

ISSN 2349-0241



Regional Centre for Urban and Environmental Studies  
All India Institute of Local Self-Government, Mumbai

Vol.10 No.3 July - September 2017 (Private Circulation Only)

# Quarterly Publication

# The Urban World





## Regional Centre for Urban & Environmental Studies (RCUES), Mumbai (Fully supported by Ministry of Housing and Urban Affairs, Government of India)

Established in 1926, the All India Institute of Local Self Government (AIILSG), India is a premier autonomous research and training institution in India. The Institute was recognized as an Educational Institution by Government of Maharashtra in the year 1971. The Institute offers several regular training courses in urban development management and municipal administration, which are recognized by the Government of India and several State Governments in India.

In the year 1968, the erstwhile Ministry of Urban Development and (now known as Ministry of Housing and Urban Affairs), Government of India established the Regional Centre for Urban & Environmental Studies (RCUES) at AIILSG, Mumbai to undertake urban policy research, technical advisory services, and building work capabilities of senior and middle level municipal officials, and elected members from the States of Goa, Gujarat, Maharashtra, Rajasthan and UT's of Diu, Daman, Dadra & Nagar Haveli in western region and Assam and Tripura States in North East Region. The RCUES is fully supported by the Ministry of Housing and Urban Affairs, Government of India. The Ministry of Housing and Urban Affairs, Government of India has formed National Review and Monitoring Committee for RCUES under the chairmanship of the Secretary, Ministry of Housing and Urban Affairs, Government of India. The Principal Secretary, Urban Development Department of Government of Maharashtra is the ex-officio Chairman of the Advisory Committee of the RCUES, Mumbai, which is constituted by Ministry of Housing and Urban Affairs, Government of India.

In the year 1991, the RCUES was recognized by the Ministry of Housing and Urban Affairs, Government of India as a National Training Institute (NTI) to undertake capacity building of project functionary, municipal officials, and municipal elected members under the earlier urban poverty alleviation programme-UBSP. In the year 1997, the Ministry of Urban Affairs and Employment recognized RCUES of AIILSG as a NTI for capacity building under SJSRY, the centrally sponsored poverty alleviation programme in the States and UT's in the western region, Madhya Pradesh, and Chattisgarh.

In 2005, the Ministry of Urban Employment and Poverty Alleviation (MOUE&PA), Government of India and UNDP have set up the 'National Resource Centre on Urban Poverty' (NRCUP), which is anchored by Regional Centre for Urban and Environmental Studies (RCUES), All India Institute of Local Self Government (AIILSG), Mumbai under GOI – UNDP, project titled 'National Strategy for the Urban Poor'.

In 2009, the RCUES, AIILSG Mumbai was recognized as a 'Nodal Resource Centre' on SJSRY (NRCS) by Ministry of Housing and Urban Poverty Alleviation, Government of India.

Since 2000, the AIILSG, Mumbai houses the Solid Waste Management (SWM) Cell backed by the Government of Maharashtra for capacity building of municipal bodies and provide technical advisory services to ULBs in the State. In 2008 Mumbai Metropolitan Regional Development Authority (MMRDA) established Solid Waste Management Cell to provide technical advise for development of regional landfill sites and capacity enhancement in Solid Waste Management for urban local bodies in Mumbai Metropolitan Region (MMR).

On 13th January, 2010 Water Supply & Sanitation Department, Government of Maharashtra established Change Management Unit (CMU) in AIILSG, Mumbai which was supported by Government of Maharashtra. The CMU was anchored by AIILSG, Mumbai for Water Supply and Sanitation Department, Government of Maharashtra from 13th January, 2010 to 30th June, 2014.

In 2010, the AIILSG, Mumbai is selected as a Nodal Agency by Water Supply and Sanitation Department, Government of Maharashtra in preparation of City Sanitation Plans for 19 Municipal Corporations and 15 A Class Municipal Councils in Maharashtra State, under the assistance of Ministry of Housing and Urban Affairs, Government of India.

On 3rd September, 2011, Water Supply & Sanitation Department, Government of Maharashtra established Waste Management & Research Centre in AIILSG, Mumbai, which will be supported by Government of Maharashtra and MMRDA.

The RCUES, AIILSG, Mumbai is recognized in October 2011 as a Nodal Resource Centre (NRC) for RAY by Ministry of Housing and Urban Poverty Alleviation, Government of India.

The AIILSG, Mumbai is empanelled in November, 2011 as National Resource Institution for North, East, West and South Regions for 'Social Development & Community Mobilization by RAY Directorate, Ministry of Housing and Urban Poverty Alleviation, Government of India.

In August, 2013 the AIILSG, Mumbai is empanelled as Agency by Ministry of Housing and Urban Affairs, Government of India, for providing technical support to the Cities / Towns of States / Urban Local Bodies (ULBs) in the field of Water Supply and Sanitation, Sewerage and Drainage systems.

In July 2015, the RCUES & AIILSG, Mumbai is empanelled for Municipal Solid Waste Management project under Swachh Bharat Mission (SBM) programmes undertaken by the Ministry of Housing and Urban Affairs, Government of India.

**Mr. Ranjit S. Chavan**

*President, AILSG*

## **Editorial Board-**

### **Editor-in-Chief**

**Ashish Deosthali**

*Director General, AILSG*

### **Editor**

**Ms. Utkarsha Kavadi**

*Director, RCUES of AILSG, Mumbai*

## **Editorial Board Members**

- ◆ **Dr. Snehalata Deshmukh**  
*Former Vice-Chancellor, University of Mumbai, Mumbai.*
- ◆ **Dr. Joop W. de wit**  
*Senior Lecturer, Institute of Social Studies, the Hague, the Netherlands.*
- ◆ **Mr. Ajitkumar Jain, IAS (Retd)**  
*Information Commissioner (State), Government of Maharashtra, Mumbai.*
- ◆ **Mrs. Manisha Mhaskar, IAS**  
*Principal Secretary, Urban Development, Government of Maharashtra & Ex-officio Chairman, RCUES, Advisory Committee.*
- ◆ **Dr. Dinesh Mehta**  
*Professor Emeritus, CEPT University, Ahmedabad.*
- ◆ **Dr. Vibhuti Patel**  
*Professor, Advanced Centre for Women's Studies, School of Development Studies, Tata Institute of Social Science, Mumbai.*
- ◆ **Dr. Vandana Desai**  
*Senior Lecturer in Development Studies and Director MA/Msc Development and Environment, Department of Geography, Royal Holloway, University of London, U.K.*
- ◆ **Mr. V. Vijaykumar**  
*Sr. Advisor, AILSG, Pune.*

The Urban World - Quarterly Publication of Regional Centre for Urban and Environmental Studies of All India Institute of Local Self Government, Mumbai

(July - September, 2017)

*For Contact*

**Ms. Utkarsha Kavadi**

*Director*

Regional Centre for Urban & Environmental Studies of  
All India Institute of Local Self-Government  
M. N. Roy Human Development Campus, Plot No.6, 'F' Block,  
Opp. Government Colony Bldg. No. 326, TPS Road No.12, (BKC)  
Bandra (East), Mumbai - 400 051, India  
Tel : 0091-22-26571713 / 2657 17 14 / 61805600  
Fax : 0091-22-2657 39 73  
Email : rcuesdirector@gmail.com / utkarshakavadi@yahoo.com

*Published by -*

**Shri Ashish Deosthali,**

*Director-General*

All India Institute of Local Self-Government,  
M. N. Roy Human Development Campus, Plot No.6, 'F' Block,  
Opp. Government Colony Bldg. No. 326, TPS Road No.12, (BKC)  
Bandra (East), Mumbai - 400 051, India  
Tel : 0091-22-2657 17 13 / 2657 17 14  
Fax : 0091-22-2657 21 15  
Email : dg@aillsg.org  
Website : www.aillsg.org

The opinions expressed in the articles / presentations herein are those of the authors. They do not reflect the opinions of the Regional Centre for Urban and Environmental Studies, All India Institute of Local Self Government, Mumbai, Ministry of Housing and Urban Affairs, Government of India or Publisher.

Printed at **Copytronics** Bandra (E), Mumbai.

## Contents

- **Editorial**
  
- **The Sustainable Development Goals (SDGs) 5:  
Achieve Gender Equality and Empower all Women and Girls** **1-7**  
Dr. Vibhuti Patel,  
Professor,  
Advanced Centre for Women's Studies,  
School of Development Studies,  
Tata Institute of Social Sciences, Mumbai.
  
- **Industrialisation, Displacement and Marginalisation of Weaker Section** **8-18**  
*Empirical Evidences from 'Hajira' a Fringe Village of Surat City of South Gujarat*  
Ankit Patel,  
Assistant Professor,  
Saraswati College of Social Work,  
Moriyana, Gujarat
  
- **New Additions to the Legal Framework of Waste Management** **19-22**  
Fazalahmed B. Khan  
Advisor, (Urban & Legal Services),  
All India Institute of Local Self-Government.

# RCUES Key Publications

1. Urban Development.
2. Urban Planning.
3. Solid Waste Management - Resource Material.
4. Hospital Medical Waste Management.
5. Planning for Urban Informal Sector in Highly Dense Cities.
6. Study of Municipal Schools with Special Focus on Drop-outs, Standard of Education and Remedies.
7. Rainwater Harvesting.
8. Institutionalisation of Citizen's Participation in Urban Governance.
9. Gender Budgeting.
10. Gender Equality in Local Government - Comparative Study of Four States in Western Region in India.
11. Mapping of Basic Services in Urban Slums.
12. Basic Services to the Urban Poor.
13. Health.
14. Security of Tenure.
15. Resettlement and Rehabilitation.
16. Mumbai Human Development Report, 2009.  
(UNDP / MOH & UPA, GOI / MCGM).
17. Resource Material on Urban Poverty Alleviation.
18. Laws of Meetings.
19. Resource Material on Preparation of City Sanitation Plan (CSP) & Capacity Building for Urban Local Bodies.
20. Implementation of 74th CAA, 1992 in Urban Local Bodies and Impact Assessment of Training of Women Elected Members.

