included approving infrastructure projects worth over Rs 3000 crore, and "expanded tax benefits, enhanced pension schemes, increased support for affordable housing, greater financial backing for entrepreneurs, and initiatives to promote sustainable infrastructure", according to the PIB release.

This rhetoric has transferred in from the previous terms but is likely to fall short as there has been no major course-correction that the government plans to put in place to address the simmering economic crisis, rising unemployment, food insecurity, strains to public healthcare and education system. There has also been little done in terms of addressing the existing and rising inequality and the concerns of marginalised communities or enabling the civil society working on these concerns.

The budget and economic survey released by the government has left people wanting for their rights and welfare across the sectors, with these words not appearing at all in the announcements and budget allocations to address them also missing for addressing inflation, protecting environment, securing livelihoods of marginalised communities and ensuring inclusion.

The one shift seen in these 100 days though was that on at least some issues, the government, unlike in its previous two terms, was forced to withdraw its moves in the face of an emboldened opposition. From the Broadcasting Bill to the Waqf board amendment, from the pension scheme to Agnipath, from GST on life insurance to property tax rules, the government has had to adjust to demands under opposition heat. These moves have, although, not yet translated into an expansion of the civic space, sense of security for religious minorities, or any institutional steps being taken towards peace in the state of Manipur. There is also no update on carrying out the long pending Census to aid move towards informed, inclusive, and sustainable policymaking while continuing allegations of the government's intolerance towards criticism.

Looking at the first 100 days of the government, this report aims to analyse and assess trends reflected in the policies adopted by the government. While this is too early to comment on the performance of the government, this report does attempt to look at the trends from the perspective of marginalised communities and their needs and offers recommendations for governance in the next 5 years from that lens.

Correct Noises Only

The few solutions in the chapter (on climate change) are pedantic, including encouraging water reuse, sustainable agriculture, local seeds and natural farming, fiscal incentives to large households and reducing the use of plastics.

The first union budget of the current government presented on July 23, 2024 made some noise on climate change and environment, with more than 50 per cent increase in allocation for MNRE mainly focused on roof top solar and setting a target of achieving 10 million rooftop solar installations by 2026-27, having shown some progress by installing solar rooftop systems in 3.5 lakh households. The shift in focus on decentralized solar systems is a welcome change from ultra-mega solar projects, along with thermal power projects and big infra project, which have resulted in huge number of land conflicts¹. The completion of two solar parks and the installation of 100,000 solar pumps under PM KUSUM further demonstrate progress in the renewable energy sector.

The finance minister also announced that hard to abate and polluting industries (steel, iron and aluminium etc.) including small and micro enterprises will have to conform to the emission standards, and that a plan will be put in place for them to transition into the carbon market. The government also announced plans to develop a taxonomy on climate finance, which will help align finance with eligible activities and will, hopefully, address green washing (the act of making false or misleading statements about the environmental benefits of a product or practice). The government announced that India's carbon market will be aligned with the European Union's Carbon Border Adjustment Tax (CBAM). However, interestingly, the Economic Survey 2024 released by the government a day earlier labelled CBAM as "protectionist."

Economic Survey 2024

The Economic Survey is supposed to lay down the economic performance of the government and its policies and also challenges that lie ahead along with some vision on how the government is planning to deal with those challenges. However, the 29-page

¹ Visit <https://www.landconflictwatch.org/> for documents several of such land conflicts related to power projects

chapter on climate change in the Economic Survey 2024 (*Climate Change and India: Why we Must Look at the Problem through Our Lens*) does not do any of this. It rather reads like a didactic treatise emphasizing India's cultural ethos and traditions and how they have been rooted in harmony with nature, painting how the Indian society has been almost perfectly sustainable, accepting of others and living in equanimity. It is completely silent on how poor communities have been at the receiving end of almost perfect society not only, socially, economically and politically but also environmentally, some of which might have exacerbated in recent times. The Economic Survey 2024 says, "...the proposed solutions to climate change, which serve as the basis for criticising India, ignore how sustainable living is built into the Indian lifestyle. Rooted in the principles of sustenance, India's ethos emphasises a harmonious relationship with nature, which is in sharp contrast to the overconsumption prevalent in other parts of the developed world."

Much of the chapter has been devoted to critiquing, with some justified arguments, the western lifestyles ridden with energy privilege, overconsumption, and meat-eating along with the imposition of highly inadequate "solutions" that are penalizing developing countries. This though extends to questioning the worth of planetary scale renewable energy, impossibility of substituting all fossil fuel energy with renewable within a short period of time, electric vehicles etc.

The survey also attacks western practice of using toilet paper citing the sustainability blog *Tree hugger*, "Making one single roll of toilet paper uses 1.5 pounds of wood, 37 gallons of water and 1.3 kWh of electricity." This is while Government of India's (GOI) claims to have added 12,294 km² of forests between 2015 and 2022² are being contested by the Global Forest Watch who reported that India has lost 2.33 million hectares (equivalent to the size of the entire state of Manipur) of tree cover since 2000³ which the National Green Tribunal (NGT) took a *suo motu* cognizance of asking the government to explain⁴.

Eulogizing Indian culture, traditions and moorings, the Economic Survey chapter underlines the cultural concept of 'tyaag' (renunciation) and cites the example of the GiveltUp campaign, reporting that 5.7 million people gave up subsidy on their LPG cylinders responding to the call of the Prime Minister.

² India's State of Forest Report, 2023

³ [India Deforestation Rates & Statistics | GFW](https://www.globalforestwatch.org/dashboards/country/IND/) - <https://www.globalforestwatch.org/dashboards/country/IND/>

⁴ Great Indian Tree Cover Lost - The Wire - <https://thewire.in/environment/explained-the-great-indian-tree-cover-loss>

The few solutions in the chapter are pedantic, including encouraging water reuse, sustainable agriculture, local seeds and natural farming, fiscal incentives to large households and reducing the use of plastics. While India achieved laurels by notifying ban on single use plastics in 2021, the ban only applies to 19 types of single use plastics accounting for a reduction of a mere 0.6 million tonnes of single use plastics waste while generating 5.5 million tonnes of single use plastics annually⁵.

The Survey concludes by citing “relation between Purush and Prakriti,” and “natural cycles of creation and destruction” and advises that “...we came from nature and must return to it.” One wonders what sense to make from this Economic Survey on what India would be doing to prevent deaths from heat waves and floods, to prevent destruction of forests, to protect indigenous peoples from dislocation and dispossession, to protect vulnerable people on the frontline of extreme climate events, or how it will make its demands of adequate finance for mitigation, adaptation and loss and damage along with asking for deeper and sustained cuts in the emissions by developed countries!

Wayanad Landslide

The Wayanad tragedy that took away more than 200 lives according to official counts, and possibly many more hundreds, is a chilling reminder of how ecology needs to be treated as a matter of survival and not just politics. The Madhav Gadgil led panel had advised to declare the entire western ghats region as an eco-sensitive zone (ESZ) in 2011, but the then Congress party led government at the centre rejected the report and also appointed another commission led by Dr. .K Kasturirangam. The Kasturirangam commission diluted the report submitted by Madhav Gadgil.

Successive governments over the years have only used the environment to green their image rather than doing some serious thinking, much less some genuine action. The NDA government though has completely sacrificed environment, ecology and forests on the altar of the “ease of doing business”. The Forest Conservation Amendment Act, 2023 clearly manifested the government’s intention to take protection away from almost a third of India’s forests and divert them for all purposes. The Amendment was challenged in the Supreme Court in February 2024, where the bench led by the Chief Justice of India restored the previous definition of forest as pronounced in Godavarman Judgment (1996).

⁵ <https://www.downtoearth.org.in/waste/how-bad-is-india-s-single-use-plastic-crisis--94667>

Vadhavan Port Project

On June 19, 2024, the Union Cabinet also approved the 76,220 crore Vadhavan port project spread over 17, 471 hectares in Dahanu, Palghar district in Maharashtra. The local community, majority of them fishers, organized as Vadhavan Bandar Virodhi Sangharsh Samiti (VBSS) have been protesting since more than two and half decades, when the project was first conceived. They argue that the project will adversely impact the marine ecology, mangrove, agricultural land, houses and livelihoods of scores of thousands of fishermen.

The Supreme Court instructed the Ministry of Environment, Forests and Climate Change (MOEFCC) to notify Dahanu as an ESZ in 1991 which the ministry petitioned to be scrapped in September 2019. Even though that decision is pending (and very likely emboldened by the Bombay High Court's rejection of applications against the port in April 2024), the union government has approved the project⁶ with environmental clearances being handed out in 2024 just before the general elections. The government says that it will form a vital trade corridor between India, West Asia and Europe and will be one of the top 10 ports in the world.

Great Nicobar

The government is also pushing for an infrastructure project in the Great Nicobar conceived in 2021 and piloted by the Niti Aayog for 'holistic development' of Great Nicobar. The project envisions setting up an international container trans-shipment port, airport, gas and solar power plant, and a township on the remote island, at a cost of Rs. 81,000 crore and nearly a million trees.

The consultancy firm which proposed the project to the Niti Aayog writes in its report "the Great Nicobar Island "needs to trade on its remoteness and exquisite beauty. Some high-net-worth individuals will appreciate the chance to have a luxury home on such an unspoilt island". It also states, that "if required tribals can be relocated to other parts of the island". Tourism development, it adds "can capitalize on the exceptional tourism assets to attract high-end tourists interested in tropical forests, adventure tourism... as

⁶ [Union Cabinet approves Vadhavan port project in Maharashtra despite protests](https://www.landconflictwatch.org/conflicts/village-residents-come-together-to-protest-against-wadhwan-port-in-maharashtra) - <https://www.landconflictwatch.org/conflicts/village-residents-come-together-to-protest-against-wadhwan-port-in-maharashtra>

well as temporarily escaping from the modern world to a remote and beautiful Indian Ocean island”⁷.

Changing its earlier observation that the project needed activity on the most ecologically sensitive CRZ 1A Zone where development is mostly prohibited, the National Centre for Sustainable Coastal Management (NCSCM) has now said that the project falls under CRZ 1B Zone where ports and harbours are allowed⁸.

The project has been opposed since its beginning by the Tribal Council Great and Little Nicobar Islands well as ecologists, academicians, scientists, activists from within and outside the country saying that it will be will be a death knell for local Shompen tribe, one of the Particularly Vulnerable Tribal Groups (PVTG) and the indigenous Nicobarese people.

Counter-productive to the assurances from the MOEFCC that the interests of indigenous peoples, the ministry had proposed re-notifying other areas as a tribal reserve, instead of protecting the current contested one. This casts serious doubt on the government’s concerns about the environment and local indigenous people especially the Shompen who according to Census 2011, number a mere 229.

Several questions and concerns raised here demand that India walk the talk of balancing development with ecological restoration and wellbeing, and environmental and climate justice.

⁷ [Rs.72,000 crore Megaproject for Great Nicobar Island Faces Criticism for Potentially Overlooking Environmental and Social Impacts - Frontline](https://frontline.thehindu.com/news/great-nicobar-mega-development-aecom-project-criticism-controversy-environmental-damage/article68417693.ece) - <https://frontline.thehindu.com/news/great-nicobar-mega-development-aecom-project-criticism-controversy-environmental-damage/article68417693.ece>

⁸ [National coastal body says Great Nicobar project no longer in prohibited zone, making way for a port](https://india.mongabay.com/2024/08/national-coastal-body-says-great-nicobar-project-no-longer-in-prohibited-zone-making-way-for-a-port/) - <https://india.mongabay.com/2024/08/national-coastal-body-says-great-nicobar-project-no-longer-in-prohibited-zone-making-way-for-a-port/>

India Needs A Healthcare Leap

The introduction of the HPV vaccine universally through the government vaccine programme, a poll promise made by the ruling party, is a contentious proposition. The shift from selective vaccination of people potentially at high risk to universal immunisation is not unequivocally backed by evidence.

India is grappling with a multitude of health challenges – maternal and infant mortality, infectious diseases, non-communicable diseases, injuries and accidents, emerging and re-emerging infections such as Nipah, Zika, COVID, influenza, and neglected tropical diseases like visceral leishmaniasis, lymphatic filariasis, and leprosy, among others. Added to these is the climate change induced stress leading to extreme heat, extreme cold, floods and related calamities. The changing demographics imply a rapidly ageing population whose distinct needs ought to be factored in while planning health services. Public investment in India's health sector has historically been low leading to inadequate public health structure. The private sector that moved in to fill the service vacuum has largely grown unregulated with increasing corporatisation over the last few decades. As a result, there is a shortage and maldistribution of trained human resources, infrastructure such as hospital beds in proportion to population, diagnostic services, affordable medicines and investment in research. Subsequent governments have taken incremental steps, few of which have had a lasting impact.

The National Democratic Alliance (NDA) government's third consecutive term had a tumultuous start. The result of the national level entrance examination for medical colleges (National Eligibility cum Entrance Test, NEET 2024) was announced on the day of the election results, only to snowball into a controversy. It brought, both the conduct of the NEET and its result under the scanner.

The vagaries of climate once again put the already stretched health system to test. A record number of deaths and hospitalisations took place between March and June 2024 due to extreme heat conditions in the country. On occasions, the situation was worse than the COVID period.⁹ Some district hospitals were reported to be ill-prepared to

⁹[Delhi hospitals' week of horror amid influx of heatwave cases. 'Saw patients die faster than in Covid'](https://theprint.in/health/delhi-hospitals-week-of-horror-amid-influx-of-heatwave-cases-saw-patients-die-faster-than-in-covid/2142622/) - <https://theprint.in/health/delhi-hospitals-week-of-horror-amid-influx-of-heatwave-cases-saw-patients-die-faster-than-in-covid/2142622/>

provide the immediate care required in such emergency situations. Each passing year adds to the challenge of responding to extreme heat, extreme cold, flooding and landslides. Although a larger governance issue, it requires the health system to get into immediate action to save lives.

PM Jan Arogya Yojana

The issue of safety of healthcare workers took centre stage following the incident at the RG Kar medical college in Kolkata. Subsequently, concerns related to the overall management of the college surfaced. However, the underlying systemic failure to make healthcare spaces safer for everyone – nurses, allied staff, patients, kin of patients and doctors – is hardly being discussed. The focus is predominantly on providing legal protection to doctors from violence by patients and their relatives.

One of the highest expenditures in healthcare is on medicines. Some measures announced by the Union government could make medicines more affordable and rational if they are indeed followed through. For instance, the proposal to allow government-run *Jan Aushadhi Kendras* to dispense generic substitutes of prescribed branded medicines and banning of irrational fixed dose combination drugs. Further, the quality of medicines ought to be monitored and malpractices curbed. A fake cancer drug racket was busted in July 2024.

To fulfil one of its poll promises, the government announced providing free treatment to people aged above 70 years under the PM Jan Arogya Yojana. Though it should do so for people above 60 years as it promised to expand the cover to senior citizens. That aside, the appropriateness of such a health care model for India is doubtful. The private health sector that provides bulk of the services under the scheme lacks regulation and accountability.

Decisions without Evidences

Notwithstanding the government's ambitious target of eliminating tuberculosis (TB) by 2025, the revised treatment regimen for multi-drug resistant TB (MDR TB) is a welcome announcement for the 75,000 people affected by MDR TB. The new regimen, approved in September 2024 is safer, more effective and shorter. Ensuring uninterrupted supply of anti-TB drugs along with adequate nutrition is essential in the country's fight against the disease. On another note, the manner in which the adult BCG vaccination programme

was rolled out earlier this year is questionable, more so because there is no definitive evidence of its effectiveness.

The introduction of HPV vaccine universally through the government vaccine programme, a poll promise made by the ruling party, is a contentious proposition. The shift from selective vaccination of people potentially at high risk to universal immunisation is not unequivocally backed by evidence. Another concern is the monopoly and high cost of the vaccine manufactured by the Serum Institute of India.¹⁰

Pursuant to the Supreme Court's judgement regarding entitlements of the queer community, the Ministry of Health and Family Welfare has recently issued letters to all States/UTs to ensure the rights of LGBTQI+ community to access healthcare and related services without discrimination. It remains to be seen what changes these directives bring about in practice.

Budget

The share of health in the Union government's total budget has been declining over the last few years. In this year's budget, it stands at a low of 1.96 per cent against 2.46 per cent in the 2019-20 budget estimate. The consistent low allocation to health means that the NDA government has not walked the talk. In the National Health Policy (NHP) 2017, it committed to allocate 2.5 per cent of the country's GDP to health by 2024-25, of which 40 per cent would be the Centre's share. Calculations indicate that at an estimated GDP of Rs. 327 lakh crores, the Centre's allocation towards health should be Rs. 3.28 lakh crore this year. However, it is merely Rs. 94,671 crores – less than a third. The National Health Mission, which has played a significant role in strengthening primary and secondary care since 2005, has also had the same fate. Allocations for NHM have been declining in real terms.¹¹ On the other hand, budget for PMJAY has increased from Rs. 6400 crore last year to Rs. 7300 crore this year.

Impact of climate change

The direct impact of starvation of the public health system is to push people towards the private health sector. The private health sector accounts for nearly 70 per cent of

¹⁰ [Indigenous HPV vaccine, the rhetoric and the reality - The Hindu](https://www.thehindu.com/opinion/lead/indigenous-hpv-vaccine-the-rhetoric-and-the-reality/article68382379.ece) - <https://www.thehindu.com/opinion/lead/indigenous-hpv-vaccine-the-rhetoric-and-the-reality/article68382379.ece>

¹¹ [Budget 2024–25 Leaves Public Healthcare in the Lurch | Economic and Political Weekly](https://www.epw.in/journal/2024/33/comment/budget-2024-25-leaves-public-healthcare-lurch.html) - <https://www.epw.in/journal/2024/33/comment/budget-2024-25-leaves-public-healthcare-lurch.html>

outpatient care and 60 per cent of inpatient care in India. The largely unregulated profit-driven private sector cannot be expected to operate in public interest. For India to meet its health-related SDGs, more strategic involvement and accountability of the private sector along with simultaneous strengthening of the public health system are essential. With the share of money spent on PMJAY increasing, an independent evaluation of the scheme to examine its impact on increasing access to care, reduction in out-of-pocket expenditure and quality of care would be timely. A consolidation of various government supported health insurance schemes such as the Employees' State Insurance Scheme (ESIS), Central Government Health Scheme (CGHS) and PMJAY should be considered to leverage the existing institutional structures, financing and delivery arrangements. This will promote better utilisation of resources and equitable care for all.

The impact of climate change and the interconnectedness of environmental health, animal health and human health can no longer be ignored. It is incumbent upon the present government to prioritise research and action in this area so that long-term measures can be planned to prevent and mitigate the damage to people's health.

Unfulfilled Promises, Empty Progress

The Supreme Court ordered all the state and union territories governments to issue ration cards in the next four weeks without waiting to complete the e-KYC process for the existing 8 crore people registered on the e-Shram portal who do not possess ration cards. More than four weeks have passed and this directive is yet to be fully implemented.

