

*India's Million Mission*



*75 years of contributing to the Nation*

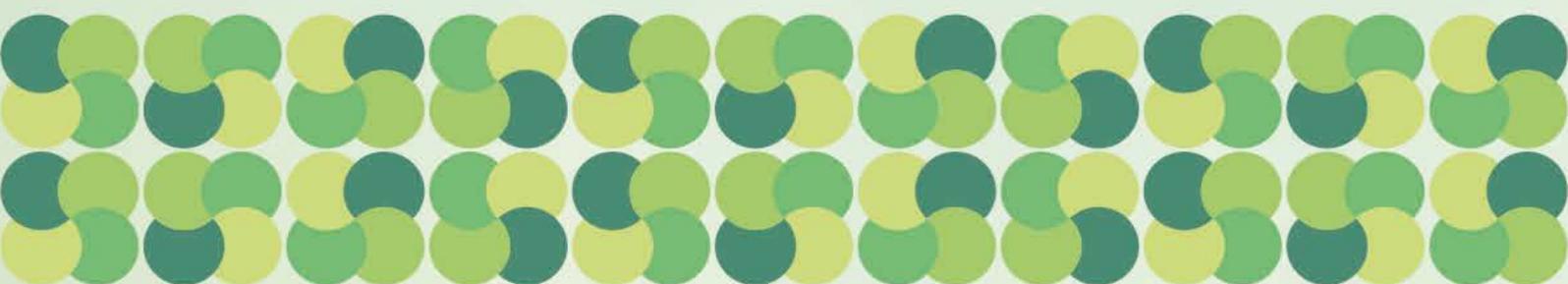


# INDIA'S MILLION MISSIONS

**75 Years** of Service  
Toward Nation-Building

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India's Non Profit Sector Report





# INDIA'S MILLION MISSIONS

## 75 Years of Service Toward Nation-Building

### India's Non-Profit Sector Report

Collaborators of this report include

Art X | Business and Community Foundation | Banyan | Catalyst 2030

Crafts Council of India | Dasra | Digital Empowerment Foundation

GuideStar India | Indian School of Development Management (ISDM)

IIM Ahmedabad Research Team | Praxis | Salaam Baalak Trust

Socio Research and Reform Foundation (SRRF) | Society for Social and Economic Research (SSER) | South India Producers Association (SIPA) | Fairtrade | Teamwork Fine Arts Society

VANI | Vidyasagar | Centre for Advancement of Philanthropy | Federation of Indian Animal Protection Organisation (FIAPO)

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The authors of this report are drawn from the CSO COALITION@75 and have devoted pro bono time for it, in the best traditions of civil society and have been involved in the research and writing of the various sections of this report.

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## **NOTE FROM THE AUTHORS**

This research was undertaken by a group of civil society members to demonstrate the immense contribution of civil society to the nation in 75 years of Independence. This research summary containing an introduction to the study, key findings and recommendations has been prepared to accompany the main report and may be shared with external partners. Some of the insights shared which require more context, will be on the website prepared for this report.

This report is a public resource in the public domain in public interest. Anyone can use, critique, forward or copy this report in its entirety.

**CSO Coalition @75**

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This report is dedicated to the citizens of the nation whom the sector has worked with over the last 75 years.

## **DISCLAIMER**

The opinions expressed in this report are those of the authors and do not necessarily reflect those of the CSO Coalition or Catalyst 2030 or any other organisation mentioned. Every effort has been made to ensure the accuracy of the information contained in this paper, however the research is subject to uncertainties that are beyond the author's ability to control or estimate precisely. Readers are responsible for assessing the relevance and accuracy of the content of this research.

## ACRONYMS AND KEY TERMINOLOGY

**CSO: Civil Society Organisation | NGO: Non-Governmental Organisation**

**GDP: Gross Domestic Product | PWD: People with Disabilities**

**SDG: Sustainable Development Goals | Non-Profit Organisation**

**NPI: Non-Profit Institution | OBC: Other Backward Classes**



## FOREWORD

This report in the 75th year of India's independence attempts to measure the significant contribution by the Indian Non-Profit Sector (NPOs) or 'NGOs' as they are popularly known to the nation.

We have used 'Civil Society Organizations (CSO's)/NPOs - Non-Profit Organisations as this includes networks and citizen groups. It pays tribute to the stakeholders of India's 3 million estimated charitable non-profit organisations that enrich the lives of Indians, upholding the nation's democratic ideals of equality and equity. Every day they touch the lives of more than 200 million Indians - children, youth, women, and elderly across the country including People with Disabilities (PWDs) and LGBTQ communities.

The report describes the vast canvas of work of the 16 million employees, 21 million non-profits honorary board volunteers/members who inspire the work and the millions of volunteers and donors who support the work and causes served by civil society/non-profit organisations in India.

It provides a snapshot on what millions of non-profit organizations have done in 75 years in India and welcomes journalists, policy makers, governments, educators, students, and the general public to write about the good work being done with dedication across the country with meagre resources raised in difficult circumstances to reach the 'unreached', the 'last and the least'.

The full report is available on many websites in the public domain as a public resource in public interest. Relevant statistics and sector reports will be added from time to time. Please circulate the report to well-wishers of civil society.

**CSO Coalition@75**  
**January 2023**

## PREFACE

In mid-2022, a group of civil society organisations joined together with an express aim of measuring the contribution of civil society to the nation. The research covered all the states of India and tried to reach out to all the civil society organisations/non-profit institutions registered as trusts, societies, and section 8 companies.

A voluntary group came together convinced that a Narrative Change for the Non-Profit Associations (NPA) and Non-Government Organisations (NGO), Non-Profit Institutions (NPI) who collectively make up the civil society sector was the urgent need of the hour. Many of us are keen to demonstrate that the sector over the decades, has contributed in a holistic way to India's development, NPOs/CSOs\* have several ways of working with communities, raising its resources to serve India. In order to present a realistic and holistic picture of the sector, contributions and good practices, a major survey to glean primary data to understand this sector has been undertaken. It is a public resource in the public domain to be used by all as they wish to for advocacy, or as a fact sheet, acknowledgement of civil society's (NPO/NGO) contribution to the Nation @ 75.

### CSO COALITION@75

*We have used NPOs - non-profit organisations in the report but community-based organisations are also called civil society organisations (CSOs). These terms will appear in the report but are all part of the non-profit sector.*

## FACT SHEET

CIVIL SOCIETY ORGANISATIONS (CSOs) improve lives of excluded people and leave no one behind. Civil society organisations contribute to Sustainable Development and are engaged in all the SDG goals and are key stakeholder in SDG 17 on collaboration and partnership.

Civil Society organisations are places where the common citizen comes together to solve many of India's problems in every sector of the economy and combine vision with commitment to reach marginalised and disadvantaged communities.

Civil Society Organisations are problem solvers, innovators, job creators and revenue generators and are creating community leaders in every sphere of activity. Civil Society Organizations are involved in Panchayats in rural areas and also in urban wards in the country and promote community engagement and participation.

Civil Society organisations are Economic Engines of Growth and contribute to 2.7 million jobs and 3.4 million full time volunteers, generating employment figures higher than that of the public sector. A substantial portion of Civil Society Organizations contribute Rs. 3.56 trillion as high as 2% of GDP.

- Civil Society Organisations create skilling opportunities for millions of youths.
- Civil Society Organisations provide services to millions of vulnerable children in children's homes, the elderly in old age homes and people with disabilities.
- Civil Society Organisations provide services enabling millions of treatments in various mission hospitals and charitable hospitals.
- Civil Society Organisations provide shelter to about a million homeless in cities.
- Civil Society Organisations spur economic activity by working with millions of artisans, make products and sell and promote crafts and crafts-based livelihoods and the handlooms sector.
- Civil Society Organisations work with almost 25 million self-help groups creating livelihoods.
- Innovative pathbreaking solutions have been piloted by CSOs which the Government has taken to scale.

**Civil Society Organizations improve the lives of millions of individuals in India and are community focused, grassroots-oriented and people centred to "leave no one behind."**

## EXECUTIVE SUMMARY

1. The NON-PROFIT SECTOR (NPO) activities remain an important part of socio-economic life in India.
2. It is estimated that the economic contribution of the NPO sector to the Indian economy increased from about Rs. 73,000 crore in 2008-09 to about Rs. 3,56,000 crore in 2019-20.
3. As a share in gross domestic product the economic contribution of the NPO sector increased from about 1.41% in 2008-09 to 1.94% in 2019-20. In 2022-23 it is poised to be at 2 % of the GDP.

## KEY RECOMMENDATIONS OF THE REPORT

### A. Improve collaboration and partnership with Government programmes in order to “leave no one behind”

1. Document and share good practices and scale up these innovations and include them in government schemes and facilitation.
2. Build trust between Government at the local, district, state and centre through regular stake holder meetings, exchange of ideas and consultations.
3. Ensure minimum wages for skilled workers forms the base of all government schemes for this extended sector.
4. Build SDG commitments into all applicable schemes of the government to “leave no one behind.”
5. “Ease of Doing Good index” to be instituted on par with the ease of doing business for the non-profit sector.
6. A social security fund for the social sector, workers during emergencies, health needs, etc.

### B. Rationalise tax exemptions for the non-profit sector.

Non-Governmental Organisations (NGOs) are granted tax exemption because, as the name suggests, they voluntarily supplement the work of government without being government. Government collects taxes for various welfare and development work and which is what NGOs also do and hence they are tax exempt and donors who contribute to such organisations also get 50% tax deductions up to 10% of their gross total income. However, the income tax exemption and deduction regulatory regime

since the year 2008 has become dis-enabling and crippling for NGOs. We, therefore, have the following recommendations to make:

1. Organisations falling under category (vi) of Section 2(15) of Income tax (i.e., any other object of general public utility) must ensure that any income generating activity (dubbed by income tax authorities as 'business activity') must not be more than 20% of the NGO's total income. As per the Supreme Court of India's landmark verdict of 19th October 2022 what Income tax needs to test is whether the so-called "business activity" (fees for services or sale of goods made by beneficiaries) is in furtherance of the objects and whether carried out with a "profit motive" or otherwise. The Supreme court has ruled to the effect that if fees charged are on "cost basis" or "nominally above cost" it should not be treated as income from trade commerce or business. Section 2(15) of Income tax should be suitably amended in the light and spirit of this verdict by the apex court.
2. Originally, NGOs were required to apply 75% of its income every financial year. Since the past several years it is now 85%. We suggest that it should be brought back to 75% so that NGOs can save 25% every year and build reserves for meeting future exigencies and ensure sustainability.
3. Under section 80G, the donor is entitled to tax deduction of only 50% and that too only up to 10% of his or her income. This should be enhanced to 100% in order to incentivize giving.
4. Alternatively, deduction u/s 35AC should be reinstated whereby donors giving for rural welfare or projects aimed at urban poor would provide donor with 100% tax deduction.
5. Earlier there was weighted deduction of 150% u/s 35(1)(ii) for scientific research and 125% u/s 35(1)(iii) for statistical research but has now been reduced to 100%. We suggest that this should be brought back to the original weighted deductions to encourage support for scientific research and statistical research.
6. Under Finance Bill 2023 it is proposed that Form 9A (exercising option to use income received late in the fiscal year or accrued but not received to the immediate next fiscal year) and Form 10 to accumulate income for up to five years has been advanced from 31st October to 31st August. We suggest that NGOs be allowed the option to file Form 9A and Form 10 by 31st October as has been the practise so far.
7. Audit Report in the new form 10B has been made more elaborate. Virtually all the information provided in the return filed in ITR 7 is repeated here in the new form 10B. This creates additional burden on tax auditor in furnishing virtually the same details twice.
8. Amendments to the Income tax Act over the years have disabled inter-charity donations. Internationally as well as locally, there are grant-making foundations and

resource mobilising intermediaries and on the other hand there are grassroots level implementing NGOs. It is proposed under the Finance Bill 2023 that if one charitable organisation gives funds to another charitable organisation only 85% of the sum so granted would be deemed as application of the donor organisation income for charitable purpose. This will directly and severely impact corporate and other grant making foundations as also intermediaries and indirectly also the grassroots level NGOs.

9. Under Finance Bill 2023 it has been proposed that if a charitable organisation digs into its own corpus fund due to a contingency or borrows funds, both would be allowed as deduction only in the year that the corpus is replenished, or the loan is paid and the limit for both is 'within five years'. This is not practical at all. In our opinion NGOs should have the liberty to use their corpus in case of a contingency and there should be no specific time limit within which the amount so used for bona-fide purpose to be replenished.

10. Tax exemption certificates u/s 12AB and tax deduction certificates u/s 80G must now be renewed every five years. In our opinion tax exemption and tax deduction certificate by itself does not guarantee that the NGO is free from payment of tax or entitles a donor for automatic tax deduction. If there is any violation of section 11,12 or 13, the ITO is at liberty to suspend tax exemption for such year or years when there is violation. Hence, the renewal exercise will only lead to more paperwork for both the regulatory body and the NGOs. In our option, even if renewal is necessary, it should be once in ten instead of five years.

Recognition of its leaders, workers, volunteers, and boards who work pro bono in service to the nation.



# **Chapter 1**

## **Introduction & Overview**



## INTRODUCTION & OVERVIEW

Sanjoy Roy, Mathew Cherian, CSO Coalition@75

India has a thriving culture of “shramdaan” or voluntary work which has played an important role in the evolution of the country's civil society ethos and its immense contribution to the Nation since Independence.

“He who gives all his time to the service of the people, his whole life is an unbroken round of prayer” - Mahatma Gandhi, Harijan: November 10, 1946.

India's rich tradition of voluntary and civil society action owes its inception to the pre-Independence era when social reformers and stalwarts such as Ram Mohan Roy, Dayananda Saraswati, Ishwar Chandra Vidyasagar among others campaigned tirelessly for an equitable social order. During the Gandhian era, the voluntary movement gained further traction and home-grown organisations espousing Mahatma Gandhi's principles of constructive work emerged.

In his book Hind Swaraj or Indian Home Rule written in 1909, the Mahatma argued that home rule without “Swaraj” would only mean the replacement of the “Tiger” (the British) by another (our own). In the weeks following Independence, Gandhi felt that political, social development would become a reality only when “Swaraj” as political self-rule was accompanied by “Swaraj” as *moral self-rule*.

In 1948, Mahatma Gandhi urgently called for a conference at his ashram in Sevagram, Wardha. The workings of the political class in the months leading up to Independence and the weeks immediately after had led the Mahatma to believe that political formations and personalities were becoming self-absorbed and moving further away from serving the interests of the public.

The Sevagram meeting was to have been a call to action for constructive workers. But the Mahatma was unable to make it back to his ashram and was assassinated shortly afterwards. On 30 January 1948, three bullets were fired at close range at Mohandas Karamchand Gandhi as he walked to a public prayer on the lawns of Birla House, New Delhi. His philosopher-grandson Ramachandra Gandhi, who was eleven at that time, wrote many years later: “Gandhi stopped three bullets on their deathly trajectory of hate”.

Gandhi's last message was that in a free society, political parties must regard politics to be a form of public service rather than a means to dominate fellow citizens. And the Mahatma wanted to take this new ideology forward with the same force that he had applied to politics.

In the last 75 years, the country's NPO - or 'NGOs' as popularly known has built on this vision of public service and constructive work to grow into one of largest non-profit sectors in the world. The Mahatma has been its ideological compass.

### 1947 ONWARDS - THE GROWTH OF THE NGO SECTOR

The leaders who met at Wardha pledged to support social action and set up the Sarva Seva Sangh. This led to constructive work of "Gram Swaraj" as Gandhi had envisioned. Many others went into rural areas and set up village ashrams and voluntary organisations which later came to be known as Gandhian organisations. ASSEFA (Association of Sarva Seva Farms) took up land donated to Vinobha Bhave during the Bhoodan movement (land was donated to landless peasants) and worked in several states. This was the first Gandhian organisation in a multi-state model. Subsequently many other organisations followed suit. Some Gandhians went to remote areas and established ashrams such as Prembhai who started the Banwasi Seva Ashram in erstwhile Mirzapur now Sonbhadra district.

Subsequently, several initiatives were taken up by Gandhian leaders in different parts of the country. Over the years, other organizations came to the forefront supporting social action initiatives for various sections of society. Organisations such as Gram Vikas, People's Rural Education Movement (PREM) working in rural Odisha, the Social Work and Research Centre (SWRC) widely known as the Barefoot College Tilonia, Bhagwan Mahaveer Viklang Sahayata Samiti (Jaipur Foot) which started in Rajasthan, Child Rights and You (CRY), HelpAge India and Participatory Research in Asia (PRIA) have completed over four to five decades of service to children, elderly and the youth in India.

Organisations such as 'Servants of the People Society' was set up by Lala Lajpat Rai prior to Independence and continues to serve the country. The Ramakrishna Mission was founded by Vivekananda near Calcutta in 1897 which continues in its mission to improve social conditions of people and works with dedication across India and the Chinmaya Mission since 1953 working in education, health, etc. In addition, organisations such as Church Auxiliary for Social Action (CASA) which was established 75 years ago has supported under-served communities in remote villages across India. The Catholic Health Association of India (CHAI) coordinated the work of several mission hospitals across India providing affordable, ethical healthcare to all. Care India was invited by the Government of India in 1950 to begin the nutrition programme in schools and has completed 73 years of work supporting women and children in rural and urban India under Central and state government jurisdiction.

With India starting on a path of Five Year Plans as its chosen way for economic growth in the decades following Independence, many public sector corporations were set up in under-served areas to serve both economic needs as well as promote education, healthcare and social upliftment in those regions. This was also emulated by large Indian business houses of the time, the best example being the Tata Group in Jamshedpur, which established support organisations to work among the tribal population of the region, the Bajaj Group which set

up Jamnalal Bajaj Sewa Trust and many more such as Janki Devi Gram Vikas Sansthan on principles of 'Trusteeship'.

In the mid-1970s and early-1980s, thousands of professional NGOs were registered (mostly under the Societies Act, 1860), with funding support from international donor agencies as well as seed funding from Central government agencies such as PADI and CART and subsequently the Council for Advancement of People's Action and Rural Technology (CAPART). SWRC Tilonia led by Bunker and Aruna Roy, Gram Vikas led by Joe Madiath, and ASSEFA led by Loganathan were the leaders in this phase of growth of professional NGOs.

The failure of the "Sampoorna Kranti" (total revolution) of Jayaprakash Narayan led to young leaders becoming civil society heads such as Rajendra Singh (waterman of India) with the Jal Yatra and Ganga Andolan campaigns. In Jharkhand, Satish Girija (Nav Bharat Jagriti Kendra) and Arbind Kumar (Lok Jagriti) became organisers against the exploitation of tribals. Similarly, Ekta Parishad under PV Rajagopal started supporting displaced tribals and forest dwellers who were pushed out by mega projects in Madhya Pradesh and Chhattisgarh.

By 1985, the Government of India had realised the importance of large-scale NGOs or voluntary organisations and recognized their productive role in the development process. This led to the commencement of state funding by introducing grants-in-aid to the NGOs in the early 1980s. Though the Union government had drafted policies to fund NGOs many decades ago, the implementation of centrally-sponsored programmes providing financial assistance to voluntary organisations as grants-in-aid through various departments and ministries began in the Seventh Five Year Plan period.

By the 1990s, there were major shifts in India's economic landscape due to liberalisation and its varied challenges. In response, CSOs came together to advocate for vulnerable populations. By the early 1990s - with the advent of a neoliberal economic regime and liberal financial capital at the disposal of investors - management education, urban planning, design, and architecture became new employment providing avenues for young graduates. It is from these professions that many NGO professionals entered rural and urban development work such as PRADAN.

Post-India's economic liberalisation in 1991, and a larger role being carved out for private enterprise, the mandate for business philanthropy to deliver social sector outcomes, moved to professional NGOs which were set up to work effectively on specific causes and in specific regions.

There are many governmental and semi or quasi-governmental agencies such as the National Children's fund, the Central Social Welfare Board, the Family Planning Associations of India, CAPART among others which provide funding for voluntary efforts. At the local level, funds are provided largely through the District Rural Development Agencies (DRDAs),

Zilla Parishads, Panchayati Raj Institutions, etc. The government funding to the voluntary sector is many times larger than what they get from external sources. For example, the Ministry of Social Justice and Empowerment had supported 2,100 voluntary organisations in the country and had released around Rs 1,800 million during 1999- 2000, as against Rs 1,110 million in the year 1998-99. At present the total funding by the Government of India is estimated to cross Rs 10 billion, a significant increase from Rs 1,500 million during the Seventh Five Year Plan period. In 2013 the new “Companies Act’ mandated a 2% corporate Social responsibility - CSR - contribution whose implementation on the ground has been primarily carried out by non-profit organisations who have worked with communities over years and earned their trust.

It would be impossible for the country to overlook the pathbreaking contribution of the non-profit sector. The ASHA workers, Polio Eradication, TB, and Leprosy control could not have been achieved without the NPOs piloting and implementing it on the ground. Innovative and ground-breaking work in rehabilitation such as the Jaipur Foot, watersheds, microfinance, livelihoods, innovation have been led by non-profits across the country. Their contribution to the field of disaster and humanitarian assistance has been appreciated by all sections of society including the Government. The Government during national calamities waives off the FCRA for a certain limited period and allows foreign NGOs and aid agencies to freely bring aid and help people at large. This took place during the Gujarat Earthquake in 2001 and the Tsunami in South India in 2004.

The NPOs contribution to major policy and democratic reform - particularly in the formulation of the Right to Information (RTI), Right to Education (RTE), and MGNREGA (Mahatma Gandhi National Rural Employment Guarantee Act), JNNURM (Jawaharlal Nehru National Urban Renewal Mission), and shaping policies on anti-corruption issues have been instances of good practice and has been emulated across states. The sector has become a magnet for young people and tech enabled activities, creating new start-ups, travelling to remote areas, working in the larger public interest.

The debate in changing times today should not be about the regulation of NGOs by the government nor about voluntary adherence to rules by NGOs; rather the debate should centre around what constitutes ‘good action’. There must now be a fair and level playing field and a new regulatory system to incentivize NPOs.

It is imperative that the good work and significant contribution of civil society to the nation is acknowledged, highlighted and an ‘Ease of Doing Good’ index is established alongside the “Ease of Doing Business” index and estimated annually.

This report records the significant contribution of NPOs/CSOs in most sectors towards building the nation over the last 75 years.

Many countries have tried to create a comparative database of the non-profit sector backed by the UN Statistics Division. The focus has been on creating non-profit satellite accounts as part of the UN system of National Accounts, the official international system of collecting and reporting economic statistics. The first few countries to complete satellite accounts show the following results for the contribution of non-profit institutions towards the Gross Domestic Product (GDP).

Please refer to the table below.

**TABLE - CONTRIBUTION OF NON-PROFIT INSTITUTIONS TO GDP**

Country	Non-Profit Contribution to GDP	Research year
Canada	8.1	2008
Israel	7.1	2007
Mozambique	6.7	2003
United States	6.6	2009
Belgium	5.8	2008
Japan	5.2	2004
Brazil	3.4	2002
Kyrgyzstan	2.3	2008
France	4.7	2002

*Source: Salamon, 2010*

India was able to complete this until 2013 when the Ministry of Statistics and Programme Implementation (MOSPI) completed the survey and released the report in 2014 and released the satellite accounts of the non-profit institutions (NPIs) in the country. India Report indicated there are 3.17 million non-profit institutions that involve as many as 19.2 million people, many of whom work on a voluntary basis (source: MOSPI report). This is equivalent to 2.7 million paid employees and 3.4 million full-time volunteers, a total of 6.1 million which is a noteworthy number in India as 50 % of them are sole breadwinners.

The COVID pandemic in 2020 led to the large migrant population being stranded in several parts of the country. Civil society organisations provided relief and humanitarian support to millions of migrants. From sending food supplies via community kitchens, organizing medical aid and making travel arrangements so that migrants can return home safely, civil society handled it all. Several organizations organised medical camps, supplied oxygen cylinders and concentrators to those in need. In some cases organizations also transported patients to hospitals and even volunteered to perform the last rites and this was acknowledged across the nation by respective state governments, nodal agencies such as NITI Aayog, etc which sought collaboration.

Over the last 75 years, civil society has earned its place as one of the largest humanitarian forces in India. The sector has contributed significantly to education, health, livelihoods, skill development, disability, women's development, arts and culture. This study analyses the contribution of the sector to determine the reach, role and positive value to society and under-served communities.

The international classification of non-profit Institutions called the ICNPO classification adopted by the UN has been used. It is also called the UN classification.

The research points towards increasing the potential for civil society organisations getting positive outcomes on all Sustainable Development Goals (SDG's) working in partnership with governments by 2030.

The research also indicates that many civil society organisations worked in all fields of education from early childhood education, primary education and secondary education, teacher training etc. Their contribution to nation building of the next generation is critical and commendable.

### **TRENDS IN CIVIL SOCIETY WORK**

In India, the non-profit work has been substantially involved with vision and commitment towards the upliftment of the last rung of society (the Gandhian concept of Antyodaya).

- Non-profit organisations have continued with grassroot innovation while evolving with the times to include deep tech innovation in implementation.
- These innovations have delivered positive outcomes during the pandemic, as analysts have noted.
- The pandemic accelerated the adoption of digital medium in the sector for delivery of education, telemedicine, as well as local governance support.
- Migrants and the lockdown highlighted the positive contribution of NPOs.
- Web 2.0/ social media has been an active digital platform and tool for community building, communication and engagement for programme coordination and fundraising during the COVID-19 pandemic, according to survey respondents.
- There have been several technology start-ups centred around health tech, agriculture and farmer producer organisations – as a spin off from the federation of self-help groups.

## PERCEPTIONS OF INDIAN NON-PROFIT SECTOR

- There is a lack of awareness of what NPOs do across the country in remote corners and causes.
- Most CSOs work at the grassroots across various specialisation domains and are highly innovative and cost-efficient in their approach, raising resources themselves.
- The majority of the organisations in the sector are small and people-centred working with passion and commitment to their respective causes.
- India's strong tradition of voluntarism and shramdaan has helped many organisations involved in rural livelihoods like MNREGA and watershed programmes to scale up considerably.
- Print and TV rarely carries the impact of work done by the sector.
- Indian states that have been very supportive of the voluntary sector includes Andhra Pradesh, Telangana, Tamil Nadu, and Rajasthan.

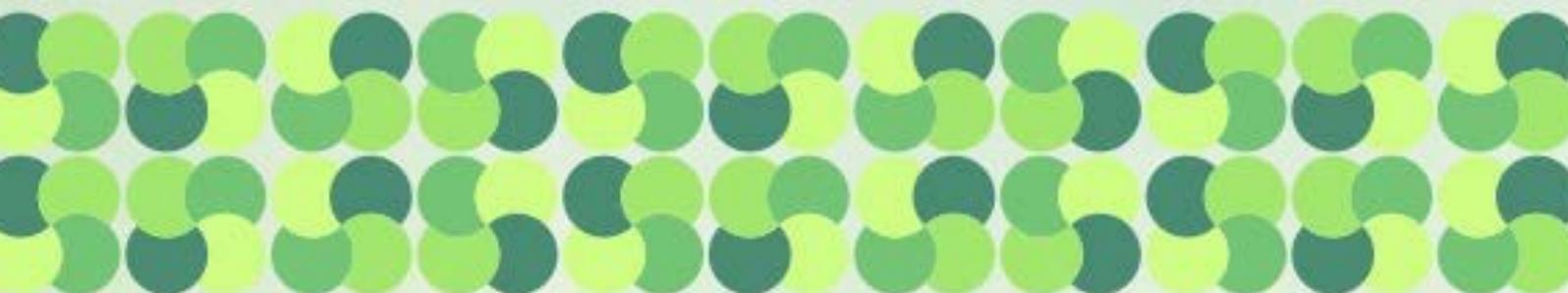
There are multiple courses on social work and a number of colleges offering degrees in social work. Recommended well-known institutes include:

- Tata Institute of Social Sciences
- Gandhigram University- Madurai
- Institute of Rural Management Anand
- Indian School of Development Management, Noida
- Indira Gandhi National Open University (PG Diploma in Rural development)
- Social Work colleges in several states



# **Chapter 2**

## **India's Non-Profit Sector**



# INDIA'S NON-PROFIT SECTOR

Mathew Cherian

## ORIGINS AND SCOPE

The role of the voluntary sector has transformed with the times to meet the evolving needs of society. The organisations not only provide support to under-served and disadvantaged communities, they have also been successful in putting the spotlight on health, education, rural development, environment, women and child welfare partnering with policy makers and governments across states.

The earliest legislations to regulate civil society was implemented by the then colonial administration in the form of the Societies Registration Act (1860) and the Trusts Act (1882). These acts continue to not just exist in the present day but are the only legislations governing the sector, even after a century and 75 years after independence apart from the Bombay Public Trusts Act (1950) and the Income Tax Act (1976).

The voluntary sector is very large and varied, encompassing diverse ideologies from Gandhian to Socialist and development principles. The first estimate of the size of the sector was presented in a study conducted by PRIA (Participatory Research in Asia) in collaboration with Johns Hopkins University, USA in 2001. According to the study, there were over 1.2 million voluntary agencies in the last five decades.

Charities Aid Foundation (CAF) India also partnered with the Planning Commission to survey 2000 voluntary agencies at the turn of the millennium. The survey established the scope of the sector and its contribution to all sections of society. The study also identified a system of accreditation for the sector and, for the first time, created a comprehensive validated database of the sector.

In 2013, Dr Pronab Sen, the then Secretary, Ministry of Statistics and Programme Implementation conducted a national survey and estimated that there were approximately 3.17 million non-profit organizations in the country. The report drew on an ambitious survey implemented in two phases. In the first phase, a comprehensive list of societies was prepared from the Registrar of Societies in each state; the second phase involved physical verification of these societies, collection of financial and employment data.

The first phase of the survey identified about 3.17 million NPIs registered under the Societies Registration Act, 1860, and the Bombay Public Trusts Act, 1950. As many as 58.7 % of these were in rural areas. The majority of NPIs were engaged in community, social, personal services, cultural services, education, and health services. Subsequently, in the second phase, these listed societies were physically surveyed. Out of nearly 2.2 million societies, 71 % of the registered societies were visited. The final survey results were

obtained for just 6,94,000, or 22 %.  
(Source MOSPI report 2012)

Despite these limitations, the report sheds much-needed light on this sector. Three activities - social services (37 %), education and research (24 %), culture and recreation (15 %) - accounted for 76 % of the traced societies. The number of non-profit organizations reporting religion as their primary activity was surprisingly low - less than five %. Nearly 80 % of the traced societies were formed after 1990, and just three % before 1970. The total workforce - 18.2 million workers - exceeded the entire public sector workforce. However, only 2.7 million were paid workers (the rest were volunteers according to the survey). Surprisingly, female workers in these societies made up just 28 %, not much higher than in the non-agriculture workforce in general. Statistically it is a large number and the work they contribute to the country is extensive and significant.

From the late 1970s, NGOs launched a number of new initiatives. They engaged in more focused work with target groups - landless labourers, tribals, small farmers, women, scheduled castes, scheduled tribes and Dalits. NGOs grew in number and scope, and they began to specialize in certain aspects, such as health, agriculture, education, literacy. This period saw the growth of voluntary action at other levels: resource centres and support organizations specializing in training, research, advocacy, documentation, legal aid, etc. Issues such as women's development, environment, forestry began to gain significance. The work of NGOs also focused on droughts, floods, deforestation, bonded labour, housing rights, water, pollution, etc. The recognition and visibility of the work of NGOs increased during this period.

A more professional approach to development characterised the work of NGOs from the 1990s onwards led by organisations such as PRADAN, etc. Trained social workers from different academic institutions started joining the non- governmental sector, as did young professionals from engineering, medicine, service, management, accountancy among other disciplines. They regarded the non-governmental sector as a profession and tried to find ways to align their careers with their social commitments.

Many agencies work in remote areas of India, bringing relief and succour to millions, while others concentrate on articulating the rights of the poor in order to reduce exploitation from vested interests and exploitative systems. Then there are others who work in areas such as policy, juvenile justice, right to Information, access to entitlements, art and culture and heritage.

## **PUBLIC ACCOUNTABILITY**

While the cause of right to Information has been championed by many from the days of Mahatma Gandhi, civil society took this issue to great lengths to reduce corruption and improve accountability in the public sphere by bringing in a “Right to Information“ Bill and Act to improve public life and promote transparency. Mazdoor Kisan Shakti Sangathan (MKSS) in Bhim, Rajasthan under the leadership of Aruna Roy were able to take positive action in making this a public law in India.

CSOs rely on public funds for the work that they undertake, whether it is in the form of donations from individuals and corporates, grants from foundations or CSR grants from companies under CSR programmes. It is important for CSOs to build their credibility for the work that they do, as the consequences for any adverse impact on their credibility could be disastrous affecting their ability to gather funds for future endeavours.

CSOs acknowledge that they need to be transparent regarding the funds received by the sector and how these are utilised. Such transparency will also eliminate uninformed and unsubstantiated charges that non-profits mis-utilise funds.

There is a need to have a framework of transparency and accountability for the sector in the long-run. And while individual CSOs are responsible for championing and following high integrity practices, the Government has from time to time brought in key provisions to regulate the sector.

The voluntary sector debated these concerns for two years before promoting the Credibility Alliance (CA) in 2004. The Alliance developed Accreditation Norms for CSOs. At present the CA website claims that over 1000 organisations have been accredited, indicating establishment of an accreditation process for CSOs. This mechanism of accreditation needs to be encouraged and further strengthened. One also needs to critically assess its contribution considering the size of the sector in India and evaluate how it can be rolled out more widely. GuideStar India which carried out the survey is the first transparent database of civil society.

## **PAST EFFORTS IN MAINTAINING ACCOUNTABILITY**

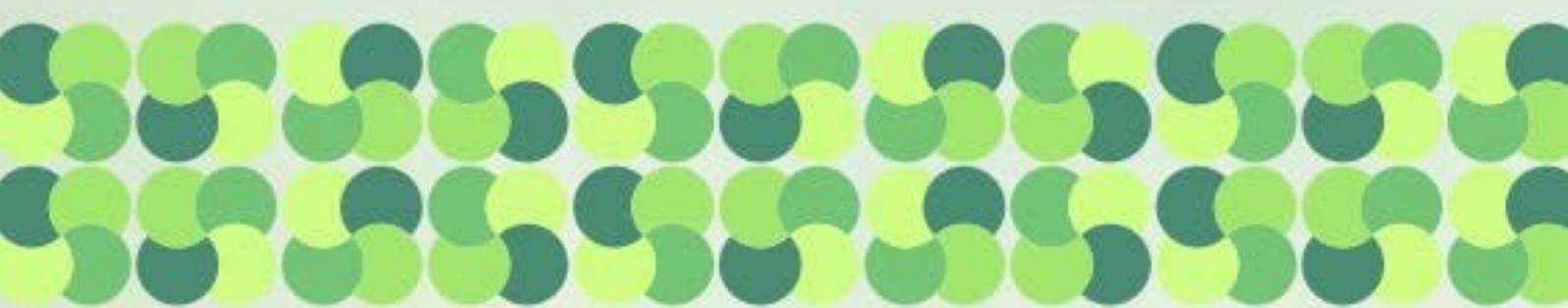
Historically, accountability has been mostly conceived in economic or financial terms, mainly from the point of view of donors. If the money has been spent as expected by the donors, accountability is achieved. Other aspects of accountability have so far been heavily influenced by Government controls, that is, preparing financial statements to file returns. This means accountability had been reduced to an administrative and legislative task. To gain the confidence of stakeholders, CSOs have been working on improving processes and mechanisms of accountability. Some of these mechanisms can be summarised as below.

- Adoption of high standards & policies: Organisations have been adopting ethical code of conduct through a set of values, norms and standards. Many organisations follow global benchmark policies such as Conflict of Interest, and Whistleblowing to demonstrate their high ethical standards. Many follow self-regulation standards jointly developed with and by civil society influencers and stakeholders.
- Governing boards include independent individuals with experience and integrity to guard and advise in the best interests of the organisation. They ensure proper mechanisms are put in place to maintain high standards of the organisation.
- Standards for disclosure and public reporting aim to democratize information about an organisation's finances, activities, programmatic learning, impact and governance through external evaluations, annual reports, disclosure of information to maintain high standards of public reporting.
- Consultative and participatory mechanisms with community and local stakeholders and "jan sunwai" (grievance redressal) in many villages where CSOs work. However many of the above mechanisms while maintaining high standards of conduct in public and complying with various benchmarks do not necessarily achieve accountability of the desired levels.