*For Contact*

**Ms. Utkarsha Kavadi**

*Director*

Regional Centre for Urban & Environmental Studies of  
All India Institute of Local Self-Government  
M. N. Roy Human Development Campus, Plot No.6, 'F' Block,  
Opp. Government Colony Bldg. No. 326, TPS Road No.12, (BKC)  
Bandra (East), Mumbai - 400 051, India  
Tel : 0091-22-26571713 / 2657 17 14 / 61805600  
Fax : 0091-22-2657 39 73  
Email : rcuesdirector@gmail.com / utkarshakavadi@yahoo.com

# Editorial

## Don't Trash the Future; Reuse and Recycle

The recent collapse of the landfill site at Ghazipur on the outskirts of Delhi served as a chilling reminder of the severe hazards of solid waste in our cities. While such incidents highlight the issue by grabbing media headlines, a very large bulk of the problem manifests itself in the form of a silent killer, almost unknowingly, causing severe environment degradation through ground water contamination and vicious air pollution. This neither grabs headlines nor engages the community in public debates and is therefore all the more dangerous.

Delhi reportedly generates about 10,000 tonnes of municipal waste each day. Among the highest per capita anywhere in the world. As per World Bank's report 'What a Waste', the South Asia region generates on average just 0.45 kg/capita/day against 2.2 Kg for OECD countries. Delhi alarmingly, is over ten times the average for South Asia.

Waste management in cities is a multi-dimensional issue and calls for action on several fronts in order to prevent it from becoming a greater hazard than what it already is. At the heart of the problem is the changing lifestyles and move towards greater convenience and comfort which promotes 'use-and-throw' behaviour as against the traditional and more sustainable option of 'reduce, reuse, recycle'. Recognizing the potential hazards of municipal waste, several legislative measures have been mandated in terms of waste collection and disposal. But as the Ghazipur incident reveals, compliance is more modest than robust. The Ghazipur site, for example, had reportedly reached its capacity way back in 2002 but dumping continued.

Several alternative technology options will emerge. In some developed countries, for example, incineration is used. However this comes with significantly higher investments and operating costs. Then there is need for a robust compliance mechanism to ensure safe disposal of ash and proper handling of flue gases and reclaiming possible heavy metal discharge. In addition there are still concerns of environmental and health impacts of incineration. Therefore this technology may not yet be available for widespread, safe use. In the meanwhile, we need to pursue currently available environment friendly options including anaerobic digestion and composting. This calls for dedicated source segregation of waste, something in which we have had limited success though some bright spots exist in a few towns and cities.

While the above 'disposal efficiencies' will only bring about incremental relief, breakthroughs can come with dramatic changes in the way products are designed, manufactured, packed and used-and of course, reused. Laws in this area are limited. For example use of certain kinds of plastic bags is banned in many cities/states though with limited success. There needs to be larger effort to regulate activities in this area. Manufacturers need to be mandated to design products

# Editorial

and package them in environment friendly ways-ideally suitable for reuse. Eateries could serve in reusable rather than throw away paper plates. Appliance makers/resellers must be made responsible to take back and arrange to recycle packaging-cardboard, corrugated sheets and plastic. Large retailers, superstores, etc. could provide large collection bins/silos near the store where people could deposit packaging like cardboard, plastic and others. These locations could become spots for recyclers to access material for recycling-material which would otherwise end up in landfills. In India there is a history and tradition of reuse and recycle. But we need an organized program which will work to reducing waste and recovering value. This needs to be instilled as a virtue through widespread awareness campaigns by urban local bodies and be mandated by law where required. ULBs can also help develop and encourage the recycling ecosystem with technology and other inputs. We need to do all this and more or else we will soon need another planet just to dump our waste.

In this issue of Urban World, we carry a paper on recent changes in the legal framework of waste management.



# **The Sustainable Development Goals (SDGs) 5: Achieve Gender Equality and Empower all Women and Girls**

**Dr. Vibhuti Patel,**

Professor, Advanced Centre for Women's Studies,  
School of Development Studies, Tata Institute of Social Sciences, Mumbai.

The Sustainable Development Goals (SDGs-2015-2030) are a derivative of the Millennium Development Goals (2000-2015), which spells out the following values: freedom, equality, solidarity, tolerance, respect for nature, and shared responsibility. They are a clarion call of 189 governments, on behalf of their citizens, to free our fellow men, women and children from the abject and dehumanizing conditions of extreme poverty, to which more than a billion of them are currently subjected.

The SDGs are benchmarks of development progress based on such fundamental values as freedom, equity and human rights and peace and security. SDGs can be achieved if all actors work together- heads of the nation states, civil society organizations, international financial institutions, global trade bodies and the UN system and do their part. Poor countries have pledged to govern better, and invest in their people through health care and education. Rich countries must stick to their pledge to support the poor countries through aid, debt relief, and fairer and just trade. Only if there is commitment on the part of the rich as well as poor countries to fulfil these promises all the SDGs could be achieved and distributive justice, gender justice and social justice can be achieved.

## **Gender concerns in SDGs:**

As per World Economic Forum India stands at a 114 amongst 142 countries in terms of Gender Gap Index. All goals are expected to mainstream

SDG 5 that aims to achieve gender equality and empower all women and girls. All 17 SDGs and 169 Targets, are mandated a special focus on gender and challenges discrimination against women by focusing on school education, ensuring that more women become literate, guaranteeing more voice and representation in public policy and decision making-political participation, providing improved job prospects- 36 % Work Participation Rate, food and nutrition security, support to women farmers.

## **Indian Women and SDGs**

The SDGs explicitly acknowledge that gender -- what a given society believes about the appropriate roles and activities of men and women, and the behaviours that result from these beliefs -- can have a major impact on development, helping to promote it in some cases while seriously retarding it in others. SDG 5 (out of 8) is calling for an end to disparities between boys and girls at all levels of education. There is general agreement that education is vital to development, and ensuring that girls as well as boys have full opportunities for schooling will help improve lives in countless ways.

## **Child Sex Ratio:**

Mid-decade census has revealed further decline in the child sex ratio in several parts of India. In the urban centers, deficit of girls has been enhancing due to pre-birth elimination. In spite of demand of

women's groups and recommendation of the Eleventh Five Year Plan to revisit the two child norm laws, several state governments continue to victimize the victim, namely poor, dalit, tribal and Muslim women and unborn girls (as the norm has resulted into intensified sex selective abortions).

### **Reproductive and Child Health:**

Evaluation of Chiranjivi Scheme to halt maternal mortality has revealed that the public private partnership in this scheme allows private practitioners milk tax payers money without giving necessary relief to pregnant woman. Only in cases of normal delivery, the private practitioner admit women for delivery and in case of complicated delivery, the concerned women are sent to overcrowded public hospital. In NRHM, ASHA are not paid even minimum wages and are paid "honorarium".

### **Smart Cities:**

The Union Budget, 2017-18 has given priority to formation of 100 smart cities in terms of high allocation for physical infrastructure, IT based and cyber technology based governance. Smart cities have to be Safe cities. Town planners, policy makers and budget experts need to do gender budgeting to ensure women-friendly civic infrastructure- water, sanitation, health care, safe transport, public toilets, help lines, skill development for crisis management and, safety at work place. While making budgets for social defense services, consideration must be given to safety of girls and women in schools and colleges in terms of prevention of child sexual abuse through public education and counseling facilities, separate toilets for girls and boys in schools, legal literacy on POCSO Act, 2012 and Prevention of Sexual Harassment Workplace Act, 2013. Provision must be made to have special cells in the police department to take action against display of pornographic images, SMS messages, cybercrimes that victimize young girls at public places or in public transport- buses, local trains, rickshaws and taxis.

There is need to integrate safety of women as a major concern in flagship centrally sponsored schemes such as Jawahar Lal Nehru Urban Renewal Mission (JNNURM), PMSSY, NUHM are supposed to have 30% of funds as Women's Component.

### **Predicament of Women Farmers**

Women farmers and cultivators are the backbone of agricultural production in India. Majority of agricultural labourers are women. In agricultural sector also the allocation at Rs. 20400 crores is lower as compared to the 2014-15 in which the allocation was Rs. 22309 crores. The current budget makes a non-plan allocation of Rs.15000 crores to the Ministry of Agriculture to transfer funds to compensate commercial banks for providing subsidised credit to agriculture. The budget permits 100 per cent FDI in rural markets. Entry of corporate sector into agrarian marketing has already made condition of farmers precarious as a result of their monopsonistic control where large number of poor sellers face handful of buyers. Desperate farmers will have to distress selling of their products to the multinational corporations. Several states in our country are facing severe drought resulting into agrarian unemployment. In this context, increase of MGNREGA allocation by 7.7% is highly inadequate. The government of India should initiate Mahila Haats at block level in rural areas so that women farmers can directly sell their products to buyers.

### **Violence against Women and Girls**

At the country level, most initiatives to address violence have been legislative. Although the legislation varies, it typically includes a combination of protective or restraining orders and penalties for offenders. As with property rights, a formidable challenge are often the enforcement of existing laws. Procedural barriers and traditional attitudes of law enforcement and judicial officials undermine the effectiveness of existing anti-violence laws. Training programs for judicial and

law enforcement personnel often go a long way to change such attitudes. Beyond training programs, the establishment of female-staffed police stations has been effective in making them more accessible to women. For the women who have experienced violence, a range of medical, psychological, legal, educational, and other support services is necessary. To prevent violence, improving women's education levels and economic opportunities has been found to be a protective factor. The interventions noted above to improve women's economic opportunities thus become even more important. Ultimately, however, the threshold of acceptability of violence against women needs to be shifted upwards. To do that requires a massive media and public education campaign.