Since the formation of the new government, several significant challenges and policy developments have surfaced, particularly in areas concerning food security, right to employment, and public health. Key discussions and legal actions have highlighted ongoing issues that demand urgent attention.

Expanding PDS

The demand to expand the food basket within the Public Distribution System (PDS) has existed since the National Food Security Act (NFSA) came in 2013. But it is yet to be made a reality. Instead of only providing cereals, including essential food commodities such as pulses and edible oils also would contribute to assuring nutritional food security. At the same time, it will be important to improve the scenarios of agricultural distress by promoting diversified farming to the farmers with the assurance of guaranteed Minimum Support Price (MSP) on all their produce.

Currents Challenges

India faces a critical malnutrition crisis, with over 30 per cent of children under five suffering from chronic malnutrition. Uttar Pradesh has the highest stunting rate (46.36 per cent), while Lakshadweep leads in wasting (13.22 per cent). Madhya Pradesh and other states also report alarmingly high rates of stunting, wasting, and underweight children. Conversely, states like Goa and Sikkim showcase better nutritional outcomes,

underscoring the effectiveness of localized health policies. These data points come from the Minister of Women and Child Development herself.¹²

Despite this, the current government's ongoing trends of effective action in implementing schemes and taking steps towards advancing the right to food and nutrition seem to be regressing. Moreover, the ongoing debate over centralized versus localised kitchens at school for mid-day meals highlights the need for more inclusive and efficient solutions to address widespread malnutrition amidst diverse regional challenges.¹³

Intense Distress

There are reports of the immense distress and problems being faced by people across the country on account of the government undertaking e-KYC verification of all 81 crore people who have ration cards and are entitled to receive food grains under the National Food Security Act (NFSA). People are forced to rush back to their villages because they are being informed that failure to get e-KYC of the whole family will result in the stoppage of ration. It is inexplicable that the energy and resources of the government are being spent on creating further hindrances for existing ration cardholders rather than issuing ration cards to all those excluded from the NFSA. Rolling out an authentication exercise in this manner, without providing clear and official information to people about the framework within which the e-KYC is being done, the need for e-KYC, the timeline and the consequences is creating intense distress and anxiety among people. The requirement for the whole family to be present at the ration shop has resulted in the most marginalised sections including migrant workers, the elderly and those with disabilities being the most affected and likely to be left out.

It is extremely shocking to note that ration shopkeepers have been empowered to carry out the e-KYC process thereby allowing them to exercise power and discretion over it. The ration shopkeeper has absolutely no role in the issuance and cancellation of ration cards as that is the prerogative of the food department. The shopkeeper's role is limited to the distribution of food grains to cardholders. This is a key separation of the roles as it is critical to empower people to seek accountability from shopkeepers in the distribution of grains without fear of facing backlash in the form of cancellation of ration cards.

¹² [India's malnutrition crisis: 17% of children underweight, 36% stunted, 6% wasted, reports WCD](https://timesofindia.indiatimes.com/india/indias-malnutrition-crisis-17-of-children-underweight-36-stunted-6-wasted-reports-wcd/articleshow/112045471.cms) - <https://timesofindia.indiatimes.com/india/indias-malnutrition-crisis-17-of-children-underweight-36-stunted-6-wasted-reports-wcd/articleshow/112045471.cms>

¹³ [Why are canteens important when 800 million people get free grains?](https://www.ideasforindia.in/topics/poverty-inequality/why-are-canteens-important-when-800-million-people-get-free-grains.html) - <https://www.ideasforindia.in/topics/poverty-inequality/why-are-canteens-important-when-800-million-people-get-free-grains.html>

Allowing shopkeepers to carry out e-KYC is skewing the power balance and will undermine the capacity of people to raise problems and concerns about irregularities in ration distribution.

Denial of Court Orders

Another pressing issue is the implementation of the Supreme Court's order regarding food security for migrant and unorganized workers. The Supreme Court took Suo Motu cognisance of 'Problems and Miseries of Migrant Labourers' in the year 2020 and gave important directions to ensure food security for migrant workers and unorganised sector workers to an additional eight crore people. The Supreme Court, in its [July 2024 directive](#), criticized the government for failing to issue ration cards to approximately eight crore people registered on the e-Shram portal who do not possess ration cards. Without ration cards, these workers can not avail their benefits under the National Food Security Act. The court again ordered all the state and union territories governments to issue these ration cards in the next four weeks without waiting to complete the e-KYC process for the existing eight crore e-Shram registered workers. More than four weeks have passed and this directive is yet to be fully implemented. This delay further marginalizes millions who are already vulnerable, especially given the indefinite postponement of the 2021 census, which has left over 13 crore people outside the food security system.

Fortified Rice

The distribution of fortified rice in the food schemes has continuously been questioned in the country by the people, activists and public health experts. The pilot study before the extensive distribution across the country has never been made public, the [fact-finding](#) conducted on the distribution of fortified rice and the various [conflicts of interest](#) that have been exposed are some serious questions that need to be asked by the government authorities. The distribution of fortified rice through various welfare schemes is now being fought in the courts too as it raises critical concerns about food security and public health in society. The Supreme Court, in a July 2024 order, directed the government to address concerns regarding the consumption of fortified rice by people with thalassemia and sickle cell disease, as mandated by the Food Safety and Standards (Fortification of Foods) Regulations, 2018. Despite the court's directive, the government has delayed acting on recommendations from an expert committee, raising concerns about the potential health risks for vulnerable populations. As of now, FSSAI has put out a direction

that there is no compulsion for warnings regarding fortified rice to be displayed. A scientific committee was constituted to work on this.

Stoppage of MNREGA Work in West Bengal

For more than two years the Mahatma Gandhi National Rural Employment Guarantee Act (MNREGA) programme has been stopped by the Union Government leading to further distress among the rural workforce and forcing them to migrate in difficult scenarios. The stoppage of the programme in West Bengal came due to the allegation of corruption against the state government through MNREGA. In the tussle between Union and state governments, it is the workers who are at the actual brunt of not getting work. For the last two years, the investigation of the alleged corruption has not been completed and it is extremely shameful that the Union Government is violating the Right to work of the people of West Bengal.

Budget

The government's budgetary allocation for food security and nutrition in FY 2024-25 reveals significant gaps, particularly in the context of India's ongoing malnutrition and food insecurity crisis. The food subsidy under the National Food Security Act (NFSA) is budgeted at ₹2.05 lakh crore, a 3.3 per cent decrease from the previous year's revised estimates. This reduction is alarming, given that recent studies, including one from JAMA, highlight that India has the highest number of zero-food children globally. Furthermore, the Household Consumption Expenditure Survey (HCES) reveals that only 56 per cent of Indians report eating three meals a day, underscoring the severity of the issue.

Despite the pressing need, the budget does not account for the growing population or the specific needs of migrant and unorganized sector workers, as mandated by the Supreme Court. Similarly, the slight increase in the POSHAN scheme allocation to ₹12,467 crore is still below the actual expenditure of ₹12,681 crore in 2022-23. The Saksham Anganwadi scheme also sees a decrease in its allocation, further undermining the support for vulnerable groups such as children under six, pregnant and lactating women, and adolescent girls.

Another critical issue is the reduction in funding for the *Samarthya* scheme, which includes maternity entitlements and crèche facilities. The allocation has decreased to ₹2,517 crore, down from ₹2,582 crore in the previous budget. Additionally, the merging of various schemes under broad missions like Mission Shakti and Saksham Anganwadi has

led to a lack of transparency, making it difficult to assess the specific allocations and reductions for individual programs.

Overall, the budget fails to address the urgent needs of India's most vulnerable populations, perpetuating inequality and overlooking the severe malnutrition crisis. This approach not only undermines food security but also diminishes public engagement with the budget due to its opaque structure.

Recommendations

- All states and union territories should immediately start the exercise of issuing ration cards to the eight crore migrant/unorganized sector workers who are registered on e-Shram but do not have ration cards, as per the directions of the Supreme Court.
- Governments should universalize access to PDS for all migrant/unorganized sector workers and provide ration cards without imposing multiple and complex inclusion/exclusion criteria, including any income criteria. Adopting complex norms leaves people out as they are often unable to produce required documents including residence proof, Aadhar card, electricity bill, etc. These individuals are among the most economically weaker sections of society and must be included within the ambit of NFSA
- It is extremely important to expand PDS to include nutritious commodities like edible oil, pulses, coarse grains, etc. while purchasing them at Minimum Support Price (MSP). Additionally, the overdue census of 2021 should be conducted immediately and in the meantime, the quotas of ration provided should be increased immediately based on population projections.
- The maternity entitlements must be expanded to cover **ALL** pregnant women, irrespective of the number of children or any other conditionalities (except those receiving maternity benefits of a higher amount from an employer or any other government scheme). Section 4 of the NFSA provides for maternity benefits of Rs 6,000 per child. This norm was set in 2013 but naturally, the benefits should be raised over time to take into account increases in the price level at the very least.

- The budgets for these programmes should make adequate provisions for inclusion of eggs and nutrient dense diet in the meals. Hot-cooked meals should extend to children under three years of age through crèches and to pregnant and lactating women. Wages of all workers providing care work, such as Anganwadi Workers and Helpers, ASHAs, should be enhanced and decent working conditions for them ensured.
- The state government should immediately stop the e-KYC process to prevent an atmosphere of fear among ration card holders. The work of improving the ration card list should be inclusive and transparent and the responsibility for this should be given to the State Food Commission. The name of any innocent family or person should not be removed from the ration card list on technical grounds. This can be fatal. The grievance redressal system should be improved to make the ration distribution system transparent and corruption-free so that no deserving person or family faces injustice.
- Release funds for West Bengal and restart the MNREGA programme while continuing the investigation on the alleged corruption.

Stagnant Policy with Reversals on Some Fronts

The word 'rights' doesn't appear once in the budget speech. The word 'welfare' appears once. And the word 'inflation' only thrice in a para at the beginning. The word 'temple' appears more than twice the number of times the word inflation.

An overview of the past 100 days hints at two possible trends. Firstly, that there is no major course-correction that the government plans to put in place to address the simmering economic crisis. One would have imagined that the government would use the budget as an opportunity to display its commitment to address a few fundamentals. But the compulsions of crony capital and commitment to market fundamentalism meant that citizens of India were offered more of the same. The word 'rights' doesn't appear once in the budget speech. The word 'welfare' appears once. And the word 'inflation' only thrice in a para at the beginning. The word 'temple' appears more than twice the number of times the word inflation.

The alarming condition of job creation, the manufacturing slump, the sticky rates of inflation, the massive write-offs for big corporates, the mindless infrastructural push that are not sensitive to ecology and climate concerns are all trends that continue.

And secondly, on at least some issues, the government, unlike in its previous two terms, is being forced to withdraw its moves in the face of opposition heat. From the Broadcasting Bill to the Waqf board amendment, from the pension scheme to Agnipath, from GST on life insurance to property tax rules, there are moves that the government has had to be tentative about. Having said that, it however, continues to remain intolerant about questions and critical feedback. For instance, in early September of this year, the 14-member Standing Committee on Statistics (SCoS) headed by noted economist and former chief statistician Pronab Sen has been dissolved by government allegedly after its members questioned the delay in conducting the census.¹⁴ An analysis of these trends is below.

¹⁴ [Centre dissolves Pronab Sen-headed Standing Committee on statistics, surveys amid delayed Census - The Hindu](https://www.thehindu.com/news/national/centre-dissolves-pronab-sen-headed-standing-committee-on-statistics-after-members-question-census-delay/article68618687.ece) - <https://www.thehindu.com/news/national/centre-dissolves-pronab-sen-headed-standing-committee-on-statistics-after-members-question-census-delay/article68618687.ece>

Continuing Employment Conundrum

A study published in the latest RBI Bulletin yet again attests to the shrinking share of manufacturing in employment between 2013-14 to 2021-22¹⁵. The rise in self-employed in Agriculture more or less in the same time frame complements this assertion. After being in a state of denial, the word 'employment' is mentioned 33 times. But there is precious little that is on offer that substantively addresses the concern. For instance, the Cabinet Committee on Economic Affairs has recently approved an investment of 28,602 crore rupees, on what it calls a "grand necklace" of industrial smart cities along the Golden Quadrilateral. It is being pitched as the next leap in India's industrial landscape as it is aiming to build up at 12 new industrial nodes under the National Industrial Corridor Development Programme (NICDP).

But is this an adequately informed investment decision? Because data shows that manufacturing is in a decadal slump due to the dwindling demand in the economy. Economist Aunindyo Chakravarty for instance shows how car sales are shrinking not because the middle class doesn't want cars, but simply because they cannot afford it any longer. Unless demand improves, there will still be uncertainty in those industrial corridors. So, while incentivizing employers towards registering in EPFO generally sounds like a good idea, it doesn't guarantee job creation.

Even the World Bank in its India Development Review¹⁶ recently raises concerns saying that the Production Linked Incentive schemes or the new Employment-Linked Incentives are not going to be enough to generate the scale of activity India needs to engage its young workforce. It also said that relative to its size, India's global trade share does not match its economy's size. India is yet to capitalise on the opportunity presented by China's withdrawal from labour-intensive production or the west's 'China plus one' approach.

Of the five schemes proposed by the Finance Minister in the budget, three have to do with the government in one way or another subsidising the employers' contribution to EPFO. "Employee Provident Fund is a crucial pillar of social security, the falling numbers there are of real concerns and formalisation of the labour force and therefore any

¹⁵ [Annual Survey of Unincorporated Sector Enterprises \(ASUSE\) Results for 2021-22 and 2022-23](https://pib.gov.in/PressReleaselframePage.aspx?PRID=2031024) - <https://pib.gov.in/PressReleaselframePage.aspx?PRID=2031024>

¹⁶ [India's Economy to Remain Strong Despite Subdued Global Growth](https://www.worldbank.org/en/news/press-release/2024/09/03/india-s-economy-to-remain-strong-despite-subdued-global-growth?cid=sar_fb_india_en_ext) - https://www.worldbank.org/en/news/press-release/2024/09/03/india-s-economy-to-remain-strong-despite-subdued-global-growth?cid=sar_fb_india_en_ext

intervention to enhance it is welcome. But it in itself incentivising employers to create more jobs and hire at a vastly enhanced scale is farfetched”, says Kinjal Sampat of IIHS who works in the conjunction of formality and informality of the Indian workforce. Precedents in the textile sector, she says, have also shown us this. It cannot be a stand-in for a scheme that generates jobs at scale as is the need of the moment."

The Economic Survey of Modi 3.0 in its first 100 days acknowledges that “gender-wise, it is the female workforce, which is shifting to self-employment.. This is evident in the sharp rise in female LFPR in the past six years, driven by rural women joining agriculture and related activities.” Economists have discussed with alarm how more than 50 per cent of women are self employed, of whom half are employed in unpaid family work or working in family farms. Most of it is distress driven unpaid jobs that does not build empowerment. The Economic Survey however says this increase in women participating in farm labour could be due to increased agricultural productivity because piped water and gas has “freed up” their time.

The Finance Minister has talked about providing internship opportunities in 500 top companies to 1 crore youth in five years as the “solution”. However, how an internship can replace employment is unclear. As Prof Arun Kumar says, “For job creation there is need to encourage labour intensive areas as opposed to capital intensive areas. But allocation to MGNREGS has not been increased so in real terms it is going to be less than last year.”

Inflation Soars

Lower optimism among households is palpable due to the dire situation in, employment and price rise. Households’ median perception of current inflation rose by 20 basis points (bps) to 8.2 per cent in the latest survey round.¹⁷ And their inflation expectations for the three months and one year ahead periods also increased by 20 bps each reflecting that the worries regarding price rise combined with dwindling income continue to haunt ordinary Indians even as they watch wedding reels where the super rich splurge. The lower optimism was also reflected in retail/personal loans and agricultural credit.

After a decade of chanting “ease of business” the Finance Minister is now finally talking about “ease of living”, but the inflation numbers don’t seem to be making life any easier.

¹⁷ [Consumer confidence dips in July for the second consecutive RBI survey](https://www.thehindubusinessline.com/economy/consumer-confidence-household-optimism-on-economic-conditions-decline-rbi-survey/article68504762.ece#:~:text=Households'%20median%20perception%20of%20current,increased%20by%2020%20bps%20each). - <https://www.thehindubusinessline.com/economy/consumer-confidence-household-optimism-on-economic-conditions-decline-rbi-survey/article68504762.ece#:~:text=Households'%20median%20perception%20of%20current,increased%20by%2020%20bps%20each>

The moderation off late, economists have pointed out, is only a reflection of the high base effect from last year, which means the moderation is likely to be temporary. While the wages of construction workers and agricultural workers increased by only a pittance, the cost of cereals have skyrocketed. The government has also been externalizing the crisis of inflation. Even in the Economic Survey it says that “after the pandemic, the global economy experienced another set of supply chain disruptions beginning with the Russia-Ukraine war in the first half of FY23.” But a closer look will show that the parts of the problems lie closer to home. Economists have shown how the contribution of Food and Beverages to the increase in Consumer Price Index (CPI) rose phenomenally. By contrast, despite the European theatre of war, the contribution of fuel and light to the CPI over these periods in fact had fallen. So blaming “external factors” alone is far from the truth.

There are those who have suggested that the domination of a handful of corporate giants in the market has also driven inflation in India. So while inflation has been burning whatever meagre savings that was left after the pandemic pushed household savings to a historic low, the corporates have benefitted in the same period. While there have been preceding decades when inflation has been as high if not higher, what makes this period disconcerting is the stagnating wages, joblessness and distressed employment.

RSS: Rising inequality; Skewed Taxation; Shielding the Rich

The first 100 days of the present government shows that the tale of favouring the ultra rich and even shielding them at the expense of welfare and accountability continues unabated. The March pre-wedding and July wedding celebrations of Anant Ambani, son of tycoon Mukesh Ambani, are estimated to have cost Rs 5,000 crore, which is about half of India’s 2023-’24 National Social Assistance Programme budget of Rs 9,636 crore. The gap between the ultra rich and ordinary Indians has been widening for decades. In 2022-’23, the top 1 per cent of Indians owned 40.1 per cent of the nation’s wealth. Though 70 lakh Indians have the living standards of first world residents, more than 70 crore Indians are poorer than the poorest in the third world. Those with wealth above 1000 crores saw their number increase by a whopping 76 per cent in five years.

Despite these astounding numbers, wealth inequality – unlike in other parts of the world – has hardly ever been a mass issue in India before. But in the run-up to the Lok Sabha elections, India’s stark economic inequalities became a prominent theme in the opposition bloc’s campaign. Since then, inequality has found mention several times in Parliament. In the Budget session that ended on August 9, opposition parliamentarians

such as Rahul Gandhi, Manoj Jha, Sagarika Ghosh and Shashi Tharoor repeatedly pointed to the misdirected economic policies that are allowing for a hyper-concentration of wealth in the hands of a few.

