

INDIA

Rights, commitments and delivery: who gets what, when and how?



Government commitments to the right to justice, equality and liberty enshrined in the Constitution are laudable but not sufficient. They must be put into practice. The State faces a major challenge in formulating and implementing public policies that promote the accessibility, affordability and availability (the three A's) of basic social services to tens of millions of citizens still living below the poverty line (28% of the total population). Civil society campaigns are stepping in to ensure that promises to guarantee rights are actually fulfilled.

Social Watch India
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Even while India's GDP climbs at a rate of 9% plus annually, the question of whether the Government will provide basic services to the marginalized and vulnerable sectors of society remains unanswered. This will be evident in a review of how some basic services measure up on three A's and what patterns are emerging.

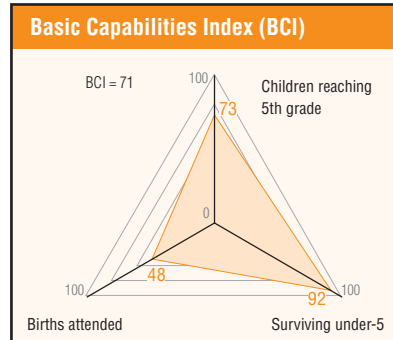
Health

The trend in the health sector is hardly encouraging. Funding for health services remains meagre, hovering around 1% of total GDP. Worse yet, the public health care system is collapsing around the millions of citizens who depend on it. More and more are flocking to private health services -58% of the rural population and 62% in urban areas by 2004.¹ With no social security that covers their costs, households forced to seek private health care frequently become mired in debt and end up selling what little property they have to make the payments.

The inadequacy of health care outside the cities is reflected in the growing disparity in mortality rates for infants (50% higher in rural areas) and children under-5 (60% higher in rural areas).² Despite ample resources, the Integrated Child Development Services established to provide comprehensive care to the poor and improve the nutrition of women and children has failed to close the gap.

Health facilities in rural areas are woefully inadequate. Community health centres have less than half the staff they need. To meet the norm of one bed per 500 people, rural hospitals would have to expand 800%. Marginalized social groups such as Scheduled Castes (SC) and Scheduled Tribes (ST)³ are far worse off: SC have four times less access than the average rural citizen and nine times less than urban residents; the ST have 12 times less access in rural areas and 27 times less in urban areas.⁴

The Government's flagship health care programme is the National Rural Health Mission

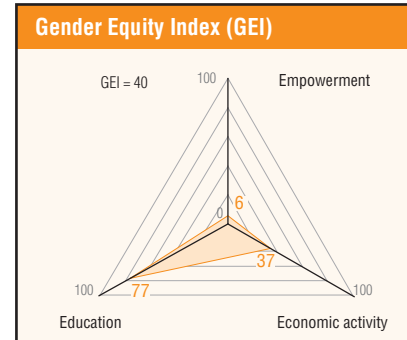


(NRHM), established to provide basic health care particularly in rural areas. With generous funding, this could program could make a major difference. So far, the money isn't there. The founding document promised that the initial allocation of INR 6,700 crore (USD 1.46 billion) in 2005-2006 would be boosted 30% in subsequent years from a separate budget. However, the Government didn't follow through; instead, it raided other programmes to give NRHM additional money.⁵

Education

Some trends in education have been encouraging. The Government is building new primary and upper primary schools. Female literacy jumped from 32% in 1991 to 54.16% a decade later, a faster increase than among males.⁶

As in health, however, minorities and other marginalized groups have much less access to education. Enrolment among SC children is only 67% of the national average; among ST children it is only



60%. Enrolment is even lower among Muslim children, 51%. The percentages among girls are even more dismal. Only 49% of SC girls and 41% of ST girls sit in elementary school classrooms, considerably below the national average being 56.22%. The percentage of Muslim girls in school has actually fallen. Dropout rates are also above average among marginalized groups and girls (see Chart 1).

Gender

The range of poverty indicators has been broadened to include vulnerability, insecurity and defencelessness. Whatever the definition, poverty remains massive, particularly among women. India has a skewed sex ratio, with 927 females per 1,000 males. Some of this disparity is due to mortality in childbirth: for every 100,000 live births, 407 mothers die, according to UNICEF. The primary causes are early marriage, lack of adequate health care and the absence of trained health workers. All of these factors are more prevalent in rural areas, especially the most remote - further marginalizing the already marginalized.

From 1991 to 2001, the proportion of marginal workers in the rural workforce jumped from 11% to 26%, while the share of workers in the formal sector shrank from 89% to 77%, and the number of workers in the informal sector soared from 27 million in 1991 to 81 million 10 years later. In rural areas, 78% of all women work in agriculture, where they make up one-third of the labour force. However, only 4% are employed in the formal sector, while they far outnumber men among marginal workers - 51 million to 30 million in 2001.⁷ Not only are their numbers disproportionate, their pay is traditionally 30% less.