### **National Mission for Empowerment of Women (NMEW):**

The Gender Budget Statement has increased NMEW's allocation to 50 crores which is double as compared to previous year. The budget has not taken serious consideration with respect to violence against women that has escalated many fold. While schemes to combat trafficking and empowering adolescent girls have received increased funds, the schemes meant for implementation of PCPNDT act, the Protection of Women from Domestic Violence Act have not received much allocation. Corpus of Rs. 3000 crores under Nirbhaya Fund has largely remained unutilized. On March 8, 2016, the Union Budget 2015-16 had allocated Rs. 653 for Scheme for Safety of Women in Public Road Transport with an objective to ensure safety of women and girl child in public transport by monitoring location of public road transport vehicles to provide immediate assistance in minimum response time to the victims in distress. The proposed scheme under the "Nirbhaya Fund" envisages setting up of a National Emergency Response System with a control room under the overall control of Ministry of Home Affairs, which will receive alerts from distressed women and take

action on it. Under the scheme for giving grants to States for setting up driving schools, preference is given to proposals for driving school for women. Similarly, 'Beti Padhao, Beti Bachao' scheme was announced with the goal of improving efficiency in delivery services for women. Proposal submitted by different ministries, local self-government bodies and state governments under these schemes are gathering dust and funds have remained largely unutilized.

### **Water**

The audit report of Comptroller and Auditor General of India (CAG) on Accelerated Rural Water Supply (ARWS) has made a shocking revelation that despite recurrent bouts of water borne diseases across the country, all states are ignoring drinking water quality. Most of the State governments did not conduct water quality tests during 2008-09. Poor urban, rural, tribal women's major survival struggle revolves around safe drinking water. Leaving supply of safe drinking water to private players has enhanced hardship of common women.

Budgetary Allocation for Water Supply & Sanitation that affects women's life greatly as consumers, and unpaid and partially paid-workers does not mention facilities for women. This has perpetuated 'unproductive female workload of fetching water from long distance' avers Indira Rajaram. She demands, "water-sheds in the country need to be contoured on the Geographical Information systems (GIS) platform. Using space technology for mapping of aquifers, a five year plan needs to be drawn up for creating sustainable water sources within reasonable reach of rural habitation." (Rajaram, 2007).

### **Energy Expenditure of Women**

Reproductive work and domestic duties demand major time and energy of women. In the rural and tribal areas, collection of fuel, fodder, water, looking after the livestock, kitchen gardening demand great deal of time and energy

from women and girls. The 11th Plan document has acknowledged the fact, but in reality nothing significant is done in terms of priority given to alternative to bio-fuels that causes smoke related illnesses, availability of safe drinking water; child care facilities and adequate public transport for women that would reduce their drudgery.

### **Social Security for Women in Informal Sector:**

Unorganised Workers' Social Security Act, 2008 has hardly made any difference in the lives of millions of poor women in the unorganized sector due to non-implementation of the Act. In the labour market, bizarre scenario is created where girl children are trafficked for sex trade, domestic work and slave labour is employed in occupationally hazardous condition, sexploitation has become the norm in the informal labour markets, domestic work/ servitude go unchallenged; young women workers in Special Economic Zone are hired and fired as per the whims of employers and are paid miserable wages. Ninety percent of women are not getting the benefits of maternity benefits. Design of Maternity Benefit Scheme must be critically examined and specific details should be provided for its judicious implementation and concerned officers who are guilty of non-performance must be made accountable and punished.

### **Elderly Women**

Half Way homes and Elderly Women's Homes must be provided in every district. Pension Scheme for old, disabled women is implemented only in 4 or 5 states such as Kerala, Gujarat, Andhra Pradesh and Tamilnadu. Panchayati Raj Institutions (PRIs) must be motivated to provide an extensive data base on 60 + women in their areas. For widows or elderly women, creation of community-based half way homes, fully equipped with counseling facilities, temporary shelter, get-to-gather, drop-in-centre, skill building/ up gradation and technical training, is far more humane way of providing social security rather than doling out money that gets snatched from them by the bullies or wicked relatives.

### **NREGA**

Trade unions and women's rights organisations from M.P., Punjab and Bihar have repeatedly conveyed that even under NREGA pay disparities are reported by women. Though NREGA provided job to 56,29,822 women in 2007-08 (GOI, 2009), they are assigned the most unskilled and low paying tasks. Development economists and feminists have demanded that NREGA be turned into an Earn-While-You-Learn plan through Public Private Partnership (PPP) model that creates an on the job training module aimed at up gradation of skills of women working at the sites. National Skill Development Mission (NSDM) plans to add 1 crore workers to the non-agricultural sector through skill training. It must respect 30 % women's component of the total employment opportunities. Human (here, Women) capital formation is a must for value addition among women employed in NREGA. Central Employment Guarantee Council that is supposed to be an independent watchdog for NREGA must be made accountable for gender sensitive implementation of NREGS.

### **JNNURM**

Vocational Training for women must be an inbuilt component of JNNURM. Support services such as crèche, working women's hostel, schools, ICDS centers, ITIs must converge to make an effective utilization of infrastructure.

### **SHGs**

Provision of loans at 4 % interest rate is implemented only in A.P. Federations of SHGs for women are pressurising other State governments also to provide loans at differential rate of interest. A feminization of agriculture, 71% women workers are in agriculture and women form 39% of total agricultural workers, demands women component plan in PRIs. There is an urgent need for a paradigm shift from micro-credit to livelihood finance, comprising a comprehensive package of support services including insurance for life,

health, crops and livestock: infrastructure finance for roads, power, market, telecom etc. and investment in human development; agriculture and business development services including productivity enhancement, local value addition, alternate market linkages etc. and institutional development services (forming and strengthening various producers' organisations, such as SHGs, water user associations, forest protection committees, credit and commodity cooperatives, empowering Panchayats through capacity building and knowledge centers etc.). A network of capacity building institutions should be set up to strengthen and develop SHGs to undertake the various functions into which they are expanding, including Training of Trainers (ToT), and to nurture and mentor them during the process. Milk cooperative must be run and managed by women. The local authorities should facilitate meeting of SHGs of women with the bank managers, lead bank officers and National Bank for Agriculture and Rural Development (NABARD) officers. There should be reservation of 10% of authorized shopping areas for SHGs of women. Women's SHGs with primitive accumulation of capital should charge 2% or below 2% rate of interest. The SHGs that manage to acquire Swarnajayanti Gram Swarojgar Yojana (SGSY) loans should reduce the rate of interest to 1.5%. Female headed households (single, divorced, deserted and widows) should get special consideration while granting loans.

### **Women's Component Plan (WCP)**

Gender audit of Scheduled Caste Plan (SCP), Tribal Sub Plan (TSP) and financial allocation of Ministry of Minority Affairs is urgently required. So far only proclamations are made by the state governments but except for Kerala, none of the States have implemented WCP in all development oriented schemes and programmes. For example, in the Union Budget, 2009-10, there is Need to Emphasize Women's Component in mega schemes on education, health, MGNREGS, Bharat Nirman, AIDS Control Programme, Skill Development

Fund, Animal Husbandry, Dairying and Fisheries Programme and funds of Department of Agricultural Research and Education. These development oriented activities where massive financial allocation is made need to specify women's component, at least 30% of the total budgetary allocation within the overall financial provision. Reservation of seats for girls must be ensured for Skill Development institutes and Model Schools for which sizable allocation is made in the budget.

### **Women's Rights Education**

No efforts are made by the State or professional bodies for employers' education about basic human rights of women workers. Supreme Court directive as per Vishakha Judgment concerning safety of women at workplace is still not implemented by most of the private sector employers and media barons.

### **Utilisation of Financial Allocation for Pro Women Schemes**

Only 3-4 states are taking advantage of financial allocation for Swadhar, working women's hostel, short stay homes for women in difficult circumstances and UJJAWALA: A Comprehensive Scheme for Prevention of trafficking and Rescue, Rehabilitation and Re-integration of Victims of Trafficking and Commercial Sexual Exploitation. What are the bottlenecks? Implementation of crèche scheme is far from satisfactory.

It is encouraging to note that the proposal to reserve 50% seats for women in PRIs was cleared by the cabinet on 27-8-09. But Fund flow to PRIs has not been streamlined even after separate budgetary allocation for PRIs made in the current budget. How many states have provided women's component in Panchayat funds? Is it utilized judiciously for women's practical and strategic needs?

All State governments must be made to work towards fulfillment of longstanding demands of the women's groups that provisions be made in the composite programmes under education, health

and rural development sectors to target them specifically at girls/women as the principal beneficiaries and disaggregated within the total allocation and restrictions are placed on their re-appropriation for other purposes.

### **Road and Rail Transport for Women:**

India is undergoing U-shape phenomenon so far as women's work participation is concerned (Sudarshan and Bhattacharya, 2009). There has been continuous increase in the work participation of women in the Indian economy. Most of the working women in urban and rural areas travel in overcrowded buses and trains. In the transport sector top priority needs to be given for women special buses and trains in all cities. For women street-vendors seat-less buses and special luggage compartments in trains need to be provided.

### **Implementation of Legislations**

Promise of the Eleventh Five Year Plan (EFYP) to allocate funds for Implementation of PCPNDT ACT, 2002 and Domestic Violence (DV) Act has remained unfulfilled in most of the states; and marginally fulfilled in some states such as A.P., Kerala, Karnataka and Tamilnadu.

No progress is made in providing audit of land and housing rights of women by any ministry- Urban Development, Rural Development, Tribal Development, Panchayati Raj institutions (PRIs) and Urban Local Self Government bodies.

### **Minority Women**

After consistent highlighting of the findings of Rajendra Sachar Committee Report, 2007 on deplorable socio-economic status of majority of Muslims in India, special budgetary allocation for socially excluded minority communities is made. In sub-plan for minorities where allocation of Rs. 513 crore is made in Budget Estimates, no specific allocations are made for minority women and women headed households by Ministry of Minority Affairs. Inadequate allocation for crucial schemes affecting survival struggles of women such as Rajiv Gandhi National Creche Scheme for

Children of Working Mothers (Rs. 56.50 crore), Working Women's Hostel (Rs. 5 crore), Swadhar (Rs. 15 crore), Rescue of victims of trafficking (Rs. 10 crore), Conditional cash transfer for Girl child (for the 1st time introduced and allocation of Rs. 15 crore made) need to be corrected.

SDG 5 must direct efforts of the state and non-state actors to provide structures, mechanisms, funds and functionaries so that Indian women are ensured.