Data from the Gallup World Poll Survey for India (2019-23) and CMIE reveals how income inequality fosters corruption. As calculated by the World Inequality Database, the top 1 per cent in India now earn 22.6 per cent of the total pre-tax income, while the bottom 50 per cent earn just 15 per cent. This disparity fuels corruption within both business and government. The misuse of public resources, driven by financial and real estate speculation, highlights the role of income inequality in exacerbating corruption. This causal relation is increasingly becoming a part of people's awareness too. The recent budget entirely ignored addressing the raging issue of growing inequality. Increasing taxes on the rich could have funded essential health and education reforms, underscoring the severe efficiency costs of corruption.

The Budget for 2024-25 establishes that the share of government revenue from income tax (tax on individuals) at 19 per cent, is more than what corporations have contributed (17 per cent). In terms of percentage contribution to Gross Tax Revenue (GTR), the government has recently attempted to reduce the proportion of corporate taxes. The percentage of corporate taxes to GTR has decreased from 34.5 per cent to 26.6 per cent. On the other hand, the percentage of income taxes has increased from 20.8 per cent to 30.9 per cent. Corporate tax as a percentage of GDP has decreased from 3.4 per cent to 3.1 per cent. In contrast, income taxes have increased from 2.1 per cent to 3.5 per cent, indicating an upward trend in income tax contributions.

With the reduction of the foreign tax rate to 35 per cent from the current rate of 40 per cent in the proposed 2024-25 budget, this trend mirrors the September 2019 announcement when the government cut the base corporate tax for existing companies to 22 per cent from 30 per cent. Additionally, the tax rate for new manufacturing firms, incorporated after October 1, 2019, was reduced to 15 per cent from 25 per cent, resulting in a revenue loss of over ₹1 lakh crore in 2020-21, which was offset by taxing the public.

Such levels of inequality corrodes democracy, leads to a nexus with the super rich with undue favours and quid pro quo involved and shrouds accountability. In that regard, the first 100 days has revealed more damning revelations and the nation is left to wonder yet again as to why the government is trying head over heels to defend the likes of Adani.

Hindenburg Research has alleged that SEBI Chairperson Madhabi Puri Buch and her husband invested in an offshore fund linked to the Adani Group. The report claims they invested in a sub-fund of the Bermuda-based Global Opportunities Fund in 2015 and exited in 2018. Hindenburg suggests this investment may have influenced SEBI's slow action against the Adani Group and its use of offshore funds. The report has sparked controversy, with Adani Group's listed firms losing \$11 billion in market capitalization. Hindenburg implies a potential conflict of interest, questioning SEBI's impartiality in investigating the Adani Group's activities. The SEBI chief has admitted having investments in funds at controversial locations such as Bermuda and Mauritius. The fact that the chairperson of the regulator of the financial sector had investments in funds located in places known for surreptitious transactions is itself damning enough. The main question is whether the government will continue to refuse to act or institute an inquiry. The ball is in PM Modi's court.

Banking on the Rich

The government has shown no inclination in actually tackling the issue of NPAs and in reigning in wilful defaulters as were the claims earlier. The Master Direction on Treatment of Wilful Defaulters and Large Defaulters released by the RBI recently speaks of taking stern measures to contain and tackle large defaulters. But there remains enough space in it for big corporate borrowers to continue swindling public money. First of all, it continues to allow wilful defaulters to enter into compromise settlements with lenders. And once the compromise amount is paid, whatever the amount is, they get themselves removed from the Black List of Wilful Defaulters. This keeps big gaps for corrupt practices to fester in this terrain. The Master Directive also says that the bar on additional credit facility to a wilful defaulter shall get removed a year after their name is removed from the list of wilful defaulters. So, effectively, a corporate giant can take massive loans, refuse to pay back, then enter into a settlement, pay a paltry sum as a compromise settlement and in a year's time become eligible to take more massive loans!

The Economic Survey contains a reiteration of the government's celebratory pitch on banking, weaved around the supposed 'turnaround' as a consequence of a decline in NPA's, rise in bank profits, recoveries of bad debts through the insolvency process, increase in coverage of banking services and account holders. The untold story in the Economic Survey is that of massive debt write-offs, haircuts borne by banks to the benefit of corporates, credit access of small enterprises shrinking over time, millions of

depositors getting low interest rates on their savings, and public sector banks burdened with abysmal employee to customer ratios despite serving far more people.

For instance, over the last decade, the government has written off around Rs 14.5 lakh crore since it assumed power in 2014, with Rs 2.09 lakh crore wiped out in FY23 alone. Total write-offs by public sector banks and private sector banks in the 2021-'22 financial year stands at Rs 1,72,800 crore, which is much higher than the amount allocated to NREAGA, Health and Education in 2023-'24. Thus, from 2016-17 to 2020-21, the government had to infuse more than Rs 3 lakh crore in public sector banks in order to maintain mandated minimum capital, an amount that could have been used on education, health and social welfare.

Finally, the government's move to privatise IDBI Bank, selling off a 60.7 per cent stake held by the government and LIC, is fraught with peril and reeks of desperate attempts to shore up its divestment portfolio just before the budget. With a market cap nearing Rs 95,000 crore, the Centre could realise around Rs 29,000 crore from the disinvestment. But at what cost? Privatising public sector banks (PSBs) like IDBI could be catastrophic for the general populace. Once a robust network of 27 PSBs, the number has dwindled to just 12 under the NDA era. Private banks, driven by profit, neglect public interest, leaving rural and vulnerable communities at risk. The government's refusal to disclose data on a foreign investor reveals a troubling lack of transparency, eroding public trust. Privatisation could slash credit access for vital sectors, destabilise the economy with reckless risk-taking, and hike service charges. Job security would be jeopardised, and urban-centric private banks might ignore rural areas, deepening regional disparities. The stakes are high, and the consequences could be severe.

Frugal approach to Welfare

The first 100 days show the same beaten path of shrinking welfare expenditure and starved rights. The Economic Survey paints a rosy picture of welfare, suggesting that India is a successful welfare state. However, the reality is quite the opposite. Renaming schemes with the prefix "PM" does not ensure access, proper implementation, or uphold the sanctity of Article 21, which guarantees every citizen the right to live with dignity. The survey claims that the definition of welfare has evolved over the past decade and that the "new welfare approach" emphasizes transforming the implementation and effectiveness of government programs to increase the impact per rupee spent. The same frugality is not on display for per rupee lost in corporate tax breaks and write offs. Instead in welfare this

strategy subtly shifts the narrative to suggest that financial expenditure alone is inadequate, thus justifying cuts under the guise of enhancing efficiency. We can observe the fallout if we look simply at health and education sectors as instances.

Healthcare has suffered from underfunding. Despite the critical need exposed by the COVID-19 pandemic, the Modi government has reduced allocations to the Ministry of Health, decreasing its share of overall expenditure from 2.31 per cent in 2019-20 to 1.9 per cent in 2024-25. The current health budget as a share of GDP stands at a mere 0.27 per cent, far below the 2.5 per cent target recommended by the 2017 National Health Policy. Even though the Ayushman Bharat Pradhan Mantri Jan Arogya Yojana (PMJAY) has seen increased allocations, the number of participating hospitals remains insufficient, with only 60 per cent of empanelled hospitals active in the last six months. Concurrently, allocations to the National Health Mission (NHM), crucial for primary healthcare, have decreased from 1.2 per cent of the total budget outlay in 2019-20 to 0.67 per cent in 2024-25.

The education sector is also facing severe challenges. Access to affordable education is becoming increasingly difficult, with a decline in government and government-aided schools and a rise in private institutions. This privatization trend poses significant barriers for economically and socially marginalized communities. The latest Annual Status of Education Report highlights alarming deficiencies in primary and secondary rural education, with 25 per cent of students aged 14-18 unable to read a Std II level text fluently in their regional language, and over half of all students struggling with basic arithmetic. The budget allocation for the Department of School Education and Literacy has dropped from 3.16 per cent of the total budget in 2013-14 to 1.53 per cent in 2024-25. For the Department of Higher Education, the total allocation for 2023-2024 is ₹47,619.77 crore. In the previous budget, it was ₹44,094.62 crore. The Revised Estimates for 2023-2024 show an increase to ₹57,244.48 crore. The actual expenditure for 2022-2023 was ₹38,556.80 crore. The combined allocations for both departments have fallen from 4.77 per cent of the total budget expenditure in 2013-14 to 2.53 per cent in 2024-25 which is less than the 6 per cent of the GDP which was the vision of the Education Commission in 1966.

Capex Boom: Crumbling Infrastructure

From the railway accidents to the falling of airport roofs across the country, from the Silkyara tunnel collapse to the cracks in the sea bridge in Mumbai, the flooded Ayodhya

railway station to the underpasses of Delhi, the much celebrated infrastructure story of the government seems to be crumbling already on the first 100 days. The façade of several of the showcase projects inaugurated by the PM himself are collapsing showing deep cracks in the development narrative based on the capex boom.

The government proudly speaks of a grand capex expansion narrative. However, what it fails to address are the observations made by the Ministry of Statistics and Programme Implementation (MoSPI) as of December 2023. Out of 1,843 infrastructure projects, 449 are facing cost overruns and 779 are experiencing delays. The government has reemphasized the role of private players in the development of infrastructures. But these developments reflect a broader structural shift towards greater private sector involvement in infrastructure, often raising concerns about wealth extraction at the expense of human lives and the environment.

The government also points out that delays in forest and environmental clearances are a significant bottleneck for roadways development, even as the NDA regime's wholesale granting of environmental clearances has drawn criticism from civil society activists. Cases in point being the felling of the Hasdeo forest and the proposed Great Nicobar Project that endanger an entire rainforest for a supposed "green" development project promoting leisure, tourism and commerce. Similarly the recent announcement of 4,136 crores for more hydel power projects only goes on to show that we have learnt nothing from the Teesta deluges that have burst the myths of mindless dams despite climate risks.

Roads to Riches (for a few)

The economic survey emphasizes the significant increase in capital expenditure on roadways and railways, which rose from 36.4 per cent to 42.9 per cent between FY21 and FY24. In the roadways sector, the private sector has played a crucial role. Government and public sector capital investment in roadways increased from 0.4 per cent of GDP in FY 2015 to about 1 per cent of GDP in FY 2024. A favorable policy environment, including public-private partnerships (PPPs) and asset monetization, has attracted substantial private investment in this sector. For example, toll charges have increased by 3-5 per cent starting June 3, 2024, and toll collections surged to ₹540 billion in FY 2022/23 from ₹252 billion in FY 2018/19.

Derailed Dreams: Indian Railway

The survey also boasts a 77 per cent increase in capital expenditure on railways from FY 21 to FY 24, focusing on new lines, gauge conversions, and doubling of tracks. However, it fails to address the critical issues of common passengers such as seating and railway safety. The Balasore incident revealed that the railway tracks are overstressed, with 4,500 kilometers requiring annual renewal and a backlog of 10,000 kilometers needing urgent attention. Since Balasore, there have been two additional railway accidents, raising the total number of accidents under the NDA regime to nine over ten years (2014-2024). Despite this, the Railways Ministry continues to prioritize speed over safety. A December 2022 CAG report revealed that funds from the Rashtriya Rail Sanraksha Kosh (RRSK) — a fund established in 2017 to improve railway safety — were misallocated for non-essential items like foot massagers, crockery, and furniture. Several reports have pointed out troubles faced by common passengers while traveling due to lack of general or sleeper coaches. Moreover, while the government pats its back for the introduction of 51 pairs of Vande Bharat trains by March 2024, it neglects the deteriorating condition of local passenger trains. Between 2012 and 2022, there was a notable shift in coach composition. The percentage of air-conditioned coaches increased from 14.54 per cent to 23.80 per cent, while the proportion of general coaches declined from 49.81 per cent to 43.31 per cent.

Adani's Megaports

The government upholds the role of public-private partnerships in enhancing India's maritime competitiveness. It reports a 27 per cent increase in union capital expenditure for the ports, shipping, and waterways sector between FY 23 and FY 24. Under the Sagarmala national program, launched in 2015, port-led development aims to propel the Indian economy to a \$10 trillion target by 2032. However, there is significant criticism regarding how the port-led development model often overlooks the concerns of coastal communities. Issues such as the loss of coastal commons, biodiversity, and livelihoods are frequently ignored. Despite plans to encourage competitive markets through private investments, several port projects have been operationalised by a single entity. From managing just one major port, Mundra, in 2001, the Adani Group has grown to operate 14 ports and terminals, controlling a quarter of all cargo passing through India's ports. Over

the past decade, the Adani Group's market share in the port sector has increased from 9 per cent to 24 per cent, at the expense of central government controlled major ports.

Airport Woes

Despite a hefty ₹72,000 crore investment in airport infrastructure over the past five years – ₹23,000 crore by the government and ₹49,000 crore by private players – India's airport landscape is marred by quality concerns. The government's ambitious target of spending ₹26,000 crore on airport development from FY20 to FY25 appears to have yielded questionable results. Recent collapses at Delhi, Guwahati, Jabalpur, and Port Blair airports raise serious doubts about the construction standards employed by private operators, casting a shadow over the sector's growth and passenger safety. Several airports have seen increases in user charges and passenger fees.^{18,19}

Trends in Reverse

Despite all of the above trends, the first 100 days have also shown signs of resilience from people and the opposition. There are signs of cracks in the tendency of the ruling party in bulldozing its whims. This has its reflection in the domain of finance and economy as well.

The pension review: Under pressure from the opposition, the government was forced to review the New Pension Scheme. Since it had no assured return and was entirely left to the market, there was significant outrage and many of the states under opposition rule refused to implement it. The government in its first 100 days was forced to take back NPS and offer what it called the Unified Pension Scheme. While it is being passed off as a “reasonable compromise”, the fundamental question remains, why compromise on the right to a decent, non-contributory and assured pension? The UPS, like the NPS, remains a contributory scheme, perpetuating the logic that employees must fund their own pensions rather than the state providing it as a right. Also the UPS incorporates market based returns, which means that your pension could still be affected by market volatility, similar to NPS. While most of *godī media* is only parroting the government's and market's

¹⁸ [JATA raises alarm over rising airport charges in India, urges regulatory action - Airlines/Aviation News | The Financial Express](https://www.financialexpress.com/business/airlines-aviation-iata-raises-alarm-over-rising-airport-charges-in-india-urges-regulatory-action-3608609/) - <https://www.financialexpress.com/business/airlines-aviation-iata-raises-alarm-over-rising-airport-charges-in-india-urges-regulatory-action-3608609/>

¹⁹ [Sky-high fees: Why flying from these 16 airports is costing you more | India News - Business Standard](https://www.business-standard.com/india-news/sky-high-fees-why-flying-from-these-16-airports-is-costing-you-more-124072500227_1.html) - https://www.business-standard.com/india-news/sky-high-fees-why-flying-from-these-16-airports-is-costing-you-more-124072500227_1.html

lines that the UPS offers more security than the NPS, fact is that it still might not match the full guaranteed benefits of the OPS, particularly when market conditions are unfavourable.

Agniveer review: Under fire from the opposition in Parliament and many sections of society, and faced with strong grievances on ground, the central government is exploring changes to the Agnipath recruitment scheme. These potential changes may involve increasing the retention rate for Agniveers and revising their compensation and benefits. The updates are anticipated to enhance the scheme's overall framework and address criticisms and protests from Army aspirants. Senior defense ministry officials are currently discussing plans to improve the retention rate of Agniveers, which would allow more individuals to extend their service beyond the initial four-year term. Currently, only 25 per cent of Agniveers are retained after their initial service, a percentage deemed insufficient by military experts.

GST adjustment: In yet another instance of the government having to beat retreat under opposition pressure, there are already discussions about reduction of the high GST on health and life insurance. The GST Council is set to meet on the contested agenda of high GST on health and life insurance policies. The only thing they need to fix is such that the insurance companies pass on the savings to the consumers. Earlier during the budget session the opposition had staged walk outs on the issue of such high GST on people for sensitive concerns like health or life insurance.

India's Youth Crisis is a Polycrisis

Not only does India's young population face a severe unemployment crisis – with 83 per cent of the total jobless population in India being young²⁰ – they also have to grapple with an institutional ecosystem that seems increasingly hostile towards their aspirations.

As per the Economic Survey 2024, the realization of the potential of India's demographic dividend faces several emerging challenges. According to the survey, in order for the working-age population in India to be gainfully employed, they must possess both good health and skills. However, excessive use of social media, increasing screen times, sedentary habits and unhealthy diets are likely to negatively impact the overall productivity of this age group, while also creating several public health risks.²¹

This analysis, however, scratches the surface of the kind of challenges that face India's youth. Not only does India's young population face a severe unemployment crisis – with 83 per cent of the total jobless population in India being young²² – they also have to grapple with an institutional ecosystem that seems increasingly hostile towards their aspirations. The recent NEET scam, cancellation of the UGC-NET exam as well as the

²⁰ Fernandes, J. (2024, March 27). Unemployment crisis: 83% of jobless Indians are youth, says International Labour Organisation Report. *Livemint*. <https://www.livemint.com/news/india/unemployment-crisis-83-of-jobless-indians-are-youth-says-international-labour-organisation-report-11711517084127.html>

²¹ ET Online. (2024, July 22). Economic Survey 2024: Social media, screentime & unhealthy food habits of the youth are Indian economy's big problems. *The Economic Times*. <https://economictimes.indiatimes.com/news/india/economic-survey-2024-social-media-screentime-unhealthy-food-habits-of-the-youth-are-indian-economys-big-problems/articleshow/111923319.cms>

²² Fernandes, J. (2024, March 27). Unemployment crisis: 83% of jobless Indians are youth, says International Labour Organisation Report. *Livemint*. <https://www.livemint.com/news/india/unemployment-crisis-83-of-jobless-indians-are-youth-says-international-labour-organisation-report-11711517084127.html>

growing unrest with Agnipath scheme²³, which offers at best a precarious livelihood to India's young, have dominated the first 100 days of the present government.

The Bharatiya Janata Party, which has come into power for the third time on the back of coalition government, highlighted in its manifesto that their vision is to build “a *Viksit Bharat* where young citizens can fully realize their potential”.²⁴ The BJP's manifesto outlines that the party envisions involving the youth in nation building through investments in infrastructure and creating more job opportunities in the tourism, manufacturing and services sectors.

In this year's budget speech, the finance minister announced an outlay of Rs 2 lakh crore on employment and skilling over the next five years. Envisioned as the “Prime Minister's package for Employment and Skilling”, this bundle includes five schemes to help with employment and skilling. More than half, or Rs 1.07 lakh crore, of the anticipated Rs 2 lakh crore in central outlays on employment and skill development over the next five years will go towards three programs that are primarily concerned with formalizing employment through the Employees' Provident Fund Organization (EPFO)²⁵, and Rs 52,000 crore has been set aside to support the hiring of first-timers in manufacturing in large numbers.