# **Chapter 3**

## **Understanding the Contribution of the NPO Sector in India: Estimation of the Economic Value**



## UNDERSTANDING THE CONTRIBUTION OF THE NPO SECTOR IN INDIA: ESTIMATION OF THE ECONOMIC VALUE

A Research Report by Society for Social and Economic Research (SSER)

The non-profit (NPO) sector's activities are spread across different economic sectors including health, education, advocacy, environment, social services, creative activities, development, gender, etc. The sector provides a large and significant contribution to the improvement of life and livelihoods for large sections of society in India.

The economic valuation of these contributions is complex and not easy to compute due to a number of factors.

1. The NPO sector is itself not defined as a sector in the system of national accounts.
2. The NPO sector makes substantial contribution in intangibles with long-term benefits which are difficult to compute in terms of present value.
3. A vital aspect is the role and presence of a large number of volunteers within the sector who provide services on an honorary basis or for a token honorarium.
4. There are very few survey or field-based attempts to estimate the economic value of the NPO sector at the national level in India (Casey 2016).

Given the challenges listed above, this report attempts to compute an approximate economic value of the contributions made by the NPO sector in India.

The report is based on an extensive review of existing data and information that attempts to estimate the economic contribution of the NPO sector in India and in other countries. Inputs for this report were also obtained from experts on national accounting, economists who work on issues related to activities of the unorganised and informal sector and macro economy in general. Data has been derived from national accounts statistics and from additional sources including the statistical tables provided by the Reserve Bank of India. This report is similar to other reports that attempt to estimate the economic contribution of 'non-conventional' sectors such as the creative sector, music industry and so on ("Taking the Temperature" 2022) (Kedia 2022).

The NPO or non-governmental sector is not defined as a 'sector' in the system of national accounts of a country. The sector is at best a composite sector including parts of other sectors such as health, education, social service and so on. The first step therefore in arriving at an estimation of the economic value of the NPO sector's contribution is to identify different sectors in the national accounts framework in

which these NPOs are active and have made a contribution. The economic contribution of composite sectors such as the NPO are obtained through the creation of satellite accounts which are, in turn, based on surveys of establishments and institutions in the sector.<sup>1</sup> One such effort was made between 2009 and 2011 by the National Accounts Division (NAD) of the Central Statistics Office (CSO) in the Ministry of Statistics and Programme Implementation (MOSPI). The report of these satellite accounts forms the base for arriving at the estimates in this report.<sup>2</sup>

A related difficulty of obtaining economic value of NPO activities is that most NPO activities are in what is called the services sector. In fact, a study related to other countries found that within the services sector, the vast majority (nearly 75%) of non-profit gross value added (GVA) is generated through service activities as opposed to expressive activities (Salamon et al. 2013). Examples of services activities can be found in health, education, nutrition and so on while expressive activities are meetings, demonstrations, speeches, performances, distribution of literature and so on. The issues related to the economic measurement of the services sector has been known to governments and scholars for several years.

There are three major problems with regard to measurement of value added<sup>3</sup> of the services sector (Pais 2020). The first is the inability to measure the value of the services output itself. Given this, the most accepted method of measuring value added is the value of wages given to workers in the sector. Further in the case of services such as health and education, it is argued that the demand for such services remains stable even when there are large fluctuations in income. The second issue in measuring value in monetary terms, relates to computing the rate of inflation for the value of services. The most popular method is the method of double deflation. In the method of double deflation, the value of output and value of inputs are deflated separately by their appropriate price indices, and the value added for the service is then estimated as the difference between the output and inputs (CSO, 2007). The third set of issues is to do with the inability to actually make measurements on the ground and hence the use of indicators as proxies for the existence and growth of some services. As a consequence, in the case of a number of services, employment in the given service is used as an indicator to arrive at the size and growth of the service (Pais 2002).<sup>4</sup>

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<sup>1</sup> Satellite accounts are one way in which the System of National Accounts may be adapted to meet differing circumstances and needs. They are closely linked to the main system but are not bound to employ exactly the same concepts or restrict themselves to data expressed in monetary terms.

<sup>2</sup> Another successfully implemented satellite accounts in India is the Tourism Satellite Accounts.

<sup>3</sup> "Value-added" in economics and in National accounting is a technical term that has a very specific meaning. GDP is, in fact, sum total of all value added in the country. Value added is defined as the value of output minus the costs of inputs. This is very different from value-addition used in the management/marketing sector. The value added in GDP or National accounts includes Value added includes wages, salaries, interest, depreciation, rent, taxes and profit. Value-added is a measure of the economic contribution of the enterprise or the sector to the economy.

<sup>4</sup> There are other additional issues such as the level of disaggregation at which estimates are obtained given the methodology followed. While these are all important for the NPO sector, this present report does not attempt estimations at a very detailed level.

A substantial effort in the NPO sector is in producing outputs that are intangible. For example, efforts towards nation building, creating awareness about human rights, empowerment of vulnerable sections of society such as women, Dalits, Adivasis and minorities, work towards improving enlightened citizenry and so on, better health facilities, education inputs and so on. An economic valuation of such outcomes is near impossible. The value of such contributions, while significant and with long term impact, are not included in the current estimation. A related difficulty in obtaining accurate valuation is of activities that have tangible consequences but that are long-term and often indirect. This is true for NPO activities working on issues related to health, education, environment and so on where there is known measurable positive contribution, a large part of which accrues in the future and the extent of which is unknown due to uncertainties related to other related factors. For example, while an NPO activity may work towards substantially improving health in a particular area. But this positive outcome may disproportionately be undone by factors such as vehicular pollution or industrial activities that simultaneously grow in the target area.

Several studies on the NPO sector have highlighted the role of volunteers along with paid workers. It has been argued that not only are volunteers present and working in large numbers in the NPO sector, but their contribution also has to be considered while measuring economic value of the contribution of the NPO sector (Eliasoph 2020). A study in Tamil Nadu estimated that nearly two thirds of the workers in the NPO sector were volunteers (PRIA 2002). The estimates by the NAD satellite accounts show that in 2007-08, there were nearly 84.2 lakh volunteers making up for about three fourths of the workers in the sector. This report attempts to estimate the value of contribution of volunteers to the economic valuation.

International statistical efforts towards identification and classification of the NPO sector activities have led to the development of the International Classification of Non-Profit Organisations (ICNPO). The ICNPO consists of 11 sub-sectors at the first level of disaggregation. These sub-sectors are (1) Culture and Recreation, (2) Development and Housing, (3) Education and Research (4) Environment (5) Health (6) International Activities, (7) Law, Advocacy and Politics, (8) Philanthropic Intermediaries and Voluntarism Promotion (9) Professional and Business Associations and Unions (10) Religion and (11) Social Services. Reconciling the conventional National Accounts statistics sub-sectors and the ICNPO sub-sectors is a challenge with regard to data from India. The estimation of economic value of the NPO contribution in this report is along the 11 ICNPO sub-sectors.

Estimates of share of the NPO sector in different 'national accounts sectors' such as health, education and so on can be estimated through what is called the creation of satellite accounts. Such satellite accounts have been developed for India by national agencies associated with the National Accounts Division of the Department of

Statistics along with partner organisations who help in the conduct of surveys of households, individuals or enterprises as the case may be. There have been several attempts at developing satellite accounts for the tourism sector in India, both at the national as well as state levels. Similarly, there is at least one recent attempt to develop satellite accounts for the NPO sector (2012). There are also attempts at developing satellite accounts in other countries in India's neighbourhood such as Bangladesh.

### **SOURCES OF DATA**

Satellite accounts on the NPO sector from India (2012). Data from the surveys of unincorporated non-agricultural enterprises by the NSS (2010-11) and NSS (2015-16). Disaggregated data on Gross Domestic Product (GDP) from the National Accounts Statistics (various years till 2019-20).

### **ESTIMATION METHODOLOGY FOR VALUE ADDED IN THE NPO SECTOR**

Value added in a sector is a measure of its economic contribution to the country. A suitable method for estimating the value added in the NPO sector is given here in the light of challenges discussed above. This method involves estimating value added in different sub-sectors of the formal and registered NPO sector for the latest possible year. Methodology developed after discussions with experts and economists working on estimation of GDP, Gross Value Added (GVA)<sup>5</sup> and sectoral economic values. Imputed values are computed for each of these sub-sectors to account for the contribution of volunteers. Similarly, the value of contribution of the informal sector or unregistered NPO activities are computed using data from unincorporated enterprises survey of the NSS.

It is assumed that the average economic contribution of the formal sector volunteers is equal to the average economic contribution of formal paid workers in the respective sub-sector. In case of the informal sector, however, it is assumed that the economic contribution of the average worker is about two thirds that in the formal sector. For change over time and for obtaining estimates for the latest possible year, sub-sectoral growth rates of gross value added are computed from national accounts. These growth rates are then applied to sectoral estimates of value added for the NPO sector computed above. Since obtaining inflation estimates for the NPO sector is complex, all estimates are in current values. Normalising of the estimates is done by

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<sup>5</sup> Gross value added (GVA) is the sum total of value added, that is the sum total of all value-added by different NPO organisations in the sector. This is similar to GDP, the difference being taxes and subsidies are not included.

Both GVA and GDP give a measure of the contribution of a sector to the country/total economy.

"Value-added" in economics and in National accounting is a technical term that has a very specific meaning. GDP is, in fact, sum total of all value added in the country. Value added is defined as the value of output minus the costs of inputs. This is very different from value-addition used in management/marketing sector. The value added in GDP or National accounts includes Value added in the form of wages, salaries, interest, depreciation, rent, taxes and profit. Value-added is a measure of the economic contribution of the enterprise or the sector to the economy.

presenting ratios with respect to sectoral and National GDP. It should be noted that formal registered NPO sector institutions covered in the satellite accounts used in this report only include organisations registered under the Societies Registration Act 1860, Bombay Public Trusts Act, 1950 and companies registered under section 25 of Indian Companies Act, 1956. Other organisations registered under other acts, though engaged in not-for-profit activities are not covered. However, according to an estimate, a bulk of the NPO activities are by institutions registered under these three regulations. Also, it should be noted that the attempt here is to provide an estimate of the value added in different sectors by activities of NPO institutions. The attempt is not to estimate total grants received by the NPO sector or funds or even credit disbursed by the NPO sector.

More specifically

- Estimates for the 11 ICNPO sub-sectors for the year 2007-08 are computed.
- The value of contribution of volunteers in each of the sub-sectors is added to this estimate.
- Further contribution of the informal sector is added using estimates of workers in the unincorporated establishments in 2011-12 and 2015-16.
- Reconciliation between 11 ICNPO sub-sectors and NAD sub-sectors are done using appropriate concordance tables. Value added along the 11 ICNPO sub-sector estimated for the years 2007-8 to 2019-20 (latest possible).
- Sectoral growth rates for the value added for the 11 ICNPO sub-sectors computed.
- These growth rates applied to estimates of value added in the NPO sub-sectors to arrive at estimates for 2019-20.

## **ESTIMATES OF THE ECONOMIC CONTRIBUTION OF THE NPO SECTOR IN INDIA**

Education and related activities accounted for the largest share in the economic contribution of the NPO sector in India. The estimates across sectors for 2019-20 are given in Table 1. The contribution of Education and Research was about Rs. 1,12,000 crore followed by Culture and Recreation at Rs. 1,08,000 crore. The third most important sector was Social Services at about Rs. 38,000 crore. Both Education and Cultural Activities account together for about 62% of all NPO activities in India.

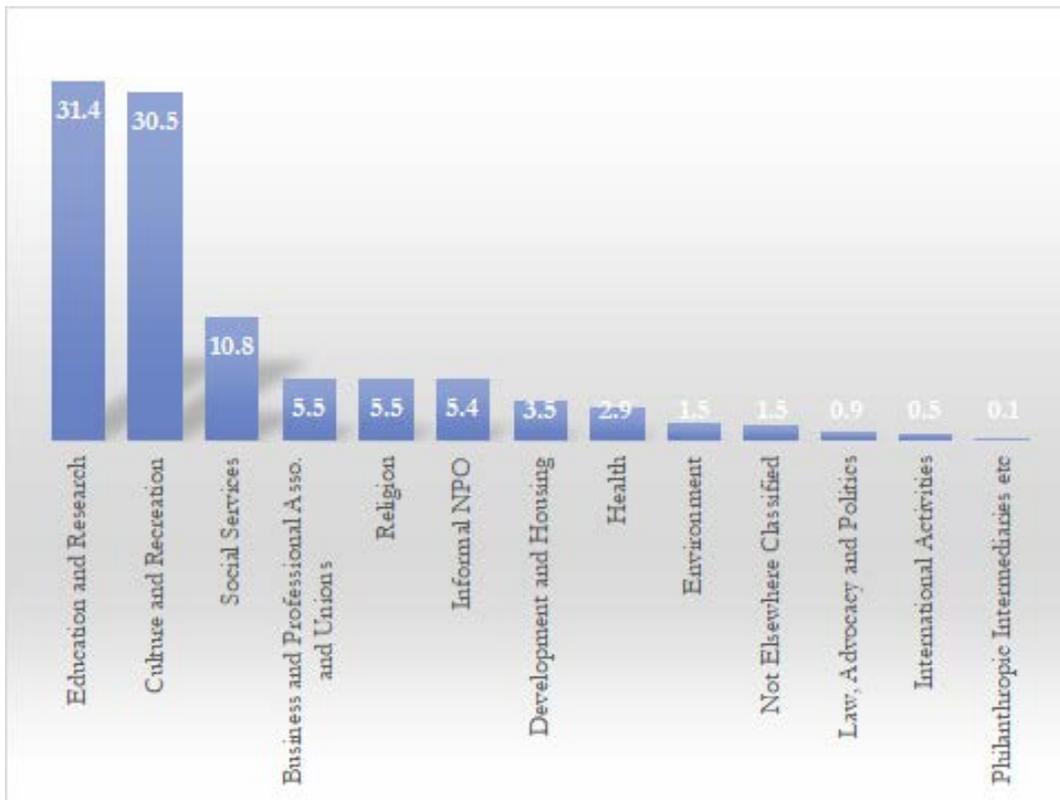
**TABLE 1: SECTORAL ESTIMATES OF ECONOMIC CONTRIBUTION OF NPO SECTOR, INDIA, 2019-20**

NPO sectors	Estimated sectoral GVA (INR crore)	Sectoral share in total (per cent)
Education and Research	1,12,166	31.4
Culture and Recreation	1,08,626	30.5
Social Services	38,534	10.8
Business and Professional Assoc. and Unions	19,522	5.5
Religion	19,460	5.5
Informal NPO activities	19,391	5.4
Development and Housing	12,571	3.5
Health	10,490	2.9
Environment	5479	1.5
Not Elsewhere Classified	5213	1.5
Law, Advocacy and Politics	3066	0.9
International Activities	1857	0.5
Philanthropic Intermediaries etc	294	0.1
<b>Total</b>	<b>356670</b>	<b>100</b>

Note: All estimates at current value in 2019-20.

The NPO activities remain an important part of socio-economic life in India. These activities are also growing over time. Estimates of the size and growth of the value of the economic contribution of the NPO sector over time is given in Table 2. It is estimated that the economic contribution of the NPO sector to the Indian economy increased from about Rs. 73,000 crore in 2008-09 to about Rs. 3,56,000 crore in 2019-20. As a share in gross domestic product the economic contribution of the NPO sector increased from about 1.41% in 2008-09 to 1.94% in 2019-20. Figure 2 shows the shares of NPO contribution to GDP over the years.

**FIGURE 1: SHARE OF ECONOMIC ACTIVITY OF NPOS ACROSS ICNPO CATEGORIES (2019-20)**

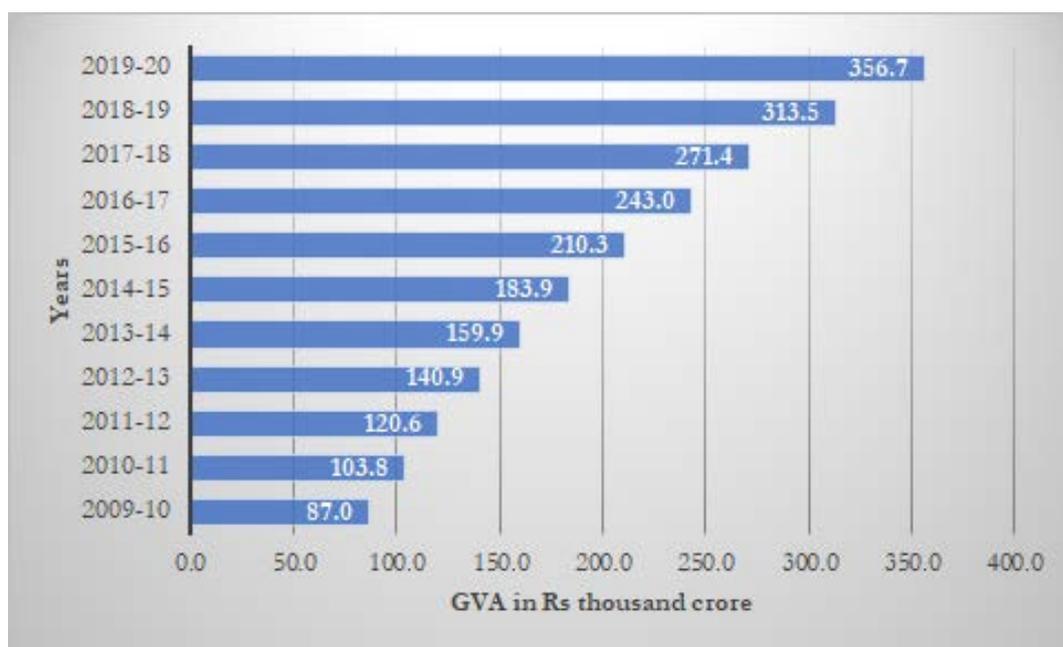


**TABLE 2: ESTIMATES OF ECONOMIC CONTRIBUTION OF THE NPO SECTOR IN INDIA (2009-10 TO 2019-20)**

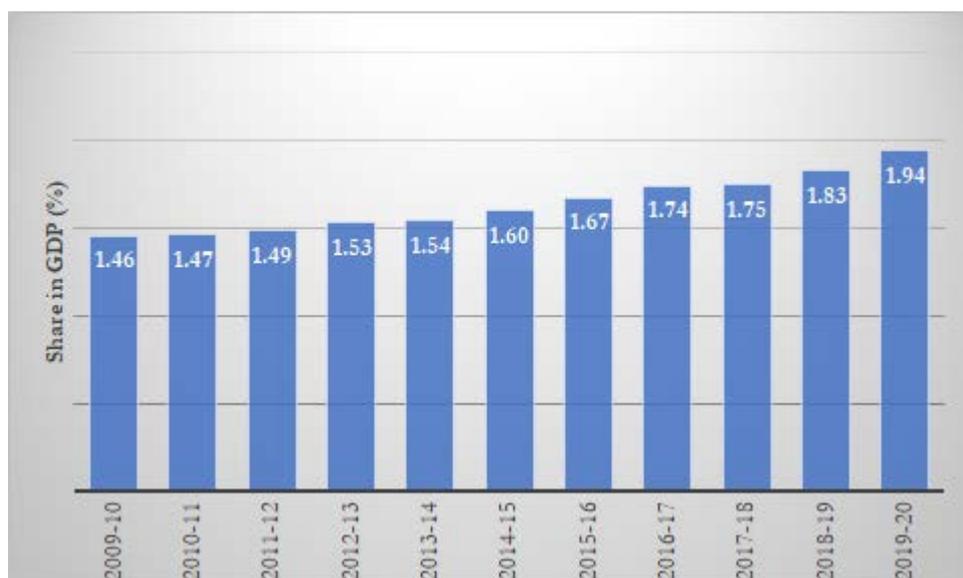
Year	Estimated GVA of the NPO sector (INR crore)	Share in GDP (per cent)
2008-09	73,095	1.41
2009-10	87,028	1.46
2010-11	1,03,793	1.47
2011-12	1,20,638	1.49
2012-13	1,40,891	1.53
2013-14	1,59,881	1.54
2014-15	1,83,915	1.60
2015-16	2,10,349	1.67
2016-17	2,42,984	1.74
2017-18	2,71,399	1.75
2018-19	3,13,512	1.83
2019-20	3,56,670	1.94

Note: All estimates in current prices

**FIGURE 2 ESTIMATED GVA OF THE NPO SECTOR, INDIA, 2009-10 TO 2019-20**



**FIGURE 3: ESTIMATED SHARE OF THE NPO SECTOR IN GDP, INDIA (2009-10 TO 2019-20)**



### LIMITATION OF THE PRESENT ESTIMATES

In order to estimate the economic contribution of the NPO sector in 2019-20, this report uses satellite accounts as a starting point. The base for the estimations is from the national level satellite accounts (2011-12) which provide sectoral values for

reference year 2007-08. A more recent satellite accounts effort is likely to improve the quality of these estimates. Formal registered NPO sector estimates only include organisations registered under the Societies Registration Act 1860, Bombay Public Trusts Act, 1950 and companies registered under section 25 of Indian Companies Act, 1956 in 2007-08. Other NPOs, even though registered under other regulations are, unfortunately, not included. Though an attempt is made to include contributions of the informal sector NPOs, however these are likely to be underestimated. Finally, the estimates suffer from usual limitations with respect to approximations of value added in the services sector (they could be highly overestimated or underestimated depending on the sub-sector).

#### Key findings:

- The NPO sector contributes substantially to value- adds in several sectors in India especially in cultural activities, education and in health.
- The present estimates show that the share of economic contribution of the NPO sector to GDP increased from about 1.46 % in 2009-10 to 1.94 % in 2019-20
- The lack of data prevents a more complete evaluation of the economic value added by the NPO sector.

#### RECOMMENDATIONS

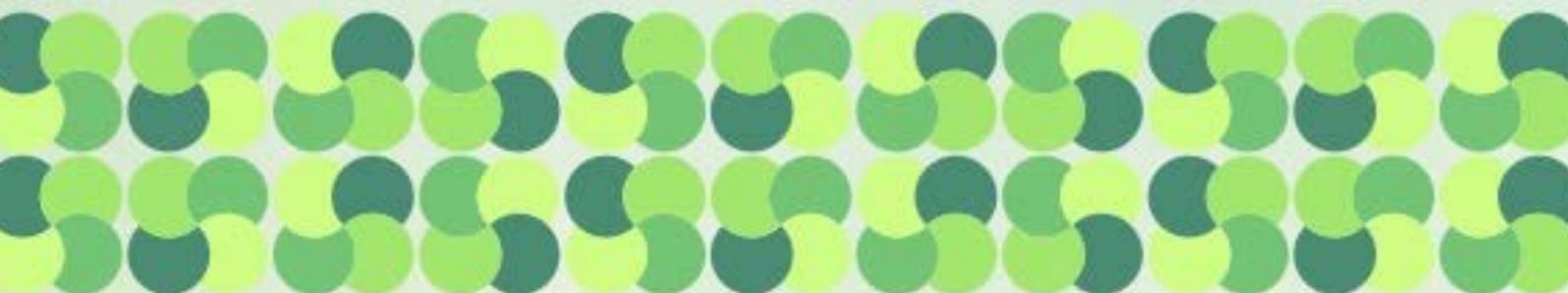
- Credible, reliable and regularly available estimates of the economic contribution of the NPO sector are required not only for the sector to obtain an understanding of its own performance, these estimates help governments, funding agencies and other stakeholders plan and mobilise support both financially and in terms of policies and programmes.
- India has a rich history when it comes to collection of statistical data; in line with this, it is recommended that regular detailed studies should be made for independent collection of data on the activities and contributions of the NPO sector.
- Reliable estimates of the economic contribution of the NPO sector can only be obtained through satellite accounts. The Government of India through MOSPI should regularly conduct national level surveys as part of the building of these satellite accounts.
- Informal NPO activities are likely to be significantly larger than estimated in this report. It is suggested that the NSO surveys on unincorporated enterprises

in India should include a block that is specifically designed to gather information on informal NPOs and their activities.

- Since the nature of work and workers in the NPO sector is different from regular work, there is a need to develop a framework and categorisation of workers associated with the NPO sectors- paid employees, volunteers - full time and part time (including interns), members of governing boards and so on.
- A substantial contribution of the NPO sector is in outcomes that cannot be measured in terms of money value and are intangible outcomes. The contributions due to intangibles can be brought out through descriptive and qualitative studies with a pan-India, multi-sectoral sample.



**Chapter 4**  
**Non-Profit Sector Survey**  
**2022-23**  
**A Report on**  
**Preliminary Results**



# NON-PROFIT SECTOR SURVEY 2022-23

## A REPORT ON PRELIMINARY RESULTS

GuideStar India, IIM Ahmedabad Research Team

### CONTEXT

It is vital to know the size and composition of the NPA/ NGO sector, the breadth of activities that non-profits engage in and the various dimensions of socio-cultural and economic life they influence. The largest exercise to map non-profit institutions was undertaken by the Central Statistical Office, Ministry of Statistics and Programme Implementation (MOSPI) in 2012<sup>6</sup>. It was conducted in two phases. MOSPI put out a number of 31.7 lakh non-profit institutions/organisations (NPIs or NPOs) based on registration records until 2008. Subsequently in an effort to know the number of live organisations as a part of phase 2 of the MOSPI study in 2009-10, a physical exercise was conducted and 6.94 lakh NPOs were traced.

NGO Darpan<sup>7</sup>, NITI Aayog's directory of NPOs, has a list of 1.5 lakh NPOs (as of October 2022), after removing duplicate records and entities such as co-operatives. The Income Tax Department released a list of NPOs with tax exemption and tax deduction as of November 2022. This has 2.52 lakh tax exempt NPOs of which 1.64 lakh NPOs have valid registration to offer tax deductions to donors. As per the dashboard of the FCRA division<sup>8</sup> of the Ministry of Home Affairs that regulates NPOs receiving foreign contributions, in January 2023, there were 16,508 NPOs with active status and 12,947 deemed expired. GuideStar India<sup>9</sup>, the information repository of NPOs where NPOs voluntarily register, features 11,500 NPOs as of January 2023.

### SURVEY OBJECTIVES

Given the paucity of secondary data about NPOs, to learn about the current state of the non-profit sector, CSO Coalition@75 decided to conduct a cross-sectional study of non-profit organisations working in different geographies and across diverse sets of activities through a primary survey. The survey data would allow developing a sector-wide understanding of practices and priorities. The aim was to examine associations between organisational characteristics and various dimensions captured in the survey to develop a more granular understanding of the sector. The data would also be useful in the creation of sector-specific reports.

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<sup>6</sup> Ministry of Statistics and Programme Implementation, Government of India. (2012). *Final Report on Non-Profit Institutions in India: A Profile and Satellite Accounts in the framework of System of National Accounts (including State-wise Comparison of Profiles)*. New Delhi: Government of India. [Final Report of the Survey](#)

<sup>7</sup> NGO Darpan <https://ngodarpan.gov.in/index.php/home>

<sup>8</sup> FCRA Dashboard [https://fcraonline.nic.in/fc\\_dashboard.aspx](https://fcraonline.nic.in/fc_dashboard.aspx)

<sup>9</sup> GuideStar India NPO information repository <https://guidestarindia.org>

As the survey could not reach out to all the non-profits owing to logistical constraints and as MOSPI does not provide the details of the surveyed organisations, a sampling strategy was developed for the purposes of this study. The MOSPI study is the largest exercise in mapping the sector and has served as a benchmark. However, as the MOSPI report does not provide the identifier details of the surveyed organisations, the list of non-profits from NGO Darpan<sup>10</sup>, the largest government directory of non-profits, was referenced.

## DATA AND METHODS

An online survey<sup>11</sup> was designed to capture the organisational details, size, reach and scope of activities, contribution to UN SDGs, systems of governance, accountability and employment. It also captures the qualitative dimensions of the work of non-profits.

The survey was anchored by GuideStar India and the outreach was a combined effort of all the coalition partners. The survey was emailed directly by GuideStar India to 1.55 lakh organisations and the combined reach of the coalition is estimated to be about 2 lakh NPOs.

The survey was conducted in English with translation support in Hindi. Webinars and workshops were conducted through networks of non-profits in English and regional languages. Follow-up calls, email reminders and call support was provided to respondents. NPOs took about 2 hours to complete the survey, with additional time spent on internal data gathering. Phase 1 of the NPO survey was open from September to December 2022. While over 1000 responses were received, these were validated for unique records of NPOs based on Income Tax PAN. 851 records were taken up for analysis. Data validations were done for registration status as regards tax exemption, tax deduction and FCRA registration, using publicly available data on the IT and FCRA portals. Outlier data points were cross-checked on the GuideStar India profile of NPOs, websites of NPOs and through clarificatory calls and emails with respondents.

The GuideStar India team implemented outreach activities through mailers, webinars and workshops, as well as managed data gathering, de-duplication, validations and reporting. The survey design and analysis were guided by the IIM Ahmedabad Research team led by Prof. Ankur Sarin and supported by Bikalp Chamola, Doctoral Student, Public Systems Group, IIM Ahmedabad.

<sup>10</sup> NGO Darpan <https://ngodarpan.gov.in/index.php/home>

<sup>11</sup> NPO Sector Survey <https://www.surveymonkey.com/r/NPOsurvey2022-GSI>

A big thank you to every NPO that participated in the NPO Survey and to all the CSO Coalition@75 partners as well as other partners such as BPA, CASA, CFAR, Goonj, Janpath that hosted meetings.

Given the complexity of the survey, not all organisations responded to every question. Hence the number of responses used varies. To account for this, the relevant sample size (n) is mentioned for each statistic when they vary.

- Limitations of Phase 1 and Plan for Subsequent Phases
  - The sample for the first phase was drawn using convenience sampling. The findings of this phase which are presented here should be read with this cautionary note. It is not intended to extrapolate the results to the overall population of non-profits on the basis of Phase 1 results.
  - In the subsequent phases of data collection, it is planned to utilise stratified random sampling based on proportional representation of non-profits' geography in the NGO Darpan database. In the subsequent phases (from January to August 2023), the survey will have increased breadth of coverage through stronger outreach at the local level and multilingual survey communication.

## A REPORT ON PRELIMINARY RESULTS OF THE SURVEY

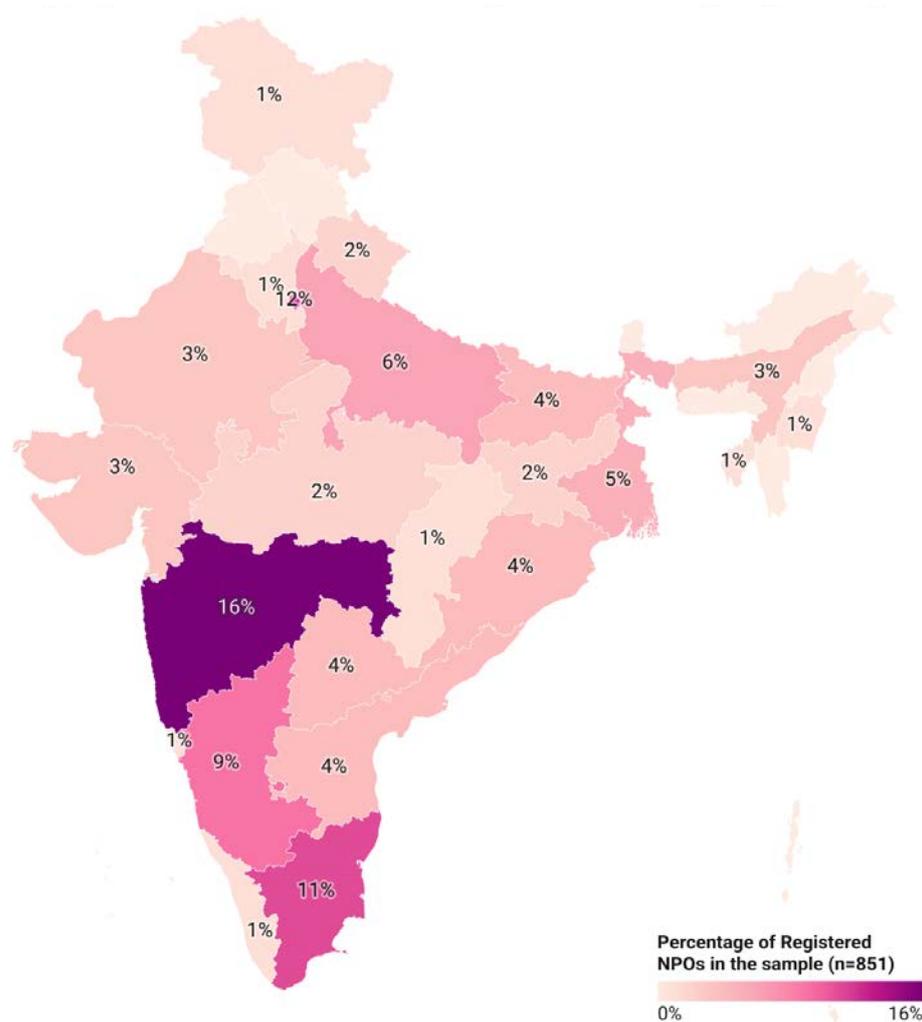
The total number of validated, unique non-profit responses used for survey analysis in the first phase is 851. Comparing the state of registration of NPOs in our sample with that of NGO Darpan we find that the geographical distribution of our sample broadly corresponds with that of organisations in NGO Darpan (see Figures 1 and 2). Although the NGO Darpan database has known limitations, it serves as a useful benchmark as it is the largest directory of information on NPOs. States where the percentage point difference between NGO Darpan<sup>12</sup> and our sample is 4 or more, are Uttar Pradesh (which is under-represented) and Tamil Nadu (which is over-represented in our sample).

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<sup>12</sup> NGO Darpan <https://ngodarpan.gov.in/index.php/home>



Figure 2: Geographical distribution of NPOs in the Sample (n=851)



Source: Nonprofit Sector Study 2022 - 23 • Created with Datawrapper

Disclaimer: Map of India may not be to scale and is only for illustration purposes.

## KEY ATTRIBUTES OF SURVEYED ORGANISATIONS

### Geographies of Work

- Regions where NPOs are active:
  - Predominantly organisations in our survey report indicated Maharashtra, Tamil Nadu, Karnataka, Uttar Pradesh and Delhi as their primary areas of work. These 5 states/ regions constitute 50% of our sample (n=642) (see Table 1). 47% of the NPOs in our sample work in only one state, with 31% working in 1-5 states, and the remaining 22% working pan-India (i.e. in more than five states).

**TABLE 1: AREAS WHERE NPOS WORK (N=642)**

NPOs were asked to indicate the top 3 states of their work. Columns represent states in order of NPOs' ranking their highest to lowest. Column 1 is arranged in descending order of highest ranked state

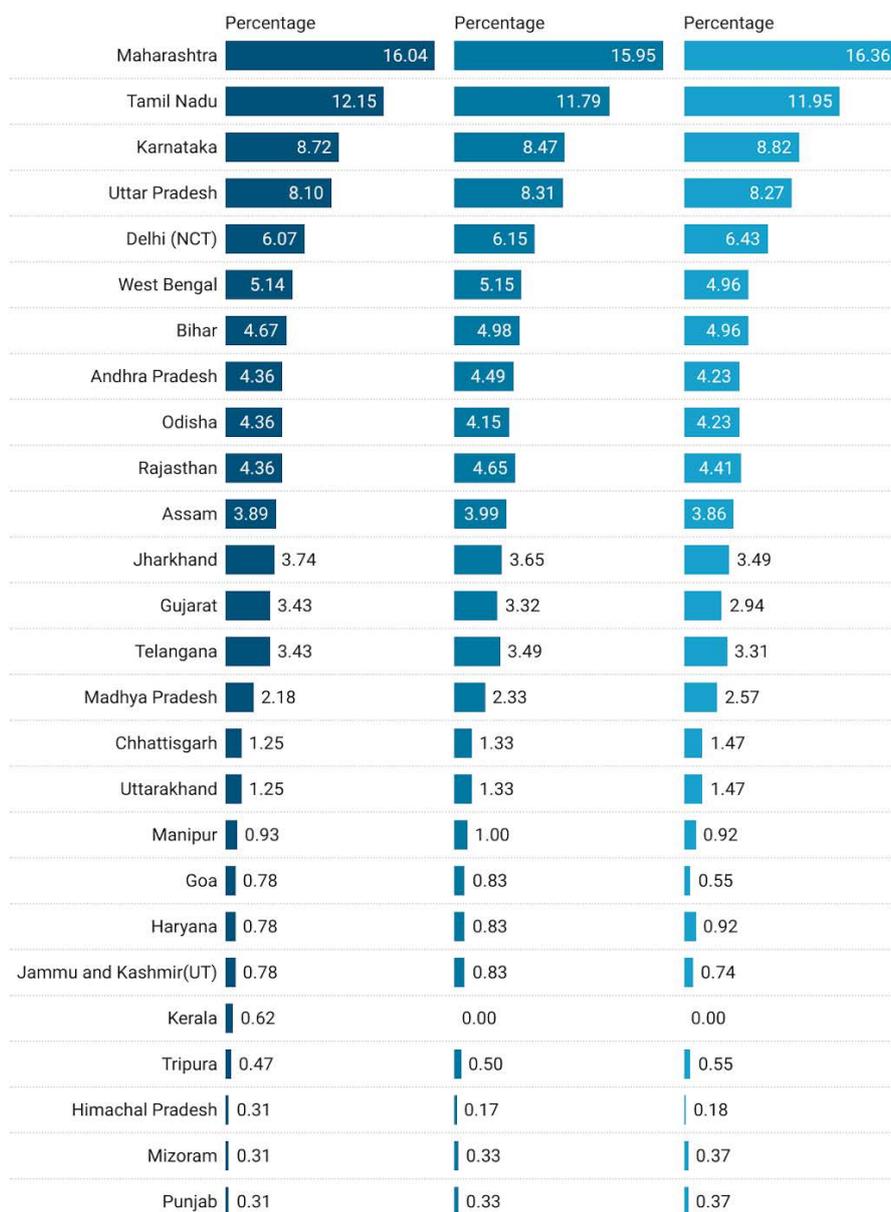


Chart: GSI • Source: Nonprofit Sector Study 2022 - 23 • Created with Datawrapper

**Aspirational Districts<sup>13</sup>:** Aspirational districts are lowest on Human Development Index (HDI), and require significant synergies from businesses,

<sup>13</sup> Aspirational Districts [https://my.msme.gov.in/MyMsme/List\\_of\\_AspirationalDistricts.aspx](https://my.msme.gov.in/MyMsme/List_of_AspirationalDistricts.aspx)

non-profits and the governments for development in these remote geographies. 54% of the NPOs (n=639) in our sample report work in aspirational districts (see Figure 3). Among those NPOs that responded (n=489), on an average 55% of their work is located in villages (as against metropolitan areas, urban and semi-rural areas).