- Working women's hostels, night shelters for homeless women, crèches, cheap eating facilities, public toilets
- Women friendly and SAFE public transport- local trains, Metro, buses
- Housing- Subsidized housing for single/ deserted/ divorced/ widowed women
- Nutrition- Strengthening PDS and nutritional mid-day meals
- Health- Abolition of user fees for BPL population, one stop crisis centre in public hospital for women/girls survivors of violence linked with shelter homes
- Skill training centres for women and tailor made courses
- Safe, efficient and cheap public Transport-bus, train, metro
- Water- Safe drinking water in the community centres
- Waste Management- Technological upgradation- Occupational health & safety of recycling workers/rag pickers
- Proper electrification in the communities
- Multipurpose Community centres, half way homes for elderly and mentally disturbed women

### **Conclusion**

Overall, the Convention to Eliminate All Forms of Discrimination against Women (CEDAW)

provides a useful international mechanism to hold countries accountable for meeting SDG 5. The SDG campaign offers an opportunity to attend to the unfinished business of development by fulfilling the promises made by world leaders to reduce poverty, end hunger, improve health and eliminate illiteracy. Gender inequality fuels many of these ubiquitous challenges and is exacerbated by them. Conversely, gender equality and the empowerment of women can secure the future of women themselves, their households, and the communities in which they live.

**Reference:**

1. CBGA (2009) *The Economic Crisis from a Feminist Perspective*, Delhi: Budget Track, A Publication by Centre for Budget and Governance Accountability, Vol. 6, Track 2 & 3, April.
2. Chakraborty, Lekha (2008) "Invisibility of Women's work in Budgeting", Delhi: Labour File, Vol. 6, Nos-2 & 3, March-June, pp. 15-18.
3. Hiraway, Indira (2009) "Understanding Poverty: Insights Emerging from the Time Use of the Poor" in *Unpaid Work and the Economy: Gender, Time Use and Poverty in the Global South*, edited by Rania Antonopoulos and Indira Hiraway, U.K.: Palgrave Publishers.
4. Labour File (2010) *In Defense of the Rights of Domestic Workers, A bi-monthly Journal of Labour and Economic Affairs*, Vol. 8, No. 1-3, January-June,
5. Mishra, Yamini and Bhumika Jhamb (2009) "An Assessment of UPA-I through a Gender Budgeting Lens", Mumbai: Economic and Political Weekly, Vol. XLIV No. 35, pp. 61-68.
6. Patel, Vibhuti (2009) [http://www.gender-budgets.org/content/view/292/156/United Nations Development Fund for Women \(UNIFEM\) and The Commonwealth Secretariat](http://www.gender-budgets.org/content/view/292/156/United+Nations+Development+Fund+for+Women+(UNIFEM)+and+The+Commonwealth+Secretariat).
7. Patel, Vibhuti (ed.) (2010) *Girls and girlhoods at the Threshold o Youth and Gender*, The Women Press, B. R. Publications, Delhi.
8. Shiva, Vandana. *Earth Democracy: Justice, Sustainability, and Peace*. London: South End Press, 2005.



# Industrialisation, Displacement and Marginalisation of Weaker Section

*Empirical Evidences from 'Hajira' a Fringe village of Surat city of South Gujarat*

**Ankit Patel,**

Assistant Professor, Saraswati College of Social Work, Moriyana, Gujarat.

## **Abstract**

*This article argues that in absence of 'proper' development induced Displacement<sup>i</sup>, Resettlement<sup>ii</sup> and Rehabilitation(R&R)Policy/Program, virtually turns into 'marginalization' the condition of weaker section of the rural society. This is what brought out in this article by taking the case of Hajira village, a fringe village of Surat city in south Gujarat, where large scale industrial development has been taken place in post 1980s. It is observed that the farmers especially small, marginal and the other agriculture dependents such as agricultural labourers, animal rears, share-croppers, artisan group, etc. lost their traditional means of livelihood due to acquisition of land; of both types privately and commonly owned.*

*The present article written on the basis of the author's M. Phil. dissertation (2012a) that was completed in 2012. Total 59 i.e.14% sample families comprising various groups such as farmers of all types; rich, medium and marginal, animal rears, agricultural labourers, fish workers, scrap accumulators were selected proportionately by using scientific sample method.*

## **INTRODUCTION**

India initiated the new economic reforms in post 1980s. The contribution of manufacturing sector is comparatively less than the service sector in the Indian economy. According to Gurcharan Das, India's manufacturing share in Gross Domestic Product, 16 percent is so low- roughly half of other emerging economy that India still has

great potential to shift sizable labour from farms to small, low- tech factories. (Times of India, March 22, 2015).Das was also of the opinion that because of rigid labour laws 'informal' jobs was greater. In order to make progress it has been realised that increase in the manufacturing sector felt essential. India introduced the New Economic Policy in post 1980s, which gives more leverages to the private players and corporate sector to come and invest to make in India. The liberalisation of the present land acquisition bill, 2015 was a step in this direction. The present government in power trying to remove all the obstacles such for speedy and easy land acquisition for promotion of industrialisation. Generally it is believed that industrialisation raises per capita income, that subsequently percolate at the bottom and thereby it reduces poverty and also generate more employment, which agriculture has its limit. But what happened in the real situation, where industrialisation has taken place to the large extent? Whether the economic condition of the affected people, particularly vulnerable section of the rural society changed affirmatively? Whether rural poor able to take benefits of it? Whether the industries do take care of the affected population as a part of Corporate Social Responsibility (CSR)? These are some of the questions that the author has tried to answer in the present article by taking the case of Hajira, a fringe village of Surat city of south Gujarat. Total 59 Sample Families (SFs) were selected from various socio-economic strata by using the scientific sample selection method.



## Hajira Hub of Large Scale Industries

Hajira, located in Choriyasi taluka on the west coast of Arabian Sea at the distance of 20 km from the historical Surat city, proved ideal industrial location. Surat was considered a major trading centre since the British time. Hajira formed a part of Hajira Area Development Authority<sup>iii</sup> (HADA) region, where many large scale industries have come up in this area after the discovery of natural gas at Bombay High. Between 1981 to 2001, it has witnessed phenomenal growth in terms of large scale industries such as National Thermal Power Corporation Limited, Larsen and Toubro, Reliance, Oil and Natural Gas Corporation Limited, Indian Oil Corporation, Liquid Petroleum Gas Terminal, KRIBHCO, ESSAR Steel and Power and Gujarat Industrial Development Corporation, etc. Two Special Economic Zones (SEZ), namely ESSAR Power SEZ for Gems & Jewelry and ESSAR Hajira SEZ have started working in the HADA region. It represents nearly a third of the industrial investment in Gujarat and a tenth of its economic output. It is estimated that total capital investment of over Rs. 500,000 million of investment by 2025. The large scale industrialisation has also resulted in acquisition of land in a big way. Lobo Lancy and Shahikumar (2009) noted that total 5,267 hectares of land of 18 villages of HADA which includes village Hajira acquired for the industries.

## Weaker Section in Hajira

In the definition of weaker section, the author has included to those families who were socially, educationally, economically and politically remained backward compared to the other sections of the rural society. It was observed that like other industrial projects, majority of the affected population in Hajira belongs to weaker section of the society. The weaker section generally consists of those populations which lacks land resources and suffers from deprivation of different kinds including unemployment, illiteracy and ill health.

The deprivation was more pronounced in the case of weaker sections such as marginal farmer, agriculture labourers, fishermen and women.

In the above context, in Hajira, the author included mainly of the socially and educationally backward castes (SEBC, identified by the Baxi commission appointed by the state government in 1972, Other Backward Castes (OBCs), as per the Mandal Commission appointed by Central Government in 1980, and the Scheduled Tribes (ST) categories.

**Table 1** indicates that, SFs of Hajira village belong to Koli community (61 percent) followed by the Machhis (23 percent), Ahir (4 percent), Halpati (8 percent) and the rest were others. Koli Patel, Machhis and Ahir caste belongs to 'Baxi Punch'. Majority of the SFs having education between 8<sup>th</sup> to 12<sup>th</sup> standard. 63 percent SFs earn less than rupees 10,000 per year. Around 63% SFs has only one earning member in family.

The village census carried out by the author, shows that of total 427(4 respondent have not responded, hence excluded) families of Hajira as many as 77 percentage families were found landless. Those who own land, 17 percent families owned land between 1 to 3 acres of land. Only around 6 percent families owned land more than 3 to 7 acres of land. The land owned pattern also suggests that majority of them were marginal farmers and majority of them were poor.

## Composition of Workers in Hajira

It is evident from 2001 Census data that majority of the workers (88 percent, Out of total 1767 workers) listed as 'main workers' whereas only 12 percent 'marginal workers' in Hajira. Very less numbers of percentages were found in primary occupation as the cultivators and the agricultural labourers (5 percent and are 13 percent respectively). The majority (82 percent) of the workers were found as 'Other workers' such as government servants, municipal employees, teachers, factory workers, plantation workers,

**Table 1: Social Profile of SFs of Hajira**

<b>Particular</b>	<b>Category</b>	<b>Numbers</b>	<b>Percentage</b>
Size (no. of members)of the family	Less than 3	12	20.3
	4 to 6	30	50.8
	7 to 10	11	18.6
	More than 10	6	10.2
	<b>N</b>	<b>59</b>	<b>100</b>
Caste Groups	Koli Patel	41	69.5
	Ahir	2	3.4
	Macchi/ Khalasi	10	16.9
	Halpati	6	10.2
	<b>N</b>	<b>59</b>	<b>100</b>
Caste Category	ST	6	10.2
	SC	0	0
	OBCs	53	89.8
	<b>N</b>	<b>59</b>	<b>100</b>
Education of the respondent	Illiterate	11	18.6
	Up to 7 <sup>th</sup> standard	13	22.0
	8 <sup>th</sup> to 12 <sup>th</sup> standard	32	54.2
	More than 12 <sup>th</sup> standard	3	5.1
	<b>N</b>	<b>59</b>	<b>100</b>
Highest Education of SFs in Hajira	Illiterate	0	0
	Up to 7 <sup>th</sup> standard	4	6.8
	8 <sup>th</sup> to 10 <sup>th</sup> standard	27	45.8
	10 <sup>th</sup> to 12 <sup>th</sup> standard	14	23.7
	Graduate	7	11.9
	Post-graduate	1	1.7
	Other*	6	10.2
	<b>N</b>	<b>59</b>	<b>100</b>
Family income (In Rs.) of SFs in Hajira	Less than 10000	37	62.7
	10001 to 25000	18	30.5
	25001 to 50000	2	3.4
	50001 to 1.5 lakh	2	3.4
	More than 1.5 lakh	0	0
	<b>N</b>	<b>59</b>	<b>100</b>
Earning member in the family	One	37	62.7
	Two	11	18.6
	More than two	11	18.6
	<b>N</b>	<b>59</b>	<b>100</b>

*\*It includes ITI, PTC, Technicians, and Diploma holders.*

those engaged in trade, commerce, business, transport, banking, mining, construction, political or social work, priest, entertainments, artists, etc. Majority (73 percent) of the marginal workers engaged as agriculture labourers. Similar trend was found by the author in the survey<sup>iv</sup>. It is evident from the data that the casualisation of economic activities has increased in the village.