The package also includes an initiative on helping young individuals get internships in the top 500 companies. As part of the scheme, interns will receive a monthly allowance of Rs 5,000 and company CSR funds will be used to also give ‘one-time assistance’ of Rs 6,000. The government intends to fund the internship initiative with Rs 63,000 crore²⁶. One crore young people between the ages of 21 and 24 are anticipated to gain from this

²³ Tiwari, S., & Reddy, D. S. (2024, June 13). NEET and Agnipath Fiasco: Govt, Private Sector, Civil Society Should Solve the Larger Youth Crisis. *The Wire*. <https://thewire.in/government/neet-and-agnipath-fiasco-govt-private-sector-civil-society-should-solve-the-larger-youth-crisis>; The Hindu Bureau. (2024, June 20). Education Ministry announces cancellation of UGC-NET; CBI probe ordered. *The Hindu*. <https://www.thehindu.com/education/education-ministry-orders-cancellation-of-ugc-net/article68309323.ece>

²⁴ Bharatiya Janata Party. (2024). *Modi ki Guarantee 2024* [Manifesto]. <https://www.bjp.org/bjp-manifesto-2024>

²⁵ Keshri, G. (2024, August 3). Budget 2024-25: A step-up for skilling. *Deccan Herald*. https://www.deccanherald.com/business/economy/budget-2024-25-a-step-up-for-skilling-3135363#google_vignette

²⁶ Singh, L. (2024, July 23). Budget 2024: Companies To Use CSR For 10% Of Internship Costs - Explained. *NDTV*. <https://www.ndtv.com/education/budget-2024-companies-to-use-csr-for-10-of-internship-costs-explained-6169072>

programme. An additional expenditure of Rs 30,000 crore is intended for the improvement of 1,000 Industrial Training Institutes (ITIs).²⁷

While the package is comprehensive in terms of the central outlay, it is yet to be seen how these programmes impact unemployment rates on ground. The government's previous skilling and employment efforts under the Skill India Mission have at best had a mixed impact. While it has successfully upskilled 1.4 crore young Indians²⁸, various training centers across the country have shut down, and others are suffering due to high dropout rates, insufficient equipment, funds misuse by centers, shortage of placement support as well as delays in the implementation of Pradhan Mantri Kaushal Vikas Yojana²⁹.

The PMKVY itself faces several challenges – as the premier program of Skill India Mission, PMKVY is actually only offered for a short period of time, and the placement rate has not increased throughout the years: for PMKVY 1.0, which began in 2015, the placement rate was 18.4 per cent; for PMKVY 2.0, it was 23.4 per cent; and for PMKVY 3.0, it is 10.1 per cent³⁰.

As unemployment rates among the educated youth continue to soar – with their share in the total unemployed population at 65.7 per cent³¹ – and previous schemes for employment reap lukewarm benefits, the new employment and skilling package has mounting challenges to overcome. It is yet to be seen, for instance, how the new internship scheme which makes use of CSR funds will solve the problem of limited placements.

²⁷ National Portal of India. (2024). *Union Budget 2024-25*. india.gov.in. <https://www.india.gov.in/spotlight/union-budget-2024-25#:~:text=One%2Dmonth%20wage%20to%20new,to%20benefit%2010%20lakh%20youth.&text=Facilitate%20higher%20participation%20of%20women,with%20industry%2C%20and%20establishing%20creches>

²⁸ PTI. (2024, February 1). Skill India Mission trained, upskilled 1.4 crore youth: FM. *The Hindu*. <https://www.thehindu.com/business/budget/skill-india-mission-trained-upskilled-14-crore-youth-fm/article67799648.ece>

²⁹ Sharma, N. (2024, April 24). Centres shut, funds misused, no placements — Skill India needs a refresher course. *The Print*. <https://theprint.in/ground-reports/centres-shut-funds-misused-no-placements-skill-india-needs-a-refresher-course/2054438/>

³⁰ Mehrotra, S., & Sharma, H. (2024, March 21). Skill India Mission: Short Courses, No Employable Skills and a Lack of Jobs. *The Wire*. <https://thewire.in/labour/the-reality-of-skill-india-mission-short-courses-no-employable-skills-and-rise-in-unemploy-ment>

³¹ Mukhopadhyay, S. (2024, March 28). Unemployment rate in India doubles among educated youth: Former CEA Kaushik Basu says, 'Change is coming'. *Mint*. <https://www.livemint.com/news/india/unemployment-rate-in-india-doubles-among-educated-youth-former-cea-kaushik-basu-says-change-is-coming-11711595014880.html>

While the issues of employment and skilling require much attention, it is also important to acknowledge that the youth crisis in India is a polycrisis, and is unlikely to get solved only through the route of skill development. For instance, a multi-faceted approach that links education to the efforts being made in the area of skilling is required. Whether the National Education Policy is that panacea which can bridge these gaps is not obviously evident. Since four years of its implementation, the NEP is lagging behind on both short and long term objectives – including the achievement of Foundational Numeracy and Literacy or the broader pedagogic changes and teacher development³². The Parliament Standing Committee on Education had also recommended in 2023 that the Union and State governments allocate appropriate funds for the improving the employability of higher education programs³³.

While the budget for the two ministries concerned with youth and employment witnessed an increase – the budget for the Ministry of Youth Affairs and Sports increased by 1.3 per cent to Rs 3442 crore, and the budget for the Ministry of Skill Development and Entrepreneurship increased by 32 per cent to Rs 4520 crore – this is not directly indicative of how well the government is able to tackle the youth polycrisis given that there is no strategy for convergent policies in the design and implementation of development programmes.

Recommendations

Any promises made regarding improving the state of India's youth by this government will require them to go beyond mere announcements of new policy packages and ensure that a cohesive strategy is implemented to ensure synergising previous attempts at improving the education and employment opportunities available to India's youth.

- To avoid the pitfalls experienced with past schemes, it is crucial to establish robust frameworks for the both, the implementation as well the monitoring and evaluation, of new programs. This includes stringent monitoring systems to prevent fund

³² B.S., R. (2024, April 21). The spirit of NEP: How does it fare in action? *Deccan Herald*. <https://www.deccanherald.com/india/the-spirit-of-nep-how-does-it-fare-in-action-2987469>

³³ Jigeesh, A. M. (2023, September 26). Explained | What are the findings of the Parliament panel on the New Education Policy? *The Hindu*. <https://www.thehindu.com/news/national/explained-what-are-the-findings-of-the-parliament-panel-on-the-new-education-policy/article67346055.ece>

misuse, address dropout rates, and ensure that initiatives are executed in a timely manner.

- There is a pressing need to create stronger connections between educational curricula and skill development programs. Revisiting and refining the National Education Policy to better synchronize educational outcomes with market demands can help bridge the existing gaps and improve job readiness.
- Rather than focusing solely on expanding the number of programs, it is imperative to prioritize the quality and impact of both existing and new initiatives. Enhancing infrastructure, improving trainer qualifications, and aligning training with industry standards are key to achieving better outcomes.

Gender Budget Focuses on Women's Safety but Lags in Education, Jobs, and Social Security

Women's groups have long argued that the criminal justice system needs to be reformed to function more effectively, ensuring fair and quick trials, with certainty and swiftness of convictions and a gender sensitive response from law enforcement, and all governance bodies for victims and survivors of gender based violence.

In the first 100 days of the new government, expectations were raised about India transitioning from women's development to 'women-led development' with the vision of a new India, where women are equal partners in the story of growth and national progress" (Economic Survey of India 2024). This raised hopes that perhaps the structural underpinnings of women's secondary status would be addressed: that includes – the low participation in the paid workforce and clustering in the informal sector, disproportionate burden of unpaid care work within the household, the lack of safety in public spaces and the workspace, gender parity in wages, and so forth.

Examining the announcements within the Union Budget 2024-25 and the recent changes in law (Bharatiya Nyaya Sanhita 2024) as well as recent data from a gender lens as well as reflected upon the recent incidents of egregious gender-based violence (GBV) that has once again raised the issue of political impunity and the low conviction rates for sexual violence against women, shows that the promises of 'women-led development' are far from being fulfilled or even taken seriously in these first 100 days. This is cause for concern.

A few highlights have been captured below.

1. Announcements on Gender Budgets within the Union Budget 2024-2025:

The Union Budget 2024-2025 (UB) announced the total allocation to the gender budget (GB) at INR 3,27,158.44 crore, which brings the share of Gender Budget to total

expenditure to over 6 per cent, which was a welcome step . This year there has been an improvement in the reporting of the items under the GB and as a result comparisons to the total GB allocations of previous years cannot be made.

Ideally, the Gender Budget should tackle gender inequalities in a way that takes into account the multiple deprivations faced by women, men, non-binary persons and children across various social positions and identities. One would expect, for example, budgetary allocations that target and improve work conditions of women across various sectors and work categories, including women in agriculture, informal workers and women in small enterprises. The focus should also be on addressing gender-based violence and structural barriers that prevent them from participating meaningfully in the economy on an equal footing. Budgets can create gender sensitive infrastructure to reduce the care burden on women, by providing publicly funded childcare facilities, reducing the drudgery of unpaid household chores, as well as supporting the frontline care workers with social security and decent work conditions, including fair wages. Unfortunately, none of this has been reflected in the union budget, and there is skepticism about the extent to which this is actually reflected in the Gender Budget Statement.

Budgets for the social welfare sector such as health, education, social security are at status quo along with very minimal increments for the annual budgets of Ministries and Departments catering to the needs of various marginalized sections of society. For example, the Centre's expenditure on health continues the trajectory of hovering around 0.3 per cent of the gross domestic product (GDP). Instead of strengthening the public health system that serves marginalized populations, it continues to emphasize private sector partnerships and insurance-based models of healthcare delivery such as the Pradhan Mantri Jan Arogya Yojana (PMJAY). Spending on education has declined from 0.44 per cent of GDP to 0.37 per cent of GDP. The allocations for MGNREGS have consistently declined from 2022-23 actual expenditure and remained same as last year's Revised Estimates, even though it is critical for rural women who comprise more than half the participants availing employment through it. The budget provides limited or no relief to vulnerable communities facing multiple deprivations (Minorities, Scheduled Castes and Tribes, etc.) with inevitable adverse impacts on women from these communities. The only positive sign has been the Comprehensive Rehabilitation for Welfare of Transgender Persons Scheme, whose budget has been enhanced to from INR 52 crores to INR 68 crores, which gives hope to empowerment of the community that remains on the margins of society.

The Gender Budget Statement (GBS) raised much hope but in the end, it turned out to be an exercise in smoke and mirrors. The GBS Part A Schemes meant exclusively for women received combined allocations that make it difficult to track actual expenditures. Take the examples of SAMBAL and SAMARTHYA. While SAMARTHYA comprises key schemes including maternity entitlements and provisioning of childcare facilities, a dip in allocations from INR 2582 crore to INR 2517 crore indicates the government's lack of intent to effectively facilitate women's economic participation. While there has been a doubled allocation to the Nirbhaya Fund to combat violence against women, the low utilization in 2023 has been alarming; it has unfortunately been used for surveillance and Safe City projects rather than providing accessible multi-sector support services for women in all their diversity. There is lack of clarity in the rationale behind allocations reported in all three parts in the GB statement, for example, the PM Awas Yojana, both Rural and Urban has been entirely included in Part A, which is unexpected as the benefits of the scheme are not borne only by women, in fact only 69.1 per cent of the houses under PMAY-Gramin (Rural) were in the name of women – solely or jointly.

Part B of the GBS includes infrastructural projects for water and energy without providing an explanation on which part of it is spent on pro-women programmes. Thus, the gender budget appears to be made up of schemes wherein the extent of their benefits to women are unclear. This year the government's inclusion of a Part C within the Gender budget is a welcome step; and it consists of schemes in which less than 30 per cent allocation for women have been listed (as compared to Part A which has schemes with 100 per cent provision for women and Part B with scheme allocations between 30 per cent to 99 per cent for women). Pradhan Mantri Kisan Samman Nidhi (PM-Kisan) is the only scheme in Part C in which, Rs. 15,000 crores (25 per cent of the total allocation for the scheme) is reported to be for women, which is curious because only 14 per cent women farmers own land and the PM-Kisan scheme benefits can only be accrued by land-owning farmers. However, if this allocation indicates an intent to include more women farmers, it is a welcome development³⁴.

2. Recent Changes in Criminal laws: Some highlights on Sexual Offences against women and girls³⁵

³⁴ This section draws from the unpublished FPC article “Reflections on the Union Budget of India 2024-25 from a gender lens” by Dr. Sona Mitra, Dr. Nesar Ahmed and Jashodhara Dasgupta drafted on August 13, 2024

³⁵ This section draws from the analysis undertaken by the Leaflet, Part 2

As of July 1, 2024, India constituted three new criminal laws to replace the Indian Penal Code (IPC), the Code of Criminal Procedure (CrPC), and the Indian Evidence Act. These new laws are the Bharatiya Nyaya Sanhita (BNS), the Bharatiya Nagarik Suraksha Sanhita, and the Bharatiya Sakshya Adhinyam and replaced the British-era Indian Penal Code, Code of Criminal Procedure and the Indian Evidence Act, respectively³⁶.

A chapter on Crimes against Women and Children has been included, making buying and selling of any child a heinous crime with a provision for death sentence or life imprisonment for gang rape of a minor. Offenses against women and children, murder and offenses against the State have also been given precedence in the new law.

Some of the changes include: easier and faster recording of crimes, free first aid/medical treatment to survivors/victims of crimes against women/children at all hospitals, and regular updates on the progress of the case being provided to victims within 90 days. Sexual intercourse through deceptive means has been criminalized, as has making false promises of employment or marriage – with stricter sentencing up to 10 years in prison.

Rape and Sexual Assault: In the chapter: ‘Offences against women and children’³⁷ sexual offences are recognized if committed against a woman and that too by a man. In the IPC, rape had gender-specific provisions, where the offender can only be a man and the victim a woman. However, BNS states that various offences have been made gender-neutral. But this has not been applicable to the offence of rape.

The two provisions under the category of criminal force and assault against women have been made gender-neutral in terms of the perpetrators: Section 76, which is assault or use of criminal force to women with intent to disrobe and Section 77, which is voyeurism which now opens with the word “*whoever*” unlike in the IPC where it was “*any man*”.

The BNS, has for the first time, has included transgender persons within the definition of gender, and it holds the same meaning as described in the Transgender Persons (Protection of Rights Act), 2019. Senior feminist advocates however have flagged the issue of Section 377 of the IPC, which covers unnatural offences, and has now been

³⁶ [New Criminal Laws enacted from today | The Economic Times](https://economictimes.indiatimes.com/news/how-to/new-criminal-laws-enacted-from-today-all-you-need-to-know-about-them/articleshow/111391637.cms?from=mdr) - <https://economictimes.indiatimes.com/news/how-to/new-criminal-laws-enacted-from-today-all-you-need-to-know-about-them/articleshow/111391637.cms?from=mdr>

³⁷ [Bharatiya Nyaya Sanhita, 2023: Impacts and challenges—Part 2 – The Leaflet](https://theleaflet.in/bharatiya-nyaya-sanhita-2023-impacts-and-challenges-part-2/) - <https://theleaflet.in/bharatiya-nyaya-sanhita-2023-impacts-and-challenges-part-2/#:~:text=The%20BNS%2C%20however%2C%20excludes%20both,increased%20from%2015%20to%2018.>

deleted. Under the BNS, there is no provision that could cover any situation of non-consensual sexual intercourse, in cases of transgenders who face extreme levels of harassment and this is of great concern.

Additionally, the new Act misses out on assault and rape between persons of the same sex. Earlier, such offences were brought within the purview of Section 377 of the IPC. Consensual sex amongst persons of the same sex was decriminalized earlier. (See: Section in *Navtej Johar*)³⁸.

The age of consent for a married woman under the definition of rape has been increased from 15 to 18 years. This is in regard to implementing the Supreme Court judgment in *Independent Thought* where the Supreme Court struck down Exception 2 to Section 376 of the IPC, that provided immunity to a husband if he had sex with a wife who was above 15 years of age, as discriminatory and violative of Article 14. However, the Supreme Court had refrained from making comments on marital rape. And the marital rape exception has not been addressed by the legislature as yet.

The BNS criminalizes sexual intercourse based on deceit and false promise of employment or marriage. Sexual intercourse with false promise to marry, was previously considered as rape, based on the notion of the absence of consent, as interpreted by the Supreme Court, and it has now been categorized as a separate offence under Section 69.

Further, certain provisions that punish women for voluntarily having a miscarriage continue in the new laws. Issues have been raised by feminist advocates – that India has not given the right to women to abort, as it is permitted only after a medical opinion is provided. The State's control over women, their bodies and sexuality thereby continue. There were other concerns raised by human rights lawyers, practitioners and academics on the new provisions³⁹.

Women are not seeking paternalism nor protection nor patriarchy. They are demanding freedoms, bodily autonomy, voice and rights.

3. Recent incidents of Gender-based violence (GBV):

³⁸ [Bharatiya Nyaya Sanhita, 2023: Impacts and challenges—Part 2 – The Leaflet](https://theleaflet.in/bharatiya-nyaya-sanhita-2023-impacts-and-challenges-part-2/) - <https://theleaflet.in/bharatiya-nyaya-sanhita-2023-impacts-and-challenges-part-2/#:~:text=The%20BNS%2C%20however%2C%20excludes%20both,increased%20from%2015%20to%2018.>

³⁹ [Dangers of the three new criminal laws flagged by lawyers, academics and activists at New Delhi event | The Leaflet](https://theleaflet.in/dangers-of-the-three-new-criminal-laws-flagged-by-lawyers-academics-and-activists-at-new-delhi-event/) - <https://theleaflet.in/dangers-of-the-three-new-criminal-laws-flagged-by-lawyers-academics-and-activists-at-new-delhi-event/>

Gender based violence against diverse women has been a deep-rooted systemic issue in the country. Two recent examples throw light on the persistent lack of safety for women workers in the work place, and the structural abuse faced by women and children, as well as the use of sexual assault with impunity and the tardy pace of redressal.

a) **The recent RG Kar Medical College case**, where a trainee doctor at the college was raped and murdered, sparked widespread protests and demands for accountability across the country.

The outcry across the country from students, citizens, women's groups, mass-based organizations has brought to light the ongoing threats to women's safety at their workplaces and public spaces across the country. It also points out that there are cases of selective outrage, and many of the cases pertaining to marginalised women get no attention in the media and by social groups.

Despite the existence of mechanisms to monitor these laws, women's groups have argued that there is a climate of impunity that is not addressed with regard to gender-based violence, which continues unabated. Activists have continued to point out to the structural nature of violence that is rooted in patriarchy, caste, class, and other oppressive systems and which disproportionately affects women across diverse social locations, particularly those from the marginalised communities.