**FIGURE 3: NPOS WORKING IN ASPIRATIONAL DISTRICTS (N=639)**

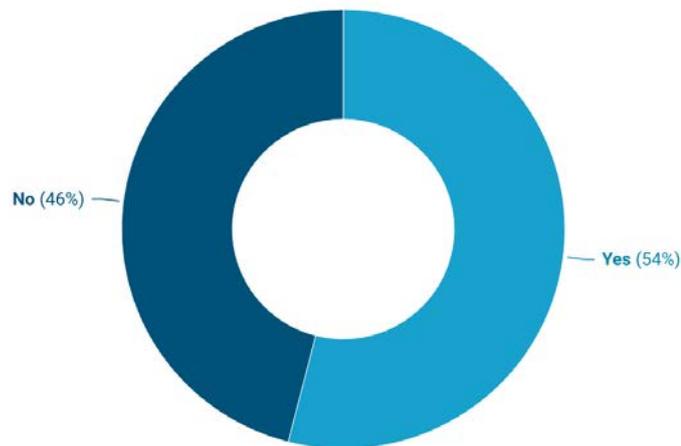


Chart: GSI • Source: Nonprofit Sector Study, 2022 - 23 • Created with Datawrapper

- **Activities:**  
Nature of Activity: NPOs (n=643) in our sample report, work predominantly on implementation, direct charitable support and community-based approaches (see Figure 4).

**FIGURE 4: ACTIVITIES UNDERTAKEN BY NPOS (N=643)**

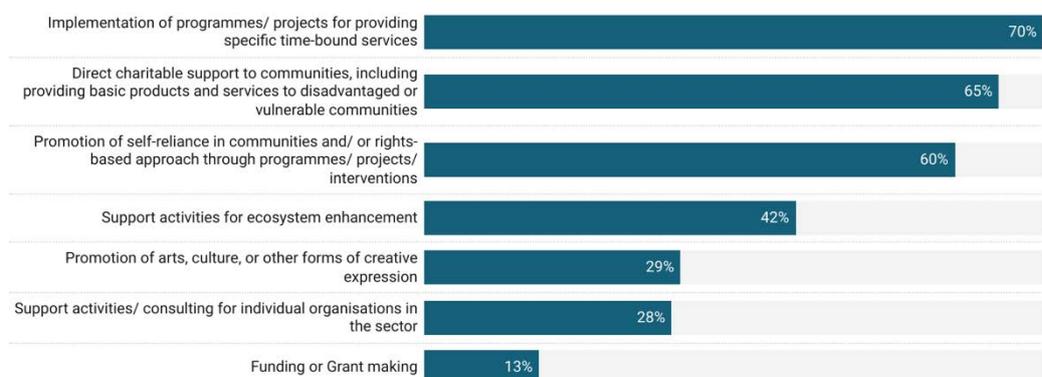


Chart: GSI • Source: Nonprofit Sector Study 2022 - 23 • Created with Datawrapper

In terms of International Classification of Non-Profit Organisations (ICNPO) primary classification (n=515), 70% of NPOs in our sample work on social services, 61% on education and research, 54% on health, 34% on environment, 9% on culture and recreation and 8% on development and housing.

Contribution to SDGs: Among the 17 SDGs, NPOs (n=643) in our sample predominantly work towards quality education, good health, no poverty and gender equality (see Figure 5).

**FIGURE 5: ENGAGEMENT OF NPOS WITH SDGS (N=643)**

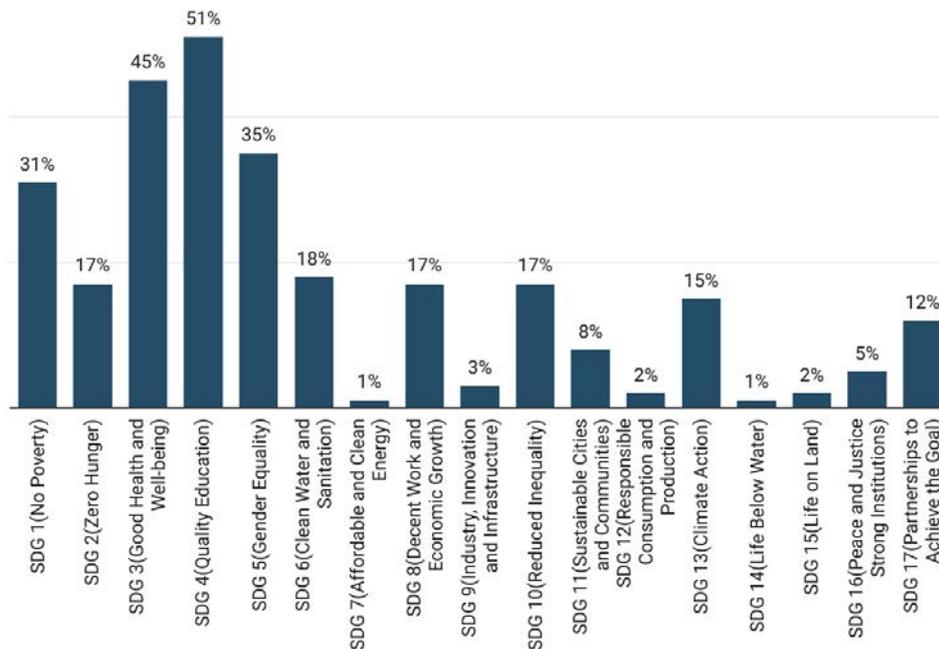


Chart: GSI • Source: Nonprofit Sector Study, 2022 - 23 • Created with Datawrapper

Communities that NPOs work with: Among the different communities that NPOs work with, more than half of the NPOs (n=594) in our sample report are working with women, rural poor, children, youth, students, self-help groups, girl children and NPOs. 94% of the NPOs (n=739) in our sample reported that at least two-thirds (67%) of their organisational activities cover target population segments that are under-served or less privileged or live in regions recording lower performance in the development priorities of central or state governments.

- Organisational Attributes

Age: Over half of the organisations in our sample (n=851) were registered within the last 20 years. While 27% of NPOs are less than 10 years old, 30% are between 10 and 19 years old, 25% of the NPOs are between 20 and 29 years old and lastly only 18% NPOs are more than 30 years old (see Figure 6). As per the MOSPI<sup>14</sup> report, 79% of traced societies were registered post 1990. In our sample, 87% of NPOs are registered after 1990.

**FIGURE 6: AGE-WISE DISTRIBUTION OF NON-PROFITS IN THE SAMPLE (N=851)**

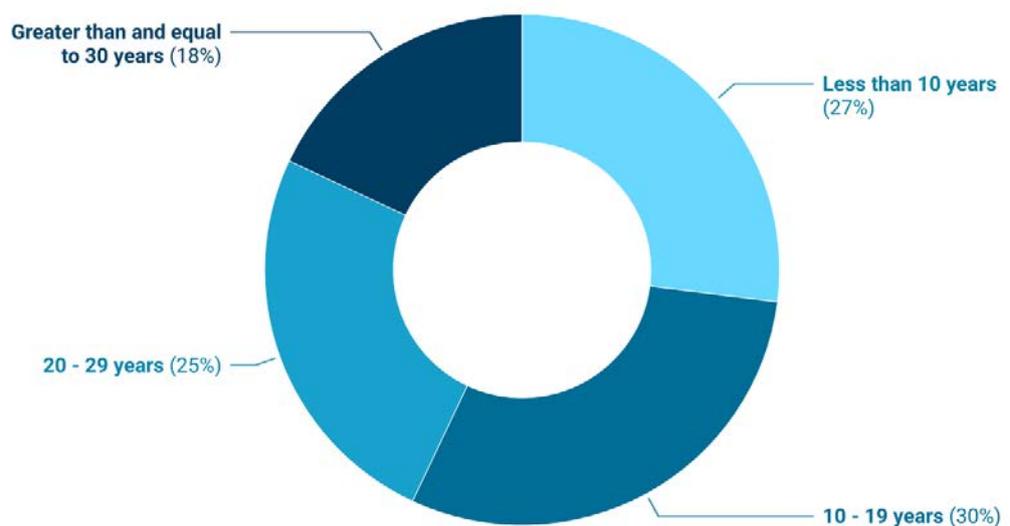


Chart: GSI • Source: Nonprofit Sector Study 2022 - 23 • Created with Datawrapper

Size by Annual Expenditure: Small organisations (annual expenditure less than Rs. 1 crore) constitute 62% of our sample (n=565), followed by medium-sized organisations (annual expenditure between Rs. 1 crore and Rs. 5 crore) at 21% and large organisations (annual expenditure above Rs. 5 crore) being 17% of the sample (see Figure 7). 26% had annual expenditure of less than Rs. 10 lakh in 2021-22; 24% had an annual expenditure between Rs. 10-50 lakh and 12% between Rs. 50 lakh and Rs 1 crore.

<sup>14</sup> Ministry of Statistics and Programme Implementation, Government of India. (2012). *Final Report on Non-Profit Institutions in India: A Profile and Satellite Accounts in the framework of System of National Accounts (including State-wise Comparison of Profiles)*. New Delhi: Government of India. [Final Report of the Survey](#)

**FIGURE 7: SIZE OF NPOS BY ANNUAL EXPENDITURE (N=565)**

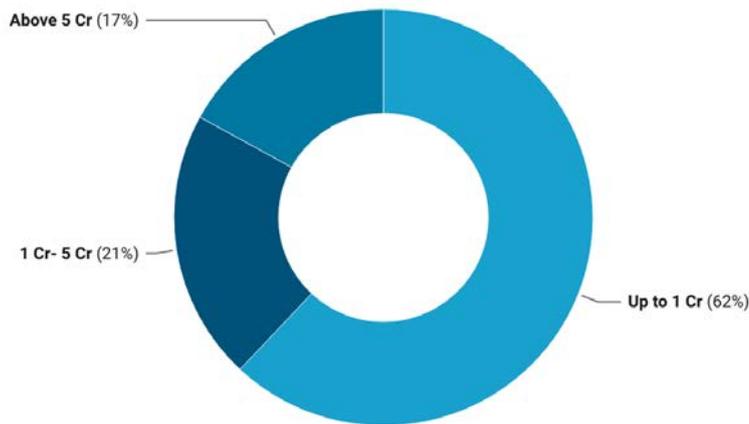


Chart: GSI • Source: Nonprofit Sector Study, 2022 - 23 • Created with Datawrapper

- Organisational Staff: Half the NPOs (n=515) in our sample have 20 or more employees and a volunteer strength of 30 or more.

#### Promoters & Registration:

- Of the total NPOs (n=515) in our sample, 9% are promoted by governments and 6% by professional/trade associations. Only 3% are promoted by businesses, religious organisations and families respectively.
- 60% of the NPOs (n=515) in our sample are registered as societies, 32% as Trusts and 8% as Section 8 Not-for-Profit Companies (see Figure 8). 92% NPOs report 12A/ 12AA/ 12AB as their tax exemption type with only 1% reporting 10(23C) as the tax exemption type. 7% NPOs report no exemption status. 87% NPOs report that their tax exemption certificate is currently valid. Further, 92% NPOs reported 80G as their tax deduction type and 8% reported no tax deduction status. 84% NPOs report that their tax deduction certificate is currently active.

**FIGURE 8: REGISTRATION TYPE OF ORGANISATIONS (N= 515)**

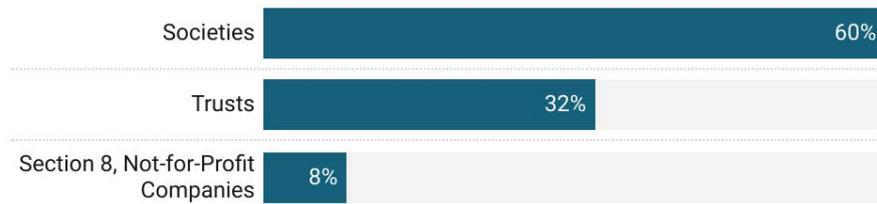


Chart: GSI • Source: Nonprofit Sector Study 2022 - 23 • Created with Datawrapper

**Sources of Funds (n=515):** Overall, NPOs in our sample report record CSR as their top source of funding, followed by grants from Indian foundations and grants from International foundations (see Figure 9). Medium and large organisations have reported grants from CSR programs and foundations as their predominant sources of revenue. In contrast, smaller organisations more frequently reported relying on self-generated revenue and individual donations (see Figure 10).

**FIGURE 9: TOP SOURCES OF FUNDS FOR NPOS (N=515)**

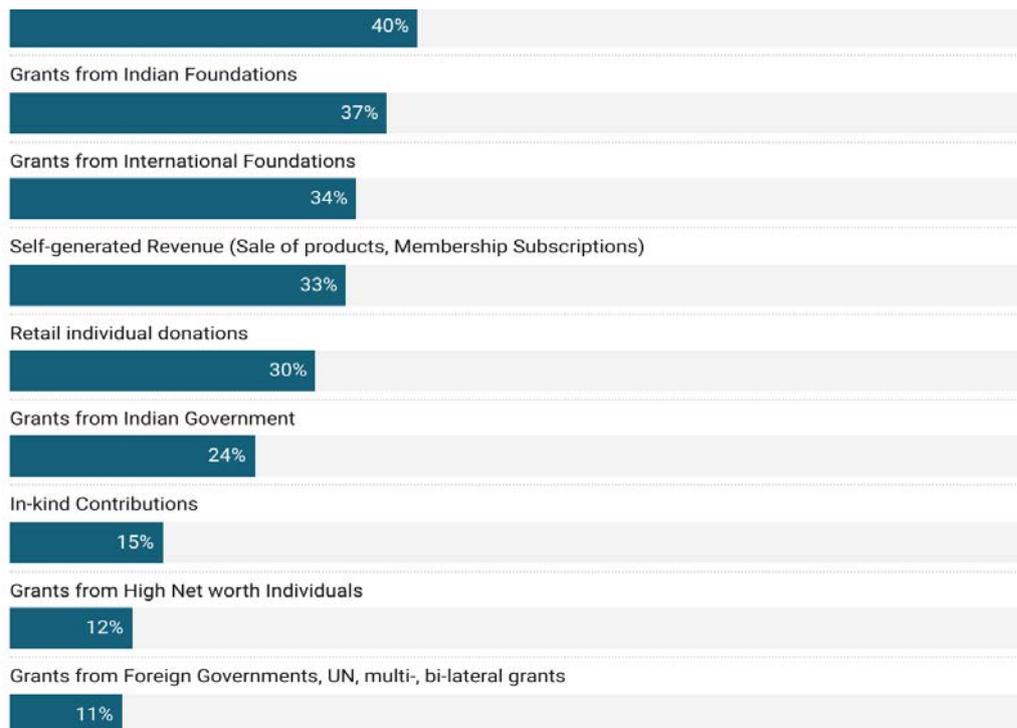


Chart: GuideStar India • Source: GSI • Source: Nonprofit Sector Study, 2022-23 • Created with Datawrapper

**FIGURE 10: TOP SOURCES OF FUNDS FOR NPOS (N=515)**

Expenditure (2021-22)	Up to 1 Cr (n=255)	1 Cr- 5 Cr (n=176)	Above 5 Cr (n=84)
Self-generated Revenue (Sale of products, Membership Subscriptions)	51%	19%	11%
Retail individual donations	37%	24%	19%
Grants from High Net worth Individuals	10%	11%	17%
Grants from Indian Foundations	26%	45%	55%
Grants from International Foundations	18%	47%	55%
CSR	20%	53%	74%
Grants from Indian Government	20%	35%	17%
Grants from Foreign Governments, UN, multi-, bi-lateral grants	6%	16%	13%
In-kind Contributions	22%	10%	4%

Table: GSI • Source: Nonprofit Sector Study, 2022 - 23 • Created with Datawrapper

**FCRA:** NPOs with an FCRA registration constitute 54% of our sample (n=565) (see Figure 11). More than 78% of the mid-sized and large organisations in our sample have reported having an FCRA registration. However, only 37% of the small organisations have access to foreign funding.

**FIGURE 11: NPOS WITH A FCRA REGISTRATION (N=565)**

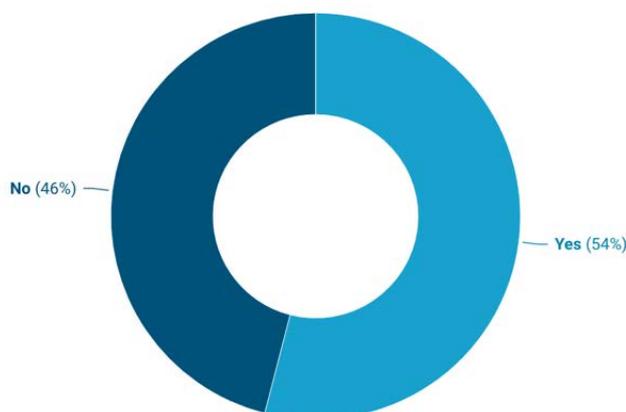


Chart: GSI • Source: Nonprofit Sector Study, 2022 - 23 • Created with Datawrapper

- **Systems of Accountability (n=515):**
  - While 65% of NPOs in our sample reported that they track directly reached numbers for all of their top three activities, 25% reported that they track directly reached numbers for at least one of their top three activities. Only 11% of NPOs reported that they do not track their reach numbers.
  - Internal assessments constituted the primary source for reach numbers for 36% of NPOs in our sample. Project reports constituted as the primary source for 35% NPOs. Only 3% NPOs reported external evaluations as the primary source for their reach numbers. However, 84% NPOs, from those who stated they track all or some of their directly reached numbers, reported that their reach numbers can be independently verified.
  - 84% NPOs reported the availability of governing body details on websites/ other public sources.
  - 77% NPOs reported that their audited accounts are prepared, audited and publicly available, 20% reported that the accounts are prepared, audited but not publicly available, 2% reported that the accounts are prepared but not audited and 1% reported that accounts are not prepared.
  
- **NPOs create local livelihoods, develop skills and promote social mobility (n=515):**
  - In terms of the contribution to the workforce, the median number of volunteers associated with NPOs in our sample is 30 and that of employees is 20. The median number of people mobilized by NPOs in our sample is 750. NPOs in our survey have reported mobilizing 3 lakh volunteers, employed 60,000 people and mobilised 64 lakh people through SHGs in total.

Besides the number of people they directly create livelihood opportunities for, what should also be noted is the quality, nature and context of these opportunities.
  - In geographies where NPOs are present, 47% report that they are the biggest source of formal employment in more than half of the local geographies (gram panchayats, urban neighbourhoods) that they work in.
  - 55% NPOs report that more than half of their economic activity is with local business and vendors.

- 67% NPOs report that more than half of their personnel (employees and volunteers) are from communities (geographical or beneficiary community) that they work with.
- On an average, 64% of the NPO employees are the sole breadwinners in their respective families.
- Organisations were asked to rank where the majority of their employees stood in terms of social and economic status and skills (compared to others with similar education and work background) on a scale of 1 to 7, (with 1 being “very poor”, 2 “poor” 3 “fair” 4 “good” 5 “very good” 6 “excellent” and 7 being “exceptional”) when they start working and after working five years with them.
- In terms of contributing to the skilling of the workforce, NPOs have reported that on average skills of their employees have moved from fair to very good and excellent after five years of working with them. Moreover, the socio-economic status of their employees has changed from fair to good and very good after five years of working with them (see Figure 12).
  - On average, over 50% of employees are characterised as having a “fair” or worse socio-economic status when they start. However, this proportion drops to less than 25% in five years.
  - Likewise, while 40% of employees are characterised as having “fair” or worse skills when joining; the proportion drops to less than 10%, with the balance being seen as “good” or better in 5 years.
  - Coupled with information on the disadvantaged geographies that the organisations work in, the high proportion of locals employed; the sector can be seen as contributing to creation of quality livelihoods and the development of skills among more disadvantaged sections of the society.

**FIGURE 12: SKILLS AND ECONOMIC STATUS OF NPO EMPLOYEES (N=515)**

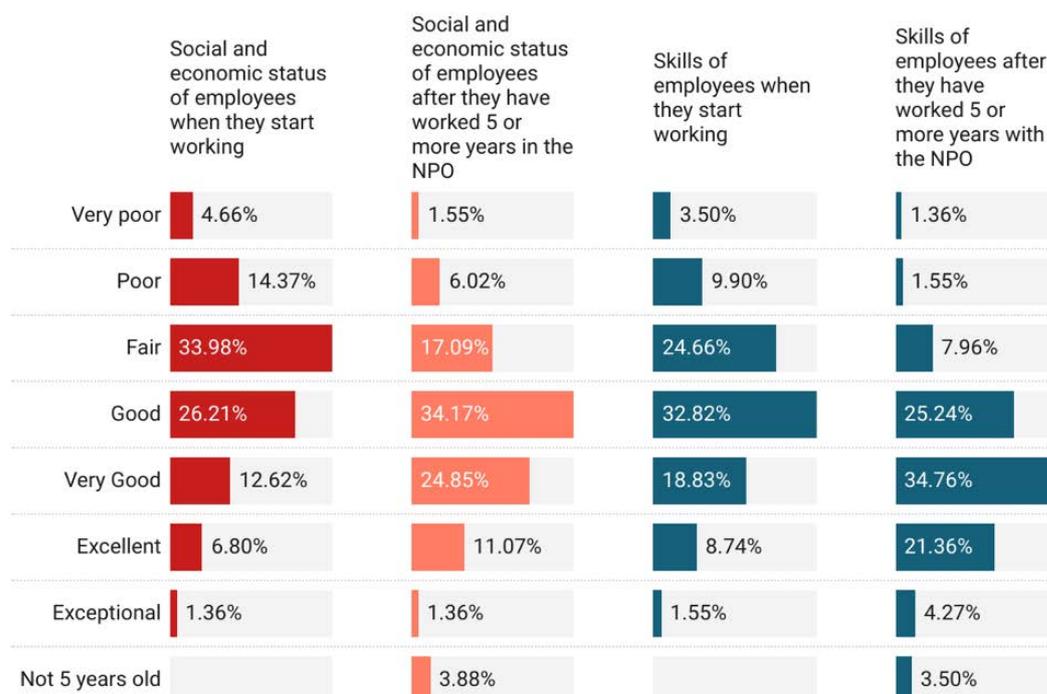


Chart: GSI • Source: Nonprofit Sector Study, 2022 - 23 • Created with Datawrapper

● **Working in partnerships and collaborations (n=515):**

While NPOs in our sample have reported that on an average 65% of their organisational activities are dedicated to bringing about direct change in the lives of the communities they serve, the remaining 35% of their activities are aimed at bringing about ecosystem-level changes at the state, national and international levels. In addition, the work of the NPOs is characterised by high levels of collaborations and working with complementary institutions of the government and even businesses.

- **Working together with government bodies:** Roughly 57% of NPOs in our sample, report working with government schools (average 700 government schools), 53% report working with Panchayats (average 380 panchayats), 44% report working with anganwadis (average 200 anganwadis), 46% report working with primary health centres (average of 62 PHCs), 52% report working with self-help groups (average 540 SHGs) and 45% report working with municipalities (average 130 municipalities).

- Collaborating within and across sectors: Collaborations with other NPOs are common across all sizes of non-profits. While for larger organisations, participation in alliances/networks is predominant choice of working together, for small and medium NPOs collaborations with governments are more common (see Figure 13).
- Purpose of Collaboration: The primary purpose of collaborations with governments was reported as funding and improving service delivery by 35% of NPOs in our sample. 26% NPOs reported that they collaborate with governments to help them in achieving scale for impact.
- 37% NPOs reported funding and 19% capacity building of staff as primary motivations for collaborating with businesses.
- The primary motivations for collaboration with other NPOs included capacity building of staff (48%), improving service delivery (46%), knowledge production (39%) and achieving scale (38%).

**FIGURE 13: PERCENTAGE OF NPOS ENGAGED IN COLLABORATIONS (N=515)**

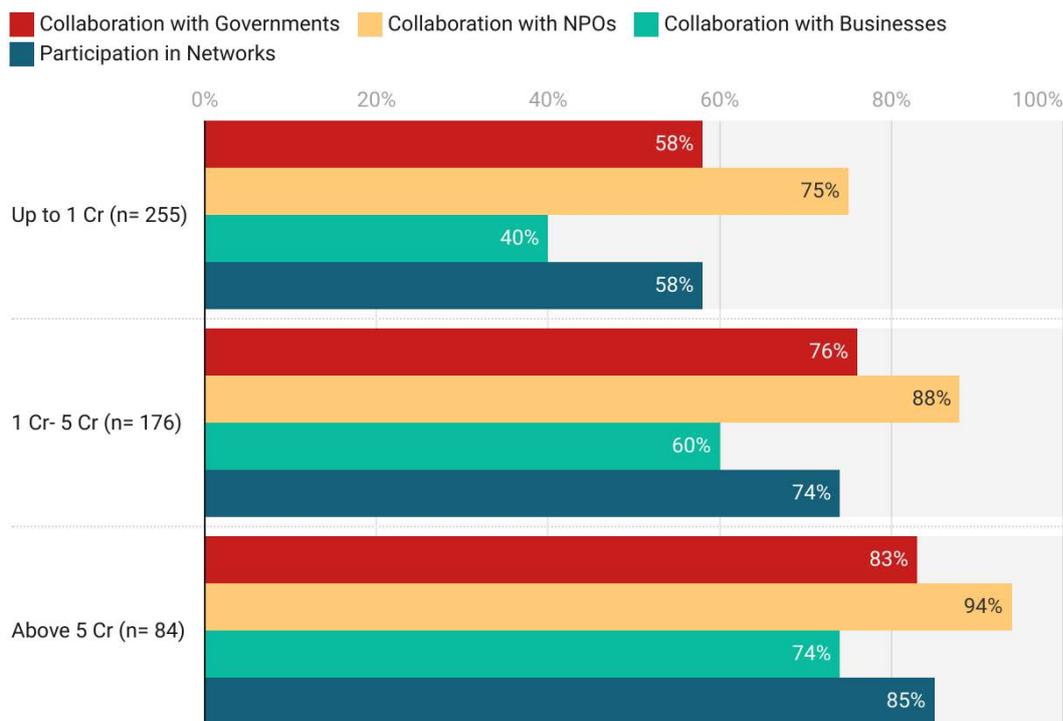


Chart: GSI • Source: Nonprofit Sector Study, 2022 - 23 • Created with Datawrapper

- **Recent Trends**

- In the last five years, 58% NPOs (n=515) have reported that their annual budget sizes have increased, 22% reported a decrease in the number and 20% reported that the numbers have stayed the same. In terms of sources of funding too, 56% reported that the number of sources has increased in the last five years, with 22% reporting they stayed the same and 22% suggesting the number of sources have decreased.
- 78% NPOs (n=515) reported that their reach numbers of communities served have increased in the last five years, and only 8% reported that these numbers have come down during the same period.
- Influence of Pandemic
  - Roughly 65% of the small and midsize NPOs have reported some form of losses due to COVID-19, whereas 55% of the larger organisations have reported the same (see Table 2).
  - In the aftermath of COVID-19, 45% NPOs reported that their reach numbers increased and 28% reported that these in fact decreased during and after the pandemic.
  - Roughly half of the NPOs (48%) reported attrition in the aftermath of the pandemic.

**TABLE 2: LOSS OF INCOME DUE TO COVID-19 (N=515)**

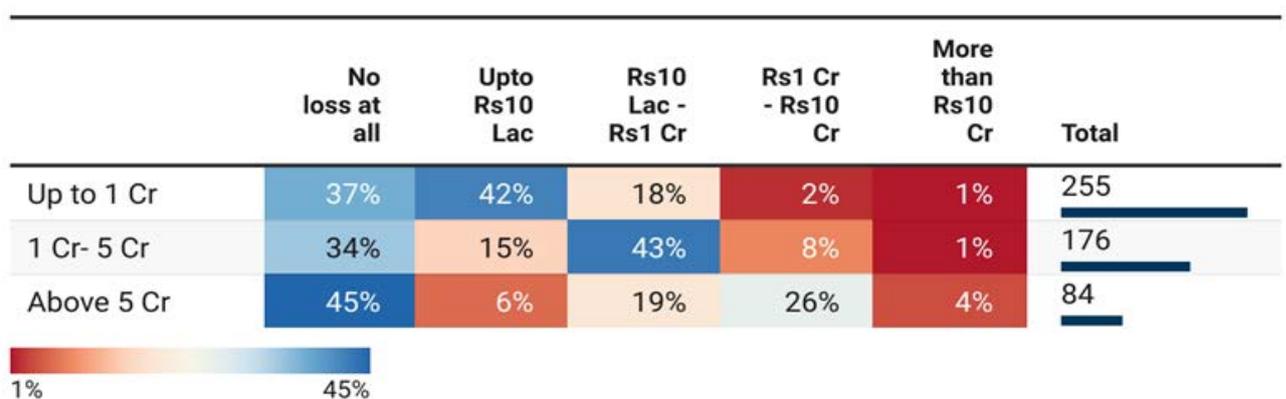


Table: GSI • Source: Nonprofit Sector Study, 2022-23 • Created with Datawrapper

- Increased efficacy in the last 15 years
  - Among respondent NPOs that were registered on or before 2007 (n=312), more than half have reported an increase in: their ability to achieve impact, to collaborate with other organisations, to work on causes that they consider to be most important, to work with the most disadvantaged/groups needing attention and clarity, consistency, timeliness of interactions with regulators.

## RECOMMENDATIONS

While these are only preliminary results and Phase 2 of the NPO Survey will have deeper and wider coverage, these findings could be used by governments, funders and CSR to inform policy as resource allocation strategies.

- Regulators could apply the 80/20 Pareto principle, focussing on ensuring timely and detailed reporting and compliance on the 17% organisations with annual spending of more than Rs5 crore, have moderate levels of reporting for organisations with annual spending of Rs1-5 crore that comprise 21% and keep minimal reporting of annual audited accounts and tax returns for the remaining 62% that have annual spending of up to Rs1 crore. This would unplug the administrative delays and improve effectiveness for all stakeholders.
- As the 5 states of Uttar Pradesh, Delhi, Maharashtra, Tamil Nadu and Karnataka account for half of the NPOs in the country, these could be prioritised for transformation of the sector.
- As more than half of the organisations are less than 20 years old and 87% are registered after 1990, ecosystem builders and funders could plan for their capacity building support and services tailored to the lifecycle of NPOs.
- As 70% of NPOs in the sample are into direct implementation, efforts at improving their capacity to track and report output and outcomes would lay the foundation for understanding impact of the sector.
- More than 50% of NPOs work locally, in rural areas, in aspirational districts. They create local livelihoods, develop skills, promote social mobility and engage local businesses. Half of the NPOs in the sample work with government bodies (schools, panchayats, municipalities, anganwadis, primary health centres) and self-help groups. Strengthening them could accelerate local area development.

- NPOs do collaborate with other NPOs and with government and businesses for better service delivery, achieving impact and knowledge creation. Fostering collaborations through enabling regulation, funding and capacity building can help scaling impact while harnessing the benefits of the localised reach of NPOs.
- Creating resources for the sector in the following 10 languages would help cover 80% of NPOs: English, Hindi, Bengali, Gujarati, Kannada, Malayalam, Marathi, Odiya, Tamil and Telugu.
- This study should be repeated every 2 years to support longitudinal analysis for sharper insights.



To download the Guidestar India report and for further updates, scan this QR or write to [nposurvey@guidestarindia.org](mailto:nposurvey@guidestarindia.org)



# **Chapter 5**

## **Aligning CSR and Business Responsibility**

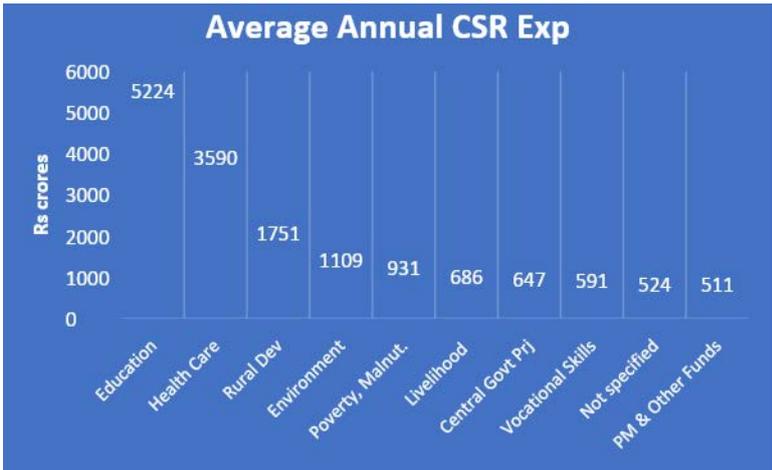


## ALIGNING CSR AND BUSINESS RESPONSIBILITY

Amita V. Joseph, Dheeraj, Haripriya, Pradeep Narayan, and S. Mittal

India is touted as the first country in the world to mandate Corporate Social Responsibility (CSR) through the Companies Act of 2013. Coming from a tradition of religious giving and philanthropy, CSR brought the logical step forward in mandating corporate participation in addressing disparity. India's million+ non-profits (NPOs) have, over the decades, worked at the grassroots to fill the systemic gaps that exist in society. The non-profit sector in India contributes to GDP and provides employment, valuable goods, and services in nation-building, and holds a high trust value amongst communities. Non-profits, as part of civil society, have also pioneered several movements and campaigns to ensure the basic rights of people are not violated. For the implementation of CSR projects, it is evident that NPOs remain one of the critical partners for corporates and an analysis by the High-Level Committee on CSR (2018) reveals that between 2014 to 2018 almost 66% of the expenditure was done by companies through other entities. Though on one hand, it depicts the dependency on NPOs, it is observed that often NPOs are limited to the role of being an implementer of projects while the company retains ownership and supervision of the programmes. Another fact as reported in the same analysis has been about the prescribed versus actual expenditure, between the period 2014 to 2018 the compliance in terms of actual expenditure remained at an average of 68.25%.

With CSR funding focused largely on education (almost 30% of annual average CSR expenses), health (20%), and rural development and environment (15.9%) work (*see graph alongside*), it is unlikely that these will be used for policy changes or bottom-up movements and rights-based campaigns which call for the state as well as corporate accountability. When the CSR law was implemented in 2013, the officials concerned said it could lead to Rs. 50,000 crore in funding for development projects annually. After 7 years of implementation, the total annual spending rose from Rs. 10,066 crore in the financial year 2014-15 (FY15) but is still half the projected spend at Rs. 25,715 crore in FY21, according to the Ministry of Corporate Affairs (*see graph below*).