### INDUSTRIALISATION: ITS IMPACT ON WEAKER SECTION

The author found that the condition of farmers and inter-connected groups such as share-croppers, landless labourers, animal rears, etc. has deteriorated significantly in Hajira.

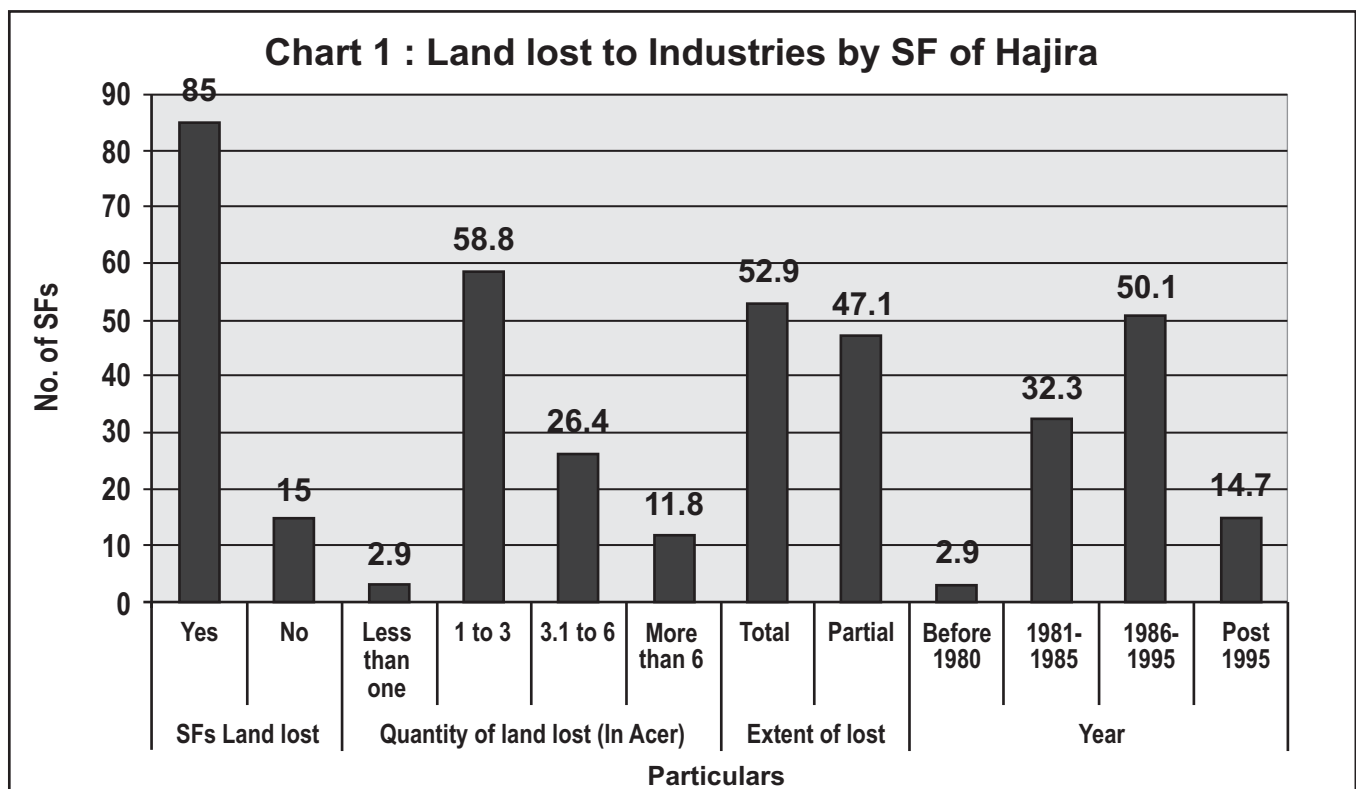
#### Landless has increased

It is found that, Out of total 40 land owning SFs, 85 percent (34 SFs) lost their revenue land. Out of the total families who lost their land, 53 percent have become completely landless, whereas 47 percent have either turned small or the marginal farmers as they have lost 'partial' land. Majority of the farmers have lost land between 1 to 6 acres.

As mentioned above total 5,267 hectares of land of 18 villages were taken for industrial purposes<sup>v</sup>. Due to acquisition of the land not only the farmers but also inter-connected groups such as share-croppers, landless labourers, animal husbandry, fishermen, etc. affected directly or indirectly manner.

Usually, the industries offer 'Cash for land'. The assumption behind this was that with cash the affected family will purchase land at elsewhere. In reality, only a few families have purchased land. In majority of the cases the farmers who lost their land have spent compensation money in unproductive manner (**Table 2**).

**Table 2** indicates that majority have used the compensation money by way of fulfillment of social ceremony such as marriage, death, child birth, etc. 50 percent SFs used compensation to construct new house. Only around 10 percent SFs have used their compensation money in purchasing the new land, that too partially.



**Table 2: Use of Compensation money by the SFs of Hajira**

Compensation	Particulars	Numbers	Percentage
Use of Compensation	Purchased land in another area	3	9.4
	Built new house	16	50.0
	Fulfillment of Social ceremony such as marriage, death, child birth, etc	18	56.2
	Started new business	1	3.1
	Purchased Two/three/ Four wheeler	4	12.5
	Repayment of debt	3	9.4
	Any other**	12	37.5
	N* = 32		

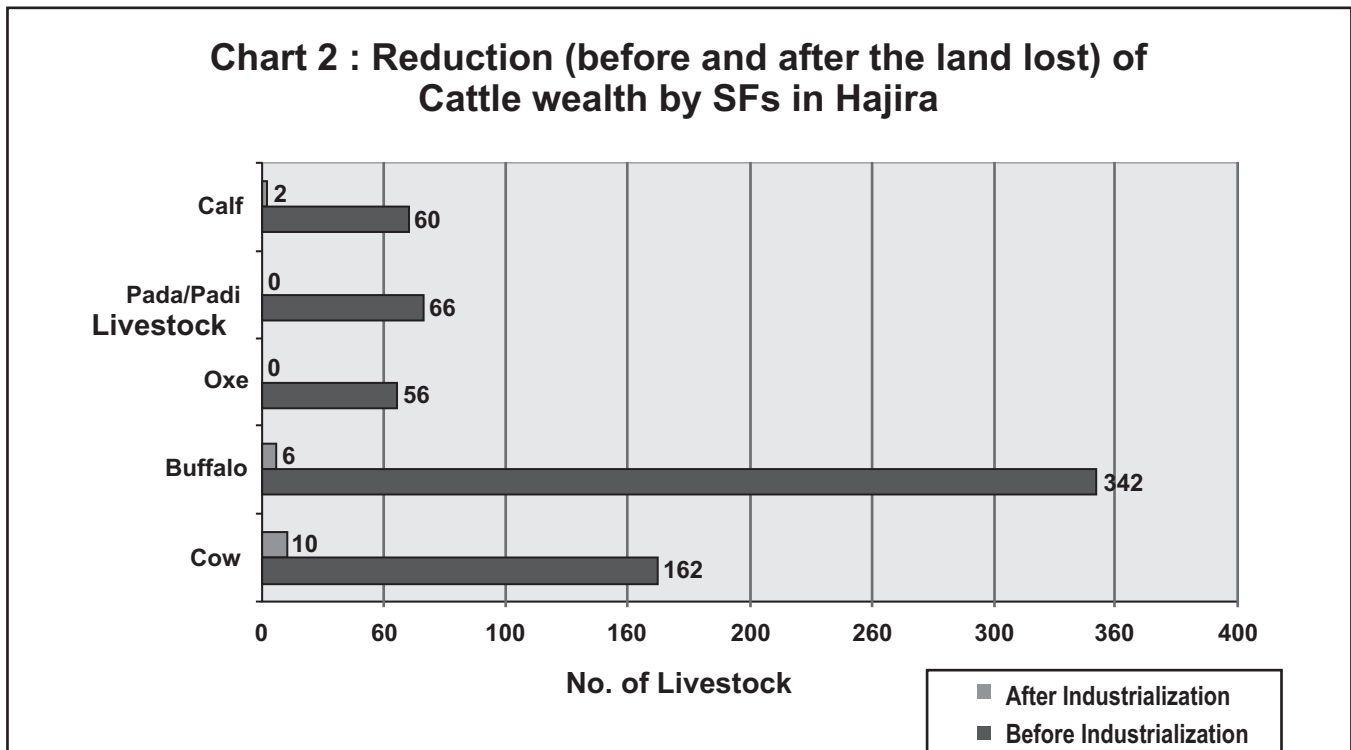
\* Total 32 SFs have received compensation but they have used it more than one purpose. Hence, Multiple Responses.

\*\*Other includes Consumption, Sickness expenses, domestic expenses, purchase of house, etc..

**Loss of Common Property Resources and Reduction of Livestock**

Apart from private land, the village pasture land and land of sea strip, forest lands were also

acquired by industries and port developments project.<sup>vi</sup> The absence of grazing land and worsened economic condition has forced many families to sell out their cattle.