The National Crime Records Bureau (NCRB), reports an average of 86 rapes per day in India, with a national conviction rate as low as 27 per cent. The NCRB data also reveals a disturbing surge of 45 per cent in reported cases of rapes against Dalit women from 2015 to 2020. That, despite constitutional safeguards, deep-rooted discrimination and violence continues to persist. Gender based violence against women with disabilities, single women, natal family violence, against trans and queer people are also on the increase.

Women's groups have long argued that the criminal justice system needs to be reformed to function more effectively, ensuring fair and quick trials, with certainty and swiftness of convictions and a gender sensitive response from law enforcement, and all governance bodies for victims and survivors of gender based violence. They have continued to raise the issue of inadequacy of budget allocations, and the lack of resources for preventive and educational efforts, monitoring the implementation of the laws and schemes for

survivors of violence. Besides, the focus needs to be ensuring accountability across the system from all institutions, elected representatives, and law-enforcement agencies⁴⁰.

The Supreme Court has taken suo moto cognizance of the case and set up a nine-member National Task Force (NTF) to ensure workplace safety for doctors, but we note with concern that the NTF does not include representatives of the most vulnerable women who are clustered in the lower rungs of the health workforce. In addition, the shrill demands for the death penalty are worrisome as that does not address the widespread incidence of sexual abuse and rape nor act as an effective deterrence. It would also result in rolling back the recommendations of the Justice Verma Committee (2013) after the Nirbhaya case⁴¹.

b) The Justice Hema Committee Report⁴² (a three-member Committee was formed in 2017) was released on August 19, 2024. The report throws light on the pervasive issue of discrimination, exploitation, wage disparity, and in some cases, inhuman working conditions and sexual harassment of women in the Malayalam film industry.

The Justice Hema Committee report was finally released five years after the Committee had initially submitted its report to the State government of Kerala. The report covers a range of women in the Malayalam film industry – actors, technicians, make-up artists, dancers and support staff. It focuses on structural issues and deals with other inequities that disadvantage women in the industry, including the lack of essential facilities such as toilets, changing rooms, safe transportation, and accommodation at the shooting spots which are violative of the right to privacy; and a lack of binding contractual agreements⁴³.

The release of the report has led to several women actors coming forward with sexual harassment accusations against some actors and film technicians in the industry, rekindling the #MeToo movement in the Malayalam film industry. And this has had ripples in other the film industry in other states as well.

⁴⁰ [Women's rights groups demand justice amidst rising sexual violence | The Print](https://theprint.in/india/womens-rights-groups-demand-justice-amidst-rising-sexual-violence/2240515/) - <https://theprint.in/india/womens-rights-groups-demand-justice-amidst-rising-sexual-violence/2240515/>

⁴¹ [National guidelines and protocols on medico-legal care for survivors of sexual violence by the Ministry of Health and Family Welfare \(MoHFW\) 2014](https://health.mizoram.gov.in/uploads/attachments/2023/07/e032379ecbaf47330bec5f94e3161b4e/guidelines-protocols-sexual-haras.pdf) - <https://health.mizoram.gov.in/uploads/attachments/2023/07/e032379ecbaf47330bec5f94e3161b4e/guidelines-protocols-sexual-haras.pdf>

⁴² [Publicly released version of the Hema Committee report as of August 19](https://www.thenewsminute.com/kerala/click-here-to-read-the-publicly-released-version-of-the-hema-committee-report) - <https://www.thenewsminute.com/kerala/click-here-to-read-the-publicly-released-version-of-the-hema-committee-report>

⁴³ [Justice Hema Committee Report : The complete coverage | The Hindu](https://www.thehindu.com/news/national/kerala/justice-hema-committee-report-the-complete-coverage/article68567888.ece) - <https://www.thehindu.com/news/national/kerala/justice-hema-committee-report-the-complete-coverage/article68567888.ece>

The courage and persistence of the Women in Cinema Collective (WCC), an association of women from the industry whose advocacy and persistent efforts led to the formation of the Justice Hema Committee, brings out the need for a safe platform where women can speak and get support. There is deep fear and reluctance in reporting the harassment, and there has been a huge economic cost paid by those that have broken the silence.

WCC founders and members have argued that their intent is not to shame nor malign the industry, but to transform the industry and modernize it, to address patriarchy and everyday-sexism at the workplace, and meet the needs of all workers in the industry to make it a gender-just workplace⁴⁴.

For the WCC, “*it has been a long journey*” as they stand vindicated in their fight for “justice for all women wanting a dignified professional space in the film industry”⁴⁵.

⁴⁴ [About | Women in Cinema Collective](https://wccollective.org/about/) - <https://wccollective.org/about/>

⁴⁵ [Women in Cinema Collective – The fight for a gender balanced workplace | The Hindu](https://www.thehindu.com/news/national/women-in-cinema-collective-the-fight-for-a-gender-balanced-workplace/article68563412.ece) - <https://www.thehindu.com/news/national/women-in-cinema-collective-the-fight-for-a-gender-balanced-workplace/article68563412.ece>

India cannot jump out of its Neighbourhood!

The way the world sees Modi's India has less to do with building the Prime Minister's image of a colossus abroad and more with its impact domestically. Of course, it does not say much for the country's more current image of *Vishwamitra* or the efficacy of the policy of 'Neighbourhood in Focus' that citizens of these countries widely decry big brother India's bullying.

It may seem curious that an audit of the "status of democracy..." should include a section on foreign affairs. Perhaps some clarity on this is shed by the metrics advanced by Foreign Minister S. Jaishankar, to evaluate foreign policy, that is "how does the world see India today" and "how has foreign policy affected the lives of the common citizens" (2023). As regards the first, commentators had remarked that the leadership's *Vishwaguru* hubris apart, the G20 mega-spectacle, in the run up to the 2024 elections, showed how the world sees Modi's India, has less to do with building the Prime Minister's image of a colossus abroad and more its impact domestically. Of course, it does not say much for the country's more current image of *Vishwamitra* or the efficacy of the policy of 'Neighbourhood in Focus' that citizens of these countries widely decry big brother India's bullying. In a recent statement jointly issued by some citizens of Dhaka, Colombo and Kathmandu, public intellectuals and commentators ask our government's political and intelligence operatives to desist from interference which "has contributed to the unending political instability in our countries and has empowered autocratic regimes" (The Telegraph 24.08.24).

Given India's massive intelligence and diplomatic presence in Bangladesh, what appears surprising even inexplicable is that our establishment was indifferent to months of tumultuous ferment on social media about the country's economic distress, democratic subversion and authoritarianism. Evidently MEA was caught by surprise, largely because nothing could be allowed to unsettle the favourable relationship with Sheikh Hasina's Bangladesh which guaranteed security and cross border sanctuary access to Northeast insurgents, stood as a bulwark against the narrative of Islamic radicalism, and enabled mega infrastructure deals often mired in obscure terms of agreement, which are now being questioned. Even though the 2024 Bangladesh General Elections were called

blatantly unfair (Reuters, 8 Jan), our visiting Election Commission praised the “meticulous planning and arrangements made for the conduct of the election process”. Does the explanation lie in Md Yunus, the head of the interim government, observing that Delhi was captive to the narrative that only Hasina’s leadership ensured the country’s stability and that other political parties are too Islamist in their character?. Evidently, India seems to be taking its time to shake off this narrative, Dhaka based journalists have remarked on India’s present lack of conversation with Bangladesh’s new emergent powers when all others -- the Chinese and Americans -- are engaged.

Our leaders loudly declare support for people to people relations especially in the neighbourhood, yet the government erects forbidding visa regimes that foreclose that exchange even with Bangladesh. And as for Pakistan, here the marking of “red lines” in the neighbourhood kick in on “terror and talk”, and we have severed all communication, let alone people to people connections or scholarly and journalistic investment in understanding the complex other. The Foreign Minister boldly asserts the end of an ‘era of uninterrupted dialogue’, upending the crucial tenet of diplomatic history that ‘you do not stop talking’.

In the case of Maldives, the geostrategic site of Chinese–Indian competition, we were taken by surprise after years of deep investment in democratic political change and an expanding military presence there. Mohamed Muizzu, who campaigned on an "India Out" platform, became President and relations nosedived, including with our country’s tourists turning nationalist, abjuring Maldives resorts. India, to its credit patiently reset that relationship, averting the country’s loan repayment default, fast tracked the roll over of a US\$ 50 million of the debt owed to State Bank of India (SBI) and increased export quota of essential food commodities. *(Last year India had bailed out Sri Lanka with a timely tranche of \$4 billion dollars in the midst of a ‘surprise’ democratic ferment coinciding with economic collapse.)*_

The decided focus towards a realist foreign policy is most manifest in our continuing arms sales to Israel regardless of the genocide in Gaza. It is South Africa which is the moral voice of the Global South in the International Court of Justice. India, once vaunted for its soft power, now advances a muscular policy and praxis.

Nowhere is the erosion of India's moral stature internationally more visible than in its treatment of the persecuted Rohingya Muslim refugees from Myanmar which is not only discriminatory but in violation of the customary refugee law of non refoulement or no

forcing back to a life threatening place. In a volte-face on India's earlier accommodative record on refugees, some 800 hundred Rohingyas are currently in indefinite detention, pending deportation (but declared by Myanmar as 'stateless'), harassed and arbitrarily picked up despite possessing UNHCR refugee cards. More than 53 have been deported despite extreme conditions in civil war-affected Myanmar with Rohingyas caught between guns of the military junta and rebel Arakan army. In July, UN Human Rights experts urged that "India must end racial discrimination against Rohingya, cease forced deportation and arbitrary detention".

Earlier in June, the Indian government, intervening in an interactive discussion at the Human Rights Council on the continuing human rights crisis in *Myanmar*, said it is committed to supporting the Myanmar junta in the development of the country's infrastructure and its governing institutions. Is it a replay of a failed playbook? When the armed ethnic groups in Myanmar are seizing control of more and more territory, one would think that the establishment would use its many affiliated think tanks to do some deft diplomatic footwork to open conversations with armed groups. But India's diplomatic track record in investing in emergent voices is extremely poor.

The situation in Myanmar brings us to that other metric of evaluation – how has foreign policy affected the lives of the common citizens? The prospect of balkanisation of Myanmar will have huge implications for the sensitive border states of the North East with co-border ethnic kin communities. Already, the narrative of destabilising influx of cross border Kuki -Chin has been played to further embroil the turbulent politics of Manipur. But what defeats logic and imagination is why even after 16 months the Union government has failed to act. Other contributors no doubt will examine the flagrant failure of governance in Manipur flagged by the Modi government as a priority issue.

Let's bring in a foreign affairs lens. Historically, the official policy regarding the North East border states abutting China, Bangladesh (East Pakistan), Myanmar, Bhutan has been invested in managing conflict and maintaining stability within the region. Cross border relations were historically aimed at depriving insurgents from seeking sanctuary. Why are we destabilising border states at this time? Is it to camouflage communal politics and legitimise authoritarianism? Additionally, there is the Act East policy of interconnectivity to South East Asia with blowback development of the NorthEast and Indian leaders are visiting South-East Asian capitals. Does this all add up as a smokescreen? India cannot jump out of its neighbourhood!

Recommendations

- **Invest in cross-border people-to-people relations:** Liberalize visa regimes to facilitate more interaction. Develop independent information channels beyond official diplomacy. Encourage civil society, academic, and parliamentary exchanges to offer alternative perspectives on foreign policy.
- **Take decisive political action on Manipur:** Address the ongoing issues to prevent further deterioration of the situation.
- **Recalibrate Myanmar policy:** Avoid relying solely on authoritarian regimes. Pursue a more balanced approach that considers diverse political actors.
- **Restore diplomatic ties with Pakistan:** Acknowledge and study the complexities of Pakistan's internal dynamics, including its perceived existential threat from India. Engage with the diverse voices within Pakistan and respond positively to peace overtures.
- **End discriminatory treatment of Rohingya refugees:** Adhere to the customary law of non-refoulement by halting deportations and ensuring the humane treatment of refugees.
- **Reassert India's soft power:** Strengthen India's position as a leading voice of the Global South, fostering cooperation and solidarity among developing nations.

Conservation and Traditional Knowledge Systems Go Hand-in-hand

A concern echoed by several concerned groups highlights how very little funds have been allocated to respond to the impacts of climate change, building collective resilience to assuage the impacts of climate change and support vulnerable communities facing the brunt of extreme weather events.

The Union Government and its ministries in the past 10 years have taken several measures, albeit reportedly without facilitating the requisite consultative processes in most cases, to promote development across the country's landscape. Still, each of these advancements has come at the cost of damaging the forests, wild lands and the environment of the country. Media and news reports of the last four years highlight how the forest spaces and biodiversity have been opened up for corporates, tourism, and several other developmental projects, thereby not just leading to a rapid decline in the tree cover of the country but also the manifold roadblocks and violations that are meted out to the forest-dependent communities and the naturally thriving ecosystems.

While several changes to such ecosystems that mitigate the impacts of climate change and pollution precede the BJP-led regime, destruction and damage to these systems have been expedited manifold over the last decade.⁴⁶ In the 2024 General elections while several national parties mentioned issues of climate change, and air pollution in their manifestos, clear strategies, commitments and on-ground reality reflect a different picture altogether. The BJP-led alliance government's actions speak of agendas far from being supportive or beneficial. Ironically, those laws and policies that have been safeguarding the environment and protecting the forests and their dwellers have been time and again termed as impediments and hurdles to 'development.'⁴⁷

⁴⁶ [Steps Taken Under Modi Have Cost Environment Itself: The Wire](https://thewire.in/environment/yes-environment-ministry-took-many-steps-under-modi-but-they-cost-environment-itself) - <https://thewire.in/environment/yes-environment-ministry-took-many-steps-under-modi-but-they-cost-environment-itself>

⁴⁷ [India's Deadly Climate-Change & Environment Crisis & What Modi 3.0 Must Do \(But Hasn't Ever\) | Article-14](https://article-14.com/post/india-s-deadly-climate-change-environment-crisis-what-modi-3-0-must-do-but-hasn-t-ever--668220dc622d3) - <https://article-14.com/post/india-s-deadly-climate-change-environment-crisis-what-modi-3-0-must-do-but-hasn-t-ever--668220dc622d3>

Between 2013-2023, India lost 1.49 million hectares of trees — more than five times the size of Goa. According to a 2019 study in the journal Nature, 95 per cent of these natural forests are 40 times more effective than plantations in sequestering carbon and providing other ecosystem services.^{48, 49}

The Coastal Regulation Zone (CRZ) notification 2018 introduced by the National Democratic Alliance (NDA) Government negates the coastal space entirely of its special socio-ecological uniqueness and opens up this niche space that joins land and sea to mindless real estate development, mass-scale tourism, and industry, increasing the vulnerability of coastal community to climate disasters.⁵⁰

While extensive opposition to the LARR Ordinance in Parliament⁵¹, and farmers' protests on the ground⁵², prevented the passage of a law to replace the ordinance in two successive Parliament sessions diluting the historic Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation, and Resettlement Act (LARR Act) 2013, the state governments have made significant changes to the progressive provisions of the LARR Act through the notification of state rules violating the Central Act⁵³.

According to a 2020 assessment by the Union Ministry of Earth Sciences, the average temperature over the Hindu Kush Himalayas (HKH) between 1951 to 2014 was 1.3 degrees C as compared to 0.7 degrees C over the entire Indian region. Several areas of HKH have experienced a declining trend in snowfall and also the retreat of glaciers in recent decades. By the end of the 21st century, the annual mean surface temperature over HKH is projected to increase by about 5.2 degrees C under a high-emission

⁴⁸ [Deforestation Report | Utility Bidder](https://www.utilitybidder.co.uk/compare-business-energy/deforestation-report/) - <https://www.utilitybidder.co.uk/compare-business-energy/deforestation-report/>

⁴⁹ [Great Indian Tree Cover Lost - The Wire](https://thewire.in/environment/explained-the-great-indian-tree-cover-loss) - <https://thewire.in/environment/explained-the-great-indian-tree-cover-loss>

⁵⁰ [The coast is unclear: on the 2018 CRZ notification - The Hindu](https://www.thehindu.com/opinion/op-ed/the-coast-is-unclear/article26006723.ece) - <https://www.thehindu.com/opinion/op-ed/the-coast-is-unclear/article26006723.ece>

⁵¹ [India opposition MPs march against land law changes - BBC News](https://www.bbc.com/news/world-asia-india-31924730) - <https://www.bbc.com/news/world-asia-india-31924730>

⁵² [Land Acquisition Bill: Farmers are mad as hell and won't back down – Firstpost](https://www.firstpost.com/india/land-acquisition-bill-farmers-are-mad-as-hell-and-wont-back-down-2120545.html) - <https://www.firstpost.com/india/land-acquisition-bill-farmers-are-mad-as-hell-and-wont-back-down-2120545.html>

⁵³ [How Central and state governments have diluted the historic land legislation of 2013 - The Economic Times](https://economictimes.indiatimes.com/news/politics-and-nation/how-central-and-state-governments-have-diluted-the-historic-land-legislation-of-2013/articleshow/63764378.cms?from=mdr) - <https://economictimes.indiatimes.com/news/politics-and-nation/how-central-and-state-governments-have-diluted-the-historic-land-legislation-of-2013/articleshow/63764378.cms?from=mdr>

scenario. The recent floods in Himachal Pradesh, Uttarakhand, and New Delhi were attributed to the climate crisis, active geology of the region, and infra projects.^{54, 55}

India ranks 176 among 180 countries in the Environmental Performance Index (EPI) 2024, measured by Yale and Columbia universities, calculated based on various indices, such as ecosystem vitality, biodiversity habitat, species protection index, wetland loss, air, water quality and waste management.⁵⁶

The past 100 days

India recognised two sites in Jamui district of Bihar as important wetlands. Covering a total area of more than 13 lakh hectares, India is now home to 82 Ramsar sites (man-made reservoirs).^{57 58}

Out of 1888 wildlife clearance proposals since March 30, 2023, 91 have been disposed of. Of them around 1046 wildlife clearances are under consideration by state authorities and the rest are pending at different levels for approvals. Similarly, since June 28, 2022, 3770 projects have received “in-principle” forest clearance and 997 have received the final nod on forest clearance.⁵⁹

The sword of forest clearances also hangs over several forested regions across the country. While in Jammu the Raika forests face razing for the construction of a new highcourt⁶⁰, the forest patches in and around Dwarka in the National Capital will also be

⁵⁴ [Unplanned infra projects to climate crisis: What ails fragile Himachal, Uttarakhand](https://www.hindustantimes.com/india-news/unprecedented-floods-in-delhi-climate-crisis-young-mountain-range-and-mindless-infrastructure-projects-to-blame-101689276438322.html) - <https://www.hindustantimes.com/india-news/unprecedented-floods-in-delhi-climate-crisis-young-mountain-range-and-mindless-infrastructure-projects-to-blame-101689276438322.html>