Similarly, CSR, it was hoped, would contribute to community development in regions that were struggling in meeting Human Development Indices such as Health and Nutrition, Education, and Financial Inclusion. However, out of the total spending by companies in FY18, FY19, and FY20, the amount spent on the 112 aspirational districts identified by the NITI Aayog, was only Rs. 232.8 crore, Rs. 307.51 crore and Rs. 104.04 crore respectively. The total spending for these years was Rs. 17,098.18 crore, Rs. 20,196.92 crore, and Rs. 24,954.78 crore. States that account for only 15% of the aspirational districts or backward districts accounted for more than 60% of the CSR expenditure.

On the other hand, states that account for more than 55% of the aspirational districts, received 25% of CSR projects but only 13% of the total expenditure towards CSR during FY18. In what could be a sign of change, CSR spending by companies in the most backward districts in the country rose in FY21, according to data from the Ministry of Corporate Affairs. The Ministry informed the Parliament that companies spent over Rs. 507 crore in 84 backward districts identified by the NITI Aayog in FY21, against nearly Rs. 332 crore spent in 82 aspirational districts in FY20. (The Mint, 6 April 2022).



Another challenge has been the funding of specific programmes such as PM-CARES. Post its establishment in March 2020, through information collected through RTI applications, it was found that 98 PSUs spent around Rs. 2,422.87 crore from CSR funds in the year 2020. In a recent response in Parliament, it was revealed by the concerned Ministry that in the last seven years out of the total spend of Rs. 1,25,000 crore around 4 to 5% have been contributed to the PM-CARES with most of it being done for the two years of the pandemic.

In 2013, a Socio Research & Reform Foundation (SRRF) study of CSR spending of the top 100 companies identified that companies spent around Rs 2650 crore just before the official CSR implementation. In FY21, as per the data available of the top 100 companies covered in the 2013 study, their CSR spending amounted to around Rs. 8402 crore, pointing to the role of CSR legislation in improving spending by companies on social projects. Another major change is the quality of disclosure about CSR. Before official CSR kicked in, generally there was no norm for CSR disclosure. The same survey observed that out of 100 top companies in India, only 73 companies disclosed their CSR spending. This has also improved over the period due to national reporting guidelines and requirements.

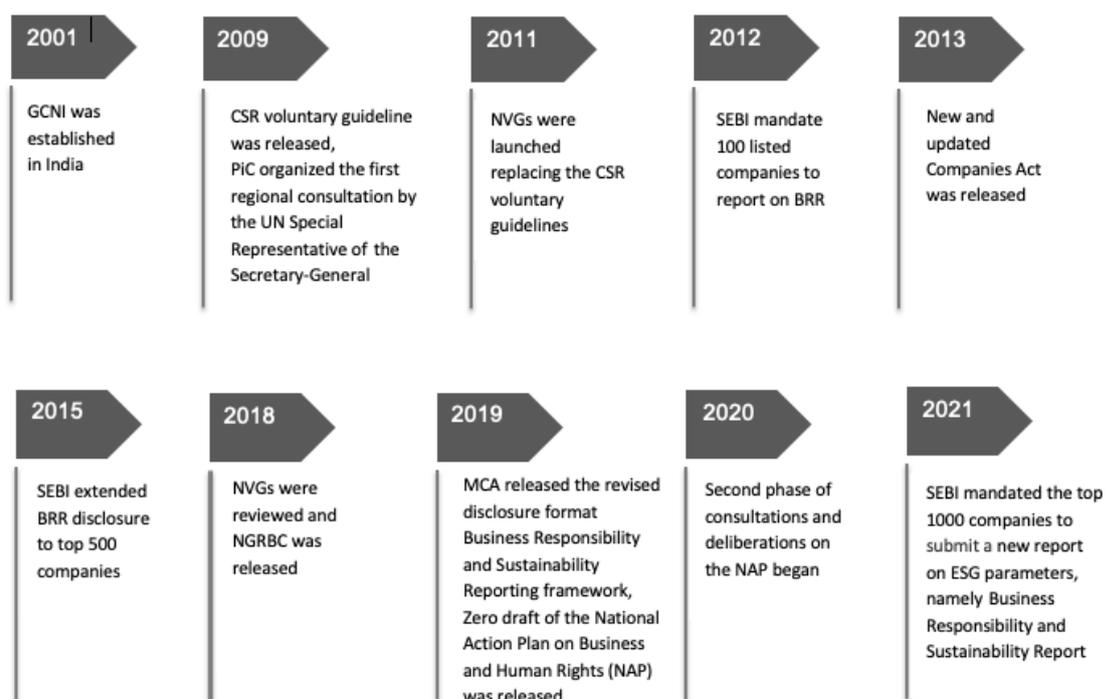
Over the years, there have been amendments streamlining the CSR spending of companies, laying down guidelines and setting rules for mandatory disclosures. The Corporate Social Responsibility rules in the Amendments to the Companies Act in 2019, and 2020, which mandated Corporate Social Responsibility (CSR) contributions for some companies, have helped the corporate sector transition from a voluntary and unsystematic approach to a structured way of contributing to societal welfare. As recently as in September 2022, the Government of India amended the CSR law for the fifth time since 2013. These amendments made a CSR committee mandatory and widened the organisational ambit for implementation. Also, it fixed the responsibility of the Board to comply with the requirements of the legislative framework - approval of CSR policy, disclosing the policy in its report and on a company website, ensuring that activities, as included, are actually undertaken by the company, and ensuring that at least 2% of the 3-year average net profit is spent on CSR activities. Further strict provisions on unspent amounts and further penalties have also been introduced.

### **BROADENING THE DEFINITION OF CSR TO INCORPORATE RESPONSIBLE BUSINESS CONDUCT**

These amendments in the quantum and quality of CSR spending and disclosures about the same would not have been possible without the role of NPOs/civil society. NPOs over the last decade have been instrumental in moving the corporate responsibility agenda beyond 2% expenditures of profits under the CSR law by their work on guidelines that seeks to align CSR and Business Responsibility and

Sustainability Reports (BRR) that can throw light on the actual conduct of business and its practices.

In 2009, the first regional consultation by the UN Special Representative of the Secretary-General on human rights and transnational corporations, other business enterprises, and CSOs led to the integration of the ‘Protect-Respect-Remedy’ framework into the National Voluntary Guidelines (NVGs). A number of key developments as summarised below have attempted to shape the responsible business discourse in India.



***Timeline of Business and Human Rights-related developments in India***

One of the key interventions done by the voluntary network named Corporate Responsibility Watch (CRW) with other NPOs has been to consistently monitor the disclosures made by the top listed companies. Since 2014, CRW has been continuously publishing disclosure analysis reports for the top 100 listed companies and expanded its research base to the top 300 companies. CRW contributed to creating an India Responsible Business Index along with other CSOs, which looks into the disclosures made by companies in terms of their policies, practices and performance from the lens of equity. The annual analysis served the purpose of bringing in larger developmental narratives of diversity and inclusion around gender, ability, diversity, and identity within the business spaces. Some of the insights provided through annual Corporate Responsibility reports in India and their alignment

with Business Responsibility Reports have been significant in informing the quality of disclosures made by the companies in the public domain and separate societal obligations from the overpowering CSR 2% narrative that tends to absolve companies of their responsibilities to adhere to National Guidelines on Responsible Business Conduct (NGRBC) framework.

The discourse on the intersection of business and human rights has expanded and grown to include ideas that were previously absent or barely discussed. The introduction of laws, rules and frameworks with essential components of business and human rights and with the rise of business and human rights-related conversation has attempted to build awareness among the companies and their stakeholders encouraging better disclosure and ultimately towards accountability to society. It is important that stakeholders recognize the reality of the collaboration between state and businesses with civil society and community demanding a model of CSR based on principles of equity, responsible business conduct that respects laws of the land with regard to 'People and the Planet' that can be emulated the world over.

## **POLICY RECOMMENDATIONS**

1. CSR strategies should be developed in consultation as well as active inclusion of voices from Project Affected communities and other stakeholders including regulators, consumers, trade unions, and climate impact specialists, as relevant.
2. CSR needs to look beyond just project expenditure through a 2% allocation of profits, and health and safety policies of companies should also be extended to all - formal and non-formal supply chains with budgeting provisions of the company with full worker training and safety compliance as per local laws.
3. Vulnerability analysis for CSR focus themes and population needs to be done and actively reported. Expenditures should clearly articulate the proportion spent on vulnerable groups such as women, children, SC/ST/OBC/, PWDs, LGBTQ, Elderly, minorities, etc.
4. CSR should align with principles as articulated in NGRBC, especially those related to both the planet and human rights. Business Responsibility Report should be the way forward, where all practices of the companies should be regularly vetted to ensure that their activities positively impact the environment, health, water, and other related issues of impacted communities.
5. Focus of spending should be on the aspirational districts across the country.



# **Chapter 6**

## **Not-For-Profits working in Livelihood Promotion and Microfinance**



## NOT-FOR-PROFITS WORKING IN LIVELIHOOD PROMOTION AND MICROFINANCE

Dr. Sankar Datta, Ex-Member of Faculty, IRMA

One of the significant areas of contribution by the Not-for-Profits, also referred as the Third Sector is to perform functions required by the society but not adequately covered by the Market or the State. These include social innovation, which when developed are adopted by the State or the Market<sup>15</sup>. Two such areas of contribution of the Not-for-Profits in the last few decades have been in the areas of livelihood promotion and microfinance. Both of these areas required use of profit making tools for addressing a public purpose. It was recognized that the economically disadvantaged groups to sustain their livelihoods needed to engage with the market, not only as the recipient but also as equal players. Hence, Not-for-Profit players took the initiatives to help them engage more effectively and efficiently with the market, which popularly got to be known as **Livelihood Promotion**. It was also recognized that the economically disadvantaged group, to enhance their economic outcome, needed to invest capital. As a large majority of them were subsistence workers generating just about enough (sometimes not even that) to survive, there was no capital formation on their part, not-for-profit organisations had to innovate and develop models of making capital accessible to the poor, which popularly got to be known as **Microfinance**. As both of these social-innovations to support the disadvantaged involved engagement with the market, including the capital market, the organisational forms chosen by NPOs were more often **hybrid forms**. And, the models developed by the NPOs, when demonstrated to work, were taken up for further replication by the For-Profit organisations on a large scale.

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### LIVELIHOOD PROMOTION CHALLENGE

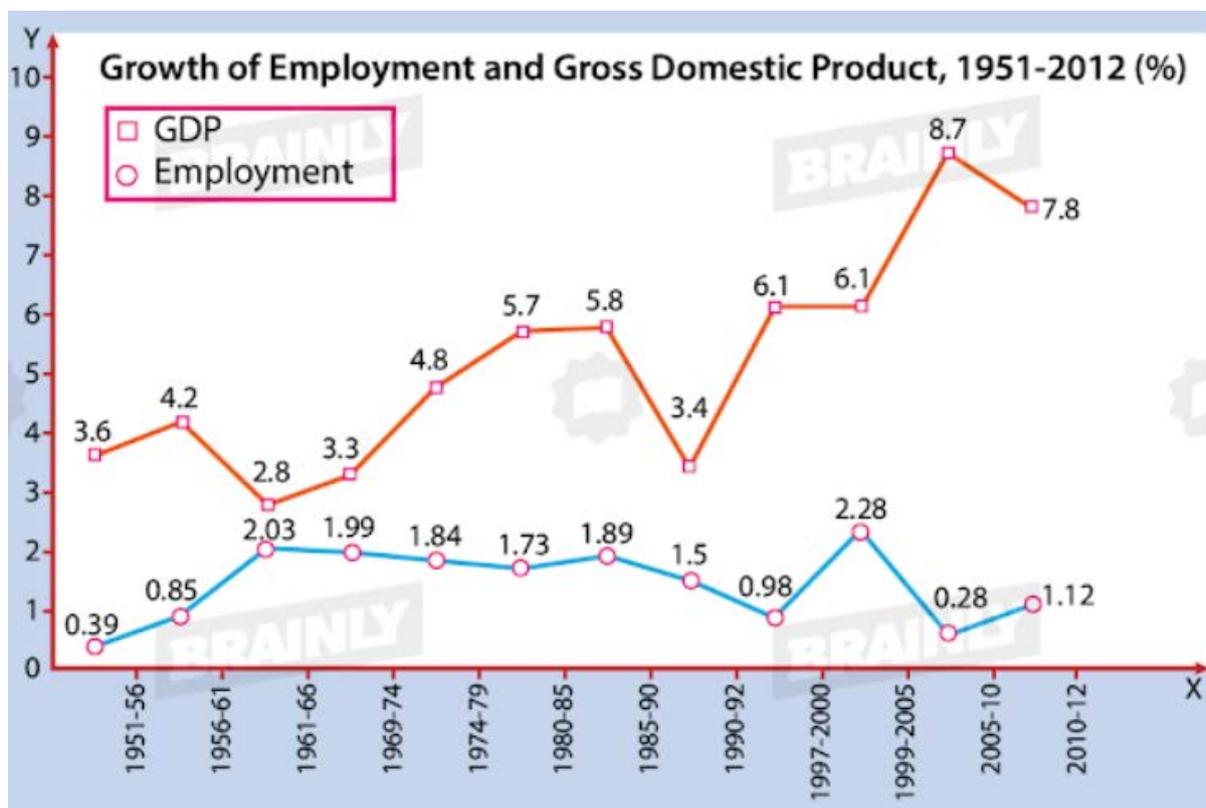
Presently, as per **The Annual Report - FY21 of Ministry of Agriculture**<sup>16</sup> approximately 58% of the Indian workforce is engaged in the agriculture and allied sectors, contributing approx. 18% to India's GDP. Though this had gone down to 49.26% in 2011<sup>17</sup>, it has started climbing up in recent years, especially post-Covid-19 pandemic, when due to shortage of opportunities many people went back to their villages, to remain under-employed and were 'counted' as a part of agricultural labour force. This marginal change in contribution to GDP, with a large proportion of the work-force continuing to depend on agriculture and allied sectors, the per capita income from agriculture has been declining over the years.

<sup>15</sup> Detailed by Hansmann, H. (1987) Economic Theories of Nonprofit Organizations, Yale Law School  
<sup>16</sup> [https://agricoop.nic.in/sites/default/files/Web%20copy%20of%20AR%20%28Eng%29\\_7.pdf](https://agricoop.nic.in/sites/default/files/Web%20copy%20of%20AR%20%28Eng%29_7.pdf)

<sup>17</sup> As reported in <https://www.statista.com/statistics/271320/distribution-of-the-workforce-across-economic-sectors-in-india/>

One of the significant blows to the livelihood situation was dealt by the Covid-19 pandemic. Slowing down of the economy led to job losses at a humongous scale. However, the pandemic also led to emergence of many new livelihood opportunities in online marketing, and door-step-delivery of many goods and services, as well as para-medical and health services. But the available talent pool of jobseekers is nowhere close to the demand from cutting edge sectors as diverse as artificial intelligence, machine learning, augmented reality, virtual reality, e-commerce, e-healthcare services, EdTech, Fintech, Agri-Tech, to name a few that opened newer opportunities.

With Covid-19 hitting the economy, the first quarter of the financial year FY21 saw the steepest fall in GDP ever recorded in India at a negative 24.4%. First quarter of the financial year FY22 also saw the sharpest GDP growth of 20.1%. A report from NABARD pointed out 'After two years and three waves of COVID-19 pandemic, the Indian economy started recovering from the second quarter of FY22 even as a few sectors struggled to regain pre-pandemic momentum.'<sup>18</sup> But it needs to be recognised that growth in GDP did not necessarily improve the employment situation of the poor, as most of the recovery of the economy was also driven by sectors mentioned earlier, where the current rural youth did not get employed.



<sup>18</sup> <https://www.nabard.org/pdf/economy-in-recovery-mode-eng.pdf>

Though current data was not available, the graph above shows that GDP growth did not lead to better livelihood opportunities for all.

As reported in the State of India's Livelihoods 2021 report by ACCESS<sup>19</sup> since 1980, India's annual GDP growth has been in the range of 4 to 8%, but over the same period, the employment generated by this growth has been shrinking. Meanwhile, India's working-age population has continued to grow, with the delayed effect of fertility rates which remained at their peak of 2.3% until 1986. So, since the early 2000s, the crisis of 'jobless growth' has been further confounded by an acceleration in the young people coming of working age.

Though engagement as a worker is not the same as livelihoods, distribution of workforce across different NIC sectors give us a sense of the number of livelihoods dependent on the sector.

	<b>NIC Category</b>	<b>Estimated Number of Workers Engaged</b>
1	Agriculture	234.1
2	Animal Husbandry	20.5
3	Forestry & Fishing	33.1
4	Mining and Quarrying <sup>1</sup>	0.7
5	Manufacturing	12.8
6	Electricity, Gas and Water	3.6
7	Construction	54.0
8	Wholesale and Retail Trade	152.4
9	Restaurants and Hotels	7.1
10	Storage and Transport	1.3
11	Communications	7.7
12	Financing, Insurance, Real Estate and Business Services,	4.5
13	Community, Social and Personal Services	5.9
	<b>Total Workforce</b>	<b>471.3</b>

Table compiled by author based on reported figures of employment from different sources. These are indicative figures only. There are serious difficulties in estimating these numbers, arising from a large proportion being in unorganised sectors, and the people engaged in multiple activities.

<sup>19</sup> <https://www.accessdev.org/state-of-indias-livelihood-report/>

The table above shows that though agriculture is the sector generating the largest number of livelihoods, wholesale and retail trade (which includes various forms of *kirana* shops, is the other sector supporting a large number of livelihoods, followed by construction. The Covid-19 pandemic in FY21 and consequent lockdowns, affected the construction industry very badly, leading to severe reverse migration, leading to loss of employment for some months, and were supported by the Government initiatives including provisions of free food, MGNREGA and other schemes.

A primary challenge for livelihood promotion in India is the number of people whose livelihoods need to be supported. Though initially adapted and successfully implemented by NPOs including MYRADA, SEWA Bank, ASSEFA, the self-help group methodology has been enlarged and adapted by the Government. The National Rural Livelihoods Missions launched by the Government in districts, include self-help groups, their village-level federations called Village Organizations, and the Cluster Level Federations (CLF). This inclusive approach represents the interests of the underprivileged and economically disadvantaged people in the organisations by design. These new forms of NPOs across the country are designed to work on multidimensional poverty, with significant focus on articulating the demand of the poor, specially for improved governance. In effect, one form of NPOs seems to be yielding space to another form. These new generation NPOs, owned and managed by the poor people, continue to play an important role in extending microfinance.

### THE NEED FOR MICROFINANCE

Globally, NPOs like Grameen Bank, Bangladesh, K-REP (Kenyan Rural Enterprise Programme) Bank, Kenya, PT Bank Rakyat Indonesia Tbk were established to augment the economic life of the poor through capital infusion. These NPOs started developing alternate methods to deliver financial services to the poor, whom formal financial institutions, both Market and the State, had failed to serve adequately. The methodologies developed to reach the poorer segments, came to be known as microfinance, over time.

Similarly in India several NPOs started expanding microfinance services. But one thing that the leaders of the microfinance movement in India were clear about was that there were several institutional forms, like banks and NBFCs which were mandated to mobilize and redistribute capital. So, though several NPOs started experimenting with microfinance, over time they converted themselves into a more suitable form like an NBFC-MFI, or a Local Area Bank, or Small Finance Banks, which were mostly for-profit organisations, though mandated to serve the weaker sections.

While microfinance in India started with replication of the Grameen Bank model, where 6 to 8 groups of 5 members each, formed a centre, and loans were given to

individual members of the group, as recommended by the Centre, through its weekly meeting; the model of self-help group (SHG), where a group of 15 to 20 individual members formed a group became more popular. In this SHG Methodology, loans were extended by the bank to the group, which in turn further lent to individual members. In 1992, this SHG method of extending microfinance got a major fillip with the National Bank for Agriculture and Rural Development (NABARD) launching the Self Help Group-Bank Linkage Programme (SHG-BLP) as a pilot programme aimed at linking just 500 SHGs with 6 NPOs with branches of six banks. The Ministry of Rural Development (MoRD), Government of India launched the National Rural Livelihood Mission (NRLM) by restructuring Swarnajayanti Gram Swarojgar Yojana (SGSY). NRLM was renamed as DAY-NRLM (Deendayal Antyodaya Yojana - National Rural Livelihoods Mission) w.e.f. March 29, 2016. SHGs were designated as the primary unit of the large institutional network. All SHGs in a village federated into a Village Organization, which further came together to form Cluster Level Federation/Block Level Federation, and so on. The not-for-profit organisations played the role of SHG Promotion Institutions (SHPI). By March 2022, there were 14.2 crore BPL households organised into 119 lakh SHGs, with savings deposit of Rs. 47,240 crores, with loan outstanding of Rs. 1,51,051 crores to these poor women, with loan repayment rate by SHGs to Banks is 97.71%. (Status of Microfinance in India 2021-22, NABARD)

Apart from the SHG-BLP program, the Not-for-Profits also got engaged in delivering microfinance services using other models, including Grameen Bank Model, Joint Liability Group model and direct lending model among others. As reported in the Sa-Dhan's Bharat Microfinance Report 2021, microfinance Institutions (MFIs) even a year back, by March 2021, operated in 28 states and 5 Union Territories in India. The reporting MFIs were 208 with a network of 20,065 branches and 1.61 lakh employees had reached out to over 4.2 crore clients with an outstanding loan portfolio of Rs. 1,13,459 crore. This includes a managed portfolio of Rs. 35,310 crore. The loan outstanding per borrower stood at Rs. 18,894 and 90% of loans were used for income generation purposes. Of the total, For Profit MFIs (NBFCs/NBFC-MFIs) contribute to 87% of clients outreach and 82% of outstanding portfolio, while not-for-profit MFIs contribute to the remaining. MFIs with portfolio size of more than Rs. 2,000 crore contribute significantly to the total outreach (69%) and loan outstanding (76%) of the sector. As on December 31, 2021, for-profit microfinance industry served 5.57 crore unique borrowers, through 10.58 crore loan accounts. The overall microfinance industry currently has a total Gross Loan Portfolio (GLP) of Rs. 2,56,058 crore.<sup>20</sup>

A third set of financial institutions that extend microfinance services to the rural people, are the network of Regional Rural Banks (RRBs) set up by the commercial

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<sup>20</sup> <https://www.sa-dhan.net/wp-content/uploads/2022/11/BMR-2021.pdf>

banks, with 56 RRBs in India. By March 2021, they had GLP of Rs. 3,34,171 crore. Though these RRBs also cater to the financial needs of the similar client group, as they are owned by the Government of India, they cannot be treated as a part of the Not-for-Profits.

However, a major change in the microfinance sector in the country came with revolutionary change in information technology (IT), Opening of large number bank accounts as a part of Pradhan Mantri Jan-Dhan Yojana (PMJDY), Introduction of the core banking system facilitating online payment systems and Development of the Business Correspondent model of delivery.

As most of these changes were happening concurrently, it is difficult to lay down their specific sequence of introduction in microfinance. However, with the introduction of the Core-Banking Systems in the early 1990's most commercial banks were virtually connected, easing interbank transactions with a large number of accounts. This with international recognition of microfinance methodology, with Professor Mohammed Yunus being awarded the Nobel Prize in 2006, and IPO of Banco Compartamos in Mexico getting highly oversubscribed in 2007 led many commercial banks to start looking at microfinance as a commercial opportunity. Even Online-Payment systems became a possibility with the development of information technology (IT). As per the Master Directions – Priority Sector Lending (PSL) issued by RBI, in September 2020, loans extended by regular commercial banks to both for-profit and not-for-profit MFIs for on-lending to other priority sector clients were also treated as PSL by the commercial bank. This opened a new channel of extending microfinance to disadvantaged sections.<sup>21</sup> All these efforts of the State-Market-Third Sector led to what can be treated as mainstreaming of microfinance, which was part of the original objective of the innovation.

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<sup>21</sup> [https://www.rbi.org.in/Scripts/BS\\_ViewMasDirections.aspx?id=11959#MFI\\_On\\_lending](https://www.rbi.org.in/Scripts/BS_ViewMasDirections.aspx?id=11959#MFI_On_lending) for details.



**Chapter 7**  
**A Threefold Growth Story:  
The Role of Civil Society  
Organizations in India's  
Social Justice, Education &  
Health Sectors**



## A THREEFOLD GROWTH STORY: THE ROLE OF CIVIL SOCIETY ORGANIZATIONS IN INDIA'S SOCIAL JUSTICE, EDUCATION & HEALTH SECTORS

Deval Sanghavi, Kasturi Gandhi, Pratyaksha Jha and Ami Misra  
with inputs from Sampath Vemulapati

*Dasra has compiled three reports to reflect on the efforts of civil society across the themes of social justice, education, and health since 1947. These reports shine a light on key interventions by organizations, policy shifts, and on ground impact across diverse landscapes and timeframes. This executive summary is a glimpse into the past 75 years – the context and civil society interventions that shaped India's growth story.*

India at 75 – our struggle for Independence, selfhood, milestones, and emerging as one of the top economies in the world – is a collective effort. Civil society organizations (CSOs), often regarded as a “third” sector, have always been at the frontline of this collective effort: as partners, service providers, facilitators, and torchbearers consistently shining the light on what is fundamental to the idea of India. Starting with the First Five Year Plan, the government emphasized on the involvement of CSOs in realizing progress, stating that “*any plan for social and economic regeneration should take into account the services rendered by these agencies and the state should give them maximum cooperation in strengthening their efforts.*”

Five-year plans may have run their course, but the government's think tank, the NITI Aayog, continues to consult with the civil society through the NGO Darpan portal and several other consultative processes on the national development agenda and the Sustainable Development Goals. G20 Sherpa and former CEO of the NITI Aayog, Amitabh Kant, acknowledging the productive and creative role of the sector in India's development story has said, “India's philanthropy and civil society, noted for its vibrancy, innovation and advocacy, is an important nation building partner for the government.”

Echoing this ethos, this report recognizes and celebrates CSOs as important actors in the development ecosystem. We spotlight the especially important role CSOs have played in sectors that have the most direct impact on the lived experiences of citizens, focusing on themes of social justice, education, and health – cornerstones of the social contract. Across the three themes, we have followed a structure that provides a perspective on decadal milestones and key civil society intervention models that continue to offer good practices for the country's growth. We have also touched upon the collaborations, processes, and institution building work undertaken by CSOs. In our summary on social justice, we focus on landmark judgements through the decades and analyze key practices that strengthened citizens' access to the judicial system. Next, we prioritize milestones of India's education sector since 1947, alongside the social workers and organizations who contributed to their success. Finally, for the health sector, we map the role of civil society in delivering health

services and resources, acting as a supporting institution for the government, or simply carrying people's voices and stories to policymakers and the world at large.

Undertaking archival research on the multi-fold decadal milestones has reiterated the strong partnership among different stakeholders and underscored how critical this partnership is for our present and future. This exercise has helped us learn that CSOs have worked closely with all three branches of the state – legislature, executive, and judiciary – resulting in tangible outcomes such as policy reform, service delivery models, behaviour change, and judicial precedents for India's most vulnerable communities and individuals. The underlying theme revealed through our research is the collective ability of CSOs to transcend geography and time, while remaining firmly rooted to the ground in their service for India's diverse billions.

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### **SOCIAL JUSTICE AND THE ROLE OF CIVIL SOCIETY ORGANIZATIONS**

“The economics of poverty affects the receipt and delivery of justice. Democratic India has tried to tackle this very knotty issue from the bottom up.” - *Aruna Roy, Co-Founder of the Mazdoor Kisan Shakti Sangathan*

### **SOCIAL JUSTICE AND INDIA: A SUMMARY**

Social justice in the context of India borrows from constitutional values that secure **social, economic and political justice, along with liberty, equality and fraternity** for all its citizens. Equality, legal aid, living wages for all, good health and environment, and education are some social justice provisions featured in the Constitution's Directive Principles of State Policy. The underpinnings of the term social justice in this section emphasize on the equal right of all citizens towards meeting their basic needs and accessing opportunities, while eliminating unjustified inequalities, hierarchies, and discriminatory practice.

In India, although the government has the chief mandate of ensuring social justice through its policies, several social action groups – consisting of the judiciary, media, and civil society – have been instrumental in realizing and solidifying key principles of social justice in the Indian setting. Together, these actors have helped contextualize India's social justice sector into the following thematic areas:

#### **Social justice movements for enabling recognition, awareness, and advocacy**

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- 1) Social action litigation towards juristic activism and adjudication in India's highest court
- 2) Partnerships for social justice via community associations, media, and rehabilitation
- 3) Access to justice by facilitating redressal, reform, and enforcement

## MILESTONES, INTERVENTIONS AND CSOS IN SOCIAL JUSTICE

The table below lists key milestones in India's social justice sector since 1947, alongside the social workers and organizations who contributed to them.

**TABLE 1: SOCIAL JUSTICE MILESTONES IN INDIA AND THE CSO SECTOR**

Milestone	Civil Society Contribution
1950: The first free speech challenge by civil society and landmark ruling by the Supreme Court of India to uphold the Constitution of India	When " <b>Crossroads</b> ", an English journal by journalist Romesh Thapar, was banned in Madras due to its political commentary and critique, Thapar appealed to the Supreme Court. The court upheld his Freedom of Speech and Expression, striking down the Madras Maintenance of Public Order Act (1949).
1977: Precedent set for poor workers to directly approach the Supreme Court of India, expanding the Right to Live with Fundamental Human Dignity	<b>People's Union for Democratic Rights</b> , a CSO working for the protection of democratic rights, spotlighted the exploitation and living conditions of workmen working for the Asian Games to be held in India, in a writ petition.
1979: The genesis of Public Interest Litigation (PIL), right to speedy trials, and upholding the Fundamental Right to Life and Liberty	Based on a series of articles about languishing undertrial prisoners in Bihar by The Indian Express, Supreme Court advocate <b>Kapila Hingorani</b> filed a writ petition. This, together with GK Rustom's reporting on undertrial prisoners, led to the formulation of PILs and the immediate release of 40,000 languishing prisoners all over India.
1985: Landmark judgement that led to the inclusion of the Right to Livelihood under the purview of Right to Life	Petitions by the <b>Peoples' Union of Civil Liberties</b> , the <b>Committee for the Protection of Democratic Rights</b> , and civil society actors like <b>Olga Tellis</b> , <b>Indira Jaisingh</b> , and <b>Prafulla Chandra Bidwai</b> helped spotlight the rights of pavement dwellers in Mumbai, the State's duty to provide them with housing sites close to their workspaces, and their experiences of forced evictions.
1987: The first conviction in the country under the Bonded Labour (Abolition) Act	To obtain redressal for bonded agricultural laborers in Maharashtra, <b>Shramjivi Sanghatana</b> , a social organization, mobilized 300 bonded laborers to register complaints with local authorities against exploitative landlords. This led to the first conviction in the country under the Bonded Labour (Abolition) Act.

<p>1980s: The emergence of post-Emergency lawyer led social justice groups enabling legal recourse against oppression, violence, and torture</p>	<p>Three principal groups of this decade include the <b>Citizens for Democracy (CFD)</b>, the <b>People's Union of Civil Liberties</b>, and the <b>People's Union for Democratic Rights</b>. Their work spanned prison reform, conflict resolution and peace building in the context of the North East, and riots of 1984, among others.</p>
<p>1990s: International spotlight on environmental and rehabilitation issues due to big dams, and the people most affected by such projects in India</p>	<p>The <b>Narmada Bachao Andolan (NBA)</b> mobilized 250,000 people who faced submergence during the construction of big dams along the Narmada River. The organization's biggest triumph was in 1993, when the World Bank withdrew its Narmada loan and published an independent review of the project.</p>
<p>1990s: A series of initiatives across the country using human rights fact findings, reports of fact findings leading to court interventions and public hearings across the country</p>	<p>Initiatives in fact findings were undertaken by organizations such as <b>Human Rights Law Network</b>, <b>People's Watch</b> and several others. Popularization of public hearings/people's tribunals undertaken across the country through bodies such as the Indian People's Tribunal led by retired judges investigating a variety of human rights themes.</p>
<p>1990s: The first all rural women run news bulletin is launched in Madhya Pradesh</p>	<p><b>Mahila Dakia</b>, succeeded by <b>Khabar Lahariya</b>, was then India's only women-run ethical and independent rural news brand. It resulted from a government literacy initiative, Mahila Samikhya Programme, and was set up with support from <b>Nirantar Trust</b>, a Delhi-based centre for Gender and Education.</p>
<p>1997: A PIL by women's rights activists results in the creation of the 'Vishaka guidelines'</p>	<p>The petitioners in <i>Vishaka and Ors v State of Rajasthan</i> were a coalition of <b>women's rights organizations and activists</b> led by <b>Sakshi</b>, an NGO working against sexual violence in India. In a landmark judgment, the Supreme Court instituted a set of definitions and guidelines against sexual harassment at the workplace, also laying the foundation of current laws.</p>
<p>1997: The Supreme Court issues welfare directives for children under the age of 14 to be protected from participation in labour</p>	<p><b>Bandhua Mukti Morcha</b>, an organization working to abolish bonded labour in India, filed a PIL in 1997 against the exploitation of children employed in the carpet industry in Uttar Pradesh. The ensuing judgment directed the state to stop the employment of children in this industry, and further provided directives to prevent child labour and increase children's access to health and education facilities.</p>

<p>2001: The Right to Food case creates pathbreaking imperatives for food policy in India</p>	<p>In 2001, in the aftermath of severe drought and famine in Rajasthan, a network of civil society organizations and activists known as the <b>Right to Food Campaign</b> moved the Supreme Court. <i>People's Union for Civil Liberties v Union of India</i> culminated in the court directing states to lift the food grains allotted to them by the Central government and disburse them in accordance with existing schemes. In 2002, the court also appointed two former bureaucrats as food commissioners to oversee the implementation of this order.</p>
<p>2002: Landmark judgment requiring electoral candidates to disclose their criminal record, financial background, and educational background</p>	<p><b>Association for Democratic Reforms</b>, a non-profit working on electoral reforms in India, petitioned about voters' right to more information about the backgrounds of electoral candidates in 1999. Three years later, the Supreme Court directed that the Election Commission of India must seek information about criminal records, financial assets, and educational qualifications of all candidates contesting elections to the Parliament or state legislatures. In 2003, legislation was passed making it mandatory for electoral candidates to share their criminal records, but not their financial or educational backgrounds. However, the Supreme Court reverted this back to the original precedent.</p>
<p>2010: India sets up the National Green Tribunal (NGT) – a specialized judicial body adjudicating environmental cases in the country</p>	<p>Discussions at the NGT showed the active collaboration between <b>environmental NPOs</b> and <b>environmental advocates</b>, who were simultaneously attorneys and environmental activists. Outside the courts, some of these lawyers were associated with national and international environmental initiatives to promote better legal access to justice and environmental protection.</p>
<p>2014: The NGT recognizes the environmental rights of non-citizen residents of India</p>	<p><b>Betty Alvares</b>, a resident of Goa, filed a High Court petition in 2012 claiming instances of illegal construction in the Coastal Regulation Zone of Candolim. The petition was transferred to the National Green Tribunal, which examined if Alvares had <i>locus standi</i> to petition the court as a foreign national. In a landmark judgment, the Tribunal declared in 2014 that any individual could file a petition linked to environmental disputes, irrespective of nationality and citizenship.</p>
<p>2014: Supreme Court sets up a Social Justice Bench to</p>	<p>The bench heard cases on issues such as rehabilitation of Kashmiri Pandits, exploitation of children in orphanages in</p>

<p>hear cases concerning socially marginalized groups</p>	<p>Tamil Nadu, monitoring of rehabilitation of those impacted by the construction of the Sardar Sarovar dam, monitoring of the Nirbhaya Fund and the fund for rehabilitation of Devdasis in Karnataka – each of these was represented by CSOs like <b>MASS, NBA, We the Citizens</b>, among others.</p>
<p>2014: Supreme Court verdict on regulation of hate speech in the 2014 Pravasi Bhalai Sangthan versus Union of India judgment to protect of marginalized communities</p>	<p>The <b>Citizens for Justice &amp; Peace (CJP)</b> launched a programme to counter hate speech, especially that focused on religious minorities, Dalits, Adivasis, Women, Children and LGBTQIA+ and continues to work on various social justice and peace issues.</p>
<p>2016: The Save Mon Region Federation judgment addresses the overlap between indigenous, cultural, and environmental rights</p>	<p>The <b>Save Mon Region Federation</b>, an organization representing the indigenous Monpa community in Arunachal Pradesh’s Tawang region, petitioned the NGT against a hydroelectric project on the Naymjang Chhu river basin. The petition challenged the environmental clearance granted to the project due to its location in an eco-sensitive stretch. This stretch was a wintering site for the endangered, black-necked crane, which is revered by the Monpas. The Tribunal held that the project must be halted while a fresh environmental review is undertaken by the Ministry of Environment and Forest, keeping in mind this cultural context.</p>
<p>2016: PIL on the rights of senior citizens examines government schemes and programmes for the elderly</p>	<p>Former Union Minister <b>Dr. Ashwani Kumar</b> moved the Supreme Court in 2016 with a plea for the protection of elderly citizens. The presiding bench enlisted assistance from non-profit <b>HelpAge India</b> and the <b>National Legal Services Authority (NALSA)</b> to understand the problems being faced by senior citizens and issued directions to ensure effective implementation of government interventions linked to pensions, shelter, and geriatric care.</p>
<p>2016: Supreme Court issues directives for homeless shelters to be built in urban areas</p>	<p>In 2003, a group of <b>lawyer-activists</b> moved the Supreme Court over the right of homeless individuals to shelters in urban areas. This matter sat in court for more than a decade due to a lack of response from state governments. In 2016, upon examining the status of the implementation of a scheme for urban homeless shelters under the National Urban Livelihoods Mission of 2013, the court</p>

	<p>constituted a committee to oversee the building of homeless shelters as well as temporary winter shelters. The impact of this judgment led to 200 homeless shelters and 150 temporary winter shelters being built in the NCT of Delhi.</p>
<p>2018: Homosexuality is decriminalized in India through a reading down of Section 377 of the Indian Penal Code</p>	<p>The decriminalization of homosexuality in India came as a culmination of decades of civil society efforts. One of the first prominent petitions against Section 377, which criminalized homosexual acts, was filed by HIV/AIDS activist group <b>AIDS Bhedhav Virodhi Andolan</b> in 1994. In 2001, <b>Naz Foundation</b>, a queer rights organization, petitioned courts again, leading to a 2009 Delhi High Court judgment that declared the Section to be violative of fundamental rights. This judgment was overturned by the Supreme Court in 2013. In 2018, a five-member bench of the Supreme Court was constituted to hear pleas against Section 377 from <b>queer rights activists, organizations, and members of civil society</b>, and ultimately repealed its applicability to consensual homosexual acts.</p>

The table below reviews unique and impactful CSO interventions in social justice and highlights good practices within the sector.