**Chart 2** indicates that the numbers of SFs reporting rearing the live-stock have reduced considerably. The decrease is found in all types of live stocks including Cows, Buffalo; Ox, Calf, Goat and Poultry. An old man reported “Earlier the milk was going to Sumul dairy (located in Surat city) from the village, now the milk is coming to village from Sumul dairy, thanks to industrialisation”. Supplementary sources of income for the farmers have reduced considerably. This has resulted in reduction of Household (HH) economic status.

### Condition of the Agricultural Labourers Worsened

Prior to industrialisation, agriculture labour work was one of the primary occupations of the people of Hajira particularly of landless Halpatis. All the farmers revealed that they stopped calling agricultural labourers due to the land lost and workdays in agricultural activities have decreased to a large extent (**Table 3**). Due to the acquisition of land the labourers have become victims of this development, though indirectly.

**Table 3: Changes Observed by the Agricultural labour in matter related to their work after industrialisation in Hajira**

Changes	Category	Response
Work days employment	Remained same	1(2.9)
	Decreased	34(97.1)
	<b>N</b>	<b>35(100)</b>
Wages	Yes	35(100)
	No	0
	<b>N</b>	<b>35(100)</b>
Stop work as Agriculture labour	Yes	33(94.3)
	No	2(3.4)
	<b>N</b>	<b>35(100)</b>
Members abandon the work	Less than	215(45.4)
	3to 6	13(39.3)
	More than 6	5(15.1)
	<b>N</b>	<b>33(100)</b>

### Fishing Activities Lost

Out of total 59 SFs, 26 SFs (44 percent) were engage with fishing before industrialisation in Hajira. Out of 26 SFs, 15 SFs (57.7 percent) abandoned fishing (**Table 4**). All the 26 SFs who were engaged in fishing have told that the quantity of the fish catch has reduced after industrialisation. Thanks to the pollution by the chemicals, dragging/filling activities and noise pollution in sea. Certain type of fishes such as Ramcha, Chiliya, Modar,

Levta, Boi, Karachla, Bumla, Gingha, Dahangda, Palava, Poplet, Khut, Singada, Varkhla, Gal, etc. have become a matter of past. Quantities of fishes have also reduced after the industrialisation. Nearly 87 percent fishermen told that their fishing instruments have become totally redundant.

**Table 4 : Fishing Activities among the SFs of Hajira**

<b>Fishing Activity</b>	<b>Response</b>	<b>Frequency</b>	<b>Percentage</b>
Sfs engaged with fishing before industrialisation	Yes	26	44.0
	No	33	56.0
	<b>N</b>	<b>59</b>	<b>100</b>
Sfs Abandon fishing	Yes	15	57.7
	No	11	42.3
	<b>N</b>	<b>26</b>	<b>100</b>
Reduction in the quantity of fish catch	Yes	26	100.0
	Reduce 25-50%	2	7.7
	Reduce more than 50%	24	92.3
	<b>N</b>	<b>26</b>	<b>100</b>
Reduction in income from fish sale	Yes	26	100.0
	Reduce 25-50%	2	7.7
	Reduce more than 50%	24	92.3
	<b>N</b>	<b>26</b>	<b>100</b>
Reduction in work days from fish catch	Yes	26	100.0
	Reduce 25-50%	2	7.7
	Reduce more than 50%	24	92.3
	<b>N</b>	<b>26</b>	<b>100</b>

### **Problems of Gender gets Aggravated**

Akash (2000) studied women participations in income generation in Hajira area.<sup>vii</sup> He interviewed 400 HH. Of them, he found that women were doing some kind of economic activity in 269 (67 percent) HHs. In 21 percent HH, women were contributing more than 33 percent in the total family income. It is evident from the study that a high proportion of women were doing economic activities<sup>viii</sup> in the Hajira area, but it was unreported.<sup>ix</sup> 90 percent of the SFs revealed that the problems of women increased after industrialisation. Many have lost their gainful employment and finding difficulties in getting work in the midst of the industries.<sup>x</sup> They are un-skilled and semi-literate or illiterate hence they are un-able to take the benefits of jobs that have created out of industrialisation. Due to the influx of the migrants in large numbers the women find insecure especially move freely in the evening and also noon time.

In absence of gainful employment, many women, particularly from the lower socio-economic background were forced to adopt scrap collection work, which was considered below their dignity. 36 percent SFs of Hajira, specifically, the women of Halpatis, Machhis and few Kolishave taken this job. This activity was found to be injurious to the health and proved hazardous<sup>xi</sup> for the life, in spite they were doing as they do not have any alternatives.

### **Loss of Social Security**

After industrialisation, the people of Hajira particularly poor have lost the social security too. Prior to industrialisation, usually the landless labourers and fishermen took advance money from the traders and farmers. Few Kolis cultivators used to engage the Halpatis, landless labourers as 'attached labourers'.<sup>xii</sup> This practice has totally abandoned due to the lost of land in industries. The Halpatis have lost the security of work as well as the

advance money. Similar, was the case of fishermen.<sup>xiii</sup> This traditional arrangement has dismantled due to the industrialisation.

The loss of land has resulted in many social and cultural manifestations for the people of Hajira. The agricultural labourers, fisher-folk and the farmers have lost their credit worthiness resulting in serious repercussions. Michael Cernea considered it as the foundation of the whole life of people living in rural areas. It is not just a source of earning but is also a source of prestige, power, status, and recognition which are key factors in the village life.

### **Impoverishment and Marginalization**

Many of the families of Haplatis and some families of the fishermen and few families of the Kolis were unable even to have two meals a day.<sup>xiv</sup> Their condition has become pathetic as the creditworthiness has gone. The items like milk, vegetables, fish, edible oil etc. that they were able to consume before the arrival of the industries have gone out of their reach in the post-industrial phase. Their families suffer from high levels of malnutrition. More than a dozen of cases in village HADA area in which men have died at the early age by rendering the family in a destitute condition.

It was observed that few local people have developed the state of helplessness in absence of proper redress and grievances mechanism. During the field work, the author comes across the people who were in a desperate condition. They could not see any hope against these mighty powers. 'If any people can make injustice one can approach to the government, as the government is ones' guardian but, when the government itself does injustice to one, whom to complain?'

### **Reasons for Impoverishment/ Marginalization**

The main reasons for the devastation of PAFs of Hajira were that the industries have initiated some of the programs but they were not found adequate to cater the aspirations and to solve the problems of various strata. (Patel Ankit, 2014).

Many people of Hajira faced displacement forcibly and that too without the adequate support from the industries as well as the government, and hence they were forced to resettle of their own. Most of the affected families were unable to regain their earlier economic status that they were enjoying prior to the industrialisation as many of the industries lack proper R&R policy and the programs. Industries initiated only 'ad-hoc' programmes without the participation of the people at the grass root level, Therefore most of the programmes mostly remained on paper. Even after passing of 20 to 25 years of their displacement, many people of Hajira are still struggling hard for accommodating themselves successfully in the new situation.

Another reason in majority of the cases, it was so happened that the cash compensation proved inadequate to rejuvenate the lost sources of livelihood. All the industries located at Hajira and nearby areas have followed the policy of 'Cash for land'<sup>xv</sup> and not the 'Land for Land'. 82 percent farmers<sup>xvi</sup> and only four fishermen of the SFs have received cash compensation. The cash compensation paid to the farmers found extremely low. Due to that many farmers were unable to purchase land elsewhere. 'Cash for the Land' policy has utterly failed at the grass root level. Similarly, the dependent population on agriculture such as agricultural labourers, the livestock rears, artisans, and other occupational categories did not receive single paisa by way of compensation. It has created severe repercussions in the life of the local people. Besides, it was found that those who received compensation used money unproductively.

Michael Cernea and Hari Mohan Mathur (2008) have observed that the policy of 'Cash for Land' has miserably failed in order to restore the status of livelihood of the affected population at the resettlement site. World Bank document (2004:158) also noted that also noted that compensation for expropriated assets is often not enough to restore livelihood and standard of living,

especially among poor and vulnerable groups. The activities carried out under the CSR schemes have also utterly failed to cater the problems of local people. The industries had done work related to health, education, training, temporary jobs and contracts but it had not reached to many. The environment and health problem become worrisome. The CSR program is fail to generate new jobs among vulnerable groups. The unemployment in vulnerable section pushed in to marginalize and impoverish condition. Industrialists have tried to keep happy by giving contracts and jobs to affluent section of society. However, this technique has not completely stopped the anger of people who are affected most. It was happened due to two reasons; one as the programs are not designed in consultation with the local people and second it has not taken into serious consideration of the power structure that operates in the rural society (Patel Ankit; 2012b).

### **CONCLUDING REMARKS**

From the above description it can be concluded that the process of development has proved 'painful', particularly for the vulnerable section of the village society. The text of the article shows that the industries in and around Hajira have utterly failed to address concept of 'social cost' and asserting the cost of it. Joseph E. Stiglitz (2001), the Nobel Prize winner in Economic Science has concluded that Globalisation has proved detrimental to the poor and other weaker sections of society. Similarly, Bhaduri (2005) also found that in India, LPG model of development has resulted in widening inequalities between the 'haves' and 'have-nots'. Besides, it has accentuated the deprivation, particularly of the poor and marginalized sectors of the society. Despite India's higher economic growth in recent years, poverty continues to persist amongst one-third of country's population. Similar observation made by Prakash B.A. (2012:579). He mentioned that industrialisation has caused a divide between rich and poor. Of course, disintegrate of middle class took place and they too have to spend life under the poverty line. Wealth concentrates in a fewer hands.

Undoubtedly, development of industrialisation brings increase in production but it has not remained without cost. Industrialisation caused the rise of new classes and result in exploitation, testy and inequality. There are very little trickle down effects of the economic growth associated with this model of development. Rajkishor Meher (2009:25: 457) revealed that the proliferation of mines and mineral-based industries in tribal regions of the country has resulted in the displacement of the indigenous people and also aggravated the poverty further among the indigenous people of the region. Anand Venkatesh and Jain Chandan (2012), also confirm the observation of Hajira that the community members already disadvantaged receive smaller or even negative benefits. The present article also confirms the above facts that industrialisation has resulted in aggravated the problems of the deprived section of the society. The vulnerable section gets further 'marginalised' in absence of proper policy and programs of R&R. It has happened so because, still, the idea of displacement guided by the thought that some individuals have to sacrifice for the larger good. Majority of the industries do not have a policy of R&R plan. In such condition, the weaker section pushed in to impoverishment and marginalises condition and they developed the feeling of 'helplessness'. It is high time to think for the 'proper R&R' in order to introduce the new economic reforms successfully.