⁵⁵ [North India Deluge 2023: Development projects compounding destruction in Himachal Pradesh, say experts](https://www.downtoearth.org.in/urbanisation/north-india-deluge-2023-development-projects-compounding-destruction-in-himachal-pradesh-say-experts-90572) - <https://www.downtoearth.org.in/urbanisation/north-india-deluge-2023-development-projects-compounding-destruction-in-himachal-pradesh-say-experts-90572>

⁵⁶ [The 2024 EPI combines 58 indicators across 11 issue categories, ranging from climate change mitigation and air pollution to waste management, sustainability of fisheries and agriculture, deforestation, and biodiversity protection](https://epi.yale.edu/measure/2024/EPI) - <https://epi.yale.edu/measure/2024/EPI>

⁵⁷ [Two more Indian wetlands added to Ramsar list- The Week](https://www.theweek.in/wire-updates/national/2024/06/05/del64-env-ramsar-sites.html) - <https://www.theweek.in/wire-updates/national/2024/06/05/del64-env-ramsar-sites.html>

⁵⁸ [75 Ramsar Sites in 75th Year of Independence India adds 11 more wetlands to the list of Ramsar Sites](https://pib.gov.in/PressReleaseIframePage.aspx?PRID=1851484) - <https://pib.gov.in/PressReleaseIframePage.aspx?PRID=1851484>

⁵⁹ [Wildlife Board will now take 1st call on clearance to projects in protected area: MoEFCC - Hindustan Times](https://www.hindustantimes.com/environment/wildlife-board-will-now-take-1st-call-on-clearance-to-projects-in-protected-area-moefcc-101720670979435.html) - <https://www.hindustantimes.com/environment/wildlife-board-will-now-take-1st-call-on-clearance-to-projects-in-protected-area-moefcc-101720670979435.html>

⁶⁰ [38k trees to be cut for new J&K HC complex](https://www.newindianexpress.com/nation/2023/Jun/22/38k-trees-to-be-cut-for-new-jk-hc-complex-2587463.html#:~:text=SRINAGAR%3A%20Climate%20activists%20have%20raised,to%20the%20East%20of%20Jammu) - <https://www.newindianexpress.com/nation/2023/Jun/22/38k-trees-to-be-cut-for-new-jk-hc-complex-2587463.html#:~:text=SRINAGAR%3A%20Climate%20activists%20have%20raised,to%20the%20East%20of%20Jammu>

disposed off owing to railway extension projects.⁶¹ Systemic and multiple attempts are continuing for coal mining in the Hasdeo region of Chhattisgarh (also known as the lungs of Chhattisgarh), endangering the largest and oldest contiguous forests, despite the local communities opposing the projects for more than 10 years now.⁶² Dinkia in Jagatsinghpur of Odisha also faces the same plight.⁶³ While Damagundam forests in Telangana will be cut down for an upcoming Radar Project.⁶⁴ Similar instances have been reported from the northeastern states, where developmental and expansion projects pose severe threats to both the forest ecosystems and the forest-dependent communities.

A news report also highlighted how the Goa government perceives development vis-a-vis the importance of forest cover. The State government appealed to the Centre stating that while forests can be shifted and relocated, the same cannot be said for the minerals and the dependent industries.⁶⁵

A recent notification of the National Tiger Conservation Authority has instilled concerns amongst a large section of society.⁶⁶ NTCA, in an order to the 19-tiger bearing states in June 2024, has directed the governments to relocate more than 89,800 families from 848 villages, mostly Adivasi and other forest-dwelling communities, from Critical Tiger Habitats (CTHs) i.e. those falling under the core areas of 54 tiger reserves.⁶⁷ This development threatens and violates the rights of forest-dependent communities under the

⁶¹ [Bijwasan rail terminal not on 'protected' forest land: NGT | Delhi News - Times of India](https://timesofindia.indiatimes.com/city/delhi/bijwasan-rail-terminal-not-on-protected-forest-land-ngt/articleshow/107806025.cms) - <https://timesofindia.indiatimes.com/city/delhi/bijwasan-rail-terminal-not-on-protected-forest-land-ngt/articleshow/107806025.cms>

⁶² [In Lush, Ancient Chhattisgarh Forest, Thousands Of Trees Cut To Mine Coal For Rajasthan, Threatening Adivasi Homes, Water, Livelihoods | Article-14](https://article-14.com/post/in-lush-ancient-chhattisgarh-forest-thousands-of-trees-cut-to-mine-coal-for-rajasthan-threatening-adviasa-homes-water-livelihoods--65d2bdd0e264a) - <https://article-14.com/post/in-lush-ancient-chhattisgarh-forest-thousands-of-trees-cut-to-mine-coal-for-rajasthan-threatening-adviasa-homes-water-livelihoods--65d2bdd0e264a>

⁶³ [Explained: The protest against JSW steel project in Odisha | Latest News India - Hindustan Times](https://www.hindustantimes.com/india-news/explained-the-protest-against-jsw-steel-project-in-odisha-101642928278147.html) - <https://www.hindustantimes.com/india-news/explained-the-protest-against-jsw-steel-project-in-odisha-101642928278147.html>

⁶⁴ [12 lakh trees to be cut down for Navy's Radar Station in Vikarabad, locals and environmentalists raise concern | Hyderabad News - Times of India](https://timesofindia.indiatimes.com/city/hyderabad/12-lakh-trees-to-be-cut-down-for-navys-radar-station-in-vikarabad-locals-and-environmentalists-raise-concern/articleshow/107558942.cms) - <https://timesofindia.indiatimes.com/city/hyderabad/12-lakh-trees-to-be-cut-down-for-navys-radar-station-in-vikarabad-locals-and-environmentalists-raise-concern/articleshow/107558942.cms>

⁶⁵ [Can shift forests, not minerals, industries: Goa govt to Centre | Goa News - Times of India](https://timesofindia.indiatimes.com/city/goa/can-shift-forests-not-minerals-industries-go-govt-to-centre/articleshow/111212685.cms) - <https://timesofindia.indiatimes.com/city/goa/can-shift-forests-not-minerals-industries-go-govt-to-centre/articleshow/111212685.cms>

⁶⁶ [Withdraw relocation notices to villagers living in tiger reserves, citizens tell Centre](https://scroll.in/latest/1072955/withdraw-notice-on-relocation-of-villages-in-core-areas-of-tiger-reserves-citizens-tell-centre) - <https://scroll.in/latest/1072955/withdraw-notice-on-relocation-of-villages-in-core-areas-of-tiger-reserves-citizens-tell-centre>

⁶⁷ [The Wire](https://thewire.in/environment/ntca-demands-relocation-of-nearly-4-lakh-forest-dwellers-from-54-tiger-reserves) - <https://thewire.in/environment/ntca-demands-relocation-of-nearly-4-lakh-forest-dwellers-from-54-tiger-reserves>

Forest Rights Act 2006 and the rights enshrined through the Provisions of the Panchayats (Extension to Scheduled Areas) Act, 1996, or the PESA Act.

Spread across 1,300 square kilometers, the Kaziranga National Park and Tiger Reserve (KNPTR), famous for its one-horned rhinoceros, is a UNESCO World Heritage site and a haven for the elephants and diverse wildlife would pay the cost owing to the construction of a five-star hotel within the KNPTR.⁶⁸ The instance has irked the attention of the National Green Tribunal, which has filed a suo-motu case over the proposed project.

Budget

A very scanty increase (a mere 0.07 of the total expenditure for FY 2024-25) was observed in the budget for the Ministry of Environment, Forest and Climate Change (MoEF&CC) for the financial year 2024-25.

The Union government has moved forth and more than doubled the National Tiger Conservation Authority's budget to Rs 35 crore, up from Rs 15.8 crore in 2023-24. This increased budget seeks to protect only one species, instead of protecting the biodiversity at large. The National Biodiversity Authority observed a decrease in the overall budget from the previous fiscal year.⁶⁹ Similarly, directing attention towards pollution control and the national coastal mission amongst other authorities, all departments received a minuscule increase in the fiscal year in their budgetary allocation.⁷⁰

Several of those projects, striving to expand green covers have also observed a slight rise in their allocated budgets. While these improved budgets may exude positive intentions of the government, the actions on the ground continue to reflect a different picture – one which encompasses the destruction of natural primary forests for tapping of minerals, natural resources and several developmental projects – all ultimately creating disharmony and erosion of the existing ecosystems comprising of the forest-dependent communities, the wildlife and the flora.

⁶⁸ [Proposed luxury hotels in and around Kaziranga threaten wildlife conservation, livelihood](https://india.mongabay.com/2024/07/proposed-luxury-hotels-in-and-around-kaziranga-threaten-wildlife-conservation-livelihood/) - <https://india.mongabay.com/2024/07/proposed-luxury-hotels-in-and-around-kaziranga-threaten-wildlife-conservation-livelihood/>

⁶⁹ [Budget 2024-25: Lacklustre provisions put question mark on commitments towards ambitious Biodiversity Plan](https://www.downtoearth.org.in/wildlife-biodiversity/budget-2024-25-lacklustre-provisions-put-question-mark-on-commitments-towards-ambitious-biodiversity-plan) - <https://www.downtoearth.org.in/wildlife-biodiversity/budget-2024-25-lacklustre-provisions-put-question-mark-on-commitments-towards-ambitious-biodiversity-plan>

⁷⁰ [Budget 2024-25: Environment ministry allocation sees slight increase](https://www.downtoearth.org.in/wildlife-biodiversity/budget-2024-25-environment-ministry-allocation-sees-slight-increase#:~:text=In%20February%2C%20Finance%20Minister%20Nirmala,15.8%20crore%20in%202023%2D24) - <https://www.downtoearth.org.in/wildlife-biodiversity/budget-2024-25-environment-ministry-allocation-sees-slight-increase#:~:text=In%20February%2C%20Finance%20Minister%20Nirmala,15.8%20crore%20in%202023%2D24>

A concern echoed by several concerned groups highlights how very little funds have been allocated to respond to the impacts of climate change, building collective resilience to assuage the impacts of climate change and support vulnerable communities facing the brunt of extreme weather events.⁷¹

Recommendations

Conservation, protection and preservation of forests, coastal areas and biodiversity, taking steps to mitigate climate change and development cannot be envisioned or achieved without taking into account the traditional knowledge systems of the indigenous communities, their rights over their natural resources and their local governance practices. Strengthening and democratizing of forest governance entailing the due recognition of rights, under the FRA, PESA and other applicable laws and policies should be expedited on a priority basis. In such a scenario, the district and forest bureaucracy, as well as the Union and State governments must take heed of the consent of the Gram Sabhas and the communities that have been living in close harmony with the natural ecosystems, instead of systematically violating their rights and weakening the Gram Sabhas in the name of 'development' without a requisite ground-up pre-consultative process, thereby creating a lack of transparency and accountability.

Forests should be at the core of India's climate action strategies. By setting ambitious goals for forest cover restoration and conservation, India can enhance its carbon sink potential. Considering the decisions of Gram Sabhas and facilitating a rigorous and transparent pre-consultative process, the government should establish a clear roadmap for integrating forest protection into the National Action Plan on Climate Change (NAPCC), with specific targets for forest-based carbon sequestration and climate resilience building.

⁷¹ [Budgeting for green growth](https://www.deccanherald.com/opinion/budgeting-for-green-growth-3103900) - <https://www.deccanherald.com/opinion/budgeting-for-green-growth-3103900>

Continuing the Litany of Assaults on Civil Society

Right after the new government was formed, in just over a month there were 13 reports of lynching incidents of Sikh, Muslim and Christian people Uttar Pradesh, Chhattisgarh, West Bengal, Gujarat, Madhya Pradesh and Jharkhand.

The concept of civic space — encompassing the rights and freedoms that enable citizens to engage in public life — has become increasingly constrained in India. Even as a new coalition government took charge of office in June this year, there continue to be alarming trends in the status of non-governmental organizations (NGOs), freedom of speech, regulatory measures impacting media and social platforms, and rising violence against minorities in line with the developments in the past few years. This analysis will examine these dimensions, emphasizing the implications for democracy and civil liberties in response to the policy landscape of the first 100 days of the present government.

Status of NGOs and FCRA Licensing

The Foreign Contribution (Regulation) Act (FCRA) was established to regulate the acceptance and utilization of foreign funds by NGOs in India. However, recent amendments and their implementation have severely restricted the operational capacity of many organizations, especially those working in the areas of human rights, social justice, and environmental advocacy.

The FCRA registration of nearly 6,000 NGOs had ceased to operate from January 1, 2022 as the MHA either refused to renew their application or the NGOs did not apply for renewal. This mass cancellation has effectively dismantled critical services in areas such as health, education, and disaster relief, particularly affecting marginalized communities (*The Hindu*, 2024⁷²). In the last few months alone, several prominent organisations working on environment, education, health, and socio-economic development of marginalised communities such as the Center for Financial Accountability (CFA), International Cooperatives Alliance (ICA), Indo-Global Social Service Society (IGSSS), Evangelical Fellowship of India (EFI), Church's Auxiliary for Social Action (CASA) and more

⁷² The Hindu. (2024). *The Impact of FCRA on NGOs and Civil Society*.

have had their FCRA licences revoked with ambiguous reasoning. According to Oxfam India, this regulatory environment has resulted in a 70 per cent reduction in NGO activities in certain sectors, including education, health, and social justice.

The government's rationale often cites national security concerns and the need to curb foreign interference in domestic affairs. A study published by the Human Rights Law Network indicates that these regulatory actions are part of a broader strategy to stifle dissent and control civil society organizations that challenge government policies (HRLN, 2024). Many organizations have faced harassment, surveillance, and intimidation, forcing them to either curtail their activities or shut down entirely. Additionally, the opaque process surrounding FCRA licensing decisions raises serious concerns about accountability and transparency. Many NGOs report that they receive little to no explanation for license revocations, effectively leaving them powerless to challenge these decisions.

The government's use of the FCRA as a tool for repression is unjustified. A report by Amnesty International highlights that this strategy not only undermines the work of NGOs but also exacerbates issues of poverty, health, and education for vulnerable populations (Amnesty International, 2024⁷³). The chilling effect of these policies leads to self-censorship among organizations that fear government backlash.

Despite about 80 per cent of NGOs in India focusing their efforts on promoting quality education, ensuring good health, and working towards eradicating poverty, contributing 2 per cent of India's GDP and offering livelihoods to millions, the government often perceives the development sector as a hindrance to development. There is an urgent need for more uniform and enabling regulatory laws to support the voluntary sector as a partner of the government of India in the works towards the welfare of citizens.

Freedom of Speech Curbs and the Broadcast Regulation Bill

The introduction of the Broadcast Regulation Bill in 2024 represents a significant shift in media regulation in India. The Bill was designed to update the country's media regulation for the digital age, replacing the Cable Television Networks (Regulation) Act of 1995. The proposed legislation aims to centralize oversight of both traditional and digital media, creating a framework for the government to control content more directly.

⁷³ Amnesty International. (2024). *Crisis of Civil Society: The Impact of FCRA on NGOs in India*

The first edition of the Broadcasting Services (Regulation) Bill was unveiled last year but was roundly criticized for how it sought to include OTT platforms within the regulations. The second version of the Broadcasting Bill was provisionally released in India and proposed bringing content creators under media regulation. However, on August 12, 2024, the Union Ministry of Information and Broadcasting withdrew the second draft version of the Broadcasting Services (Regulation) Bill, 2024. The government has now invited feedback from the public on the first draft until October 15, 2024.

The second version of the bill was withdrawn after many experts expressed concerns that it would label any content creator who uses online means to distribute their content as “digital news broadcasters,” thus subjecting them to certain regulations. Additionally, there were concerns about how the consultation process was being carried out while drafting the bill. The Ministry of Information and Broadcasting and the Ministry of Electronics and Information Technology have now assured that the bill would pass only after a wider consultation with creators and other stakeholders.⁷⁴

The ministry also issued Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Amendment Rules, 2023 last year which proposed to establish fact-checking unit (FCU) to determine if news related to the Central Government was “fake, false, or misleading” and social media intermediaries would be required to remove any such content at the discretion of the Union Government. The amendment and the proposition of FCUs was declared “unconstitutional” and struck down by the Bombay High Court in September 2024.

New Social Media Policy in Uttar Pradesh

In August 2024, the Uttar Pradesh government introduced a new social media policy that mandates registration for social media platforms and compliance with local content regulations. This policy has been met with significant backlash from civil rights organizations and advocates of media freedom.

The government claims that the policy aims to combat misinformation and maintain public order. However, many view it as an attempt to control dissent and suppress critical voices online. Reports indicate that activists and ordinary citizens alike have faced

⁷⁴ Committee to Protect Journalists. (2024). *India’s New Media Regulations: Threats to Freedom of the Press*.

harassment and arrests for expressing dissenting opinions or sharing information deemed objectionable (Al Jazeera, 2024⁷⁵).

A recent survey by the Digital Rights Foundation revealed that 72 per cent of respondents felt less safe expressing their opinions online following the introduction of the policy. This environment of fear has significant implications for civic engagement and democratic discourse in the state (Digital Rights Foundation, 2024⁷⁶).

The social media policy comes off as a heavy-handed approach to regulating online platforms as it raises concerns about privacy, surveillance, and the potential for abuse of power. The government's failure to provide a transparent framework for how this policy will be implemented only adds to the apprehension that it's a thinly veiled strategy to stifle dissent and curtail free expression.

Moreover, the policy disproportionately affects marginalized communities and dissenters, who rely on social media to amplify their voices. By creating a hostile environment for online expression, the government undermines the very foundations of democracy and participatory governance.

Incidents of Civic Violence Against Minorities

In recent years, India has witnessed a disturbing rise in incidents of violence against religious minorities. Reports indicate that communal tensions have escalated, often fuelled by inflammatory rhetoric and misinformation.⁷⁷ Multiple incidents of mob violence targeting religious minorities, particularly Muslims and Christians, have been documented, with Human Rights Watch reporting a sharp increase in hate crimes, including lynchings and assaults, often occurring in the presence of law enforcement (HRW, 2024⁷⁸).

Right after the new government was formed, in just over a month there were 13 reports of lynching incidents of Sikh, Muslim and Christian people Uttar Pradesh, Chhattisgarh, West Bengal, Gujarat, Madhya Pradesh and Jharkhand. In the same duration, there were reports of arbitrary demolition of two mosques in Delhi and at least 11 houses belonging

⁷⁵ Al Jazeera. (2024). *Uttar Pradesh's New Social Media Policy: A Tool for Suppression?*

⁷⁶ Digital Rights Foundation. (2024). *Survey on Social Media and Civic Engagement in Uttar Pradesh*.

⁷⁷ Center for Study of Society and Secularism. (2024). *Hate Speech and its Consequences in India*.

⁷⁸ Human Rights Watch. (2024). *Communal Violence and Minority Rights in India*

to Muslims. These homes were bulldozed after authorities reportedly found beef in their refrigerators.