**TABLE 2: CSO MODELS AND SYSTEMS FOR CHANGE OVER THE YEARS**

CSO's area of work	Intervention	Good practices
Recognition	<b>Social Justice movements</b>	<ul style="list-style-type: none"> <li>● Mobilizing and educating critical stakeholders</li> <li>● Attracting committed activists</li> <li>● Strategizing plans of action</li> <li>● Interacting with people across the board and international actors</li> </ul>
	<b>Community partnerships</b>	<ul style="list-style-type: none"> <li>● Presence of a catalytic agent with knowledge of the issue, and a problem-solving mindset</li> </ul>

		<ul style="list-style-type: none"> <li>● Organizational transformations to respond to community needs more efficiently</li> <li>● Regular community patrols to stay on top of local issues of health, education, environmental issues, issues related to communal harmony etc.</li> </ul>
	<b>Research and documentation</b>	<ul style="list-style-type: none"> <li>● Setting up education camps where stakeholders can hone reading and writing skills</li> <li>● Documenting information in languages and dialects known to stakeholders</li> <li>● Digital dissemination</li> </ul>
Advocacy and Social Action Litigation	<b>Training of paralegals or 'Barefoot Lawyers'</b>	<ul style="list-style-type: none"> <li>● Incubating personnel to support lawyers at lower-level courts</li> <li>● Training camps for barefoot lawyers to identify the problems of the poor, give voice to their demands and protect them against injustices, alert them against deprivation and exploitation, and give them first aid in law</li> </ul>
	<b>Training social action groups</b>	<ul style="list-style-type: none"> <li>● Promoting legal awareness amongst people</li> <li>● Equipping the poor with the knowledge of how law works, and how to use law to assert or defend their rights</li> </ul>
	<b>Independent, domestic funding</b>	<ul style="list-style-type: none"> <li>● Funding from social service organizations and public-spirited individuals</li> <li>● <i>Pro bono</i> work by established lawyers</li> <li>● Self-reliance and availability of easy finances which enables grassroot work, instead of preoccupation with administrative structures and reporting obligations</li> </ul>
		<ul style="list-style-type: none"> <li>●</li> </ul>
	<b>Monitoring judicial pendency (number of pending cases)</b>	<ul style="list-style-type: none"> <li>● Facilitating case management</li> <li>● Conducting training and sensitization workshops for the judiciary</li> <li>● Leveraging informal dispute resolution systems</li> </ul>

## EDUCATION AND THE ROLE OF CIVIL SOCIETY ORGANIZATIONS

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*“Education is what makes a person fearless, teaches him the lesson of unity, makes him aware of his rights and inspires him to struggle for his rights” - Dr BR Ambedkar*

### EDUCATION AND INDIA: A SUMMARY

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In the three decades that followed Independence, various review committees formed the crux of the Central government’s engagement with the idea of a national education system in India. Although the first National Policy on Education – conceptualizing a national school system geared towards universalizing elementary education – was legislated in 1968, guidelines for education in independent India were released much sooner, through the Constitution of India. These guidelines covered free compulsory education until the age of 14 and education for minority groups.

Since then, through decades of policy reform and milestones within the sector, civil society groups have worked extensively alongside Central and local governments through each step of education delivery – inclusion, capacity building, curriculum improvement and in scaling programmes.

The common goals of civil society organizations and governments have been:

- Universalization of elementary education, foundational literacy, and numeracy
- Eradication of gender, caste, economic, and other barriers to education
- Technical training, research, and innovation through higher education
- Non-formal education, vocational training, and adult literacy programmes
- Holistic development, life skills, and social and political education

### MILESTONES, INTERVENTIONS, AND CSOs IN EDUCATION

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Non-profit interventions in education can be conceptualized through three distinct phases:

- **Phase 1: Substitution:** For several decades following independence, social activists and non-profits in India prioritized building education systems parallel to government infrastructure, with a focus on providing socially and economically marginalized groups with education services. These interventions included setting up welfare schools and centres for non-formal education
- **Phase 2: Ensuring government-provided access:** In the aftermath of the Sarva Shiksha Abhiyan (2001) and the Right to Education Act (2009), non-profit interventions became focused on ensuring that marginalized groups could access government-led education systems. This often took the shape of collaborating with government schools and programmes to make them more responsive to community needs.
- **Phase 3: Quality improvement phase:** Despite the existence of accessible government infrastructure, learning outcomes for students are not being met to a

satisfactory standard. This has led to non-profits focusing on quality-of-learning interventions more keenly since 2020.

The table below lists key social justice milestones of India's education sector since 1947, alongside the social workers and organizations who contributed to their success.

**TABLE 1: EDUCATION MILESTONES IN INDIA AND THE CSO SECTOR**

Milestone	Civil society contribution
1945: Dr BR Ambedkar establishes the People's Education Society for the advancement of Scheduled Caste (SC) students	Starting from 1945, <b>People's Education Society</b> has established approximately 30 schools and colleges in Maharashtra that offer freeships and scholarships to SC students. These institutions have been built around an Ambedkarite blueprint that centres moral, social, and political education linked to caste emancipation. Their key features include giving students the opportunity to work and earn while pursuing their education and allowing them to gain admissions in disciplines of their choice irrespective of past performance.
1963: Introduction of modern science teaching in government schools through learning based on experiments, demonstration, and cultivating scientific curiosity among students	From 1963 onwards, NCERT received external support from <b>UNICEF</b> and <b>UNESCO</b> to improve science teaching in Indian schools. Several initiatives were taken up as part of this programme: <ul style="list-style-type: none"> <li>● A cohort of 49 science educationists from NCERT received training in curriculum development and service delivery from UNESCO experts</li> <li>● Science kits were supplied to approximately 30,000 schools</li> <li>● Activity-based instructional materials were developed through trials in government primary schools</li> </ul>
1972: The Hoshangabad Science Teaching Programme for science teaching and innovation in rural schools is initiated in Madhya Pradesh	The Hoshangabad Science Teaching Programme (HSTP) was set up in 1972, by non-profit organizations <b>Friends Rural Centre</b> and <b>Kishore Bharati</b> . Drawing on academic guidance from scientific experts, the programme developed innovative learning practices based on experiments and field studies, with curricula focused on students' lived contexts and environments. In 1982, <b>Eklavya Foundation</b> was established to scale

	<p>the Hoshangabad - HSTP model to foster learning innovations in other parts of Madhya Pradesh, and over subsequent decades, across other Indian states.</p>
<p>1984: The Shiksha Karmi community primary schooling project is set up in Rajasthan</p>	<p>Under the Shiksha Karmi project, primary school teachers in 2000 remote villages in Rajasthan were replaced by two volunteer <i>shiksha karmis</i> (education workers) from local communities. Non-profit organizations were key collaborators in the implementation of the programme. <b>SANDHAN</b>, a non-profit organization based in Jaipur, took up the implementational charge for training and supporting <i>shiksha karmis</i>, as well as introducing other learning innovations in schools where the project was operational. In addition to the Shiksha Karmi project, the organization also served as an implementation partner for the Lok Jumbish programme in the 1990s.</p>
<p>1989: The Mahila Samakhya Programme is established for community-oriented development and women's participation in education in rural areas</p>	<p>The Mahila Samakhya Programme engages women in rural areas in the process of planning, implementing, and overseeing school education in their villages. Initiated in districts where women's literacy rates and participation in education are low, the programme organizes women into <i>sanghas (collectives)</i> that are responsible for developing education goals and strategies for their villages. <b>Autonomous state-level education societies</b> function as implementation partners for these strategies. Many women who have been participants in the programme have gone on to become school board members and school administrators, as well as getting involved in other local political bodies. As of 2014, Mahila Samakhya was operational in 130 districts and 679 blocks across India.</p>
<p>1991: MV Foundation initiates area-based interventions in Andhra Pradesh to combat child labour through school retention and enrolment programmes</p>	<p>In 1991, <b>Mamidipudi Venkatarangaiya Foundation (MV Foundation)</b> began work in the Ranga Reddy district in Andhra Pradesh, a state with one of the highest incidences of child labour in India at the time. The organization followed an area-based approach, securing over a million children's removal from the workforce and integration into the formal schooling pipeline to date. The organization has also worked with non-profits and government-initiated education programmes in Gujarat, Rajasthan, Maharashtra, Bihar, Delhi, Uttar</p>

	Pradesh, Madhya Pradesh, Jharkhand, West Bengal, Odisha, and Tamil Nadu to scale its model.
1992: The Lok Jumbish programme is initiated in Rajasthan by the government of India, as a grassroots-level multistakeholder intervention to achieve <i>Education for All</i> in the state	Lok Jumbish set the precedent for a period of decentralized, district-level micro-planning as a policy norm in education. Aided by <b>52 non-profit organizations</b> in the state (including <b>SANDHAN</b> ), the programme created local management systems for primary schooling in more than 50 blocks in Rajasthan. Primary schools were reviewed and updated with a focus on environment-building activities, and pedagogical and curricular changes such as the development and mainstreaming of new textbooks for the state were initiated as an outcome.
2005: The National Curriculum Framework made in collaboration with civil society is drafted	A thorough revision of curricula in primary, elementary, and secondary education was undertaken to create the National Curriculum Framework, 2005. Consultations were held between NCERT officials, non-governmental organizations, teachers' associations, and academic experts to draft this framework. Key civil society actors who served on the central steering committee of this exercise included <b>Prof Shantha Sinha</b> from the <b>MV Foundation</b> , <b>Ms Mina Swaminathan</b> from the <b>MS Swaminathan Research Foundation</b> , and academics such as <b>Dr Padma Sarangapani</b> , <b>Prof Gopal Guru</b> , and <b>Dr Ramachandra Guha</b> .
2009: The RTE Forum emerges as a national consortium of civil society actors to oversee the implementation of the Right to Education (RTE) Act, 2009	The <b>RTE Forum</b> was initiated by <b>Oxfam India</b> as a national coalition of more than <b>10,000 NGOs, educationists, and social activists</b> in the aftermath of the legislation of the Right to Education Act. Its primary goal was to examine progress made by the Act along parameters such as quality, inclusivity, and addressing communities' needs. By 2018, <b>state-level RTE Forums</b> had been initiated in 14 states— Delhi, Haryana, Rajasthan, Gujarat, Uttar Pradesh, Uttarakhand, Jharkhand, Bihar, Orissa, Chhattisgarh, Andhra Pradesh, Karnataka, Tamil Nadu, and West Bengal.
2012: Interventions by 17000 ft Foundation reach remote Himalayan schools in Ladakh	Remote rural schools in Ladakh are often cut off from other regions for several months a year due to harsh winter weather. <b>17000 ft Foundation</b> was set up in 2012 to work with these schools to achieve quality education, and ultimately, economic independence for

	individuals living in these remote regions. Mobilizing technology, capacity-building exercises, and collaborations with volunteers, the organization has expanded to cover two districts and almost 900 schools in the region.
2017: Pratham Education Foundation scales impact and implements learning innovations in 24 states	Founded in 1995, <b>Pratham Education Foundation</b> develops learning innovations, impacting millions of children across the country every year. This decade saw the organization achieve unprecedented scale by working with government schools, bodies, and programmes in 24 Indian states. Key milestones in Pratham’s success story include their flagship publication ASER (Annual Status of Education Report), innovations in early childhood education and foundational literacy, and introducing digital classrooms into their programmes.

The table below reviews unique and impactful CSO interventions in education and highlights good practices within the sector.

**TABLE 2: CSO MODELS, INTERVENTIONS, AND GOOD PRACTICES**

CSO’s area of work	Intervention	Good practices
Process	<b>Science teaching</b>	<ul style="list-style-type: none"> <li>● Use of experiments and demonstrations</li> <li>● Engagement with students’ natural surroundings and lived contexts</li> <li>● Student and teacher feedback mechanisms for developing new pedagogies</li> </ul>
	<b>Curriculum development and teaching-learning materials</b>	<ul style="list-style-type: none"> <li>● Development of relatable and culturally responsive instructional material</li> <li>● Incorporation of vocational skills and life skills-oriented material</li> </ul>

		<ul style="list-style-type: none"> <li>● Models for holistic education that encompass mental, physical, and social wellbeing</li> </ul>
Governance	<b>Policy advocacy</b>	<ul style="list-style-type: none"> <li>● Multi-stakeholder civil society networks and coalitions to serve as advocacy forums</li> <li>● External monitoring and evaluation for existing education programmes</li> </ul>
	<b>Programme implementation</b>	<ul style="list-style-type: none"> <li>● Capacity-building and teacher training</li> <li>● Multi-level engagement with the government (schools, districts, states, Centre)</li> <li>● Updating technical and digital capacities</li> </ul>
Research	<b>Learning innovations</b>	<ul style="list-style-type: none"> <li>● Prototype-testing and pilot projects to gather monitoring, evaluation, and learning insights</li> <li>● Operating within existing government school infrastructure</li> <li>● Cultivation of community-led thought leadership and implementation models</li> </ul>
	<b>Archives and knowledge dissemination</b>	<ul style="list-style-type: none"> <li>● Preservation of cultural and lived experiences as knowledge</li> <li>● Emphasis on the need for marginalized groups to have control over their own representation, visibility, and knowledge dissemination</li> </ul>
Implementation	<b>School enrolments and retention</b>	<ul style="list-style-type: none"> <li>● Grassroots-level awareness and sensitization campaigns</li> <li>● Focus on lowering children’s workforce participation and preventing child marriage</li> <li>● Securing access to government schools, schemes, and programmes</li> </ul>
		<ul style="list-style-type: none"> <li>● Targeted interventions for at-risk communities that lack access to childcare (e.g., unorganized sector workers)</li> </ul>

		<ul style="list-style-type: none"> <li>● Preparing children from under-resourced groups for integration into the formal schooling pipeline</li> </ul>
	<b>Vocational skills</b>	<ul style="list-style-type: none"> <li>● Integrating education with self-sustaining community-oriented development projects</li> <li>● Skill training as an alternate form of education for individuals excluded from formal education</li> <li>● Different modes of hands-on skill learning, such as home-based programmes, mobile skill labs, and training centres</li> </ul>
	<b>Charitable and budget-private schools, scholarships, and funding</b>	<ul style="list-style-type: none"> <li>● Financial support or provision of voluntary education services to marginalized (e.g., women, Dalits, Adivasis) and at-risk (e.g., homeless children, children living in conflict-stricken regions) groups</li> <li>● Non-formal education centres in high-risk, under-resourced, and remote regions</li> </ul>

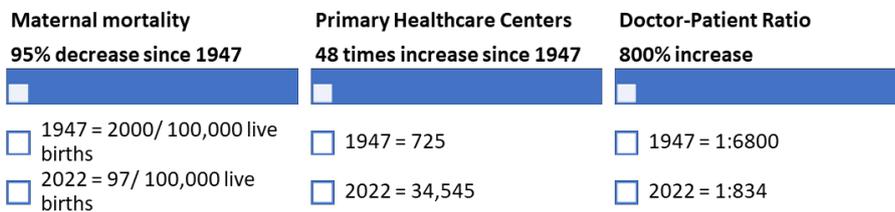
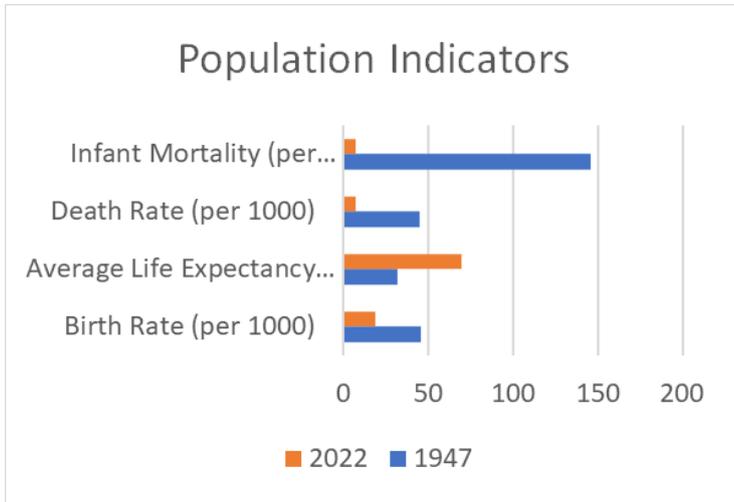
**PUBLIC HEALTH AND THE ROLE OF CIVIL SOCIETY ORGANIZATIONS**

*“They went beyond simply improving health conditions...demonstrating that health could be an entering wedge into total socioeconomic development.” - Carl Taylor, ‘Jamkhed: A Comprehensive Rural Health Project’ (1994)*

**PUBLIC HEALTH AND INDIA**

In 1946, as India was preparing for Independence, the ‘Health Survey and Development Committee Report’ popularly referred to as the Bhore Committee Report, prepared a detailed plan of a National Health Service for the country, envisioning **universal coverage for the entire population, free of charge, through a comprehensive state-run salaried health service**. However, it was not until four decades later that India notified its first policy on health – **the National Health Policy of 1983**.

Despite the lack of a policy, the Constitution of India did the job of articulating public health and its many facets like the right to life, often taken as the right to health by extension, the health status of young citizens, workers, mothers, the standard of living and the environment. Since 1947, India's public health sector has crossed huge milestones:



Several of these milestones have been conceived, enabled, and launched from the ground up by India's civil society sector. Every decade since independence has seen the emergence and success of community interventions, and the ability of civil society groups to shoulder the massive task of achieving public health for all in a newly independent India – be it delivering health services and resources, acting as a supporting institution for the government, or simply carrying people's voices and stories to policymakers and the world at large.

### MILESTONES, INTERVENTIONS AND CSOs IN PUBLIC HEALTH

The table below lists key social justice milestones of India's public health sector since 1947, alongside the social workers and organizations who contributed to their success.

**TABLE 1: PUBLIC HEALTH MILESTONES IN INDIA AND THE CSO SECTOR**

Milestone	Civil Society Contribution
1949: India becomes the first country in the world to	A group of concerned women led by Dhanvanti Rama Rau, a feminist freedom fighter and civil society activist,

devise a Family Planning Programme	established the <b>Family Planning Association of India (FPA India)</b> .
1950s and 1960s: India launches anti malaria programme and makes progress in the fight against malaria	<b>The Co-operative Anti-Malaria Society and Panihati (Bengal)</b> set international precedents on combating malaria in remote villages, growing from 27 members and one village to 3500 voluntary village societies in 10 years.
1964: India gets its first registered NGO and halfway home for mentally ill patients	The <b>Medico Pastoralist Association</b> – comprising professionals like doctors and clergymen under the Urban Industrial Mission Programme of St. Mark’s Cathedral, Bangalore – got together to create awareness, and to provide training in skills required to remove the fear and misconceptions surrounding mental health problems.
1971: ORS “the most important medical discovery of the 20th century” deployed to cure cholera at Bongaon refugee camp	<b>Dr Dilip Mahalanabis</b> , the ORS pioneer, saved thousands of people affected by cholera at the Bongaon refugee camp by administering oral rehydration therapy or ORT. He prepared ORS for the masses by mixing table salt, baking soda and glucose, and deployed it via <b>health volunteers</b> at the camp.
1975: Integrated Child Development Scheme – one of the world's largest and unique programmes for early childhood care and development – launched in India	<b>Child in Need Institute</b> of West Bengal, through its services for growth monitoring, treatment of common childhood diseases and preventive measures like immunization, health and nutrition education, realized the Health for All goal of reduced infant mortality rate, received the 1985 'National Award for Child Welfare', and was nominated for the SASAKAWA Health prize at the 39th World Health Assembly in 1985.
1977: India launches Village Health Guides or Community Health Worker scheme	Inspired by the 1970 <b>Jamkhed Comprehensive Rural Health Project</b> approach, developed by <b>Rajanikant</b> and <b>Mabelle Arole</b> in rural Maharashtra – which was instrumental in influencing these concepts and principles, which were embedded in the international 1978 Declaration of Alma-Ata.  Inspired by the 1977 <b>Pachod CHDP Community Health Worker Programme</b> , which focused on maternal health and covered 72 villages and hamlets situated in the

	southern part of Paithan block of Aurangabad district, Maharashtra.
1976: National Blindness Control Programme launched	Aravind Eye Hospitals – a hospital chain founded by Dr. Govindappa Venkataswamy at Madurai, Tamil Nadu – starts a network of eye hospitals and goes on to have a major impact in eradicating cataract related blindness in India.
1979: India is small-pox free	India was hailed for eradicating smallpox through the aid of civil society organizations, where thousands of healthcare workers and one lakh community workers trained by WHO went door to door in the country and covered a hundred million households in 575,721 villages and 2,641 cities.
1983: India notifies its first National Health Policy	Recommended a decentralized system of health care, the key features of which were low cost, and <b>use of volunteers and paramedics, and community participation.</b>
1986: National Rural Sanitation Programme launched by the government	The <b>Council for Advancement of People's Action and Rural Technology (CAPART)</b> , the apex organization for supporting and coordinating the activities of NGOs in the field of rural development oversaw involving more NGOs. In Gujarat, the entire sanitation programme was implemented through a network of NGOs. In West Bengal, it was the <b>Ram Krishna Mission</b> that helped the government implement sanitation programmes.
1995: launch of the Pulse Polio Programme	The government's polio eradication programme was faced by immense people-driven challenges, which created the need for tailor-made and novel responses. This took form as a combination of international NGOs and Indian civil society groups, individuals, and activists. One of the most effective interventions of this collaboration was generating intermediaries from within the community itself – through the <b>CORE Group Polio Project.</b>
2004: India launches Integrated Disease Surveillance Programme	<b>The North Arcot District Health Information Network's</b> community-based District Level Disease Surveillance (DLDS) model and monthly health information bulletin (called <b>NADHI</b> ) helped extend this programme to include tribal health.

<p>2000s: exponential decline in child undernutrition between 2006 and 2014 – stunting rates for children under five reduced from 48% to 39%, resulting in less stunted and wasted children</p>	<p>Through the public-private model, the <b>Akshaya Patra Foundation</b> started running the world’s largest Mid-Day Meal. Programme which helped provide nutritious and hygienic food to thousands of school-going children.</p>
<p>2014-2015: National Immunization Programme crosses two milestones – eradication of Polio and maternal and neonatal Tetanus respectively</p>	<p>NGOs like <b>CRY</b> helped address and reduce vaccine hesitancy within communities, and NGOs like Sahyog, ARMMAN, Committed Communities Development Trust, and SNEHA helped improve medical conditions for at-risk pregnant women.</p>
<p>2020 onwards: responding to COVID-19</p>	<p>When the second wave of COVID-19 hit India, and its population was met with a failing healthcare system, NGOs across the country—Save The Children, SaveLIFE Foundation and Goonj, amongst several others—played a significant role in reinforcing the health infrastructure.</p>

The table below reviews unique and impactful CSO interventions in public health and highlights good practices within the sector.

**TABLE 2: CSO MODELS, INTERVENTIONS, AND GOOD PRACTICES**

CSO’s area of work	Intervention	Best practices
<p>Service delivery</p>	<p><b>Setting up Village Societies</b></p>	<ul style="list-style-type: none"> <li>● Publishing vernacular journals</li> <li>● Convening regular community meetings</li> <li>● Networking with professionals in the field</li> <li>● Involving men and women equitably</li> </ul>
	<p><b>Communication for behaviour change</b></p>	<ul style="list-style-type: none"> <li>● Using folk art to communicate modern concepts</li> </ul>

		<ul style="list-style-type: none"> <li>● Production and distribution of pamphlets and digital messages for public health best practices</li> </ul>
	<b>Community-based health insurance scheme</b>	<ul style="list-style-type: none"> <li>● Starting with primary health care support to a catchment community and then move to providing coverage for them</li> <li>● Running run in-house health insurance services without external partnership with insurance companies</li> </ul>
	<b>Free service to needy populations</b>	<ul style="list-style-type: none"> <li>● Free food and return transportation for under resourced patients</li> <li>● Distinct facilities and differential pricing</li> <li>● Travelling to the community and doing house visits instead of hosting surgical camps</li> </ul>
Behaviour change	<b>Training patient counsellors</b>	<ul style="list-style-type: none"> <li>● Volunteers with good communications skills and high empathy were trained for this</li> <li>● Creating opportunities for more interpersonal conversation and counselling</li> </ul>
	<b>Outreach to the non-customer</b>	<ul style="list-style-type: none"> <li>● Spreading the message through word of mouth</li> <li>● Meeting people where they live, work, and spend time, instead of placing the onus on them to visit</li> <li>● Monthly meet ups, where stakeholders are encouraged to break biases and air concerns</li> </ul>

Innovation	<b>Scalable human-centric interventions</b>	<ul style="list-style-type: none"> <li>• Human milk banks for premature babies</li> <li>• Kangaroo method for keeping newborns warm</li> </ul>
	<b>mHealth</b>	<ul style="list-style-type: none"> <li>• Free mobile health service voice calls</li> <li>• Timed and targeted preventive care information weekly/bi-weekly directly to peoples' phone</li> <li>• Available in local dialects</li> </ul>
	<b>Open-source software</b>	<ul style="list-style-type: none"> <li>• Designing digital platforms for monitoring and evaluation</li> <li>• Digital platforms for quality assessment and quality assessment and reporting for government hospitals and health centres</li> </ul>

**WAY FORWARD**

Our reports have provided evidence that as testimony to the countless models, legislations, and innovations that CSOs have contributed to India's development. As we build back from

the pandemic, the path ahead for India is rife with multidimensional challenges. To address these challenges, CSOs can provide tailored and localized responses in embedded, layered, and dynamic systems.

**The Government can work with CSOs to provision for the last mile by:**

- Engaging civil society in implementing community-based programmes, with a focus on reaching and engaging with under-served, vulnerable and marginalized communities
- Strengthening monitoring and evaluation systems to identify opportunities and priority areas for government interventions in public delivery systems
- Undertaking consultative processes that rely on evidence-based policymaking, leveraging insights from stakeholders, data, and innovation to meet specific development targets and goals
- Seeking technical and specialized support on sub-areas of work within larger themes (for example: legal awareness building for women in social justice, teacher training in education, and last mile delivery of vaccinations in health)

**Apart from channelizing resources, Funders can collaborate with CSOs to catalyze impact by:**

- Fostering innovations and experiments that aim to create interventions that are geared towards systemic-level changes, instead of providing stopgap project-based funding
- Approaching giving with a diversity and equity lens, in a manner that prioritizes highly vulnerable stakeholders and the need for inclusive developmental programmes
- Increasing engagement with non-profits and civil society actors who interact with local communities and ecosystems through their work, to help identify opportunities and funding strategies that maximize grassroots impact

**CSOs can enhance their role in the sectors of social justice, health, and education sectors by:**

- Strengthening collaborations with other stakeholders in public delivery systems, including government institutions, like-minded organizations, private players, and communities
- Improving mechanisms for fundraising, outcome measurement, and technical capacity-building by creating successful interventions that can be replicated and scaled Leveraging technology and digital tools to increase reach for advocacy, sensitization, and awareness programmes, develop new interventions.



# **Chapter 8**

## **Impact of Non-Governmental Organizations Towards Mental Healthcare in India**



## IMPACT OF NON-GOVERNMENTAL ORGANIZATIONS TOWARDS MENTAL HEALTHCARE IN INDIA

**Mrinalini Ravi, Deepika Easwaran, Sanjeev Jain, Alok Sarin, Thara Srinivasan, Chellamuthu Ramasubramaniam, Sunil Kumar Vijayan, Aspy, Tanya Dutt, Amrit Bakhshy, Dr KV Kishore Kumar**

It is estimated that 150 million Indians suffer from one or more mental health conditions (National Mental Health Survey, 2015-2016). The current treatment gap in mental health in India ranges between 83-87%, where lack of access to care is highest in rural and tribal areas. Mental health conditions are impacted by multiple predisposing and precipitating factors. Systemic barriers including class, gender and caste-based discrimination and various social determinants influence the onset of illness, and one's recovery and life trajectory. The overall burden of disease is assessed using the disability-adjusted life year (DALY), a time-based measure that combines years of life lost due to premature mortality (YLLs) and years of life lost due to time lived in states of less than full health, or years of healthy life lost due to disability (YLDs). Mental disorders including Depressive disorders, Bipolar disorders, Schizophrenia, anxiety disorders, Autism and Asperger's Syndrome, childhood behavioural disorders, and other mental conditions are major causes of years lived with disability. The global disability-adjusted life-years (DALYs) attributed to mental disorders have increased from 3.1% in 1990 to 4.9% in 2019. (Global Burden of Diseases, Injuries, and Risk Factors Study, 2019).

Mental health issues have been debated much more in public spaces than oncology or cardiology and have been relatively more engaged with both humanities and the natural sciences than most other fields of medicine. From the times of the asylum and related segregation of persons with mental illness that resulted in a sense of othering and discrimination, to the times that marked the advent of biomedicine and neuroscience-related discoveries, much has changed, and yet gains are somewhat marginal. In this lies both the challenge and paradox around mental health.

The 1960s ushered in an era of progressive reforms in hospital-based care that moved beyond restraints. Care in the community, supported by families, support circles and enabling collaborations largely became the norm globally, as it did in India, especially with the initiation of the District Mental Health Programme (DMHP) that ensured coverage. While human rights and justice-based frameworks have largely taken centre stage in the global discourse, owing to the introduction of international declarations on disability and health and progressive mental health legislations and policies, that promoted community inclusion and participation; translation of the same in practice is somewhat lacking. Convergence between the health and social sectors while mandated and essential in addressing social determinants remain less than satisfactory. Focus on the whole person

across one's life span is considered essential to responsive care approaches and protocols that inspire the pursuit of capabilities and the attainment of valued social roles.

### **SOCIAL DETERMINANTS AND MENTAL HEALTH**

The inextricable link between mental ill health and poverty has been well-established in literature. Impact of income insecurity on cognition on the one hand, and lack of access to affordable and appropriate care that recognizes deprivation, marginalization and intergenerational trauma (especially for historically oppressed communities) of persons from marginalized communities and Below Poverty Line Families with mental health issues on the other, perpetuates a cycle of distress and exclusion.

The persons living with mental illness (PLMI) have needs that are divergent and non-linear, and conditions ranging from depression and anxiety to severe mental illnesses, organic conditions, and age-related mental health conditions including dementia, need to be addressed. While mental health may now receive the sort of attention that it deserves, the legacy of stigma is determined and only concerted efforts to promote community inclusion can break the shackles of stigma. This combination of lack of nuance in care plans that lend themselves to person-centred responses and inaccurate societal perceptions resulted in limited social and cultural participation and further perpetuating of alienation, exclusion and loneliness. While investments grew in the field, they were still found lacking and were largely focused on sustaining exclusionary biomedical responses.

Research, meanwhile, had gradually expanded from a mental illness focus to include public health, social sciences, humanities and the neurosciences. While a few significant outcomes have been realized that have influenced the development of care approaches, the essentiality of demonstrating efficacy and more importantly effectiveness in the real world remains underwhelming. Furthermore, mental health remained a topic of discussion relegated to academic quarters, predominantly amongst service providers, with minimal inputs from persons with lived experience and caregivers and those engaged in implementation.

Mental health, as we know is much larger than inpatient and biomedical care, and requires psychological, social, occupational, educational, economic, religious/theological, philosophical, political and ecological inputs and interactions to facilitate well-being and promotion of individual capabilities. Some of the domains mentioned above have only recently begun to feature in the research and service discourse for persons with mental illness. However, a focus on public mental health and social care, with the initiation of diverse models and innovations that influence multifactorial facets of mental illness and that are culturally resonant have been tested by various civil society groups, ranging from mental health professionals and researchers to lived experience experts – all of whom have fostered collaborations to support the mental health sector. From deinstitutionalisation to community care to social care innovations and civil society participation, the mental health sector today

perhaps uses lived experience and caregiver advocates largely, many of them, leaders in the civil society space.

### **REHABILITATION OPTIONS**

NGOs have played a crucial role in all of the areas mentioned above. Initiated in 1964, Medico Pastoral Association (MPA), the first mental health NGO in the country led the way in community-based care through the establishment of half-way homes, responding to a growing need in the country. Basic Needs India, Richmond Fellowship Society, Paripurnata and Parivartan amongst others have made significant contributions to the creation of halfway homes and community-based rehabilitation options in India.

### **TRANSFORMING MENTAL HOSPITALS**

Pioneers including Dr. Vidya Sagar and Dr. Sarada Menon were amongst the first in the country to begin changing the face of institutions in the country. Dr. Vidya Sagar, in the 1950s, was instrumental in setting up open wards and facilitating family-based treatment at the mental hospital in Amritsar, and Dr. Sarada Menon's efforts were crucial in bringing about greater transparency, adherence to human rights tenets, and integration of comprehensive rehabilitation packages at the Institute of Mental Health, Chennai. Dr. Menon subsequently went on to establish the Schizophrenia Awareness and Research Foundation (SCARF) in 1984, an institution that has since played a key role in offering institutional care (among several other contributions towards mental healthcare).

In the decades that followed, organisations such as Anjali Mental Health Rights, and Tata Trusts stationed themselves out of Pavlov Hospital in Kolkata and Nagpur Mental Hospital to facilitate exit pathways for patients stuck in institutional care through family reunification programmes, an integration into community-based living options. These efforts gained increased momentum in 2016, when a Supreme Court of India ruling mandated exit plans for clients from hospital-based settings into community-based living options, in case of period of stay over a year. The court ruling was in response to a petition filed by Adv. Gaurav Bansal to promote community living for persons with mental health issues, in line with Article 19 of the United Nations Convention on Rights of Persons with Disabilities. India is home to 43 mental hospitals, and while many of them are not in the finest of conditions, much has improved thanks to the efforts of volunteers, individuals from within the Government system, the health departments and with support from organisations such as SCARF, The Banyan, Chellamuthu Trust, Saumanasya, Sanjeevani, etc.

### **DISTRICT MENTAL HEALTH PROGRAMME (DMHP) AND MENTAL HEALTH CARE OPTIONS IN PRIMARY CARE**

DMHP is a decentralized community-based mental health programme conceptualized and field tested between 1985 and 1990 in the district of Bellary. Evaluation of this approach revealed very encouraging results, as close to 42% of the expected neuropsychiatric morbidity in 1.2 million population received continuous care through the work of primary

health care institutions. Currently, there are 723 DMHPs out of 766 districts and the funds are released through the National Health Mission. However, the DMHP, although largely a medically robust model, faces several implementation challenges, and is currently augmented by organisations across India, each using unique ways to promote early identification of distress and ill health, and facilitation of appropriate referral pathways to mental health and social care service access points.