### **Notes & References**

- i The term "displacement" is used most often in the context of physical departure from the current homeland but is mainly associated with the loss of existing economic and social facilities and of access to the relevant resources, with no benefits gained in return. The term displacement is mostly applied to the situation of individuals, tribes and communities that have been cut off from their current socio-economic base and as a result have seen their standard of functioning deteriorate significantly.*



- ii *The category of resettlement has a definitely more process-related character than displacement. The term “resettlement” used here in the context of relocation based usually accompanied by adequate support to the cost of the depletion of former resources. Thus it is compensated.*
- iii *It was constituted in 1985 under Gujarat Town Planning and Area Development Act of 1963 for planned industrial development of area under its jurisdiction. Nine villages Hajira, Sunvali, Rajgari, Mora, Bhatali, Dmaka, Vansva, Kavas and Limla spread over 86 sq. km. come under HADA's jurisdiction. HADA region comprises 14.5 percent area of Choryasi taluka of Surat district and 17.2 percent of the total rural area of the taluka. The land is mainly saline and marshy. The terrain is undulating, with chain of sand dunes and drifting sands, making agriculture less productive.*
- iv *Out of total 431 family of entire village the livelihood pattern of Hajira reveals that around 30 percent families of were depending upon the agricultural and related activities, 39 percent engaged in jobs and the rest 31 percent were found engaged in varieties of activities such as scrap collection work, driving, lari-galla (petty shop), business, tailoring work, rental income, compounder, maid servant, artisan work etc.*
- v *The land was used for various purposes; such as for erection of plants, construction of roads, railway, warehouses, townships, ancillary units, etc. The lands were acquired through diverse methods; by acquisition, purchase, grabbing, encroachment, etc.*
- vi *It is to be noted that, the village common land was used by the people of Hajira as a customary rights since generations. The sea strip land was used by the fishermen as fishing ground, but due to the arrival of port in Hajira, the fishermen have also lost their source of income. It has also resulted in worsening the condition of the people of Hajira.*
- vii *This study was carried-out for Shell India limited, engaged in Port development Project at Hajira.*
- viii *Akash (2000:1) observed five main economic activities carried out by women in these areas 1) Growing vegetables and selling them (28 percent) 2) Animal husbandry- Selling milk (25 percent) 3) Agriculture labor 4) Fishing (5 percent) and 5) Working as maidservant in industrial townships (5 percent). Other activities include selling knitted items, working as midwife, school teacher, running a retail shop etc.*
- ix *Akash Acharya (2000) found that in day-to-day life women is more burden than men in terms of long work hours but lot of the work they do never gets recognised.*
- x *The condition, especially of women becomes pathetic as they only remained the bread winner of the family though scrap collection activity and working as “maid servant” in the township.*
- xi *After complication of authors' field work, one woman had died as she was burnt by the iron part, which was very hot. Some of the chemicals are dangerous to their health. Moreover, they have to stretch out the scrap and hence during their work much dust goes in their body through breathing.*
- xii *The method of attached labor is very much popular in South Gujarat, in which a labor, generally takes advance money from his master on a day of Akhatrij, i.e. beginning of the new year of the peasant castes and bind by the verbal agreement that he would served as labour throughout the year, with a fix price and two meals a day and tea and snacks. In between he would not left his master, no famer will allow him to do labour work elsewhere; one's agreed.*

- xiii Advance payment method was also found prominent among the fishermen community of the village. Traders of Surat made mutual contract with the local fishermen to sell out fishes to the particular trader/s throughout the year at the fix price in lieu of advance. Many of the fishermen have such contracts not just for security but also for assured market. Once they make such agreement in such case they do not have to worry much for marketing their fish.
- xiv The families are curtailing the use of some basic items like meat, sea food, edible oil, vegetables, dry fruits etc. It may create adverse repercussions on their health at the long run. Reduction in sea food is because of reduced the availability of sea food and also decrease of the purchasing power of the people; more specifically of middle and the poor people of Hajira.
- xv The assumption is that with cash the family will purchase land elsewhere.
- xvi Out of total 34 SFs who have lost their land of them 6 have yet to receive compensation of the land they have lost. The court cases are going on with regards to their land.
1. Acharya Akash. (2000). "Women Participation in Income Generation in Hajira Area" (mimeo), Surat: Centre for Social Studies.
  2. Anand Venkatesh and Jain Chandan (2012). *Impact of Industrialization on Rural Communities -An Overview*, in their unpublished paper, presented at IDRC-TTI workshop on Rural- Urban Linkages 21st and 22nd August 2012 IRMA, Anand.
  3. Bhaduri, Amit (2005). *Development with Dignity: A Case for Full Employment*. New Delhi, India: National Book Trust
  4. Cernea Michael and Hari Mohan Mathur (ed.) (2008). *Can compensation Prevent Impoverishment? Reforming Resettlement through Investments*. Delhi: Oxford University Press.
  5. World Bank document (2004). 'Involuntary Resettlement Source Book, Planning and Implementation in Development projects', The World Bank, The International Bank for Remonstrations and Development, Washington DC, USA,
  6. Lobo Lancy and Shashikant Kumar (2009). 'Land Acquisition, Displacement and Resettlement in Gujarat' 1947-2004, New Delhi: Sage Publication India Pvt. Ltd.
  7. Patel Ankit (2012a). *Exploring the Impact of Science, Technology and Industrialization: A Case of Hajira village in Gujarat*, M.Phil. Dissertation, Central University of Gujarat.
  8. Patel Ankit (2012b). *Assessing the Corporate Social Responsibility Programmes: A case of Hajira village, Gujarat*, Vikas Vani Journal, Jabalpur: AXIDCOM publication.
  9. Patel Ankit (2014). *Development Induced Displacement: A Case of Hajira in Gujarat*, *Rethinking Development Emerging Issues and Contemporary Debates*, New Delhi: Excel India Publishers.
  10. Prakash B.A. (2012). 'The Indian Economy since 1991: Economic Reforms and Performance', New Delhi: Dorling Kindersley Private Limited.
  11. Rajkishor Meher (2009 25: 457), 'Globalization, Displacement and the Livelihood Issues of Tribal and Agriculture Dependent Poor People: The Case of Mineral-based Industries in India', *Journal of Developing Societies*, New Delhi, Sage Publication.
  12. <https://www.globalpolicy.org/component/content/article/209-bwi-wto/42796-joseph-stiglitz.htm>, Accessed on dated 20-3-2015.



# New Additions to the Legal Framework of Waste Management

**Fazalahmed B. Khan**

Advisor, (Urban & Legal Services),  
All India Institute of Local Self-Government.

Cleanliness and sanitation of the cities and towns is one of the core functions of municipalities, which they have been performing since their inception in the 17th century. However, the last two decades form a significant phase when this customary function mandated for the local authorities was elevated into a legal framework and brought on scientific lines, inter alia, for better management and to minimize adverse effect on the environment and safety to the handlers of the waste. These rules provide for a systematic management of respectively categorized wastes, which include their handling, collection, segregation, hygienic storage, treatment, processing and recycling where needed, transportation and disposal in a safe and secured manner. Various authorities including the Central Government, State Governments, Municipalities, Pollution Control Boards, are mandated to perform specific functions. Responsibilities are cast on generators of the wastes, including the owners and occupiers where wastes are generated for segregation and storage. Being statutory rules made under the provisions of the Environment (Protection) Act, 1986, they carry the binding force of law. The year 2016 assumes significance, when this was the year when new rules for management of various types of wastes were launched and the existing rules were revamped. Here is a brief review of the launching of new rules and revision of existing rules in the year 2016.

## Existing rules prior to 2016

One of the core functions of a municipality is to maintain cleanliness and sanitation in cities and towns. Municipalities in India have been discharging this function since their inception, and have been adopting various methods and technologies for the disposal of the wastes and sewage with mixed successes and failures, including the fact that they have been dumping wastes and garbage on the inhabitable places on the outskirts of the cities. This was happening in all the cities and towns. One such happening was that when the garbage thrown by the Bangalore Municipal Corporation reached a village on the outskirts of the city near the village of a lady. She had scientific training and a social bent of mind. She did not complain to the authority concerned against the nuisance, but began to study the problem and visited various cities for observation. Name of Mrs. Almitra Patel will always be associated in being instrumental in bringing about systematic disposal, rather management of solid waste, because of exceptional initiative of filing PIL in the Supreme Court against open dumping of municipal solid waste. The PIL was heard at length and finally, judgment in the PIL resulted in the Government of India passing statutory rules in the form of **Solid Waste Management (Management and Handling) Rules, 2000** under the Environment (Protection) Act, 1986.

Prior to 2016, the following rules were in operation, which were amended from time to time.

- 1) Hazardous Waste (Management and Handling) Rules, 1989, which were amended in 2000, 2003 and 2008. Thereafter, following rules have been made.
- 2) Bio-Medical Waste (Management and Handling) Rules, 1998 which were amended in 2000, 2003 and 2011.
- 3) E-Waste (Management and Handling) Rules, 2011.

### **THE SOLID WASTE (MANAGEMENT AND HANDLING) RULES, 2016**

The Solid Waste (Management and Handling) Rules, 2016 replace the rules of 2000. Implementation of every scheme or rules throws up valuable experience that makes for improvement and extension of the rules to the uncovered aspects. The MSW Rules in themselves were landmark rules, whose implementation experience also provided for improvements and enlargements, which came in the form of these new rules. Some of the broad features of the new rules are as under.