1 NSSO 60th Round - 2004, Report No. 507, New Delhi, 2006.

2 *Ibid.*

3 *Ibid.*

4 Social Watch India Report 2006.

5 "In 2005-2006, the plan outlay in NRHM was INR 6,075.17 crore [USD 1.32 billion]. It received an increased outlay of INR 7,155.97 crore [USD 1.56 billion] (Revised Estimates) as plan funds in 2006-2007. This has further increased to INR 9,801 crore [USD 2.13 billion] (RE) in 2007-2008 and INR 10,742 crore [USD 2.34 billion] in 2008-2009. The Non-plan outlays for these years remained almost stagnant at INR 32.29 crore [USD 7.03 million] (2005-2006 RE), INR 34.40 crore [USD 7.49 million] (2006-2007 RE), INR 38 crore [USD 8.27 million] (2007-2008 RE) and INR 44.25 crore [USD 9.63 million] (2008-2009 RE). The trend clearly establishes the fact that the revised estimates are significantly less than the budget estimates, which essentially means that there is underspending of approved outlays under NRHM". Centre for Budget Governance Accountability, Response to the Union Budget 2008-2009.

6 National Literacy Mission, Government of India.

7 *Ibid.*

CHART 1. Gross dropout rate in primary, middle and secondary schools in India

Year	(Classes I-V)			(Classes I-VIII)			(Classes I-X)		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
1960-1961	61.7	70.9	64.9	75	85	78.3	n.a.	n.a.	n.a.
1970-1971	64.5	70.9	67	74.6	83.4	77.9	n.a.	n.a.	n.a.
1980-1981	56.2	62.5	58.7	68	79.4	72.7	79.8	86.6	82.5
1990-1991	40.1	46	42.6	59.1	65.1	60.9	67.5	76.9	71.3
2000-2001*	39.7	41.9	40.7	50.3	57.7	53.7	66.4	71.5	68.6

* Provisional

Note: The gross dropout rate represents the percentage of pupils who drop out from a given grade or cycle or level of education in a given school year.

Source: Selected Educational Statistics 2000-2001, Ministry of Human Resource Development, Government of India.

This disparity persists, despite the efforts of a variety of rural development programmes launched by the Government and numerous international agencies: "Government programmes need to urgently address the problems of low wages, lack of incentives for work, lack of skills and access to resources. Most of the organizations do not touch upon the issues related to higher income work opportunities, upward economic mobility, property rights and rights such as equal wages for equal work. In addition since poor labour households in backward districts need more income, Employment Guarantee Schemes should pay special attention to create tailored-made employment opportunities for women at stipulated minimum wages to help them in the short run."⁸

Minorities

As noted above, minorities fare far worse than the population as a whole in areas such as health and education. The 403-page Report on the Social, Economic and Educational Status of the Muslim Community in India prepared by the Rajinder Sachar Committee, appointed by the Prime Minister Manmohan Singh, concludes that poverty and discrimination leading to deprivation create high barriers to joining the mainstream of Indian society. Muslim children have "a significantly greater risk of being underweight or stunted than a child from other minority groups", according to the report, and their risk of malnutrition is also slightly higher. "The 61st round data from the National Sample Survey shows that 23% of India's population was poor in 2004-2005," notes the report. "The SCs and STs together are the poorest, with a headcount ratio of 35%. Muslims stand second with 31% living below the poverty line."⁹ Muslims who are STs suffer double jeopardy (triple if they are women), and 40% of them belong to the "other backward castes" category.

⁸ *Ibid.*

⁹ Ghanshyam Shah, "The Condition of Muslims", *Economic and Political Weekly*, 2007.

Indigenous people

The neo-liberal economic policies pursued by the Government have opened the way to private company encroachment on tribal lands. This presents a major threat to indigenous and tribal peoples. When they protest, the Government response is often brutal. In the Dhule district of Maharashtra, the police violently repressed tribal communities protesting against the leasing of forest land to Suzlon Energy, a wind power company. In Gujarat, tribal farmers of the Dang forest were beaten up for "encroaching the government's forest land". These are not isolated cases. Other discriminatory acts have occurred in the states of Orissa, Jharkhand, Chattisgarh, Madhya Pradesh and Andhra Pradesh. The Government's own Ministry of Tribal Affairs reported that between 1950 and 1990 approximately 8.5 million *Adivasis* (indigenous forest people) were displaced by mega projects or Government takeovers of forest lands; they constituted more than 55% of the total displaced population. "It is this discrepancy between the authorities' pious lip service to their rights and unique culture while failing to protect them from rapacious commercial interests that has caught the tribals in a bind," concluded one article.¹⁰

Further encroachment may be reined in somewhat by the Scheduled Tribes (Recognition of Forests Rights) Bill 2005, just passed by Parliament. The bill recognizes the forest rights of ST (FDSTs) who were occupying the land before 25 October 1980 by granting the "right to hold and live in the forest lands, under individual or common occupation for habitation or for self-cultivation, for livelihood by a member or members of a forest dwelling scheduled tribes or other traditional forest dwellers."¹¹ However the number of FDSTs who are actually protected remains unclear and the bill provides no protection for forest-dwellers and tribes not scheduled in a particular area, as well as *Dalits* (untouchables) and other backward communities who rely on forests for livelihood needs.

¹⁰ *Ibid.*

¹¹ Act, chapter 2, 3(a).

Social campaigns

Rapid economic, social and cultural change has cracked open the political floodgates. A variety of social groups are pouring through, joined by people's movements defending the rights of the marginalized groups. Together, they are at the crest of a wave of civil society campaigns demanding that formal commitments to the right to justice, equality and liberty be honoured in full. ■