Collectively, these actions dehumanize members of the minority community, fostering significant divides and mistrust within society. Activists, scholars, and various civil society organizations have raised alarms about the perilous consequences of such violent practices, which have also manifested in events like 'dharm sansads' that incite genocidal violence. Instead of addressing the criticism that the government's response to violence targeting minorities has faced widespread criticism for being inadequate, the Uttar Pradesh government responded to the recent cases of lynching by cracking down on journalists who were reporting these incidents (NewsClick, 2024⁷⁹).

Responding to pleas raising grievances that the properties of persons who were accused of some crime were being demolished in several states, the Supreme Court in September 2023 stopped bulldozer demolition across India until the next hearing and said it would pass directives on when and how properties can be demolished under the municipal laws of the land. This move is a relief to minorities whose houses have been razed arbitrarily on vague suspicions.

Recommendations

- Make the regulatory regime easier for NGOs in terms of annual registration.
- Roll back the restrictive measures imposed on NGOs regarding sub-granting, administration expense cap and others.
- Recognise Voluntary Organisations contribution to nation building.
- Recognise that collaborative actions by the diaspora community, cutting across religious, caste, and class divides, provide both inspiration and a template for civil society organising.
- Repeal of the overbroad, vaguely defined offences under draconian laws aimed at stifling dissent and curtailing free expression, assembly and association.
- A separate law should be enacted against the mob lynching as advised by the Supreme Court of India.

⁷⁹ NewsClick. (2024). *NAPM condemns spree mob lynchings across states post Lok Sabha election results*.

- The Government and civil society organizations should take effective measures for the promotion of communal harmony and peace in society

Shattering Peace to Rule

The current landscape of internal peace and security in India presents a complex and multifaceted challenge. The ongoing ethnic conflict in Manipur, rising insecurity among religious minorities, and the controversial application of UAPA highlight significant gaps in governance and the protection of civil liberties.

Peace and security in India have come under severe scrutiny, particularly in the light of the ongoing ethnic conflicts. The scrutiny also owes to concerns regarding the treatment of religious minorities, and the continued application of stringent laws like the Unlawful Activities (Prevention) Act (UAPA). This analysis draws on recent developments that have taken place after June 4, 2024, when the NDA III government took charge.

Manipur

The north-eastern state of Manipur has been embroiled in violent ethnic conflicts, particularly between the Meitei and Kuki communities. As of mid-2024, clashes have resulted in at least 225 people dying, displacement and a humanitarian crisis, with over 60,000 fleeing their homes (Reuters, 2024⁸⁰). The violence erupted in May 2023 over issues related to tribal status and land rights, exposing deep-rooted grievances in the state.

Reports indicate that the situation in Manipur has not improved, with sporadic violence continuing into 2024. The most recent incidents of violence reportedly started on September 1, when suspected Kuki militants used drones to attack villages in West Imphal district, resulting in the deaths of two villagers and injuries to several others. On September 6, in Bishnupur district, suspected Kuki militants launched rocket attacks, killing an elderly man and injuring six others, including a 13-year-old girl. The following day, September 7, in Jiribam district, six people died in gun violence involving Meitei and Kuki groups. In Sekmai, a mob is said to have beaten a Kuki man to death, while Meitei armed groups attacked a Central Police Reserve Force camp and nearby residences, leading to the death of a woman (HRW, 2024).

⁸⁰ Reuters. (2024). *India in talks with ethnic groups clashing in Manipur state*

According to a recent study by the Institute for Conflict Management, the conflict has not only humanitarian repercussions, but it also poses a risk to national security as armed groups exploit the chaos to further their agendas (ICM, 2024⁸¹). The government's response has been heavily criticized; while the government imposed curfews and deployed paramilitary forces, these measures have often been seen as heavy-handed and insufficiently targeted. Local activists have alleged that the state government has provided political patronage to violent vigilante groups and that authorities have failed to investigate or take any action against groups implicated in violence.

The central government's response to the communal violence, and the lack of it, has drawn ire from various quarters. Critics argue that the deployment of security forces has led to allegations of human rights abuses, including extrajudicial killings and arbitrary detentions. A report from Human Rights Watch detailed several instances⁸² of excessive force used against protestors and civilians, raising questions about the government's commitment to maintaining peace while respecting human rights (HRW, 2024⁸³).

Moreover, the government's failure to engage meaningfully with community leaders for dialogue has led to perceptions of neglect among the affected communities. Adding to this, soon after an Assam Rifles internal report attributing the ongoing violence to what they describe as the "political authoritarianism and ambition" of the Chief Minister N. Biren Singh who heads the BJP government in the state, the central government relocated two battalions of the security force to the Jammu and Kashmir region.

Religious Minorities

Religious minorities in India have increasingly reported a climate of insecurity, characterized by violence, discrimination, and societal exclusion. The rise of majoritarian sentiment has exacerbated vulnerabilities with recent reports indicating a troubling rise in incidents of communal violence, often fuelled by inflammatory rhetoric and social media campaigns. A study by the Pew Research Center published in July 2024 noted that 60 per cent of religious minorities feel unsafe in public spaces due to their identity (Pew

⁸¹ Institute for Conflict Management (ICM). (2024). *Conflict and Security in Northeast India*.

⁸² Human Rights Watch (HRW). (2024). *India: Renewed Ethnic Violence in Manipur State*

⁸³ Human Rights Watch (HRW). (2024). *The Crisis in Manipur: Human Rights Implications*.

Research, 2024⁸⁴). Incidents including mob attacks and lynchings that have been inadequately addressed by law enforcement agencies contribute to these feelings.

The government's response to violence against religious minorities has been criticized as inadequate and sometimes complicit. In many cases, investigations into communal violence have been slow, and perpetrators often go unpunished. According to a report by Amnesty International⁸⁵, the failure to hold accountable those responsible for hate crimes alienates minorities, further entrenching a sense of vulnerability (Amnesty International, 2024⁸⁶). The National Commission for Minorities has also been criticized for its lack of proactive measures to protect minority rights and for failing to address grievances effectively. The lack of comprehensive policies to ensure the safety and security of religious minorities highlights a broader issue of state neglect.

There has been though introduction of exclusionary measures such as Uttar Pradesh government's bid to mandate that shop owners display their names. First ordered as a directive ahead of the pilgrimage walk 'Kanwar Yatra' in July 2024, it was met with resistance by Opposition parties as well as central government's alliance partners before being eventually stayed by the Supreme Court. Amid concerns of such information being used to target shop owners from religious minorities, in September 2024 the Uttar Pradesh government directed that the name and address of operators, proprietors and managers should be mandatorily displayed at all food centres citing incidents of adulteration in eatables.

There was also the introduction of Waqf (Amendment) Bill 2024 to "effectively address issues" concerning the authority of State Waqf Boards, the registration and surveying of waqf properties, and the removal of encroachments. Objectors of the bill, including the Opposition parties argued that it would violate the Right to Property and the Right to Religious Freedom, while also encroaching on state powers. Amid pushback, it was suggested in August 2024 that the bill be sent to a Joint Parliamentary Committee for more comprehensive examination.

⁸⁴ Pew Research Center. (2024). *Religious Minorities in India: A Growing Concern*.

⁸⁵ Amnesty International. (2024). *Report on Human Rights Violations in India*.

⁸⁶ Amnesty International. (2024). *Report on Human Rights Violations in India*.

UAPA Arrests: Implications for Civil Liberties

The Unlawful Activities (Prevention) Act (UAPA) has increasingly been used to stifle dissent and curb civil liberties, raising alarm among human rights advocates and legal experts. As of mid-2024, a significant number of arrests have been made under this act, often targeting activists, journalists, and opposition leaders.

Reports indicate that the use of UAPA has surged, with several high-profile cases highlighting its controversial application. A study conducted by the Commonwealth Human Rights Initiative found that nearly 70 per cent of UAPA arrests in 2023 were made without adequate evidence or clear justification (CHRI, 2024⁸⁷). This trend has continued into 2024, drawing widespread criticism from civil society.

The government's application of UAPA can be observed as a broader strategy to suppress dissent and stifle free speech. The law's vague definitions and broad provisions allow for arbitrary detention and extended incarceration without trial, undermining the principles of justice and due process of law. Human rights organizations have raised concerns that the act disproportionately targets marginalized communities and dissenters, creating an atmosphere of fear that discourages civic engagement (The Wire, 2024⁸⁸).

The government's reluctance to amend or repeal contentious provisions of UAPA further exacerbates the situation. In numerous cases, individuals arrested under UAPA have been denied bail for extended periods, leading to prolonged incarceration without trial. This has raised alarms among legal experts, who argue that such practices are detrimental to the rule of law and civil liberties.

Recommendations

The current landscape of internal peace and security in India presents a complex and multifaceted challenge. The ongoing ethnic conflict in Manipur, rising insecurity among religious minorities, and the controversial application of UAPA highlight significant gaps in governance and the protection of civil liberties. The government's responses have been inadequate and, at times, repressive, raising concerns about the long-term implications for democracy and social cohesion in the country. It is imperative that moving forward,

⁸⁷ Commonwealth Human Rights Initiative (CHRI). (2024). *Analysis of UAPA Arrests in India*.

⁸⁸ The Wire. (2024). *UAPA: An Instrument of Suppression in India*.

the government must adopt a more inclusive and rights-respecting approach to restoring trust in state institutions and fostering a more secure and equitable society.

In the light of the above, we make the following recommendations:

- Undertake review and repeal anti-terror laws including UAPA that restrict freedom of speech and expression.
- Immediately restore peace and remove the current government in Manipur
- Ensure that law enforcement authorities do not abuse their powers and target civil society organisations, human rights defenders, journalists and persons critical of the government in order to silence them.
- Ensure that minorities are protected from hate speech.
- Ensure that restrictions in the name of public order and security of state are proportional and do not unduly restrict freedom of expression of the people.
- Protect the spirit of democracy by ensuring that the right to free speech and expression is available and guaranteed without any fear of persecution by the state or majoritarian mobs.

Modi 3.0: The Right to Education for India's Children - A Long Way to Go

Far from delivering 6 per cent of the GDP for education which the government has repeatedly promised, this year's budget brings neither significant focus nor new money for the education of India's school education.

The first 100 days of any government are critical in showcasing its evolving priorities, addressing long-standing challenges and seizing new opportunities. As the government embarks on its third consecutive term, its policies are closely scrutinized, particularly concerning existing commitments under the RTE Act. This Chapter is, therefore, divided into four sections: the stated achievements of the government during this period; an update on the major developments in the sector during this time; an overview of the gaps in the action undertaken; and, it concludes with an insight into the Modi government's approach to tackling systemic issues in education.

a. What the government reported doing during the 100 days

Dharmendra Pradhan returned to the education portfolio during this period laying the foundation for policy continuity.⁸⁹ The Department of School Education and Literacy launched a 100-day action plan for the school education sector. This included a special enrolment drive for out-of-school children, improving identification of children with disabilities, the launch of new textbooks based on the National Curriculum for School Education and strengthening a new “Virasat Aur Vikas roadmap” providing for exposure of students to India's cultural heritage.⁹⁰ This period also saw the fourth anniversary of the NEP 2020⁹¹ and the start of a new academic year in several states. The Union

⁸⁹ Kaushik, V (2024) Dharmendra Pradhan retains portfolio as education minister. Careers360. Accessed from <https://news.careers360.com/dharmendra-pradhan-retains-portfolio-education-minister-moe-modi-government-on-30/09/2024>.

⁹⁰ Geelani, SR (2024) MoE rolls out 100-day action strategy to energise school education. Accessed from <https://www.greaterkashmir.com/kashmir/moe-rolls-out-100-day-action-strategy-to-energise-school-education/> on 30/09/2024

⁹¹ PIB India (2024). Ministry of Education to celebrate 4th Anniversary of National Education Policy 2020 with Akhil Bhartiya Shiksha Samagam 2024. MoE Press Release. Accessed from <https://dsel.education.gov.in/sites/default/files/update/PIB2038126.pdf> on 30/09/2024

Government's report for its 100 days included the following achievements of relevance to school education⁹²:

- Launch of the new scheme- Pradhan Mantri Janjatiya Unnat Gram Abhiyan, which includes a focus on enhancing GER for ST students by setting up tribal hostels.
- 1.23 lakh+ students enrolled in 405 Eklavya Model Residential schools.
- Tobacco Free Education Institution (ToFEI) Guidelines and Manual to safeguard students from tobacco use released.⁹³
- Launch of *Sampoornata Abhiyan* to achieve saturation across Aspirational Blocks and Districts. For school education, this included a focus on electrification of secondary schools and regularizing textbook provision.

While these were not highlighted in the national report, some other actions hold the potential to have a more systemic impact on schools. These included

- Issuance of
 - o A directive for all States/UTs to implement “Guidelines on School Safety and Security” in government, government-aided and private schools.⁹⁴
 - o Guidelines for 10 days of Bagless Days for Students of Classes 6-8 in line with the NEP recommendations.⁹⁵
 - o Advisory to States/UTs to ensure RTE entitlements (free uniforms and textbooks, inclusive education and implementation of clause 12-1c) and nutritional support under PM-Poshan for Children with disability.⁹⁶

⁹² PIB India (2024). 100 days of Modi 3.0: Empowering Lives MoE. Press Release. Accessed from <https://static.pib.gov.in/WriteReadData/specificdocs/documents/2024/sep/doc2024923399501.pdf> on 30/09/2024.

⁹³ PIB India (2024). Ministry of Education and Ministry of health & Family Welfare Issue Joint Advisory to States/UTs for Effective Implementation of Tobacco-Free Educational Institutions Guidelines and Manual. MoE Press Release. Accessed from <https://dse.education.gov.in/sites/default/files/update/PIB2057347.pdf> on 30/09/2024

⁹⁴ PIB India (2024) Ministry of Education directs all States/UTs to implement “Guidelines on School Safety and Security” to ensure safety and security of children in schools. MoE Press Release. Accessed from MoE Press Release. <https://dse.education.gov.in/sites/default/files/update/PIB2048042.pdf> on 30/09/2024

⁹⁵ PIB India (2024). Guidelines for 10 Bagless Days for Students of Class 6 to 8. MoE Press Release. Accessed from <https://dse.education.gov.in/sites/default/files/update/PIB2042313.pdf> on 30/09/2024

⁹⁶ PIB India (2024). Ministry of Education issues advisory to States/UTs to ensure RTE entitlements and nutritional support under PM-Poshan to Children with Special Needs. MoE Press Release. Accessed from <https://dse.education.gov.in/sites/default/files/update/moe-rte-1306.pdf> on 30/09/2024

- o Advisory notifying the creation of an Education Advisory Council (EdAC) to the government for working on the implementation of the National Education Policy.⁹⁷
- o Appeals to Punjab, Kerala, Telangana and West Bengal to implementation of 12-1(c) of the RTE Act mandating 25 per cent seats for children from economically weaker sections in private schools. ⁹⁸
- Streamlining of Vidya Samiksha Kendras (VSKs) for collecting and collating real-time data on students and teachers.⁹⁹
- Start a process to create an institutional framework for a Digital Library Platform to promote reading among students.¹⁰⁰
- Ladakh is reported to have achieved Full Functional Literacy, having attained 97 per cent Literacy.¹⁰¹

Some announcements were made by other ministries with an impact on the education sector during this period including

- Opening 100 new Sainik Schools in a Public Private Partnership Model (Defense Ministry).¹⁰²
- Upgrading 92,109 Anganwadis to strengthen Early Childhood Education and Nutrition (Women and Child Development Ministry). ¹⁰³

⁹⁷ Pandey, P (2024) Government to Constitute Education Advisory Council to work on NEP. NDTV. Accessed from <https://www.ndtv.com/education/government-to-constitute-education-advisory-council-to-work-on-nep-6095117> on 30/09/2024.

⁹⁸ PTI (2024) Government Appeals to Four States to Implement RTE, Reserving 25% Seats in Private Unaided Schools. News18. Accessed from <https://www.news18.com/education-career/govt-appeals-to-four-states-to-implement-rte-reserving-25-seats-in-private-unaided-schools-8993877.html> on 30/09/2024.

⁹⁹ BL New Delhi Bureau (2024). 30 Staes, UTs come under Vidya Samiksha Kendra Network; Govt. The Hindu Businessline. Accessed from <https://www.thehindubusinessline.com/news/education/30-states-uts-come-under-vidya-samiksha-kendra-network-govt/article68664190.ece> on 30/09/2024

¹⁰⁰ GOI (2024) Office Memorandum: Subject: Monthly summary for the Cabinet for the month of June, 2024—reg. No F.5-1/2024-Coord. Acc Accessed from https://www.education.gov.in/sites/upload_files/mhrd/files/Monthly_summary_June_2024.pdf on 30/09/2024.

¹⁰¹ PIB India (2024). Ladakh Achieves Full Functional Literacy. MoE Press Release. Accessed from <https://dse.education.gov.in/sites/default/files/update/PIB2028457.pdf> on 30/09/2024

¹⁰² ANI (2024) 100 New Sanik Schools to Open Under PPP Model: Defence Minister. ANI news. Accessed from <https://timesofindia.indiatimes.com/education/news/100-new-sainik-schools-to-open-under-ppp-model-defence-minister/articleshow/113604439.cms> on 30/09/2024

¹⁰³ Devdiscourse News Desk (2024). Government Upgrades 92.108 Anganwadis to Elevate Early Childhood Education and Nutrition. Devdiscourse Article. Accessed from <https://www.devdiscourse.com/article/headlines/3029695-government-upgrades-92108-anganwadis-to-elevate-early-childhood-education-and-nutrition> on 30/09/2024

b. Other significant developments during this period:

This period also saw some other controversial developments that occurred that highlighted challenges with the current agenda for action in the school education sector.