The earlier rules applied to municipal authorities. The new rules in addition to all Urban Local Bodies, also apply to urban agglomerations, census towns, notified industrial townships, areas under the control of Indian railways, airports, special economic zones, pilgrimage places and places of historical importance. Domestic hazardous waste is also covered under the new rules. The earlier did not provide for segregation of waste and responsibilities of waste generators. These rules made this vital aspect mandatory for waste generators. They also provide for payment of User Fee by the generators for the collection services availed of by them. In order the rules to be more effective, some penalty is needed for violation of rules. The new rules provide for “Spot Fine” for littering. The new rules recognize the services of rag-pickers and makes for formalization of rag

pickers by preparing State Policy and strategies to recognize the role played. The new rules also recognize the role played by the recycling industry. State Governments have been mandated to make allocation of land for solid waste management in Master Plans of cities and towns, etc.

### **CONSTRUCTION AND DEMOLITION WASTE MANAGEMENT RULES, 2016**

Cities and towns are going through the phase of massive constructions and reconstructions inter alia, involving demolition of old structures. The dust generated in these activities on a large scale poses a health hazard, particularly in the form of *particulate matter* PM 10, which gets lodged in the lungs causing serious health issues. As per assessment of the Government, dust contributes about 20% of pollution in big cities and about 530 billion tonnes of construction and demolition waste (C&D waste) is generated annually in India. A basic mantra of waste management is that if properly managed every waste is a resource.

The Ministry of Environment, Forests and Climate Change, Government of India, notified the Construction and Demolition Waste Management Rules, 2015 on 29th March, 2016.

#### **1. Duties of the Generators of Construction and Demolition Waste:**

Every waste generator shall segregate construction and demolition waste and deposit it at collection centre of handover to the authorized processing facilities. The generator includes builders, construction firms, individuals etc. They will have to get approval for their waste management plans, do segregation of this waste and pay relevant charges for collection, transportation, processing and disposal.

#### **2. The State Governments are mandated to-**

- i) The Urban Development Department is required to prepare their policy with respect to management of construction and demolition waste within one year of the date of notification of the rules.

- ii) The Department of the State Government concerned with land matters shall have to provide suitable sites for setting up storage, processing and recycling facilities for C&D waste within one and a half year from the notification of these rules.
- iii) The Department dealing with Town and Country Planning shall incorporate the site in the approved land use plan so that there is no disturbance to the processing facility on long-term basis.
- iv) The Departments of the State Government shall be required to utilize 10-20% materials made from C&D waste in Government contracts.

### **3. Local Authorities:**

Following duties are cast on the Local Authorities under the rules, namely-to place appropriate containers for collection of C&D waste, removal, transportation to appropriate for processing land disposal; to provide for safe disposal of C&D waste contaminated with industrial hazardous or toxic material or nuclear waste; to give appropriate incentives to generator for salvaging, processing and or recycling preferably in-situ.

### **4. Pollution Control Boards**

- i) The Central Pollution Control Board is required to prepare operational guidelines related to environmental management of C&D waste.
- ii) State Pollution Control Boards shall be responsible for granting authorization to C&D waste processing facility, monitor the implementation of the rules by the concerned local bodies and submit annual report to the CPCB and the State Government.

## **BIO-MEDICAL WASTE MANAGEMENT RULES, 2016**

Bio-medical waste is generated on a large scale in a host of health care institutions like hospitals, dispensaries, pathological laboratories, etc. which requires a strict regulatory framework for the segregation, processing, treatment and disposal of these bio-medical wastes in a secure manner to avoid its impact on the environment. With these objectives the Bio-Medical Waste (Management and Handling) Rules were made in 1998 and revised in 2000, 2003 and 2011. The existing rules were further revised in 2016. The words “and handling” have been omitted as handling is an aspect of management.

Some of the salient features of BMW Management Rules, 2016 include the following:-

- (a) The ambit of the rules has been expanded to include vaccination camps, blood donation camps, surgical camps or any other healthcare activity;
- (b) Phase-out the use of chlorinated plastic bags, gloves and blood bags within two years;
- (c) Pre-treatment of the laboratory waste, microbiological waste, blood samples and blood bags through disinfection or sterilization on-site in the manner as prescribed by WHO or NACO;
- (d) Establish a Bar-Code System for bags or containers containing bio-medical waste for disposal;
- (e) Bio-medical waste has been classified in to 4 categories instead 10 to improve the segregation of waste at source;
- (f) Procedure to get authorization simplified. Automatic authorisation for bedded hospitals. The validity of authorization synchronized with validity of consent orders for Bedded HCFs. One time Authorization for Non-bedded HCFs;

- (g) Inclusion of emissions limits for Dioxin and furans;
- (h) State Government to provide land for setting up common bio-medical waste treatment and disposal facility;

### **HAZARDOUS AND OTHER WASTES (MANAGEMENT AND TRANSBOUNDARY) RULES, 2016**

The first in the series of waste management rules were the Hazardous Wastes (Management and Handling) Rules, 1989, which were revised in 2000 and 2003. As defined, “Hazardous Waste” means any waste which by reason of its physical, chemical, reactive, toxic, flammable, explosive or corrosive characteristics causes danger or is likely to cause danger to health or environment, whether alone or when in contact with other wastes or substances. These rules were thoroughly revised and notified as the Hazardous and Other Wastes (Management and Transboundary) Rules, 2016. The term. “Other Wastes” include waste tyre, paper waste, metal scrap, used electronic items, etc. The main focus of the rules is the **resource recovery** and a hierarchy in the sequence of priority of prevention, minimization, reuse, recycling, recovery, co-processing and safe disposal. Another distinguishing feature of the new rules is that they provide the basic necessity of infrastructure to safeguard the health and environment from waste processing industry has been prescribed as Standard Operating Procedure (SOPs), specific to waste type, which has to be complied by the stakeholders and ensured by SPCB/PCC while granting such authorization.

### **E-WASTE MANAGEMENT RULES, 2016**

We are living in an electronics age, when electronic items abound. When their life is over, these items are discarded as waste. The e-waste includes discarded computers, refrigerators, mobile phones, television sets and various electronic devices. As per an estimate about 17 lakh tonnes of E-waste is generated every year, with an annual increase of 5 per cent of generation of E-waste. The scrap industry recycles and salvages these wastes. These activities pose severe health risks to the handlers and have hazardous effect on the environment. For safe and scientific management of these activities the E-Waste (Management and Handling) Rules, 2011 were made, which applied to every producer, consumer or bulk consumer involved in the manufacture, sale, purchase and processing of electrical and specified electronic equipment or components, collection centre, dismantler and recycler of e-waste. These rules are superseded by the **E-Waste Management Rules, 2016**. The new rules bring the electric lamps, mercury lamps and such other items also within the ambit of the rules. They bring the producers under the Extended Producer Responsibility along with targets making them responsible for collection of E-waste and for its exchange. A duty is cast on the bulk consumers to collect the items and hand them over to authorized recyclers. The process of dismantling and recycling has been simplified through one system of authorization and that the Central Pollution Control Board will give the single authorization throughout the country. The role of State Governments has been also introduced to ensure safety, health and skill development of the workers involved in dismantling and recycling operations and provision of penalty for violation of rules has been introduced.



## Regional Centre for Urban and Environmental Studies, Mumbai Advisory Committee

♦ Ms. Manisha Mhaiskar, IAS	Principal Secretary, Urban Development, Govt. of Maharashtra, Mumbai.	Ex-Officio Chairperson
♦ Mr. Sanjay Kumar, IAS	Joint Secretary (DAY-NULM), Ministry of Housing and Urban Affairs, Government of India, New Delhi.	Member
♦ Mr. Mukesh Puri, IAS	Principal Secretary, Urban Development and Urban Housing Dept., Government of Gujarat, Gandhinagar.	Member
♦ Mr. Mukesh Sharma, IAS	Addl. Chief Secretary, Urban Development and Housing Dept., Government of Rajasthan, Jaipur.	Member
♦ Mr. Sudhir Mahajan, IAS	Secretary, Urban Development, Government of Goa, Goa.	Member
♦ Mr. Sanjib Kumar Gohain Baruah, IAS	Secretary, Urban Development, Govt. of Assam, Dispur, Guwahati.	Member
♦ Mr. Lok Ranjan, IAS	Principal Secretary, Urban Development, Govt. of Tripura, Agartala, Tripura.	Member
♦ Dr. T. Chatterjee, IAS (Retd)	Director, Indian Institute of Public Administration (IIPA), Indraprashta Estate, New Delhi.	Member
♦ Dr. (Mrs.) Sudha Mohan	Professor & Head, Department of Civics and Politics, University of Mumbai, Mumbai.	Member
♦ Mr. Ashish Deosthali	Director-General, All India Institute of Local Self-Government, Mumbai	Member
♦ Ms. Utkarsha Kavadi	Director, Regional Centre for Urban and Environmental Studies, All India Institute of Local Self-Government, Mumbai.	Member-Secretary

## Regional Centre for Urban and Environmental Studies (RCUES), Mumbai (Fully supported by Ministry of Housing & Urban Affairs, Government of India) undertakes

Urban Policy Research.

♦

Tailored Training and Capacity Building Programmes in Urban Management and Urban Governance.

♦

Capacity Building for Urban Poverty Alleviation.

♦

Anchoring Innovative Urban Poverty Reduction Projects (Aadhar) for Municipal Corporations.

♦

Project Management & Social Auditing.

♦

Information, Education & Communication (IEC) in Urban Sector.

♦

Training of Trainers (TOT) in Urban Management.

♦

Technical Advisory Services in the Urban Development Urban Management Sector

♦

Study Visits for ULBs for Experience Sharing and Cross Learning

♦

Community Based Interventions.

♦

Human Resources Development.

♦

Interdisciplinary Programmes.

♦

Knowledge Management.

♦

Networking.

**Regional Centre for Urban & Environmental Studies  
All India Institute of Local Self-Government, Mumbai**



**Bandra Kurla Campus:**  
**All India Institute of Local Self-Government**  
M. N. Roy Human Development Campus, Plot No.6, TPS Road No.12, 'F' Block,  
Opp. Government Colony Bldg. No. 326, Bandra (East), Mumbai - 400 051, India  
Tel : 0091-22-2657 17 13 / 14 / 6180 56 00  
Fax : 0091-22-2657 39 73  
Email : rcuesdirector@gmail.com