Several public-private-partnerships (PPPs) have been initiated to support the DMHP. Karuna Trust based in Karnataka extended its services across 70 Primary Health Centres in 7 states servicing a population of 1.5 million persons. Altruist Foundation, an organization based in Gujarat pioneered a model that integrated spiritual healing and medical support in collaboration with the Hazrat Saiyed Ali Mira Data Dargah in Unnava and has reached out to over 2 lakh individuals since its inception. Chellamuthu Trust also worked with faith-based organizations to integrate the Dava-Dua model of care, which places equal emphasis on religious and biopsychosocial modalities of care in Madurai and Ramanathapuram districts, Tamil Nadu. By demonstrating transformation in individuals who sought mental health care, these organizations were then able to forge important partnerships with the Government to augment the district mental health programme through expansive rehabilitation packages that facilitated community inclusion.

Similarly in Madhya Pradesh, the Gramin Adivasi Samaj Vikas Sanstha (GASVS) works in 80 villages in Sausar block along with the Hanuman Mandir to conduct outpatient clinics and community mental health programmes, servicing a population of over 1.3 lakh individuals. GASVS have also federated 11 client and caregiver groups that advocate for access to employment options and social entitlements. The Arulmigu Prasanna Venkatachalapathy Temple in Gunaseelam has, for over 50 years offered faith-based mental health treatments, in collaboration with mainstream psychiatric facilities in rural Tamil Nadu.

The Schizophrenia Awareness and Research Foundation (SCARF) runs telepsychiatry facilities in rural Tamil Nadu to promote access to care, covering 7 districts and 5.2 lakh individuals in coordination with local DMHP programmes.

In a noteworthy move, Panchayats in Kerala have played an important role in the disability and palliative care sectors through which they have integrated mental health services in the community through Public Private Partnerships. MEHAC Foundation, MHAT, Thanal and other organisations have adopted this approach covering almost all of the State of Kerala.

In the context of community mental health care, indigenous communities form a highly vulnerable group, linked to historical marginalisation, and a complex process of adaptation to rapid cultural shifts. Ashwini, Tribal Health Initiative, Ekjut, Keystone Foundation, Nilgiris Adivasi Welfare Association amongst a few others have carried out pathbreaking work in bringing mental healthcare access to tribal communities and a few have integrated

indigenous healing practices into mainstream treatment paradigms. Ashadeep society is amongst the first organisations in the North East to develop comprehensive community mental health programmes in Assam. Models developed at Chandigarh, Ballabgarh, Sakalvara, Bellary by PGI/AIIMS/NIMHANS and the ideas of Satyanand, Masani, Kapur, Wig, RS Murthy, Issac, CRC, Chakravarthy etc which allowed the idea of working with local traditions (using Anthropology/Kapur); NHS like (Wig); bureaucratic policy making (Issac/Murthy)

A challenge in the Indian context is that demand and supply chains are skewed, with demand surpassing supply. India has only 0.80 psychiatric nurses, 0.29 psychiatrists, 0.07 clinical psychologists, and 0.06 psychiatric social workers for every 1 lakh population, (WHO, 2017). Given the large treatment gap in the country and the lack of available human resources to bridge this gap, it is important to take on a task-shifting approach, which involves training primary care and community health workers to take on some health care responsibilities that specialists typically deliver. The Atmiyata model by the Centre for Mental Health Law and Policy (CMHLP), the MANAS trial by Sangath and the NALAM approach by The Banyan have been crucial in promoting and strengthening task-shifting approaches and addressing the care gap.

### **SUICIDE PREVENTION**

Linked to various psycho-social concerns, alarmingly high suicide rates are being observed globally and nationally. Over 7,00,000 people globally die by suicide every year. (World Health Organisation, 2021). Data published by the National Crime Records Bureau (August, 2022) indicated that a total of 1,64,033 suicides were reported in the country in 2021, and that this number had increased by 7.2% in comparison to the previous year. Suicides are observed to be most common among men experiencing challenges linked to unemployment and loss of income, daily wage earners, women experiencing dowry-related family problems, and young adults experiencing academic failures and relationship problems. The Global Burden of Disease Study (GBD) 1990 - 2017 has also pointed out that suicide was the leading cause of death in India for those in the age groups of 15–29 years. Hence, deaths by suicide contribute to a serious public health challenge and require urgent, comprehensive interventions. In this context, organisations such as SNEHA and the Centre for Mental Health, Law and Policy (CMHLP) have been instrumental in driving a suicide-prevention strategy, also contributing to policy and legislation (through the decriminalisation of suicide and developing a nationwide suicide prevention policy).

### **ACCESS TO CARE FOR SUBSTANCE USE DISORDERS**

Increased use of and dependence on substances over the years, has become a pressing challenge in India. The prevalence of opioid use in India is three times the global average. (Ray R, 2004). A study conducted by the Ministry of Social Justice and Empowerment in 2019 suggests that at least 2.9 crore individuals require support for dependence on alcohol, and at least 4.6 lakh children, for dependence on inhalants. This is a critical concern,

considering the bidirectional link between heightened substance use and several physical and mental health concerns. To respond to these challenges, NGOs have played a central role in creating rehabilitation facilities for persons in distress owing to substance use disorders. In addition, many NGOs also offer support towards managing co-morbid challenges such as HIV-AIDS and hepatitis. Some of the key players in this domain are TTK Foundation, Chennai, Mind Plus, Punjab, Kripa Foundation, Mumbai, Sambandh Foundation, New Delhi and Gunjan Organisation for Community Development.

### CHILD AND ADOLESCENT MENTAL HEALTH

Responses to the mental health needs of children began through day care centres for children with physical and intellectual disabilities, and have since grown to cater to childhood traumas, abuse, and specific behavioural concerns including, substance abuse, self-harm and suicide. Organisations such as Spastic Society of India, Salaam Baalak, Tulir, Chetna, Aangan Trust, Arpan, Sangath, Rainbow Homes, Nalandaway have forged the path for comprehensive mental health services for children and young adults, including but not limited to day care centres, awareness and school mental health programmes, mentorship initiatives and emergency care. Children with parental mental health issues, are cared for as an extension of community-based services in several organizations, however, specialized focus is needed to respond to the unique mental health concerns of this cohort.

### GENDER AND SEXUALITY

Women and sexual minorities have confronted structural barriers and oppression for generations. Mental illness as a label and subsequent incarceration was the lot of this group as a response to any form of rebellion against established patriarchal norms for at least 2 centuries. Paradoxically, any help seeking behaviour for standalone mental health concerns and/or those emerging from abuse and violence continue to be actively discouraged by families and members from the community. Organisations such as Anjali Mental Health Rights, Sri Mukti Sangathana, SNEHA Mumbai, PCVC, Prerna have contributed significantly to bridge this care gap and respond to the specific mental health needs of women.

Homosexuality was featured as a disorder in the Diagnostic and Statistical Manual of Mental Disorders until 1973. In India, Article 377, that criminalised homosexuality was abrogated only in 2018. LGBTQIA+ communities continue to be stigmatized, marginalized and subjected to several forms of abuse. Moreover, mental health interventions largely existed in the form of 'conversion therapies' causing unimaginable distress to individuals and the community as a whole. The Mariwala Health Initiative and the Tata Institute of Social Sciences, Nirangal, The Queer Muslim Project, Queerabad, Queergarh, Y'all, the Resistive Alliance of Queer Solidarity, have carried out pioneering work in creating Queer Affirmative Counselling Practices that aim to alleviate the distress, ambiguity and shame to which these communities were subjected.

## CARE FOR HOMELESS PERSONS WITH MENTAL HEALTH ISSUES

Missionaries of Charity (MoC) has been one of forerunners in caring for the most marginalised, even amongst those who are mentally ill, the homeless. With establishments across the country, MoC has reached out to over 10 lakh individuals from the streets, offering humanitarian services for the homeless mentally ill. Others include Ishwar Sankalp, The Banyan, Ashadeep Society, Green Dot Trust, Maria, Sadanam, Brothers of Charity to name a few. Apna Ghar in Bharatpur has created a community to cater to the needs of 4000 homeless persons with mental health issues, other disabilities, children and the elderly, offering a range of medical and social support services.

There are approximately 600,000 homeless persons with mental health issues sleeping rough in India, and an additional 3000 in state mental hospitals in the country. Most studies of 'beggars homes'; night-shelters etc also uniformly talk of 30-50% SMI, so one can estimate that at least a 2-3 lakh represent those with SMI. Ensuring that they get the proper treatment should be a focus, especially for the elderly and those with multiple disabilities. The Banyan has further partnered with the Government of Tamil Nadu (TN) and a local Panchayat in Kerala to service the most marginalised in addressing their acute care needs by offering them crisis support, in patient care, social needs care and community re-entry and livelihood options besides their self-operated units through partnerships with the National Health Mission, the Govt of TN, local CSOs and IMH, Chennai. This has the capacity to service close to a thousand persons annually.

## ELDERLY

India's elderly population is rising from 8.6% in the 2011 census to 12.5% by 2030, almost 20% by 2050, and a little more than 25% by 2061. Mental health care for the elderly, those with Dementia, chronic Schizophrenia and other disabilities is gaining increasing focus, through organisations such as HelpAge India and SCARF (through the DEMCARE project).

## RESEARCH AND EDUCATION

Organisations such as Schizophrenia Research Foundation (SCARF), Sangath, Banyan Academy of Leadership in Mental Health (BALM), Centre for Mental Health Law & Policy (CMHLP), Search, Ekjut, St Johns Institute, Krea University etc have been involved in initiating various trials that strengthen public mental health approaches, long-term inclusive care options, biomedical responses etc. SCARF was also responsible for developing IDEAS, a tool that is used to measure the extent of disability based on which disability certification was made possible. BALM's attempts at developing inclusive living options for persons with moderate to severe disabilities through Home Again, have now been validated by the World Health Organisation in 2021, as has the Atmiyata approach initiated by CMHLP that supports persons with mental health issues.

Pioneering research has been carried out by non-governmental organizations in India to transform the face of mental health and integrate evidence-based and person-centred

services into mainstream care. Several organisations mentioned in this report engage in research and capacity building and have created important leadership programmes to create a cadre of mental health professionals in the country and bridge the glaring human service professional gap. There are currently 0.1 mental health professionals for every 100,000 individuals with diagnosable mental health conditions in the country. NGOs have also made huge strides in the field of child mental health, through school and college mental health programmes, life skills training, early identification and treatment. Anubuthi Trust and Blue Dawn have made important strides in mental health education and advocacy, especially amongst Dalit, Bahujan and Adivasi (DBA) communities. Belongg is an online learning platform focusing on intersectionalities in mental health, amongst the first the country.

**Schools of Social Work and Social Sciences:** Various institutions that offer courses in social work and psychology have initiated programmes that build human resources in the mental health and social care sectors. These institutions also initiate field/ social action programmes that allow for engagement with persons with mental health concerns in rural, peri urban and urban areas through partnerships with the State or CSOs. Several programmes such as Tarasha, that facilitate exit options from mental hospitals into the community through half-way homes Koshish and Integrated Health and Rural Development Project (Pragati) initiated by the Tata Institute, and counselling centres and social action programmes for the homeless initiated by the Madras School of Social Work amongst others are exemplar contributions of educational institutions in fostering social justice and transformation.

### PEER AND CAREGIVER LEADERSHIP

Peer and caregiver groups are central to transformative care in the mental health sector. Focus on co- production of knowledge that informs care plans, policy and advocacy efforts is now instrumental in driving change in the sector. Peer and caregiver-led programmes run rehabilitation services, engaged in stigma reduction efforts, and most importantly encourage persons with lived experience to share their perspectives and insights with a larger audience, shattering misconceptions and promoting social inclusion and participation.

Caregivers are the most important mental health service providers, and yet, do not receive any recognition or resources from the state, despite provisions in the Rights of Persons in Disability Act 2016. They, as a result, tend to focus on existing preoccupations and emergencies related to caregiving duties, leaving behind a huge vacuum in service provision, policy and advocacy. Similarly, persons with mental health issues are an important workforce in mental health care, including mental hospitals. Their compensation is minimal to nil, creating a roadblock in achieving financial independence and dissuading them from further participation in the workforce.

Organisations such as Action Care for Mental Illness, Schizophrenia Awareness Association, Sambandh Foundation and ASHA were founded by caregivers to create spaces for advocacy and social action programmes that respond to caregivers' greatest preoccupation – "What

after me?”. These include day care and long-term facilities offering graded levels of support for persons with mental health issues and intellectual disabilities.

### **LIVELIHOODS**

Atma Nirbhar, an offshoot of Asha, has created a range of employment options for persons with mental health issues in Chennai. This includes employment placement, facilitation of self-employment through petty shops across the city, and by extension counselling services to prevent attrition and prolonged absence from the workforce.

One of the most important achievements of the non-profit sector in mental health was the integration of persons with mental health issues and other disabilities into the Mahatma Gandhi National Urban Livelihoods Mission in 2012, through a time and motion study conducted by 4 NGOs in Tamil Nadu.

### **RIGHTS, POLICY AND LEGISLATION**

The Disability Rights Alliance (DRA) and EQUALS, based out of Tamil Nadu have carried out pathbreaking work in recognizing the citizenship of persons with mental health issues in the country. Through their advocacy efforts, persons with mental illness (PWMI) are now able to access Aadhar cards, voter's IDs and have begun voting in municipal, state and union elections from 2018 onwards.

Between 2012 and 2018 was an important period for mental health in India, when a new mental health policy and mental health legislation was introduced in India, led by the Government in partnership with several important mental health stakeholders from the civil society including representatives from Sangath, CMHLP, The Banyan, St Johns, ACMI, Sitaram Bhartia etc. The Indian Mental Health Policy outlines mental health as a basic right to health and therefore holds the state accountable to provide for any person in need of mental healthcare. It also emphasizes the importance of improving workforce participation and overall quality of life and thus mandates convergence between the health and social sectors and recognizes the importance of social entitlements in addressing social determinants.

### **ROLE OF PHILANTHROPIES IN MENTAL HEALTH**

As mental health continues to be marginalized, contributions of philanthropies that recognized and responded to the resource gap must be acknowledged. Tata Trusts, Azim Premji Foundation, Mariwala Health Initiative, HCL Foundation, Bajaj Finserv, Sundram Fasteners Limited, Paul Hamlyn Foundation India, Rural India Supporting Trust, Rangoonwala Foundation of India Trust, Thakur Foundation, IDFC First Bank, Cognizant Foundation, Hans Foundation to name a few, have engaged with the mental health sector over a period of time, and across geographies.



# **Chapter 9**

## **NGOs @ 75: Civil Society Initiatives for Persons with Disability**



## NGOS @ 75: CIVIL SOCIETY INITIATIVES FOR PERSONS WITH DISABILITY

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In India the state has always relegated persons with disabilities to the sidelines of neglect and charity, with the sole mention of disabled people in the Constitution of India being in Article 41 which stipulates that, 'The state shall, within the limits of its economic capacity and development make effective provision for securing the right to work, to education, and to public assistance in cases of unemployment, old age, sickness and disablement' (Advani 1997).

The policies of the state are paternalistic, expressed through providing welfare to persons with disabilities, in the form of residential institutions, hospitals and special schools for the rehabilitation of the physically disabled, primarily the blind, crippled and deaf people (Ghosh 2016).

Most of the programmes initiated for the welfare and rehabilitation of disabled people were implemented through voluntary organisations in different parts of the country, without any direct commitment towards bringing about changes at the social or political levels. While colonial efforts in the pre-Independence period focused on collecting census data on disability from the first census in India in 1872 to 1931, the categories included were limited, as knowledge about disability categories was still evolving at that time. Colonial and missionary initiatives of this period concentrated mostly on the deaf and the blind with schools and skill training introduced for these groups of disabled people. The schools were primarily secondary level which indicates the focus on higher education for disabled persons as a need in the colonial period. While most of these efforts were in west and south India, there were a few notable efforts across the country too, started by colonial missionaries and Indians, possibly trained in or exposed to western methods and ideas. There are also instances of residential homes for persons with intellectual disabilities in Mumbai and a residential school for such children in Darjeeling. What is important is the emergence of a consciousness among these civil society organisations in raising questions of building self-confidence and a sense of purpose for disabled people.

In the post-independence decade till about 1960, the previous efforts were sustained and schools and training centres for the blind, deaf and the physically disabled cropped up across the country. Along with education, rehabilitation became a major focus with a stress on medical treatment and aids and appliances in tandem with the global progress in these domains. Most efforts were still concentrated in west and south India and an interest in addressing cross disability concerns emerged in many of the NGOs. These efforts replicated the policy thrust of that period, with the government encouraging civil society organisations

in local areas to take responsibility for different aspects of the rehabilitation of the physically disabled, and sensorily disabled such as the blind and the deaf. However, the efforts for the blind and somewhat for the deaf dominated the scenario at that point of time, with multiple organisations being set up for education, rehabilitation, skill development and employment.

In the decade of 1960s, along with the existing efforts for education and rehabilitation, focus shifted to intellectual disabilities as parents started to raise questions of education and livelihoods. This period saw the emergence of the first day-care centres, in urban areas where parents needed to go out for work and the services responded to such needs. Many NGOs working with children and adults with intellectual disabilities focussed on building an atmosphere of harmony, learning and participation. Organisations led by doctors and social workers highlighted not just issues of education, training and rehabilitation, but also stressed awareness generation and prevention of disabilities. This period witnessed the proliferation of special schools and some research wings to study the cause and prevention of mental disabilities and to find ways for their rehabilitation. Some of these organisations also started to provide residential facilities for children with intellectual disabilities. Efforts of civil society partners diversified into providing rehabilitation support, education and vocational training, employment with income generating options, physical restorative services, awareness campaigns and advocacy for the rural disabled.

The nascent disability movement became visible in the decade of the 1970s - associations of persons with disabilities emerged along with the continuing efforts of NGOs where questions of job reservations, empowerment and awareness became more important as goals of education were reached and educated disabled persons entered the job market. Attention also shifted to the more intensive interventions for persons with multiple disabilities like Cerebral Palsy and deaf/blindness. This period also saw the widespread promotion and use of Indian Sign Language as a medium of communication of the deaf in India. While many NGOs were working on issues of disabilities, parents' associations, disabled people's organisations (DPOs) and organisations started by persons with disabilities themselves started during this decade, to highlight the major concerns of the disabled people in India. Till this point of time, the government's efforts were limited only to setting up some of the national institutes, allocating funds for disability rehabilitation programmes being implemented by NGOs and CSOs and half-hearted efforts at monitoring the work of these organisations. It was during the end of this decade that the first efforts to frame a law for persons with disabilities was taken up by many of the disability advocates. Such advocacy efforts also stimulated a demand for collection of disability data during Census enumeration, which led to the inclusion of disability as a category in the 1981 Census of India.

From 1980s onward, disability efforts spread to rural areas in India, with the concept of Community Based Rehabilitation (CBR) coming in with evidence from Census 1981 showing that persons with disability were primarily located in rural areas. While the efforts to

educate and promote employment for persons with blindness and deafness continued, NGO-run centres for surgical interventions and aids and appliances for disabled people living in rural areas, started emerging on the outskirts of major cities. There was also an increasing awareness and interventions for intellectual disabilities and persons living with autism (then referred to as mental retardation). These efforts were further stimulated in the 1990s by the passing of the Rehabilitation Council of India Act in 1993 and the Persons with Disabilities Act of 1995. The civil society efforts also included leisure activities like car rallies for the blind, social rehabilitation of all persons with disabilities, talking libraries etc.

The visibility of disabled people as self-advocates, of the 1990s, is an outcome of the efforts of civil society organisations in the previous decades. CSOs and disability activists together campaigned for a comprehensive law to promote and protect the rights of persons with disabilities. The Persons with Disabilities Act of 1995 enabled CSOs to take up the gargantuan task of spreading awareness about the law and ensure that disabled people started accessing the legal provisions. Using the thrust of the law on education, training and employment for persons with disabilities, these NGOs/CSOs started market friendly skill development programmes so that disabled people across the country had access to livelihood. At the same time, the law gave them a tool to press for counting persons with disabilities during Census operations and from 2001, there is all India level data on persons with disabilities available for intervention, research and advocacy purposes. The continuous engagement of parents' associations also created the space for dialogue with the government regarding care and protection for particular groups of persons with disabilities, which led to the passage of the National Trust Act of 1999. Responding to global developments and the influx of international agencies in India, the disability movement received a boost for demanding services and access to rights available to all other marginalised groups.

At the core of the disability sector in India, therefore, are the civil society organisations that have promoted the inclusion of persons with disabilities in all aspects of social living from health care, education, rehabilitation to employment and livelihoods. In the 2000s, these efforts extended to engaging with questions of rights of persons with disabilities beyond the social and economic rights to political rights and entitlements for leisure, recreation, community inclusion etc. It has been the CSOs/NGOs/DPOs that have brought to the forefront and pushed the government to recognise the invisible or 'lesser' disabilities and bring in provisions for them, and to use the law to ensure that the provisions of the different policies and programmes are implemented at the ground level. For example, in 2004, Disability Rights Group, a cross disability advocacy group, filed a PIL that led to a landmark judgement by the Supreme Court making all polling booths accessible including equipping electronic voting machines (EVMs) with Braille.

The disability sector in India, comprising diverse organisations working with persons with disabilities, CSOs, DPOs and disability advocates received a fillip in 2007 in the form of

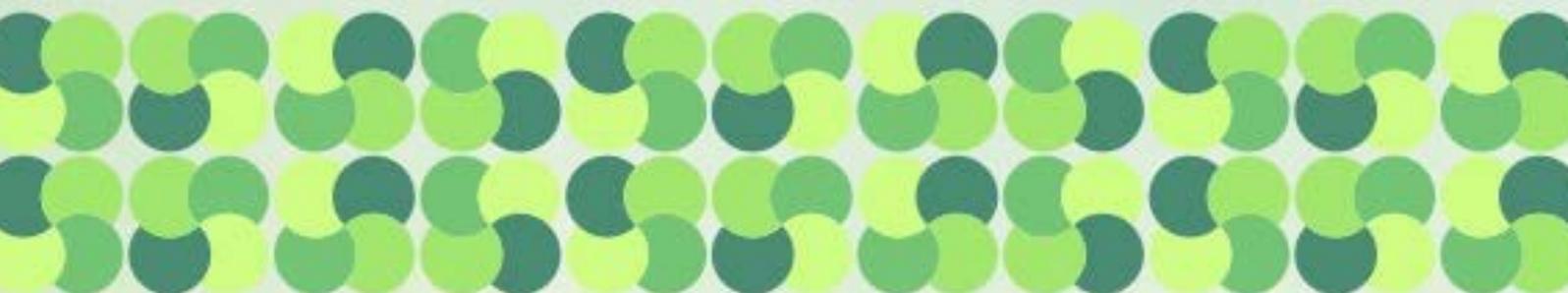
United Nations Convention on the Rights of Persons with Disabilities (UNCRPD). This UN intervention enabled them to campaign with the Indian Government for a law that enshrined the principles of inclusion and accommodation for persons with disabilities and directed the government to take responsibility along the lines of the UNCRPD to ensure that disabled people are treated as equals by Government and society. As the Government dragged its feet in passing the new law on rights of persons with disabilities, the disability sector, now extending beyond the urban to the rural grassroots levels, DPOs and CSOs highlighted their concerns and were able to ensure that the Rights of Persons with Disabilities Act was passed in 2016. However, the implementation of the law has been slow till date and the dream of inclusion, of access and of equal opportunity and participation are yet to be realised. Hence Disability in India @75 promises more action and advocacy to ensure that the government owns up to its responsibility and upholds the promises made to citizens with disabilities. The Government will have to ensure accessibility of persons with disabilities to all public and private spaces. The civil society must work in collaboration with the Government, to bring about changes in attitudes and norms of society so that the capacity of disabled people to participate fully and optimally in communities is ensured, while recognising that certain support systems must be put in place for those who require it.

## CONCLUSION

Non-governmental organizations have been crucial to the growth of the mental health sector in India, in building a sense of community, facilitating culturally congruent, last mile service delivery and in centre staging equity, social justice and participation as key values in care protocols. As indicated in the introduction, multimodal interventions to promote wellbeing are becoming accessible for persons with diagnosable mental health conditions, after ceaseless efforts by NGOs, private sector organizations and the state. There is, however, a long way to go in ensuring last mile access to under-served communities in psychosocial distress. This will only be possible by recognizing the contributions of each stakeholder, and in ensuring that resources are accessible without bureaucratic hurdles standing in the way of meaningful work. Unless the MH needs of vulnerable groups are addressed, the vision of the SDGs such as gender parity, poverty reduction, housing security etc. may not be advanced with the sense of urgency that it deserves.



**CHAPTER 10**  
**CHILD RIGHTS**  
**A DEVELOPMENT SECTOR**  
**REPORT**



## CHILD RIGHTS - A DEVELOPMENT SECTOR REPORT

Bal Raksha Bharat

### INTRODUCTION

Ancient India's earliest religious texts advocated equal rights for men, women and children. But children were overlooked until the early nineteenth century when social reformers went about actively improving the plight of children, specifically the girl child. India's Independence in 1947 and the adoption of Constitution of India in 1950 brought about specific provisions around survival, development and protection of children. In 1974, India declared children as the nation's most precious asset through the National Policy for Children.

Following the United Nations Convention on the Rights of the Child (UNCRC) in 1989, the Government of India has adopted a National Plan of Action for Children in 1992 and taken several measures for improving the lives of children across the country. The UNCRC outlines basic children rights as being classified into four categories i.e., Survival, Protection, Participation and Development. Since Independence, India's progress in ensuring child rights has been commendable on several fronts, with greater attention required in some areas to meet the SDG 2030 agenda. Civil society organisations (CSOs) have partnered along with the Government on this important journey of upholding the rights of children and will continue to do so going forward.

### CONTRIBUTION OF CSOS ON DEVELOPMENT OUTCOME

In the child rights ecosystem, the Government provides the necessary infrastructure in the form of legislative policies and programmes with financial and physical outlay. To support the successful implementation of these initiatives and ensuring inclusivity, CSOs have extended their valuable and critical support through:

**Awareness generation and capacity building initiatives:** CSOs have always supplemented Government initiatives by creating large scale awareness on the public schemes and supporting vulnerable communities in accessing them. CSOs have also constantly engaged with frontline workers including Anganwadi workers, Accredited Social Health Activist (ASHA), Urban Slum Health Action Programme (USHA), Auxiliary nurse midwife (ANM), teachers, local elected representatives (Panchayati Raj institutions/urban local bodies) in building their capacities to effectively deliver the Government provisions to the eligible population.

**Service Delivery:** CSOs bridge the gap between communities and the Government, both from the side of communities demanding their rights as well as on behalf of the Government by facilitating government services access to the communities and children, especially the most marginalised population sub-groups, so that no one is left behind.

**Responding To Humanitarian Crisis:** CSOs have always provided their support in reaching out to vulnerable families (including children) during natural disasters or any other humanitarian crisis. In recent times, during the widespread distress owing to the COVID-19 pandemic, CSOs in India came forward to help with distribution of food and dignity kits to the marginalised communities across the country. There were also dedicated efforts to support the Government in increasing vaccination uptake across India.

### CONTRIBUTION OF CSOS IN POLICY-MAKING

CSOs in India have contributed to advancing child rights through policy-level changes, through their sustained advocacy, public engagement and network initiatives. Some critical contributions include:

**Contribute to Progressive and Inclusive Legislations:** CSOs draw attention of the state and policymakers to the most pressing needs of children and contribute to critical legislations such as making education a fundamental right in the form of Right of Children to Free and Compulsory Education Act (2009). CSOs made substantial contributions in transforming The Juvenile Justice Act (2000) into Integrated Child Protection Scheme (2006), especially the component of 'preventive mechanism' and 'non-institutional care' which have been advocated by the CSO representatives in the committee providing technical inputs in drafting of the scheme.

**Demonstrating success of community-based interventions which the State has adopted for scaling up:** An impressive example is the adoption of the home-based neonatal care (Home Based Newborn Care (HBNC)) - a low-cost approach developed and tested by SEARCH, a reputed organisation working in rural *Gadchiroli* (Maharashtra) - as part of Government of India's National Rural Health Mission (NRHM). Another example is CHILDLINE, an initiative by Prof Jeroo Billimoria from the Department of Family and Child Welfare, Tata Institute of Social Sciences (TISS) Mumbai. The helpline was initially set up for children living and working on the streets of Mumbai which was later scaled up to different cities of India by the Ministry of Social justice and Empowerment. Later, in 2006-07, the Ministry for Women and Child Development (MWCD) granted the exclusive 'Nodal Mother NGO' status to CHILDLINE India Foundation and set up CHILDLINE services across the country.

### CHALLENGES FACED

Some key challenges faced by the CSOs in making a significant impact to the present situation include: the inability of many CSOs to work at scale, demonstrate success and capture impact of their work effectively; limited resources (financial, human, institutional); limited efforts or facilitation for developing strong partnership and trust between governments and CSOs; and restricted opportunity to strengthen capacities of CSOs to adapt and respond to emerging realities, like shift to more cost effective, technologically-enabled service delivery models .

## WAY FORWARD

To ensure greater momentum on Child Rights in India, in keeping with the 2030 SDG agenda, it is critical that the role of CSOs is strengthened and acknowledged. This can only happen if:

1. Government and non-government collaborations are strengthened with clear accountability and a mechanism through which responsibilities can be shared.
2. Stronger platforms are built so that CSOs can engage with the Government and create an enabling environment for civil society action.
3. CSOs forge partnership with other critical stakeholders, including private sector, media, citizen and children collectives, think tanks to leverage their unique strengths and strengthen the agenda for child rights.
4. Greater attention, resources and partnerships are focused upon, to ensure ongoing capacity building of CSOs, to respond to emerging realities and opportunities on child rights, including influencing enhanced public investment and expenditure on children.

**Community based child protection institutions:** The journey of Juvenile Justice Act (2000) transforming into Integrated Child Protection Scheme (2006) received substantial contributions from the CSOs. Specifically, the components of 'preventive mechanism' and 'non-institutional care' have been advocated by the CSO representatives in the committee providing technical inputs in drafting of the scheme. The decentralised community-based child protection mechanism at village level in the form of Village Level Child Protection Committees (VLCPC) have been strongly demonstrated by preventive initiatives of CSOs.

## INNOVATION IN CHILD RIGHTS

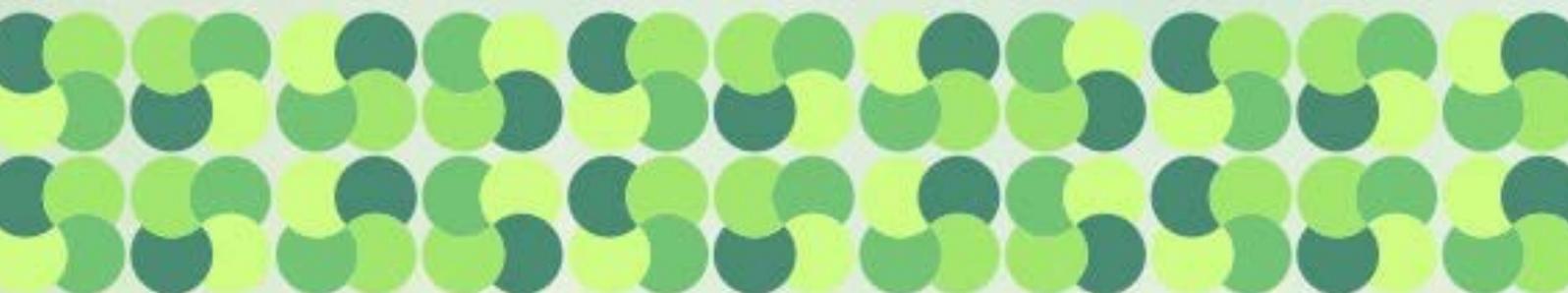
**CHILDLINE (Helpline for children in distress):** CHILDLINE was an initiative started by Prof Jeroo Billimoria from Department of Family and Child Welfare, Tata Institute of Social Sciences (TISS) Mumbai. The helpline was initially set up for children living or working on the streets of Mumbai which was later scaled up to different cities of India by the Ministry of Social Justice and Empowerment. Later, in 2006-07, the Ministry for Women and Child Development (MWCD) granted the exclusive 'Nodal Mother NGO' status to CHILDLINE India Foundation and set up CHILDLINE services across the country.



# **CHAPTER 11**

## **NGOs**

### **for Age Care in India**



## NGOS FOR AGE CARE IN INDIA

**Dr. Anupama Datta**, Head -Policy Research and Advocacy, HelpAge India

NGOs or voluntary organizations, with their deep connect with the community, serve as the catalysts for social change and development. They play a critical part in developing society, improving communities, and promoting citizen participation. Since they have close proximity with the grassroots of communities, they also serve as extended arms for the Government in delivery of its services for the benefit of the community. NGOs act on various areas and themes which are relevant for social change and development, and caring for the aged is one of the most crucial themes on the rise in the Indian community.

As per [Population Projections for India, Report of Technical Group on Population Projections](#), India has around 140 million people aged 60 years and above, at a proportion above 10% of the total population. During 2000-2050, the overall population of India will grow by 56% while the population aged 60+ will grow by 326%. During the same period, the population aged 80+ will grow 700% with a predominance of widowed and highly dependent very old women. The number of older women compared to the number of older men will progressively increase with advancing ages from 60 through 80 years. A majority of 71% of the elderly population lives in rural India and 29% in the urban. Factors like literacy level, economic independence, age-old dependency ratio, diseases and other health impacts vary. Hence, the need for action for caring for the aged, and their socio-political and economic well-being is of utmost necessity in the Indian context.

There are several NGOs working for the welfare of the Indian elderly, apart from the initiatives undertaken by the government, extending support to these initiatives, as well as filling the gaps left by these initiatives. However, the extent of NGO involvement in elderly care in India is a meagre 3%. Helpage India, one of the major NGO's in age care are focused on direct interventions in the areas of Healthcare (mobile healthcare units, cataract surgeries), Age care (helplines, senior citizen care homes and day-care centres, physiotherapy), Livelihoods (elder-self-help groups; linkages with government schemes), Disaster Response (e.g. Covid19 relief response), as well as Advocacy and Awareness on rights and policies relating to elders.

### ADVOCACY INITIATIVES IN AGE CARE - GOOD PRACTICES

HelpAge India (HI) is involved with knowledge dissipation, livelihood opportunities with elderly as well as working closely with schools to change the outlook towards the old population in India. HelpAge India works with around 5560 Senior Citizen Associations across the country with the intent to empower the elderly population to be voices for their own rights. For this, HelpAge India conducts awareness sessions and knowledge development on issues such as pensions, reverse mortgage, financial planning, wills and legalities. In many districts, HI works with the District legal Services Authority to raise awareness of legal rights.

Apart from these, HI plays the role of representing the causes of the elderly at the systemic level to the government, by being the platform for the elders to bring their concerns and issues in the scope of policy making and framework. The organisation has been a pioneer and active catalyst for the formulation of the National Policy of Older Persons 1999 and has also been an active contributor to the revision of the policy and formulation of National Policy for Senior Citizens. HI has also been in the forefront for the enactment and implementation of Maintenance and Welfare of Parents and Senior Citizens Act, (MWPSCA) 2007, and its revision in 2011.

Moreover, HI also conducts research on areas related to the welfare and well-being of the elderly, including annual nation-wide research on elder abuse. These studies play a crucial role in highlighting the concerns of elderly and bringing that into the purview of policy interventions. It has also conducted a research study on the effectiveness of MWPSCA 2007 in 2017, and released a report titled “Preliminary Study on Effectiveness of Maintenance and Welfare of Parents and Senior Citizens Act, 2007.”

HI provides technical assistance to the government, both central as well as state governments, for initiatives related to elder causes, as an active and contributing member to various committees and core groups created by various ministries and departments on issues related to elder well-being.

At the state level too, HI advocates for the rights and entitlements of the elderly and represents their causes in various local government initiatives. At the state level, the organization’s robust network of state teams engages consistently with the local governments, departments, and other stakeholders for the betterment of the elder community. HI has been the advocate of formulation of State Policy on Older Persons in all the states where it has been implemented and is still pushing for its formulation and implementation in other states too. HI and its team in different states are advocating for policy level changes for the benefit of elderly and are part of various state level committees and groups too, most importantly, for State Policy on Older Persons, and State Committees for Maintenance and Welfare of Parents and Senior Citizens Act 2007. Some of the other contributions at the state level includes being the NGO member in Integrated Programme for Senior Citizens, Grant-in-Aid, by Government of Tamil Nadu, member of State Planning Commission for Elderly, Government of Tamil Nadu, Bihar State Head of State Council of Senior Citizens formed under MWPSCA 2007, State level Monitoring Committee under MWPSCA in West Bengal, and more.