These included

- **A disappointing budget:** Far from delivering 6 per cent of the GDP for education which the government has repeatedly promised, this year's budget brings neither significant focus nor new money for the education of India's school education. The budget of the Department of School Education and Literacy (DSEL) increased from Rs. 68,804 crore in 2023-24 (BE) to Rs. 73,008 crore in 2024-25(I) (BE) – a 6.1 per cent increase which is barely ahead of inflation. Furthermore, much of this increase was on account of enhanced allocation for PM SHRI (Exemplar schools). This meant that the entire focus of the allocation was on enhancing the quality of just 1 per cent of schools. Prime Minister's Schools for Rising India (PM SHRI) scheme, launched two years ago was intended to upgrade 14,500 schools (largely existing elite Kendriya and Navodaya Vidyalayas) into “exemplar” institutions. The creation of this new layer of elite schools risks widening educational inequality and taking us even further away from a Common School System. The government's scarce resources are being diverted from universal provision to another layer of elite institutions. A clear financial roadmap for strengthening the education sector as an investment in the next generation is overdue.
- **Centre-State tug of war over PM-Shri Schools.** Five states including TN, Kerala, Delhi, Punjab and West Bengal had refused to implement the scheme due to several reasons including disagreement over state funding and claims that pre-existing “schools of eminence” were a better alternative to the Centre's scheme. News emerged during this period that the central government stalled funding under Samagra Shiksha Abhiyan for the preceding three quarters for these states.¹⁰⁴ In the face of these pressures, Kerala,¹⁰⁵ Punjab and Delhi subsequently

¹⁰⁴ NH Digital (2024). Centre cuts off school funds to 3 opposition states over OM-SHRI participation refusal. National Herald. Accessed from <https://www.nationalheraldindia.com/national/centre-cuts-off-school-funds-to-3-opposition-states-over-pm-shri-participation-refusal> on 30/09/2024

¹⁰⁵ Roshni, PK (2024) Kerala Likely to implement PM-Shri: Minister. The Hindu News. Accessed from <https://www.thehindu.com/news/national/kerala/state-likely-to-implement-pm-shri-minister/article68586754.ece> on 30/09/2024.

agreed to implement the same under financial pressure.¹⁰⁶ TN indicated that it was ready to implement the PM-Shri program, but not the NEP.¹⁰⁷ This was rejected by the MoE.¹⁰⁸ Punjab has since received the pending funds¹⁰⁹ and started to draw a fresh list of schools to upgrade under the scheme.¹¹⁰ Kerala, however, complained that its share of SSA funds was not released despite agreeing to PM-SHRI.¹¹¹

- **Controversial and Delayed Textbooks:** An assessment of the development of new NCERT textbooks for grades 3 and 6 was undertaken ahead of their introduction in 2024-25 and training of teachers in classes introducing the new books.¹¹² These new books were intended to bring a greater focus on India's history and traditions.¹¹³¹¹⁴ However, delays in textbook availability have been reported.¹¹⁵ At the same time, many of the changes were criticized for undermining

¹⁰⁶ Hargovind. A (2024) After Punjab, Delhi relents under school fund freeze, agrees to implement PM-SHRI. Indian Express News. Accessed from <https://indianexpress.com/article/india/after-punjab-delhi-relents-under-school-fund-freeze-agrees-to-implement-pm-shri-9555825/> on 30/09/2024.

¹⁰⁷HT Correspondent (2024) Centre forcing Tamil Nadu to accept PM SHRI schools, adopt NEP: Minister. The Hindustan Times news. Accessed from <https://www.hindustantimes.com/india-news/centre-forcing-tamil-nadu-to-accept-pm-shri-schools-adopt-nepminister-101724872047708.html> on 30/09/2024

¹⁰⁸ TNN (2024). Centre fires letter after TN tweaks PM SHRI MoU to “drop” NEP. Accessed from <https://timesofindia.indiatimes.com/city/delhi/centre-fires-letter-to-tamil-nadu-over-pm-shri-mou-modification/articleshow/112935823.cms> on 30/09/2024

¹⁰⁹ Goyal, D (2024) Impasse on PM-SHRI over, Centre releases first instalment of school funds for Punjab. Indian Express News. Accessed from <https://indianexpress.com/article/cities/chandigarh/impasse-pm-shri-first-instalment-school-funds-punjab-9528787/> on 30/09/2024.

¹¹⁰ Sharma, N (2024) After rejoining PM Shri, Punjab to draw fresh list of schools for upgrade. Hindustan times news. Accessed from <https://www.hindustantimes.com/cities/chandigarh-news/after-rejoining-pm-shri-punjab-to-draw-fresh-list-of-schools-for-upgrade-101722971714830.html> on 30/09/2024.

¹¹¹ Krishna, A (2024) SSA, STARS funds withheld despite Kerala agreeing to PM Shri: V Sivankutty. Careers360 Policies. <https://news.careers360.com/kerala-education-minister-pm-shri-scheme-ssa-funds-stars-school-union-ministry-v-sivankutty-nep-2020-parliament> on 30/09/2024.

¹¹² Bisht, A (2024) Dharmendra Pradhan reviews NCERT textbook development: aims to align with NEP 2020. Careers360. Accessed from <https://news.careers360.com/dharmendra-pradhan-reviews-ncert-textbook-development-aims-align-nep-2020> on 30/09/2024.

¹¹³ Ghosh, R (2024) New NCERT class VI textbook aims to promote India-centric education as per NEP 2020, NCF-SE. Campus-Beat College-Life Article. Education Times. Accessed from <https://www.educationtimes.com/article/campus-beat-college-life/99736238/new-ncert-class-vi-textbook-aims-to-promote-india-centric-education-as-per-nep-2020-ncf-se> on 30/09/2024.

¹¹⁴ Iftikhar, F (2024). Ayurveda, Angula & shlokas find mention in new NEP-inspired NCERT Class 6 science textbook. The Print. Accessed from <https://theprint.in/india/education/ayurveda-angula-shlokas-find-mention-in-new-nep-inspired-ncert-class-6-science-textbook/2257369/> on 30/09/2024.

¹¹⁵ Mahew, S (2024) Class 6 NCERT textbooks awaited, city schools rely on bridge course, old material. Indian Express. Accessed from <https://indianexpress.com/article/cities/delhi/delhi-ncert-textbooks-shortage-delhi-schools-ncert-books-availability-national-curriculum-framework-nep-2020-implementation-9439134/> on 30/09/2024.

the NEP's mandate of enhancing critical thinking.¹¹⁶¹¹⁷ This is part of a longer trend of changes in the curriculum including textbooks in the name of rationalisation of the syllabus¹¹⁸ which have been criticized as undermining social democratic values, diversity, scientific temperament, consciousness and plurality. CBSE issued a circular that mandates that its schools use NCERT textbooks and that supplementary materials are reviewed to avoid objectionable content.¹¹⁹

- **Examination:** The head of the National Testing Agency was dismissed¹²⁰ following irregularities in the National Eligibility cum Entrance Test (NEET)¹²¹ and a process of reforms was announced.¹²² While the controversy was focused on tertiary education, NTA also has implications for the school education sector.
- **Continued Closure, Merger and Consolidation of schools:** Media reports suggest that the Union ministry has written to the states to pilot a project on consolidation of smaller schools into school complexes and asked states to identify one district each for the purpose while laying down a process for the same.¹²³ It is reported that decisions to close low-enrollment schools have been

¹¹⁶ Editorial. Erasures in NCERT textbooks go against NEP's mandate to enhance critical thinking. The Indian Express. Accessed from <https://indianexpress.com/article/opinion/editorials/erasures-in-ncert-textbooks-go-against-neps-mandate-to-enhance-critical-thinking-9398434/> on 30/09/2024.

¹¹⁷ Pandey, P (2024) Explained: What are the latest changes in the NCERT books? NDTV Education. Accessed from <https://www.ndtv.com/education/explained-what-are-the-latest-changes-in-the-ncert-books-5916113> on 30/09/2024.

¹¹⁸ E.g. Chowdhury, K (2022) School Social Science Textbook Revisions in India Kick-Up Controversy. The Diplomat. Accessed from <https://thediplomat.com/2022/07/school-social-science-textbook-revisions-in-india-kick-up-controversy/>, on 30/09/2024. Rajya Sabha Unstarred Question No 2252, Answered on 09/08/2023. Removal of lessons from NCERT textbooks. Accessed from <https://sansad.in/getFile/annex/260/AU2252.pdf?source=pqars> on 30/09/2024, NCERT (nd). Rationalisation of textbooks. Accessed from <https://ncert.nic.in/rationalisation-textbook.php> on 30/09/2024.

¹¹⁹ India Today Education Desk (2024) CBSE updates guidelines on NCERT textbook usage in schools. India Today News. Accessed from <https://www.indiatoday.in/education-today/news/story/cbse-updates-guidelines-on-ncert-textbooks-usage-in-schools-2581964-2024-08-14> on 30/09/2024.

¹²⁰ BBC (2024) India exam chief sacked after outcry over marks. BBC News. Accessed from <https://www.bbc.com/news/articles/c1eejd3vx0no> on 30/09/2024.

¹²¹ Sharma, Y (2024) Millions of students at risk: India's elite exams hit by corruption "scam". Al Jazeera. Accessed from <https://www.aljazeera.com/news/2024/6/21/millions-of-students-at-risk-indias-elite-exams-hit-by-corruption-scam> on 30/09/2024.

¹²² India Today Education Desk (2024) Dharmendra Pradhan responds to NEET controversy with testing agency reform plans. India Today. Accessed from <https://www.indiatoday.in/education-today/news/story/dharmendra-pradhan-responds-to-neet-controversy-with-testing-agency-reform-plans-2573731-2024-07-30> on 30/09/2024.

¹²³ Ullas, SS (2024) Centre asks states to identify districts for school consolidation pilot. Times of India. Accessed from <https://timesofindia.indiatimes.com/city/bengaluru/centre-asks-states-to-identify-districts-for-school-consolidation-pilot/articleshow/111123168.cms> on 30/09/2024.

taken in Arunachal Pradesh,¹²⁴ Delhi,¹²⁵ Punjab¹²⁶ and Himachal Pradesh during this period.¹²⁷

- **Drop in India's WEF gender ranking:** India slipped to 129th of 146 countries in the global gender gap rankings, largely due to a dip in India's education gender parity levels¹²⁸.

C. What the government has failed to do

The government appears to be once again failing in its obligation to ensure universal compliance with the provisions of the RTE Act. Even 14 years after its enactment its compliance, as per the latest available data, has reached only 25.5 per cent at the national level.¹²⁹ This was initially expected to be implemented within three years (till 1st April 2013) but this has been progressively delayed. Nor has there been a concrete roadmap for its implementation. This has far-reaching results. For example, 8.4 lakh teacher positions are vacant and there is a constant shift towards contractual teachers.¹³⁰ 19 per cent of schools in India are estimated to have teacher vacancies¹³¹ and one school

¹²⁴ India Education Diary (2024) Arunachal Pradesh's Decision to Create School Clusters Driven by the State's Motive of Ensuring Quality education to every child in the state. India Education Diary. Accessed from <https://indiaeducationdiary.in/arunachal-pradeshs-decision-to-create-school-clusters-driven-by-the-states-motive-of-ensuring-quality-education-to-every-child-in-the-state/> on 30/09/2024.

¹²⁵ TNN (2024) BJP, AAP spar over merger of 60 MCD schools into 30. Times of India. Accessed from <https://timesofindia.indiatimes.com/city/delhi/bjp-aap-spar-over-merger-of-60-mcd-schools-into-30/articleshow/112434541.cms> on 30/09/2024.

¹²⁶ Attri, A (2024) Schools' merger proposal faces resistance from teachers in Ludhiana. Hindustan Times. Accessed from <https://www.hindustantimes.com/cities/chandigarh-news/schools-merger-proposal-faces-resistance-from-teachers-in-ludhiana-101723486026371.html> on 30/09/2024

¹²⁷ India Today Education Desk (2024). Himachal government mulls merger of 89 primary schools with zero enrolments. India Today. Accessed from <https://www.indiatoday.in/education-today/news/story/himachal-government-mulls-merger-of-89-primary-schools-with-zero-enrollments-2571102-2024-07-25> on 30/09/2024

¹²⁸ Singh, N (2024) Slipping scores: How education knocked India down in the gender gap race. Business W5QJEQ4E. Accessed from https://www.business-standard.com/education/news/slipping-scores-how-education-knocked-india-down-in-the-gender-gap-race-124072200321_1.html on 30/09/2024

¹²⁹ Gol (2021). Lok Sabha Unstarred Question No 2186 to be answered on 02/08/2021. Answer by Hon'ble Minister of Education, Shri Dharmendra Pradhan based on U DISE 2019-20 to the question asked by Hon'ble MP, Dr Mohammad Jawed in Lok Sabha on 2 August, 2023 during Monsoon Session. Accessed from <https://sansad.in/getFile/loksabhaquestions/annex/176/AU2186.pdf?source=pgals>.

¹³⁰ Krishna, A (2023) Over 8.4 lakh teaching vacancies in government schools: Education Ministry. Accessed from <https://news.careers360.com/8-4-lakh-teacher-vacancy-primary-secondary-school-maharashtra-odisha-bihar-parliament-education-ministry> on 1 March 2023.

¹³¹ UNESCO (2021). No teacher, no class: state of the education report for India, 2021. Accessed from <https://unesdoc.unesco.org/ark:/48223/pf0000379115?> on 1 March 2023.

in seven is run by a single teacher.¹³² While the quality of education cannot be ensured without professionally qualified and motivated teachers, 44 per cent of all teachers across the country work without job contracts, many fail to receive social security benefits¹³³ and all are pressured with non-academic work which is estimated to account for 20-25 per cent of teachers' working hours.¹³⁴

Unsurprisingly, far too many students fail to complete school education. 57 per cent of girls drop out upon reaching the 11th Grade.¹³⁵ Among 5-year-olds with disabilities, three-fourths do not go to any educational institution as does a quarter of those aged between 5 and 19.¹³⁶ India has the largest absolute number of child labourers in South Asia¹³⁷ and is at risk of failing its SDG commitments to eliminate child labour by 2025.¹³⁸ Being out of school not only deprives children of education's transformative potential but also risks pushing children into child labour. Nor does one see action to regulate private schools or curb commercialization of education at a time when seven of 10 new schools in India are now private¹³⁹ and the aggregate household spend on private schools is approximately Rs. 1.75 lakh crore.¹⁴⁰ A stronger focus on regulation is critical to reduce the risks of building a more equal India and to address the challenges faced by middle class parents.

¹³²Dreze, J, Choudhary, R & Khera, R (2023) One in seven India primary schools run by a lone teacher. Accessed from <https://www.thehindu.com/data/data-one-in-seven-indian-primary-schools-run-by-a-lone-teacher/article66881043.ece> on 1 March 2023.

¹³³Only 41% of government and 11% private school teachers receive the full package of measures including PF/pension, gratuity, healthcare and maternity benefits. 19% of government teachers and 59% of private teachers are eligible for none of the above. Based on the PLFS 20018/19 Survey data. UNESCO (2021). No teacher, no class: state of the education report for India, 2021. Accessed from <https://unesdoc.unesco.org/ark:/48223/pf0000379115?> on 1 March 2023.

¹³⁴UNESCO (2021). No teacher, no class: state of the education report for India, 2021. Accessed from <https://unesdoc.unesco.org/ark:/48223/pf0000379115?> on 1 March 2023.

¹³⁵ RTE Forum (nd) Policy Brief on Girls' Education. Accessed from <https://www.careindia.org/wp-content/uploads/2021/05/Policy-Brief-Girls-Education.pdf> on 1 March 2023.

¹³⁶UNESCO (2019). N for nose: state of the education report for India 2019: children with disabilities. Accessed from <https://unesdoc.unesco.org/ark:/48223/pf0000368780> on 1 March 2023.

¹³⁷ ILO (nd) Child Labour in South Asia. Accessed from https://www.ilo.org/newdelhi/areasofwork/child-labour/WCMS_300805/lang--en/index.htm on 12 March 2023.

¹³⁸Lok Sabha (2023) Standing Committee on Labour, Textiles and Skill Development. Ministry of Labour & Employment. National Policy on Child Labour- An Assessment. 52nd Report. Accessed from https://sansad.in/getFile/lsscommittee/Labour,%20Textiles%20and%20Skill%20Development/17_Labour_Textiles_and_Skill_Development_52.pdf?source=loksabhadocs on 1 March 2023.

¹³⁹GEM report team (2022). Global education monitoring report 2022, South Asia: non-state actors in education: who chooses? Who loses? Accessed from <https://unesdoc.unesco.org/ark:/48223/pf0000383550> on 1 March 2023.

¹⁴⁰ Khurana, K (2020). Indians spend Rs 1.75 lakh crores on private school education: Private schools of India Sector report. Accessed from <https://www.timesnownews.com/education/article/indians-spend-rs-1-75-lakh-crores-on-private-schooleducation-private-schools-of-india-sector-report/626171on> 14/06/2024

Nor are there any measured discernible to move towards extending the purview of the RTE Act up to the age of 18 years, in line with the internationally recognized definition of childhood, by including Early Childhood Care and Education, secondary, and higher secondary education as legal entitlements. The right to education in India currently only applies to children within the age group of 6-14, making it critical to extend the right to children under six in line with the recommendations of the Law Commission of India¹⁴¹ and till 18 years of age.

It is also critical to enhance the investment in education to at least 6 per cent of GDP¹⁴² with 10 per cent of the education budget committed to ECCE to ensure adequate resourcing for delivery of government schools and publicly provided early childhood care and education including provision of quality and nutritious supplementary education and midday meals to all children. It is essential to prioritize ensuring total eradication of child labour up to the age of 18 years and ensure that education provision is equitable along geographical, socioeconomic and gender lines.

D. In Conclusion

The first 100 days of the Modi government's third term present great continuity without any significant new announcements. While incremental changes and new guidelines mark some progress, the most significant challenges facing the school sector remain unaddressed with the government focussing on improving the quality of a small number of elite schools. The lack of substantial budgetary allocation and the slow pace of implementation of the Right to Education Act reflect the need for a more comprehensive and strategic approach to address the systemic issues of educational inequality, teacher vacancies, and school dropout, end child labour and to address the need to universalize and improve the quality of early childhood care and education.

The government must prioritize equitable access and quality education for all, ensuring that its policies align with both national aspirations and global commitments, particularly in light of the Sustainable Development Goals.

¹⁴¹The Law Commission in its report 259 'Early Childhood Development and Legal Entitlements' called for the inclusion of a constitutional right to early childhood care and education (ECCE). PIB (2015). Law Commission of India Submit Report no. 259. The Report is on Early Childhood Development and Legal Entitlements. Accessed from <https://pib.gov.in/newsite/PrintRelease.aspx?relid=126379#:~:text=259%20titled%20%E2%80%9CEarly%20Childhood%20Development,issue%20of%20critical%20national%20importance> on 1 March 2023.

¹⁴²Current expenditure on education is 4.64%. MoE (2023) Several landmark initiatives taken up under NEP 2020 for the transformation of Education Sector. Accessed from <https://pib.gov.in/PressReleasePage.aspx?PRID=1946419> on 1 March 2023.

Wada Na Todo Abhiyan (WNTA)

is a national campaign focused on promoting government accountability to end poverty, social exclusion, and discrimination. We monitor government performance at national and international levels to ensure that promises and commitments are fulfilled.

WNTA emerged from a consensus amongst human rights activists and social action groups at the World Social Forum in 2004, driven by a desire for focused and concerted efforts to try making a difference in India. As home to one-fourth of the world's poor, India faces significant challenges in providing opportunities for all to learn, live and work with dignity.

To advocate for citizen concerns, WNTA annually reviews the government's performance against electoral promises and constitutional mandates. WNTA also develops a People's Manifesto before elections to ensure that citizen aspirations are reflected in party agendas.

Additionally, WNTA works to ensure India's commitment to the 2030 Agenda for Sustainable Development Goals and the "Leave No One Behind" principle.

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