## LEGAL ADVOCACY INITIATIVES

The legal advocacy initiatives for policy changes regarding rights and entitlements of older persons in India have also been a major drive by the organisation. A significant example of such initiatives was the PIL in 2016 (Writ Petition [C] No. 193 of 29016) for enforcement of rights of older persons under article 21 of the constitution, where Mr. Mathew Cherian, Former CEO, HelpAge India was appointed 'Amicus Curiae.' The PIL focused on the rights of the older person to pension, shelter, geriatric care and effective implementation of Maintenance and Welfare of Parents and Senior Citizens Act, 2007. The historic judgement on December 13, 2018 was a milestone in the efforts to address the social issues of the elderly in the country. The Supreme Court in its judgement read the right to life with dignity of the elderly under the mandate of Article 21 of the Constitution. The judgement quoted

*"...the right to life includes the right to live with human dignity and all that goes along with it, namely, the bare necessities of life such as adequate nutrition, clothing and shelter and facilities for reading, writing and expressing oneself in diverse forms, freely moving about and mixing and commingling with fellow human beings."*

It was further revised on August 4, 2020, in the purview of Covid-19. The Court while issuing a set of directions; on need to review pensions, provision of medical care, prepare plan of action for giving publicity to the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act and appropriate directions to the State Government for effective implementation of the provisions of the Act; stated - there is a need to continuously monitor the progress in the implementation of the constitutional mandate to make available to the elderly the right to live with dignity and to provide them with reasonable accommodation, medical facilities and geriatric care. The judgement also mentioned the importance of financial means to have a dignified life and thus the utmost necessity for the adequate pensions for older persons.

## INCOME AND SOCIAL SECURITY IMPERATIVES

HelpAge India also acknowledges the importance of income security which is a driving factor to overall well-being and welfare of the elderly, and hence, has always been a vocal advocate for social pensions for older persons. In a lower-middle income country like India, where almost 94% of the population is employed in the unorganised sector, with hardly any private assets or savings, non-contributory pensions play a greater role in ensuring at least a basic level of social protection. HI has been advocating for the social income security of the poor and vulnerable elderly population through pensions, with due significance given to both substantive aspects and procedural challenges of the pension system in India.

HI worked with Pension Parishad, a network of around 200 groups and individuals working for the welfare of elderly, women, differently-abled, and poor and disadvantaged populations, fighting for the rights of universal pension. HI along with Pension Parishad

brought out a research report titled “State of Social Pensions in India” in 2018, highlighting the gaps in the systemic and procedural implementation of social pensions in India. HI has been rigorously putting efforts to give voice to the elderly to address their plight, demanding raise in pension amount, effective disbursement, and alleviation of systemic barriers to its access, and procedural changes. These efforts culminated in a public event in Delhi in 2019 for the rights of elderly to lead a dignified life, demanding the government to bring immediate and necessary changes to the pension system.

### **ELDER SELF HELP GROUPS**

HI began piloting the Elder Self Help Groups (ESHGs) in 2005 and have helped them with small seed money to begin functioning with the objective of making the elderly economically engaged. While initially they were carried out internally, HelpAge India soon entered into partnership with corporates and government bodies. A dedicated and comprehensive support structure is now put in place across various levels for building and nurturing the ESHGs.

At the core of the support structure are the village volunteers who are recruited within the community and extensively trained by HelpAge India. Besides these volunteers, project coordinators are placed at the district level. The concept of Elderly Livelihoods pioneered by HI borrows from the Sustainable Livelihoods Framework of United Kingdom’s (UK) Department for International Development (DfID), now the Foreign, Commonwealth & Development Office (FCDO), further developed by Akshara Livelihoods. HelpAge India Livelihoods concept recognizes the need for timely external interventions on the social capital, human capital, economic capital and the spiritual capital (the spirit to keep fighting) of the elderly in reducing risk, increasing incomes, reducing costs/expenditures and increasing engagement. The livelihood programme is a long-term, process intensive, linear processes with an intervention period typically extending to 3-5 years and envision four inclusions namely - Social inclusion, Financial inclusion, Health inclusion and Accessing due Rights & Entitlements.

The Elder Self-Help Groups (ESHGs) and higher-order Federations of the elderly are being directly supported and developed to act as a support structure and informed movement of older people in 12 states, with specific priority to remote areas called Aspirational Districts. The cumulative saving of the current batch of Elders Self Help Groups is INR 5.22 Crores with a cumulative financial portfolio of Rs 13.64 Crore. The ESHG model has also received the UN Global Compact Network India Award 2018 for its sustainable and innovative intervention in the community.

HelpAge India received Vayoshrestha Samman from the Indian government in 2014 as the outstanding institution for its efforts for working over three decades for the cause of elderly. HI became the first Indian institution to be awarded the UN Population Award in 2020 for its exemplary work in the field of ageing for disadvantaged elderly in India.

## ELDERS CSO SPECTRUM

Some of the other organizations working for the elderly are Agewell Foundation, Abhoy Mission, DadiDada Foundation, Pallium India, and several other NGOs which work broadly on various segments of disadvantaged communities. On the larger spectrum, most of these organizations are working for the health issues upon ageing and rehabilitation through old age homes, while several initiatives have also brought about many of them in order to untangle the chains of ageist stereotypes and putting the elderly as an empowered segment of population, contributing to Active and Healthy Ageing. DadiDada Foundation offers a wide range of services, including organizing social and cultural activities for older individuals, giving work possibilities, and educating them about health policies.

## AGEWELL FOUNDATION

Agewell Foundation engages with elderly and understands their needs and problems, subsequently handled through a network of volunteers. With its team of professionals, volunteers, and social workers, the organization conducts many projects and activities targeted at improving all aspects of the lives of seniors. The foundation seeks to reach out to a larger audience of older persons and act as a catalyst of change in bridging the gap between generations and ensuring a respectful and comfortable life for old people. Apart from its initiatives in healthcare, shelter and nutrition of elderly, it also focuses on research studies for understanding the nuances of age care. Several NGOs, such as HelpAge India, also enable the elderly to be beneficiaries of the government schemes benefiting them, helping them with linking with the services, and also to create self-help groups to become economically independent.

Agewell Foundation has undertaken a Sensitization and Training programme for Delhi Police personnel about needs & rights of older people in collaboration with Delhi Police. The foundation has organized Sensitization and Training programmes at various police stations of Delhi. Agewell also conducts an employment exchange programme for the elderly, attempting to bring opportunity seekers and providers together and facilitating interaction at no cost. For the community engagement, and complete development of the potential of the elderly, the foundation has also launched a home tutoring and easy accounts scheme, Eklavya. Over 5 lakhs retired people are working as tutors in their own locality/nearby areas, benefitting from the scheme.

Agewell also registers old people who live alone under its Family Membership programme and provide services of leading doctors, hospitals, security agencies, trained counsellors, legal and financial wizards, personnel managers, and trained attendants, at nominal prices.

## **DADIDADA FOUNDATION**

DadiDada Foundation, with its 'DadiDada Arogya Card' for the elderly, provides financial assistance in health check-ups and medical treatment for individuals above the age of 50. Through this card, various hospitalization charges including charges of consultations with medical practitioners, medical check-ups, and other lab tests, are all given at discounted rates, along with the provision for interest free loan up to 5 lakh for medical requirements.

## **PALLIUM INDIA**

Pallium India offers the delivery of service and training of professionals in palliative care through its flagship programme, Trivandrum Institute of Palliative Sciences (TIPS). Apart from educational and training programmes, it runs a clinical service developing and operating community-oriented palliative care services including service of local volunteers and home visits.

Even though there are several initiatives focused on the welfare of the elderly, the whole system is still geared towards the youth, and often neglect the ageing population with least significance being given towards the welfare and development of elderly with only a number of NGOs working solely for the upliftment and empowerment of the elderly.

## **SENIOR CITIZEN ASSOCIATIONS**

In addition there are thousands of senior citizen associations working for their community in urban areas. There are federations of senior citizens operating in Delhi, Mumbai , Chennai and Kolkata. They provide localised services in these urban wards and localities. Every state has senior citizens federation including Delhi and Puducherry. These are called State Council of Senior Citizens. Their role is in making the senior citizens as an advocacy group to work on policy issues.

## **RECOMMENDATIONS FOR MAKING AN AGE FRIENDLY SOCIETY**

1. Universalise non-contributory pension for BPL and women and oldest old in APL
2. Universalise health insurance in PMJAY for all older persons except those covered under CGHS, ESI and Income tax payees.
3. Home care and palliative care to be included in the agenda of panchayat and urban local bodies. Time bank to be set up for community involvement.
4. Outreach in all services critical to older persons: health care, mental health, legal services, counselling.
5. Police and local administration to identify nodal persons for older persons who are victims of violence or abuse.
6. Encourage start-ups to work on tech solutions for older persons.
7. Include age friendly features in Smart/ Sustainable Cities project especially mobility/transport.



# **CHAPTER 12**

## **Animal Protection by Non-Profit Sector**



## ANIMAL PROTECTION BY NON-PROFIT SECTOR

Bharti Ramachandran

### INTRODUCTION AND OVERVIEW

India has a well-documented history of non-violence<sup>22</sup> and compassion towards animals. For the purposes of this chapter, we will start with the first post-Indian Independence impassioned defence of animals on record: “Animals cannot speak, but can you and I not speak for them and represent them? Let us all feel their silent cry of agony and let us all help that cry to be heard in the world.” The speech was made by Rukmini Devi Arundale, renowned dancer and nominated member of the Rajya Sabha, at whose instance Prime Minister Nehru introduced the Prevention of Cruelty to Animals (PCA) Act 1960, which replaced the colonial animal welfare act of 1890.

Two years later, the Animal Welfare Board of India (AWBI) was constituted, with Arundale as its chair, as a statutory body to promote and institute rules for animal welfare. Today, the AWBI operates under the Ministry of Fisheries, Animal Husbandry and Dairying. The latest AWBI figures show that there are more than 3,700 organizations<sup>23</sup> working for the welfare and rights of animals in India. Most of these organizations (close to 60 %<sup>24</sup>) are *gaushalas* (established for the care of stray, ‘unproductive,’ and old cows), and *pinjrapoles* (shelters that provide a home to all animals in distress, including birds). About 6% are Societies for the Prevention of Cruelty to Animals (SPCAs), which are supposed to be established in every district in India<sup>25</sup>. The balance comprises organizations that work on diverse animal welfare and rights issues, from providing shelter and direct services to community animals (more commonly referred to as stray animals), dispensing medical care and rehabilitation for ailing, disabled and injured animals, to securing the rights of all animals and preventing cruelty.

While the figure above refers to organizations registered with AWBI, the actual number of animal protection and advocacy organizations – if we were to include trusts and societies registered under India law and unregistered groups that work for animal protection, especially in feeding, rescue and sheltering – is likely to be 10 times higher. To that, if we were to add the millions of citizens who invest their time and money in the rescue, feeding and care of stray and wild animals, it would speak of a volunteer force that is one of the largest in the country.

Among animal protection organizations, the majority work on issues around stray dogs. Unlike in the US and the UK, stray dogs and cats in India are not considered homeless, but are seen as community animals, the care (including feeding, vaccination and sterilisation) of

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<sup>22</sup> [Nanditha Krishna, Animal Sentience in Indian Culture: Colonial and Post-Colonial Changes](#)

<sup>23</sup> List of animal welfare organizations published by the AWBI, dated 30 September 2022

<sup>24</sup> Source: [AWBI's annual report 2019-2020](#)

<sup>25</sup> [https://www.awbi.in/awbi-pdf/Advisory to Establish 01 10 18.pdf](https://www.awbi.in/awbi-pdf/Advisory%20to%20Establish%2001%2010%2018.pdf)

whom is the responsibility of the government and the community. A second category of organizations works on wild animals, their protection, conservation, mitigation of human and animal conflicts, and on wild animals in captivity (for example, in circuses and zoos).

India has the highest number of Farmed Animals, i.e., animals who are farmed for food such as buffaloes, cows, chickens, goats, pigs, sheep, and fishes. India's livestock sector is the largest in the world, employing two-thirds of the country's rural population. The dairy industry in the country is the largest in the world, at \$144.55 billion in 2020. Production and per capita consumption of dairy, eggs, chicken, meat, and fish is rising in the country. And yet, in comparison to the overwhelming numbers of organisations and individuals working for the welfare of companion animals, few organisations work on the welfare and rights of farmed animals, working animals, and animals used in experimentation. The suffering of farmed animals is, therefore, widespread but invisible or normalised.

## CONTEXT

### A. Laws that govern Animal Welfare

India has one of the most extensive laws and rules concerning animals. IV-A, Fundamental Duties, Article 51 A (g) of the Indian Constitution states, "It shall be the duty of every citizen of India ... to protect and improve the natural environment, including forests, lakes, rivers and wildlife, and to have compassion for living creatures." Compassion towards animals is, therefore, enshrined in the Constitution of India.

The fundamental law that protects domestic and captive animals is the PCA Act of 1960, which aims to "prevent the infliction of unnecessary pain or suffering on animals." Areas of application are spelt out through an extensive set of rules on diverse matters such as performing animals, registration of cattle premises, draught and pack animals, animal birth control, pet shops, breeding, etc. The Wild Life Protection (Amendment) Act is aimed at the conservation of wild animals and their habitat. These basic laws are supported in their implementation by the Indian Penal Code, various police acts, and municipal corporation acts.

One of the key points to note about the legal status of animals in India is that they are regarded as property. And yet, in the landmark case in 2014 of the Animal Welfare Board of India v. A. Nagaraja, the Supreme Court rejected the prevailing legal paradigm of animals as mere property, stating that animals possessed an inherent dignity, a dignity that all sentient beings possess, and that extends far beyond their use to humans.

By far one of the most progressive judgments in the world, this gives countless animal advocates hope that one day animals might be considered as legal persons.

## **B. Advocacy for Farmed Animals**

In comparison to the magnitude of suffering of animals farmed in appalling conditions for food, there are only a handful of organizations that advocate for the rights of farmed animals. Some of the organizations focused on farmed animal advocacy are Animal Equality (AE), the Federation of Indian Animal Protection Organizations (FIAPO), Fish Welfare Institute (FWI), Humane Society International India (HSI), Mercy for Animals (MFA), People for Animals (PFA), and People for the Ethical Treatment of Animals (Peta India).

The campaign for farmed animal advocacy takes two forms: one, where the organizations advocate for improved welfare measures in animal farming. Their work includes undercover investigations to reveal the reality of animal farming, campaigns to create public awareness as well as targeted policy advocacy, pilot programmes to demonstrate solutions, and legal action. Some examples are the campaign to end battery cages by HSI, MFA and PFA; advocacy with fish farmers to improve welfare conditions in ponds by FWI and FIAPO; and undercover investigations by Peta India and FIAPO to highlight the horrors of the dairy industry – where calves are separated from their mothers soon after birth, cows are artificially impregnated and pumped with hormones to keep them lactating, and once their ‘productive’ life is over, mostly left to starve on the streets or sent for slaughter.

The second form that this advocacy for farmed animals takes is in persuading people to make dietary (i.e., promoting the switch to plant-based food) and lifestyle changes in order to end the use of animals and products derived from animals for food. The vegan movement, led by organisations such as Sharan, Vegan Outreach, Veganuary, FIAPO, Peta India, MFA, etc., is gaining ground.

## **C. Stray Dogs and other Stray Animals**

The majority of animal protection organizations in India are involved in the rescue, shelter, spay-and-neuter, and vaccination of stray or community dogs and cats. Various studies estimate the number of dogs and cats living on the streets as between 60 million and 80 million.

One of the biggest challenges is the management of the population of strays. ‘In India, for more than 150 years up to 2001, mass killing of street dogs... was seen as the only solution by the authorities to address the issue of overpopulation.’<sup>26</sup> The AWBI brought out a module that demonstrated why the killing of stray dogs would not work to curb dog population and put forward Animal Birth Control (ABC) as the comprehensive solution to managing dog population. Implemented together with a comprehensive anti-rabies (AR) vaccination programme, ABC-AR as it is known, is the

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<sup>26</sup> Animal Welfare Board of India, Revised Manual for Street Dog Population Management, Rabies Eradication, Reducing Man-Dog Conflict.

way forward in managing dog population and eradicating rabies. This assumes particular significance in the context of rising human and stray dog conflict in the country.

Some of the well-known organisations working on stray animal rescue, sheltering, medical aid, spay-and-neuter, and vaccination, include Animal Aid India, Blue Cross of Hyderabad, Blue Cross India, Compassion Unlimited Plus Action (CUPA), Frenedicoes, Help in Suffering, Peepal Farm, People for Animals, Straw, Thane CPCA, and Welfare of Stray Dogs. FIAPO, a nationwide federation of animal protection organisations, has a membership of 186 organisations, most of whom work with companion or stray animals.

Any account of the work with stray animals would be incomplete without talking about the millions of voluntary dog feeders, rescuers, and fosters across the country, who invest their time, money, and other resources in caring for stray dogs and cats.

#### **D. Human-wild Animal Conflict and Animals in Captivity**

There are specialist organisations that work on wildlife conservation in India, such as the Worldwide Fund for Nature India, Wildlife SOS, Wildlife Protection Society of India, Nature Conservation Foundation, and Centre for Wildlife Studies.

Besides this, there are organisations who focus on the increasing conflict between humans and wild animals. Examples of such conflict include periodic calls from state governments to declare species such as wild boar and nilgai as vermin and to allow their culling, and the increasingly frequent human-elephant conflicts that have led to the capture and subsequent life in captivity of hundreds of elephants.

As forests are cleared to make way for roads, industries, and human habitation, the protective natural barriers that not only kept wild animals from straying into human habitats, but also provided food for animals, are dwindling. Some organisations that specialise in working on issues of human and wildlife conflict are the Wildlife Rescue and Rehabilitation Centre (WRRRC), PFA Wildlife Rescue and Conservation Centre, Wildlife SOS, Resqink Association for Wildlife Welfare (RAWW), Centre for Research on Animal Rights, and several organisations already mentioned above.

These battles take the form of investigations or studies on conditions that escalate conflict, pilot programmes to find viable solutions, calling attention to authorities at the municipal/ state/ national levels to illegal orders or actions, lobbying with policymakers to bring about sustainable solutions that balance the needs of humans and wild animals, and going to court.

Another key area of concern is the continued captivity of animals for human entertainment, in zoos and circuses, but also seen in the prevalence of events such as *jallikkattu*, *kambala*, bull races, and even dog fighting. Organizations such as Peta

India, FIAPO, CUPA, HSI and PFA are fighting various cases to maintain the ban on *jallikkattu* and other events, and to ban the use of animals in circuses.

## GOOD PRACTICES

India has one of the most extensive laws and rules to protect animals and prevent cruelty, as mentioned above, though there are major gaps in implementation and enforcement.

The animal protection movement has secured several wins for animals in the recent past, some of which are:

- India is the first country in South Asia to ban the testing of cosmetics and their ingredients on animals, as well as the import of cosmetics tested on animals into the country, thanks to the efforts of HSI India and Peta India.
- FIAPO and its member animal protection organizations secured a successful ban on the setting up of dolphinariums in India.
- India also became the first country to ban the import of foie gras, obtained from the liver of a goose or duck fattened by force-feeding, after efforts by the group Animal Equality.
- Peta India secured a judgment in Bombay High Court requiring all films for public viewing in which an animal is used or filmed to obtain a No Objection Certificate from AWBI.
- More than 40 organizations and 100 activists came together under FIAPO's campaign to end the use of animals in circuses, because of which the Central Zoo Authority cancelled the registration of 21 circuses for keeping wild animals.
- In the landmark judgment (A. Nagaraja) quoted above, the Supreme Court banned *jallikkattu*, *kambala*, and bull races in 2014, a judgment that is being challenged by the states where these events are held.

## RECOMMENDED POLICY CHANGES

The areas requiring policy interventions are far too many to list here. But there are several critical areas – across the categories of animal protection mentioned in this article – that need urgent attention. The following recommendations are indicative of the kind of policy framework needed in favour of animals:

- **Funds for district-level Societies for the Prevention of Cruelty to Animals (SPCAs) to be set up and properly function:** The Supreme Court has mandated the creation of SPCAs (Society for the Prevention of Cruelty to Animals) in each district of India. Yet in most districts, SPCAs have either not been set up, or are in a dire state due to the

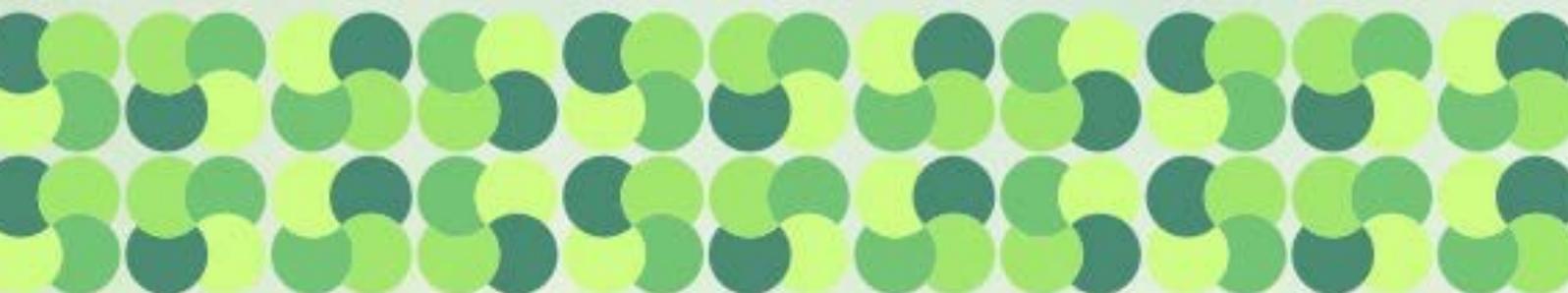
lack of funds. Budgetary allocations are needed for the proper establishment and functioning of SPCAs in every district.

- **National-level Animal Birth Control and Anti-Rabies Vaccination campaign:** This is the need of the hour for India to fulfil its commitment to eliminating Rabies by the year 2030. Central and state budget allocations are also needed to implement state-wise animal birth control programmes.
- **End to the use of animals in entertainment:** There needs to be a complete end to the use of animals for human entertainment, whether in circuses, zoos, forest camps, events such as *jallikattu*, *kambala*, bull races, or the use of animals in films.
- **Dairy innovations and welfare measures:** Sex-sorted semen technology needs to be made available on a mass scale and at cheaper rates so that farmers can adopt the technology to reduce the birth of male calves and ultimately minimise cruelty to male calves (currently sent to slaughter or left to die). There needs to be budgetary allocations for improving facilities in existing gaushalas across the world, rather than establishing new gaushalas, which is a more capital and effort-intensive exercise. In particular, there must be specific allocations to create shelters in states that have a problem with stray cattle.
- **Radical steps to reduce cruelty and increase welfare in animal farming:** There needs to be a complete ban on battery cages and gestational crates. Policy measures are needed to introduce welfare measures to stop the indiscriminate use of antibiotics in dairy, poultry and aquaculture, the overcrowding of fishes and maintaining water quality in aquaculture ponds, etc.
- **Alternatives to animal agriculture:** India needs to take giant steps to reduce animal farming and provide livelihood and food alternatives, a development aimed at decreasing the sector's contribution to global warming and climate change. The plant-based alternative protein industry needs to be supported so that it can provide affordable alternatives. The introduction of lab-grown meat technology is another way to provide alternatives to consumers. The mainstreaming of such alternatives will have a positive impact on human health, on planetary health, and of course, on the lives of animals.
- **Serious efforts to mitigate human and wildlife conflict by working with experts:** Wildlife budgets must be restored at least to previous levels, if not enhanced further, especially considering the need for investment in human and wildlife conflict mitigation, and the need to invest in better care for captive elephants in the light of the newly promulgated Wildlife (Protection) Amendment Act 2022. Investments in early warning systems and creation of natural barriers by consulting experts in the field will go a long way in reducing human and wildlife conflict.



# **CHAPTER 13**

## **Arts and Culture in the Non-Profit Sector**



## ARTS AND CULTURE IN THE NON-PROFIT SECTOR

Rashmi Dhanwani, Kavya Ramalingam Iyer

### INTRODUCTION

Arts and culture NPOs or not-for-profit organisations play a vital role in preserving, and enriching India's diverse cultural heritage. Apart from promoting cultural awareness, bolstering infrastructure, creating a space for artists and cultural enthusiasts, promoting skills development and capacity building, and supporting livelihoods, the work done by these NPOs also has a major spill-over impact on allied sectors such as health, education, policy-making, festivals and other creative industries.

The following report highlights the evolution, composition, governing policies, and contributions of not-for-profits (hereby referred to as NPOs) working in the arts and culture sector in India. The report first traces the establishment and evolution of these organisations, followed by their presence and spread across the country. It then showcases how the vital work done by these organisations shapes, supports and strengthens the arts and culture sector in the country, along with far reaching effects on the larger ecosystem.

### I. EVOLUTION OF THE NPO SECTOR: ARTS AND CULTURE

The study of the evolution of operations of arts and culture NPOs in India, requires a review of the relationship of culture with colonialism and the consequential civil support for the development of the nation's art, culture and heritage.

A pre-colonised Indian subcontinent was diverse in language, customs and belief systems, thereby creating a cultural landscape across the region that is also incredibly rich and varied. Aesthetic treatise (Natya Shastra)-led evolution of classical arts, rich tribal and folk-art practices and a thriving handicrafts, textiles and artisanal market were bolstered by further cultural exchanges stemming from trade, religious movements and invasions into the sub-continent from a host of minor and major foreign powers. Art and culture at the time were supported by four major frameworks – the court and the emperor, religious institutions, the people and the market. The growth of the Indian arts and culture sector and industries as we see it today are thus inextricably linked with colonisation and its impact on livelihoods, identity and opportunity.<sup>27</sup>

Throughout its history, India has had a strong tradition of supporting and promoting culture, including art, music, literature, and architecture, both through official

<sup>27</sup> Rajadhyaksha, Ashish, P. Radhika, and Raghavendra Tenkayala. "Country Profile: India." *International Federation of Arts Councils and Culture Agencies* (2013).

channels and personal patronage. Under different monarchies, artistic expression flourished, with examples ranging from the Sangam poetry of the Chera dynasty to the bronze sculptures of the Chola dynasty. Artists often found refuge in the courts, where they could gain recognition and fame, such as the musician Tansen and the painter Ustad Mansur in the Mughal Diwan-e-Khas. Investment in architecture allowed for large-scale projects, such as the intricately carved Kailasa Temple in the Ellora Caves complex, which benefited from innovative design and sculpture. In addition, India's trade and commerce networks connected it to other parts of the world, including Egypt and Iran, and this global exchange facilitated artistic collaboration and contribution to aesthetic movements.<sup>28</sup>

The intervention of different colonial powers and the creation of cultural institutions by the British led to the establishment of structured platforms for supporting art and culture. The government set up various cultural organisations which introduced a specific, bureaucratic approach to funding arts and culture. This also resulted in the development of a Euro-centric perspective on Indian art, culture, and heritage through the canonization of knowledge. Asiatic Society in 1784, Indian Museum in 1814, Archeological Survey of India in 1841, schools of art such as The Government College of Fine Arts (formerly Madras School of Art) in Chennai in 1850 and Sir J.J. School of Art in Mumbai in 1878 were some of the organisations established early on. In line with the western policy on cultural management of the times, many of these institutions were established as Government institutions or as not-for-profit organisations bolstered by donations from Indian philanthropists (such as Jamsetji Jeejabhoy).

In their seminal culture policy profile on India, authors Ashish Rajadhyaksha, P. Radhika, and Raghavendra Tenkayala, emphasise on the 'nationalist' location of culture in the pre-Independence period. Aligned to India's nationalist movement, a broadly modernist agenda for the arts had led to the founding of some influential art institutions in the early years of the 20th century. Some of the most visible institutions were Shantiniketan, (founded by the Nobel Laureate, Rabindranath Tagore), the Gandharva Mahavidyalaya (founded by Vishnu Digambar Paluskar, 1901), Kerala Kalamandalam (founded by Vallathol Narayana Menon, 1930) and the Kalakshetra (founded by Rukmini Devi Arundale, 1935), and later the Uday Shankar India Cultural Centre (1938).<sup>29</sup>

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<sup>28</sup> "Corporate Engagement with Culture in India - A white paper." *Godrej India Culture Lab*. Accessed: January 2023.

<sup>29</sup> Rajadhyaksha, Ashish, P. Radhika, and Raghavendra Tenkayala. "Country Profile: India." *International Federation of Arts Councils and Culture Agencies* (2013).pp5

The civil society preoccupations of education and preservation further fortified the place of arts and culture as a civil issue. Just before Independence and shortly thereafter, left-of-centre associations like the Indian People's Theatre Association, the Progressive Writers Association and the Progressive Artists' Group exerted an influential presence of culture in civil society. By the time India gained Independence, a well-formed concept of culture as identity and tradition played a dominating role in determining everyday life in India.

Historically and economically, the nationalist perspective on culture has focused on the role of artisans and the crafts industry, particularly handicrafts. According to historian Bipan Chandra in his work "Reinterpretation of Nineteenth Century Indian Economic History" (1979), the 19th century saw the decline of the artisan class and handicrafts industry, including the ruin of textile weavers due to competition from imported yarn. This decline had negative effects on both peasants and artisans, and is a well-documented issue in the economic history of colonial India. While the Indian sub-continent boasts of rich cultural traditions, the introduction of technological innovations such as the printing press, the film camera and the gramophone by the West and missionaries laid the ground for creation, mass production, consumption and mass distribution of cultural goods. Responding to the national events of the times, the pre-Independence 1947, publishing industry, the music industry and print media also played a critical role in forging and consolidating a sense of nationhood. Regulation evolved alongside by means of various Acts of Parliament.

In post-Independent India, culture played an important role in the building of a young country. In the early years after Independence, the Planning Commission that was tasked with shaping strategies of development of a new nation, regarded culture as integral to planned national development. This was evident in Planning Commission documents from the period, which challenged the assumption that culture was a peripheral concern only relevant to the "arts and culture" sector. As a result, the government established several cultural institutions during this time that not only shaped its cultural policy, but also influenced the dominant paradigms for the entire field. These institutions included the Indian Council of Cultural Relations (1950), the Sangeet Natak Akademi (1953), the National Museum, the Sahitya Akademi, the National Gallery of Modern Art, and the Lalit Kala Akademi (all established in 1954 following a Parliamentary Resolution initiated by Jawaharlal Nehru and Maulana Azad, the first Prime Minister and Education Minister, respectively), the Film Institute of India (1959), the National School of Drama (1959), and the National Institute of Design (1961).

However, none of these movements and priorities led to the development of a coherent or unitary cultural policy. Without a centralised policy on culture, the

cultural sector still relies on both the arms-length funding model and the market model. Regulation mandates are divided among existing structures in the Indian economy, leading to a lack of cohesion among the various practices and professionals in this field. Several initiatives are undertaken by non-profit organisations and individuals driven by passion, many of which were registered as Trusts or Societies prior to Independence. Post-independence, with the widening of regulatory frameworks, arts and culture NPOs were also registered as associations and Section 8 not-for-profit companies. Today, the following are the legal structures that arts and cultural organisations adopt with the first three being in the not-for-profit domain:

- a. *Societies*
- b. *Trusts, Religious Endowments and Wakfs*
- c. *Private limited non-profit companies under Section 8 (formerly section-25) under the Indian Companies Act, 2013*
- d. *Private for-profit organisations as proprietorships, Limited Liability Partnerships, Private Limited Companies*
- e. *Public Limited Companies*

## II. SECTOR COMPOSITION

To get a quantitative picture of the evolution and composition of NPOs and NGOs in the arts and culture sector, we draw upon Non Profit Institutions in India: A Profile and Satellite Accounts in the framework of System of National Accounts, a 2012 report by Central Statistics Office, Ministry of Statistics and Programme Implementation, Government of India (further referred to as MOSPI). This comprehensive report covering 6.9 lakh traced societies in India presents critical data on NPOs and NGOs in major sectors over the past five decades. We use this report as a baseline to isolate and study the spread and composition of the art and culture sector within the nonprofit field. While the first phase of the study was solely based on secondary data, the second phase involved tracing and verifying the existence of all the societies found in phase 1. The data further presented in this report will only refer to the second phase of the study in order to offer on-ground and verified facts of the sector.

### A. Spread across India

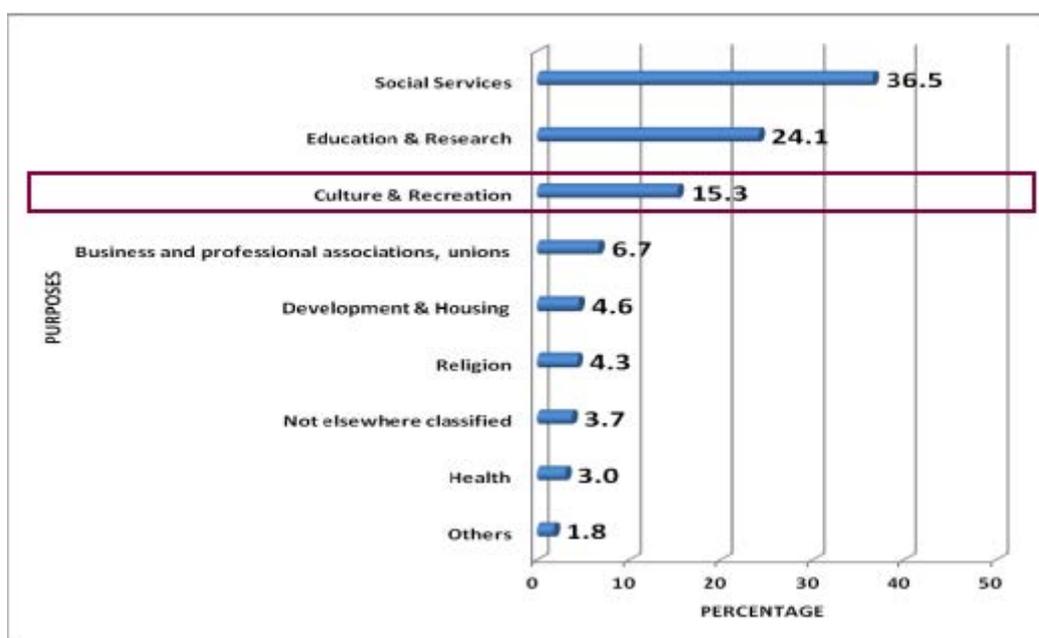
As per the first phase of the survey which was solely based on secondary data,<sup>30</sup> Culture and Recreation accounted for 3,69,912 societies (12% of the total

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<sup>30</sup> This was a computerised list from the original records of the societies available with their registering authorities in different states.

registered societies) of which 63.42% were categorised as rural and 36.58% of the total as urban.

The second phase of the study, however, revealed a different scenario. There was more than a 50% drop in the number of these NGOs in the second phase as compared to the first one - only 1,06,147 societies were traced within the Culture and Recreation sector. Proportionally, however, the number of NGOs within the culture sector maintains a similar percentage, accounting for 15.3% of the total number of NGOs in the country. Of these, 71.8% functioned within rural areas while 28.2% worked in the urban areas.<sup>31</sup>



*Distribution of traced societies as per purpose*

**Source:** MOSPI Study, p.37

<sup>31</sup> This data does not include states where the percentage of societies visited (SV) to registered societies (RS) is less than 65%: Haryana, Chandigarh, Assam, Karnataka, Rajasthan, Arunachal Pradesh, Chhattisgarh, Maharashtra, Gujarat.

The highest number of registered cultural NGOs were found to be in Uttar Pradesh (21,841) - however, these cultural societies accounted for only 10.2% of the total societies operating within the state. Therefore, a percentage distribution offers a clearer look into the state-wise composition of the NGO sector. The highest percentages of traced cultural societies were in Goa (62.5% of total Goan societies - 2043 out of 3267 societies), Meghalaya (45.7% of total Meghalayan societies - 1786 out of 3904 societies) and West Bengal (43.3% of total West Bengal societies - 15368 out of 35497 societies).

## B. QUANTITATIVE DESCRIPTIONS OF CULTURAL NGOS

Culture and Recreation NGOs consistently rank third in the number of registered societies in respective domains throughout most time periods, usually ranked right under Social Services and Education & Research. Of the total registered societies in the 1970s and before, 11% were dedicated to culture and recreation. The period between 1971 and 1990 observed a sudden peak with an average of 21.1% of total registered societies working in the culture and recreation sector. Thereafter, there was again a steady decline, settling back at 12.5% post-2001. In recent decades i.e. 2001 and after, there has been a fairly significant drop in the number of cultural NGOs and the gap between the educational NGOs versus those of cultural ones has now widened. While cultural rehabilitation continues to be one of the major domains of NGOs, it no longer holds the same weight that Social Services and Education do, indicating a change in priorities. Living standards and literacy rates, especially for a developing country like India with strong international relations, is not an isolated issue but becomes closely linked with its global sociocultural identity. Thus, NGOs have been considerably more focused on issues of poverty alleviation, child and women rights, caste stigma and discrimination, sanitation and environmental issues in the current time period (Ranga, 2014).

## C. SOURCES OF FUNDING

Perhaps another aspect in this widened gap between social service and educational NGOs vis-a-vis cultural NGOs is the source of funding for these organisations. Of the total funding of ₹4901 crore, Culture and Recreation societies' major source of funding, in 2012, was donations and offerings instead of government grants. In fact, in the last decade cultural organisations received the highest amount of donations (₹3173 crore), which was almost 4 times that of the grant funding (₹790 crore) that it receives from the government.<sup>32</sup> Consequently, culture and recreation NGOs primarily serve the household<sup>33</sup> i.e. they are

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<sup>32</sup> Central Statistics Office, Ministry of Statistics and Programme Implementation (MOSPI), Government of India. "Non Profit Institutions in India: A Profile and Satellite Accounts in the framework of System of National Accounts". (2012). 54-57.

<sup>33</sup> Central Statistics Office, Ministry of Statistics and Programme Implementation (MOSPI), Government of India. "Non Profit Institutions in India: A Profile and Satellite Accounts in the framework of System of National Accounts". (2012). 55.

part of the group of societies which provide or sell goods or services to households and are not mainly funded by the government.

The Ministry of Culture, Government of India, set aside these budgets for the Culture sector, over the last 8 years:

Financial Year	INR (Crore)
2016-2017	2302.5539
2017-2018	2530.5049
2018-2019	2602.1851
2019-2020	2647.0000
2020-2021	3149.8600
2021-2022	2,687.99
2022-2023	3009

Ministry of Culture's Yearly Budgets for the Culture sector

**Source:** Taking the Temperature 1 (2021), p.44.<sup>34</sup>

A 2021-22 analysis of budgets allocated to Ministry of Culture (MoC) and consequent spends, stated the total allocation for MoC for FY 2021-22 stood at ₹2,688 Cr, while allocations for Art and Culture Sector across different ministries in Gol for FY 2021-22 stood at ₹4,482 Cr.<sup>35</sup> **The outlay<sup>36</sup> for the Annual Budget 2023-24 of the Ministry of Culture is Rs. 3,399.65 Cr** as against the outlay Rs. 3,009.05 Cr approved for the Budget Plan 2022-2023. The annual outlay in FY 2023-24 is 12.97% higher than the annual outlay in FY 2022-23.<sup>37</sup>

<sup>34</sup> British Council. "Taking the Temperature". (2021). 44.

<sup>35</sup> Janakiraman P & Verma M, Art and Culture Budget Guide, Union Budget 2021-22, Sahapedia March 2021. Accessed: December 2022.

<sup>36</sup> Note: Outlays are the measure of Government spending. They are payments to liquidate obligations (other than the repayment of debt), net of refunds and offsetting collections. They are recorded when obligations are paid, in the amount that is paid.

<sup>37</sup> The annual outlay for the Ministry of Culture in FY 2023-24 - Press Information Bureau, Government of India, [Link](#). Accessed: February 2023

In contrast, the Corporate Social Responsibility (CSR) mandate, which began in 2014, continues to see an upward trend overall with an expected INR 23,665 Cr. in FY 2021, a robust compound annual growth rate (CAGR) of 15% in the past seven years.<sup>38</sup> In India, under the Companies Act, 2013, companies meeting certain criteria are required to spend 2% of their average net profits of the past three years on CSR activities. While there is no specific data available on the share of arts and culture in CSR spending in India, it is one of the eligible areas of CSR spending under the law. As per the India Philanthropy report 2022 by Bain & Co, in total, the top four areas of CSR spending in India over FY 2018 – 2021 were education, healthcare, rural development, environmental sustainability, and poverty. Because of this wider spread, CSR also affects smaller sectors, such as sports, art and culture, animal welfare, and women empowerment, which struggle to attract funding from other sources.<sup>39</sup>

*Please refer to page 22 of this report for a detailed note on CSR and its contribution to policy making in the arts and culture sector in India.*

The following is a non-exhaustive list of corporates that have promoted art and culture under both their CSR and marketing departments:

<b>Company</b>	<b>Initiative</b>
Aditya Birla Group	Aadyam
Apeejay Group	Apeejay Kolkata Literary Festival
Asian Paints	St+Art Festival
ESSAR	Avid Learning
Hero Group	Serendipity Arts Foundation
Infosys Foundation	Raja Dinkar Kelkar Museum
Mahindra	Mahindra Blues festival. Mahindra Roots, Mahindra Excellence in Theatre Awards (META), Mahindra Kabira Festival, Mahindra Open Skies
Shiv Nadar Foundation	Kiran Nadar Museum of Art
Tata Group	Tata Trusts

<sup>38</sup> Sheth A, Sridharan A, Nundy N, Datoor P & Pal P, India Philanthropy Report 2022. Bain & Company and Dasra. Accessed January 2022.

<sup>39</sup> Sheth A, Sridharan A, Nundy N, Datoor P & Pal P, India Philanthropy Report 2022. Bain & Company and Dasra. Accessed January 2022.

In 1996, the National Culture Fund (NCF) was established as a funding mechanism distinct from the existing sources and patterns of funding for the arts and culture in India. It sought to enable institutions and individuals to support arts and culture directly as partners with the government.<sup>40</sup>

#### D. WORKFORCE PROFILE

At a national level, 85.1% of the total work force in NGOs are volunteers and only 14.9% are paid workers. A large portion of the workforce – 72.4% – in most of the traced societies are males while only 27.6% are female. While there are some states such as Nagaland, Puducherry which have about 40%-50% female workers, the general trend of gender distribution in the workforce for both, paid employees as well as volunteers, is skewed significantly towards a male majority. **Of the total workforce engaged in NGOs in the country, only 18.9% is engaged in Culture and Recreation societies.**

Lastly, while considering the composition of this sector, one cannot solely look at in terms of the number of formally registered NGOs. As one of the interviewees rightly pointed out, the diverse and diffused nature of the sector is such that many small organisations (such as theatre or dance companies, groups of crafts persons etc.) carry out functions such as that of NGOs, but do not have the knowledge, time or resources to formalise the work they do. Thus, while we evaluate Culture and Recreation societies, it would be important to account for this informal nature and organisation of the sector as well.

Anecdotally, there's an understanding of wider representation of women than men who work in the culture vector but there's little cohesive data to support this. The reason for this is the informal nature of India's culture sector and inability to apply statistical models to this sector in regards to skills, qualification and workforce strength. Coupled with this is the fact that arts and culture are practised as secondary professionals in vastly different communities across rural and urban India, ranging from craft and textile making in villages to the high participation in the gig economy of creative professionals in sectors such as film design and advertising. As a result, there are no systems in place to adequately consolidate the vast range of practices and professionals working in this space which has, in turn, adversely affected the growth for the sector – both ideologically and economically.

- **Crafts sector:** Artisans within the sector often draw upon community heritage for making and teaching of their particular craft. There exist government policies as well as not-for-profit sector interventions which facilitate the handicrafts sector in gaining access to markets as communities as well as individuals.
- **Urban and Contemporary Art Spaces:** Independent artists within urban art spaces tend to work as individuals or small collectives and groups (for example, as bands or

<sup>40</sup> National Culture Fund Website. [Link](#). Accessed: January 2023.

dance troupes which are often unregistered as legal structures but perform nonprofit services and activities in service of society). The lack of formal institutional structures for art in India forces artists to work independently - unlike in the West where alliances between institutions and independent artists/collectives are more common (take, for instance, ballet dancers at the Royal Ballet or musicians in orchestras such as the London Symphony Orchestra). This lack of larger organisational structures or policies in India makes the artists and the sector vulnerable and unstable without any safety net to rely on.

- **Formal (Trade Unions and Management bodies) and Informal (sector collectives and consortia)** are few in number. The lack of the former mitigates against a collective approach for protection of employment rights for the workforce; and the latter impedes the ability to pool resources and expertise to speak with one voice.<sup>41</sup>

### III. MAJOR GOVERNING POLICIES AND REGULATIONS

#### A. Policies, Acts and Laws in the Constitution

In a federal democracy such as India, policies are prioritised and created, if the subject matter is mentioned in the Constitution, or if a specific Act is made and passed and subordinate legislations and bye laws created to regulate. Currently as it stands this is the status on legislation of culture:

- **Cultural Policy Frameworks:** Draft National Policy on Culture, 1992
- **Laws relating to funding of cultural institutions:** None
- **Laws providing financing:** None
- **Status of artists:** None

There are some specific legal provisions in the Constitution, other acts that govern specific matters of art and culture and related governing mechanisms that peripherally affect the arts and culture sector. Please refer to Appendix A on p.25 of this report for further details.

#### B. The Companies Act 2013 and Corporate Social Responsibility

The Companies Act 2013, repealing the old Companies Act, 1956, was enacted on 29 August 2013. This act was monumental due to its precise instructions for companies on *how much* money to spend on their CSR programmes as well as *how they were supposed to spend the money*. Under Section 135 of the Act,

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<sup>41</sup> British Council. "Literature Review". *Taking the Temperature 1*. (2021). p.44.

companies with a net worth of at least INR 5 billion, with turnover greater than INR 10 billion, or profits of INR 150 million, during the 'immediately preceding financial year', are required to invest minimum 2 percent of their average net profits, incurred over the last immediately preceding financial years, on activities given under Schedule VII of the Companies Act, 2013, described as 'CSR Activities'<sup>42</sup>.

The list of 'CSR Activities' mentions:

protection of national heritage, art and culture including restoration of buildings and sites of historical importance and works of art; setting up public libraries; promotion and development of traditional art and handicraft.

as one of the domains that corporate organisations can direct their funds for CSR activities. What is key here is that The Companies Act 2013 was the first time that the arts and culture sector was included into the list of 'CSR Activities', thus, bringing in funding for cultural organisations through the corporate sector.

As per a Times of India article<sup>43</sup> data analysis on 1,132 companies listed on the NSE as on 31st March 2019 showed that "companies more than halved their funding for national heritage, arts and culture, under corporate social responsibility (CSR). National heritage saw the highest drop of nearly 56% in 2018-19".

### C. Arts and Philanthropy

As per the Art Tactic Art & Philanthropy Report 2019, 'Art & Philanthropic initiatives have increased significantly over the last 10 years, with 32 new initiatives commencing since 2008 in India alone - more than double the number of philanthropic art projects and foundations existing pre-2008.<sup>44</sup> The report further pointed out that decentralisation of art and philanthropy is beyond the megacities Mumbai and New Delhi, 'with 53% of the projects in the last five years taking place in other Indian cities (up from 17% share in the period 2008 to 2012).'<sup>45</sup>

<sup>42</sup> Jumde, Akanksha, and Jean Du Plessis. "Legislated corporate social responsibility (CSR) in India: The law and practicalities of its compliance." *Statute Law Review* 43.2 (2022): 170-197.

<sup>43</sup> Mukherjee, Rupali. "Companies cut CSR spends on national heritage by 56%." *Times of India*. (2020)

<sup>44</sup> ArtTactic. "India: Art and Philanthropy Report 2019. (2019). pp.6. Accessed February 2023. <https://arttactic.com/product/india-art-philanthropy-report-2019/>

<sup>45</sup> ArtTactic. "India: Art and Philanthropy Report 2019. (2019). pp.14. Accessed February 2023. <https://arttactic.com/product/india-art-philanthropy-report-2019/>

## IV. CONTRIBUTIONS TO OTHER SECTORS AND THE LARGER ECOSYSTEM

### A. Education

A bulk of the training in the arts in India comes from courses and degrees that are university-led and focused on the practice of theatre, music, visual arts, dance and related fields. For instance, there are approximately 460 music colleges in India that offer music courses, out of which about 130 colleges are private, 160 are public and the rest are public-private.<sup>46</sup> There are several visual arts dance and theatre courses, both at the degree and master's levels across the country, along with several universities also offering PhDs. Furthermore there are a range of private and government arts schools solely focused on training professionals in one art form. Performing and visual arts is also taught at school level, and the depth and degree of training differs across various boards. Many of these educational institutions teach arts as a skill and as an integral part of developing a well-integrated personality, with a range of intersections with not-for-profit arts organisations delivering these trainings, teachers who have often come from arts schools, and for-profit sectors that want to give back to the society through arts.

In the last 5 years, the number of students opting for courses in humanities have registered an increase, while the enrollments in fields like engineering and medicine have either increased marginally or have decreased. According to a 2014-15 report by India's Ministry of Human Resource and Development, "At the undergraduate level the highest number (40%) of students are enrolled in Arts/Humanities/Social Sciences courses followed by Science (16%), Engineering and Technology (15.6%) and Commerce (14.1%)." The trend could also be indicative of the fact that humanities courses are less resource-intensive as compared to the sciences. But largely, it is attested to the value that a broader liberal arts degree brings to a well rounded workforce armed with emotional intelligence, general knowledge and problem solving and critical thinking skills.

### B. Media and entertainment and related creative industries

The cultural sector in India is vast, comprising museums, galleries, biennales, art fairs, film festivals, music concerts, stage productions and allied activities. This allows for intersections with specific sectors and structures such as the NPO sector and philanthropy with initiatives in museums and arts education, with the events sector for fairs and festivals, the audio visual production sector with film, advertising, design and many more such as fashion, gaming and publishing. The following are some of the prominent creative industries in India:

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<sup>46</sup> "569 Music colleges in India." *Shiksha*. Accessed February 2023. <https://www.shiksha.com/arts-fine-visual-performing/music/colleges/colleges-india>

1. **Film Industry:** The Indian film industry is one of the largest film industries in the world. It produces a significant number of films in various languages, including Hindi, Tamil, Telugu, and Malayalam.
2. **Music Industry:** The Indian music industry is known for its diversity and richness, with various genres such as classical, folk, and contemporary music.
3. **Literature:** India has several publishing industries in various languages including English, Hindi, Tamil, Malayalam, Marathi, Gujarati, Assamese, Bengali etc.
4. **Art:** India has a growing art market comprising galleries, auction houses, artists, fairs and festivals and more. According to the State of Art Market Report 2021, the collective turnover of Indian art sales recorded a rise from Rs 13 crore in 2000 to Rs 880.9 crore in FY21<sup>47</sup> Moreover, another recent report by Indian Art Investor suggests that in the first half of FY 22-23, the Indian art market generated a staggering Rs 582.7 crore (\$75.8 Million). IIM-Ahmedabad and Mumbai-based Aura Art came together to jointly develop an art price index that was launched in the BSE auditorium last month titled IIMA - AuraArt Indian Art Index (IAIAI). The quarterly index is based on a hedonic pricing model and should be updated twice a year.<sup>48</sup>
5. **Design:** India's design industry is growing rapidly, with a focus on fashion, graphic design, and interior design.
6. **Fashion:** With a rich history and an intense diversity in textile traditions, India is now the second-largest producer of textiles and garments in the world and ranks fifth on the list of exporters of textiles for apparel, home, and technical products. The textile industry contributes significantly to the country's economic landscape, making up for 2.3% of the total country's GDP and contributing 13% to industrial productions and 12% towards exports. It has a total national workforce of about 45 million with 3.5 million people working on handlooms as well. The Indian textile and apparel industry is expected to grow at 10% CAGR from 2019-20 to reach US\$ 190 billion by 2025-26. It stood at US\$ 40 billion in 2020 and is expected to reach US\$ 135 billion by 2025.<sup>49</sup>
7. **Gaming:** India's gaming industry is growing rapidly, with the rise of mobile gaming.
8. **Festivals sector:** A look at the festival market indicates a steady growth over the past decade. India sees more than 200 literature festivals and 20-25 top line music and food festivals produced each year. Most recently, an exclusive website, [www.festivalsfromindia.com](http://www.festivalsfromindia.com), has mapped over 700 festivals and listed 250 arts and culture festivals in India. A more detailed explanation of the festivals sector is provided below on page 21.

<sup>47</sup> "Top Artists to Watch In 2023 Amid The Indian Art Market's Exponential Growth." *Outlook*. (2023).

<sup>48</sup> Das, Prashant. "How art indices are changing the narrative of Indian art." *Forbes India*. (2022).

<sup>49</sup> India Brand Equity Foundation. "Indian Textiles and Apparel Industry Analysis." (2022).

These are just a few examples of the creative industries in India, and there are many more sectors that contribute to the country's vibrant and diverse cultural scene.

### C. Festivals Sector

As per the Festivals From India – Needs and Insights research study,<sup>50</sup> India has experienced a recent surge in privately-funded arts festivals, resulting in a multitude of festivals spanning music, art, film, and theatre, as well as public arts biennales and interdisciplinary science, art, and tech conferences. According to a 2017 report by Ernst & Young and the Event and Entertainment Management Association (EEMA), the organised events and activations industry in India was estimated to be worth INR 10,000 crore, with an annual growth rate of 16% CAGR. However, EEMA's informal estimates suggest that if the unorganised segment is included, the industry could be as large as INR 5 trillion. With increasing public interest and engagement with the arts, culture, and heritage in India, there has been an exponential growth in cultural festivals over the past decade, organised by everyone from city councils, NPOs, state governments to private companies. These festivals have contributed to tourism revenue, economic benefits, and enhanced the brand identity of the places where they are held. Unfortunately, the COVID-19 pandemic and related lockdowns have put a halt to this growth.

The Godrej white paper on cultural engagement by corporations in India too affirms the same trend. It highlights the growth of music festivals like Mahindra Blues to biennales that spread across months like the Kochi-Muziris Biennale. As the report explains,

These events are grand productions requiring large-scale funding from varied sectors. The sponsorship of such events is often multi-layered: the Kochi-Muziris Biennale, has over ten levels of funding options and receives funding from government organisations, embassies and consulates, foreign NGOs, and global corporations. It boasts of corporate partners like BMW and DLF, which receive large-scale publicity for contributing to the biennale.<sup>51</sup>

This shows how the festivals sector is being bolstered by the support of foreign and domestic NGOs. Other major regional and national festivals such as the Khajuraho dance festival, Konark dance festival, Sankatmochan music festival, Shankar Lal music festival, NSD theatre festival, the Mazhgazhi season in Chennai and so on have also been made possible due to the support and involvement of not-for profit organisations.

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<sup>50</sup> Ghosh, Aatreyee, et al. "Festivals From India – Needs and Insights." *Art X Company* (2022). p.22.

<sup>51</sup> "Corporate Engagement with Culture in India - A white paper." Godrej India Culture Lab. p.22. Accessed: January 2023. Link available [here](#).

### **Mapping the Creative Economy around Durga Puja**

While thinking about festivals in the Indian context, one must also consider the gamut of religion-based festivals like Durga Puja, Diwali, Ramlila traditions and so on, which form an integral part of the festivals ecosystem in the country. These festivals are made possible by the varied support of NPOs in terms of involving artisans, providing infrastructural support, dissemination of information etc. Here, we specifically highlight a report on the creative economy around Durga Puja.

*In 2019, the Department of Tourism, Government of West Bengal, invited the British Council to conduct, on their behalf, a mapping exercise to identify the economic worth of specific creative industries of West Bengal. Some of the major findings from the quantitative and qualitative sections of the report are as follows:*

- The total estimated economic worth of the creative industries around Durga Puja is INR 32,377Cr (GBP 3.29 B) (excluding sponsorships\*)
- Idol-making: It is a generational business with some families in the business for more than 200 years. Young artists are also commissioned.
- Illumination: The city of Chandernagore in West Bengal hosts many renowned light artists who help light up pandals across West Bengal during this high demand season.
- Literature and publishing: Puja specific content is released by leading publishing houses, newspapers and magazines at this time which are a major source of income.
- Crafts and design: Puja generates jobs and livelihoods for the handicraft and craft sector. The artisans are involved in making everything from decorative to utilitarian items.
- Food and beverages: 65% of the stalls and kiosks put up during this season belong to the unorganised sector. They see a huge boom in income.
- Earning: 35% of 240 questionnaire respondents earn 81 -100% of their yearly income through the Durga Puja festival, showing how important it is to their economic growth.
- Expenditure: 92% of Puja organisers spend over 20% of their budget paying artists. These are not jobs with permanent contracts and hence are often less stable sources of income.

## **D. HEALTH, SOCIAL SECTOR AND RELATED POLICY MAKING**

Artists have been closely involved with, and have influenced social change throughout history. The diversity offered by the arts makes for an excellent communication medium to represent ideas and advocate for issues from any sector in an impactful as well as an engaging manner. Nonprofits working within the arts and culture sector, thus, have often been instrumental in policy execution across the health sector.

1. **Theatre and Music:** Street theatre and theatrical devices have often been used to communicate key messages across major social and health policies such as workers rights, women's health, birth control, diseases (AIDS, leprosy, COVID-19).
2. **Art Therapy:** Mental health support is another aspect that the arts have been contributing towards in recent years. For example, art therapy has been an emerging aspect of psychological theory, and there are several arts NGOs providing programmes and opportunities towards positive mental healthcare.
3. **Visual Arts:** artists are often employed in recent times to paint city walls as a mode of urban beautification by Municipal governments.
4. **Arts-integrated education:** Several organisations, including the India Foundation for Arts (IFA), work closely with State and Central level education ministries to integrate arts with education. For instance, the IFA has worked with government schools in Karnataka, training teachers in arts-integrated curricula. Delhi based organisation Slam Out Loud, an arts-based NGO working towards empowering voices of children from disadvantaged communities, has worked with the Delhi Government to deploy the Jijivisha Fellowship. The fellowship brings professional artists to learning spaces and helps children build relevant social and economic life skills through mediums such as visual arts, theatre, poetry, and storytelling.

## V. CONTRIBUTIONS TO POLICY-MAKING IN INDIA

### Corporate Social Responsibility

The Corporate Social Responsibility mandate for businesses and companies under the Companies Act 2013 was created with the goal to work upon the socio-economic realities of the country and to balance out the debate of developmental growth versus that of welfare based development. Thus, the inclusion of CSR under the Companies Act was an attempt to engage the corporate world with the country's development agenda.<sup>52</sup>

Post the liberalisation of the economy and the large influx of funds into the private sector, government spending on culture had reduced considerably. Presently, apex bodies such as the Ministry of Culture offer multiple cultural initiatives, for instance, offering fellowships and grants towards the cultural sector. However, as mentioned previously, the funds allocated towards the arts and culture sector already make up quite a small share of national funds and these are too thinly spread across the sector. As a result, cultural institutions in India began partnering up with private organisations and foreign institutions for funding. For example, Ford Foundation and the British Council have been instrumental in promoting and providing funding for the development of the arts and culture within the country.

<sup>52</sup> Bulut, Diren and Ceren Bulut Yumrukaya. "Corporate social responsibility in culture and art." *Management of Environmental Quality: An International Journal*. 20.3 (2009): 311-320.

With a need for further engagement of corporate organisations with cultural initiatives in India, cultural NGOs and cultural movements across the country began to turn to corporations and wealthy patrons to fund their activities – take, for example, Tata Trusts and Pirojsha Godrej Foundations that began contributing to the funding of national cultural institutions. With slow but consistent partnerships and rising public engagement between large corporate organisations and cultural initiatives, arts and cultural initiatives began to appeal to the private sector for CSR activities. This kind of public awareness along with consistent push from cultural NGOs and the cultural sector led to a codification of the arts and culture within the list of recognised ‘CSR Activities’ in the Companies Act 2013. While initially, there was a hesitancy within the corporate sector regarding the legitimacy of arts and cultural activities as a CSR initiative, this codification allowed for corporate institutions to freely invest in the sector, giving rise to large scale cultural initiatives through CSR, for instance, cultural festivals sponsored by Mahindra such as the Mahindra Blues Festival or Mahindra Roots.<sup>53</sup>

### **National Education Policy**

As the first education policy of the 21<sup>st</sup> century, The National Education Policy 2020 proposed a revision and revamping of all aspects of the education structure based upon national and global goals for the century while also building upon India’s traditions and value systems and laying emphasis on development of creative potential in the education system<sup>54</sup>. Apart from administrative and academic restructuring, a large part of the NEP 2020 was its emphasis upon inclusion of arts and culture within academic curriculum across school and higher education.

Art-integration is a cross-curricular pedagogical approach that utilises various aspects and forms of art and culture as the basis for learning of concepts across subjects. As a part of the thrust on experiential learning, art-integrated education will be embedded in classroom transactions not only for creating joyful classrooms, but also for imbibing the Indian ethos through integration of Indian art and culture in the teaching and learning process at every level. This art-integrated approach will strengthen the linkages between education and culture.<sup>55</sup>

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<sup>53</sup> “Corporate Engagement with Culture in India - A white paper.” *Godrej India Culture Lab*. Accessed: January 2023.

<sup>54</sup> Ministry of Human Resource Development. “Introduction”. *National Education Policy (2020)*. 3-4. Accessed: January 2023.

<sup>55</sup> Ministry of Human Resource Development. “Curriculum and Pedagogy in Schools: Learning Should be Holistic, Integrated, Enjoyable, and Engaging”. *National Education Policy (2020)*. 11-20 (p.12). Accessed: January 2023.

Policy 22 of the NEP 2020 is entirely dedicated towards the 'Promotion of Indian Languages, Arts, and Culture'. It details the various forms of the arts present in India, a necessity of cultural awareness in students from national as well as individual perspectives, and fostering and maintaining the diversity of culture and languages in India. The policy lists out a few suggestions in which the arts and culture can be promoted in the classroom, for instance -

A number of initiatives to foster languages, arts, and culture in school children have been discussed in Chapter 4, which include a greater emphasis on music, arts, and crafts throughout all levels of school; early implementation of the three-language formula to promote multilingualism; teaching in the home/local language wherever possible; conducting more experiential language learning; the hiring of outstanding local artists, writers, craftspersons, and other experts as master instructors in various subjects of local expertise; accurate inclusion of traditional Indian knowledge including tribal and other local knowledge throughout into the curriculum, across humanities, sciences, arts, crafts, and sports, whenever relevant; and a much greater flexibility in the curriculum, especially in secondary schools and in higher education, so that students can choose the ideal balance among courses for themselves to develop their own creative, artistic, cultural, and academic paths.<sup>56</sup>

The NEP 2020 came about 34 years after the last education policy in India, announced in 1986 and revised in 1992. It took six years of work for NEP 2020 to be finalised and involved extensive consultations with educators, policymakers, cultural experts and members of civil society. This was reflected in the composition of the Committee for the Draft National Education Policy as well. Headed by K. Kasturirangan, former chairman of ISRO, members of the committee included professors of mathematics, sciences, social sciences, literature, and culture studies along with personnel from the education and examination boards of multiple states in the country. The consultation process for the formulation of the policy involved field visits, discussions, conferences/workshops, interviews, limited citizen outreach, special studies, meetings with constitutional leaders and elected officials. Along with this, it involved the creation of a National Education Task Force with multi-stakeholder members from diverse backgrounds including government, academic, industry experts and media<sup>57</sup>. In 2022, the Ministry of Education also launched a worldwide survey for opinions regarding the development of a National Curriculum Framework as part of the NEP. The idea was to bring in a diversity of views including (but not restricted to) teachers, school leaders, educationists, students, members of NGOs, artists, and artisans, in order to create a holistic National Curriculum Framework.<sup>58</sup> The inclusion of the arts and culture within the policy

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<sup>56</sup> Ministry of Human Resource Development. "Promotion of Indian Languages, Arts, and Culture". National Education Policy (2020). 53-56 (p.54). Accessed: January 2023.

<sup>57</sup> Ministry of Education. "Consultation Framework." Accessed: January 2023.

<sup>58</sup> ANI. "Education Ministry to invite views on National Curriculum Framework". *TimesNow*. (2020). Accessed: January 2023.

was, thus, an amalgamation of rigorous efforts of personnel from NGOs (cultural ones and otherwise), artists, craftsmen, and educators who consulted with the Committee for the National Education Policy 2020 in order to create a holistic environment within the education system.

### A CASE STUDY: INDIA FOUNDATION FOR THE ARTS

The following case study on the India Foundation for the Arts (IFA) is based on the authors' interview with the Executive Director, Arundhati Ghosh, and Menaka Rodriguez, the present Head of Resource Mobilisation and Outreach, and the next Executive Director of the organisation. They presented in-depth insights about IFA's work with a range of cultural projects as well as her own personal experiences and challenges of working within this sector. The case study also offers hands-on perspectives emerging from IFA's long history of operating as a key cultural non-profit organisation.

#### **Establishment of the IFA**

Established in 1993 as a Public Charitable Trust, IFA has supported and implemented over 734 projects across the country. IFA has been consistently influential in the cultural sector, with programmes for Arts Research, Arts Practice, Arts Education, and Archives and Museums<sup>59</sup>.

As explained above in section III, there was a significant rise in cultural non-profit organisations after the 1980s. By the time IFA emerged in 1993, Culture and Recreation organisations accounted for 11.18% of the total NPO sector with 1,25,504 societies established at the time<sup>60</sup>. A large number of cultural NGOs, especially in the 1990s were often set up by arts patrons as corporate art foundations (if they belonged to business families) or in partnership with larger foundations or trusts – such as the JSW Foundation in 1989<sup>61</sup> or Khoj in 1997<sup>62</sup>. Similarly, IFA was set up as a Public Charitable Trust in 1993, which came out of the Ford Foundation's desire to set up an independent arts and culture funding organisation in India. The reason IFA was established as a Trust was because in the 1990s, it was seen as the most robust legal body of the not for profit world. Moreover, it

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<sup>59</sup> About IFA | India Foundation for Arts, n.d. Accessed January 2023. <https://indiaifa.org/about-us/about-ifa.html>

<sup>60</sup> "Non Profit Institutions in India: A Profile and Satellite Accounts in the framework of System of National Accounts". 2012 report by Central Statistics Office, Ministry of Statistics and Programme Implementation (MOSPI), Government of India. Accessed: December 2022.

<sup>61</sup> "Overview". JSW Foundation, Accessed: January 2023. <https://www.jsw.in/foundation/about-jsw-foundation-0>

<sup>62</sup> "About Us". Khoj Studios, Accessed: January 2023. <https://khojstudios.org/about-us/>

was noted that for all kinds of funding possibilities, the Trust structure was the most reliable and trusted.<sup>63</sup>

As India entered the liberalisation decade, there was a felt need amongst the cultural community as well as the wealthy elite, including the nouveau riche, to focus on bolstering and supporting the arts, in addition to primary support mandates of poverty alleviation or education. These mandates were previously seen as CSR towards nation building, while art and culture was seen as a way to 'preserve' and 'promote' for knowledge building as opposed to supporting creativity and aesthetic development. Thus, a principle task for cultural organisations has been to shift the existing perception of arts NGOs from mere guardians of heritage preservation and education to demonstrating their value to society, in order to gain increased patronage and funding. The IFA gained credibility in terms of its value and allowed for better public visibility. By 1995, IFA started offering grants and implementing projects across the country to bring visibility to the arts and to offer funding as well as a space for the arts to be celebrated and archived.

### **Functioning of the IFA and its contributions**

IFA functions as an independent non-profit organisation, not just in its project implementation but also in its choice of donors and team structure. The IFA team primarily comprises the outreach team, the management team, and the programme team. It is governed by a Board of Directors that comprises: 1) The Programme Committee which reviews the content and priorities of the grant programmes; 2) The Finance Committee which supervises investments, approves budgets and monitors expenditure and 3) Advisors who help them in specific areas. With an annual budget of INR 4-5 Cr, the foundation completes 50 projects a year on average and usually has at least a 100 active projects at any given time.

The IFA has distinct policies and procedures regarding their programmes and their grant approval processes. The foundation conducts about 5 programmes a year for cultural grants. A call for proposals is sent out, each project usually having a specific mandate. For instance, IFA provides grants for arts research, arts creation (pushing new boundaries in content, form and medium), and even city-based grants to reimagine urban interactions via the arts (Project 560). IFA typically receives about 200-300 proposals, 100 of which are shortlisted by programme officers. Within these 100, the main IFA team further shortlists it down to 25. These 25 proposals are then sent out to an external panel or a jury which chooses the final grantees. The foundation, thus, does its best to eliminate possibilities of bias and make the process as fair as possible. Every 5 years, all IFA programmes are reviewed during a session called *Voices From the Field*. They conduct interviews with 50-60 active artists in order to understand what the artists themselves know of IFA and its role, what they think IFA can do

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<sup>63</sup> As explained to the authors during an interview with Arundhati Ghosh, Executive Director at the IFA.

better and what gaps need to be filled within the field that IFA can contribute towards. This ensures that the foundation is consistently up to date with the changing, dynamic arts and culture landscape and adapts itself accordingly to provide for the needs of the artists.

One of IFA's key mandates is also to provide space for marginalised communities and voices from the arts. The foundation accepts and processes proposals in 14 languages which are then translated for the jury as required. They also consistently map geographical data for their proposals – for instance, Rodriguez mentioned a 10-year review discussion wherein IFA realised that most of the proposals they received came primarily from the metropolitan regions. In order to rectify this, they approached underrepresented areas and marginalised communities, conducted extensive fieldwork, created awareness about IFA's work and encouraged people from non-metropolitan regions to apply. This shows the integral role that NGOs like IFA have played in promoting equal opportunities and giving a platform for underrepresented voices.

### **Contribution of the IFA and the Arts and Culture NGOs to Development**

The major contributions of IFA, as summarised by Rodriguez, are, '*capacity building, creation of work, and contribution to a larger discourse.*' IFA's cultural archive is perhaps one of its most distinct contributions. It has supported over 730 projects in a large variety of artforms and has supported artists from all over the country. IFA also designed and delivered a capacity building programme titled Strategic Management in the Art of Theatre (SMART), to "build knowledge, skills and expertise about arts management from within the Indian theatre community"<sup>64</sup>. She also cites "*discourse building in different languages*" as one of IFA's major contributions to the arts, allowing them to build a diverse archive and bring marginalised voices to the forefront.

Rodriguez says that cultural NGOs have simply made available the infrastructures that artists need to exhibit their art. Even just having the accessibility to be able to exhibit their art makes a world of difference for artists. The problem with cultural and arts spaces, according to her, has always been either the lack of visibility or the lack of importance and value ascribed to the arts. The NPOs have bridged this through consistent advocacy and promotion of the arts, making them much more accessible for the general audience. Furthermore, these NPOs have also consistently attempted to diversify their activities to promote socio-economic growth, bringing more visibility to the benefits, the value and the overall contribution of the arts to personal *and* national development.

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<sup>64</sup> Strategic Management in the Art of Theatre (SMART) Programme | India Foundation for Arts, n.d.

### **Challenges Faced by Arts NPOs**

Drawing from her experiences, Rodriguez mentioned 3 primary challenges that she has noticed within the sector.

The first aspect is the constraints faced by NPOs due to policy and governmental regulations. The laws and regulations on NPOs are consistently becoming tighter and require extensive and constant reporting. Furthermore, there is also an increased regulation in foreign donations which severely impacted NGO funding. For example is the 2022 amendment of the FCRA which put in place stricter requirements and regulations for NGOs to receive foreign donations (Chander, 2022). The arts and culture sector, especially the younger organisations at the current moment, are found to be already doing the fieldwork but simply do not register as NPOs or cannot stay up-to-date with reporting, thus skewing data. Considering that NPOs are largely volunteer-based and often have smaller teams, the heavy administrative expectation is often a struggle to meet for organisations and they do not have the bandwidth to deal with organisational and reporting aspects of the NPO sector.

Another aspect, as mentioned before, is simply demonstrating the *value* of work of an arts NPO. The problem here arises due to the fact that most other sectors can have much more defined quantitative data - an education sector can quantify the amount of schools started or the number of students enrolled in an area. The same cannot be done for the arts and culture due to its subjective and diverse nature. Thus, depicting the value of work becomes difficult, which in turn, makes it tougher to receive donations and patrons. This was made at least mildly easier, however, with the amendment of the CSR Bill in 2013-14 which finally listed arts and culture as part of corporate social responsibility. This brought legitimacy to the arts and culture NPOs and allowed for more corporate attention and funding for the sector.

Finally, there is a lack of cohesiveness within the non-profit art and culture sector itself. Rodriguez believes that other sectors tend to have organisations that are more connected with each other and have more coalitions together. However, due to the diversity within the arts and culture sector, the organisations do not have as many connections with each other outside the domain of their work. This results in a lack or low awareness of new policies being implemented for the arts and culture sector. Secondly, it also means the sector rarely comes together to advocate for policy changes for the benefit of the sector.

### **Policy Recommendations**

India's culture sector is vital to its sense of identity and nationhood, and for the cultural pride it evokes in her people. The right to practise and conserve one's culture is enshrined in our constitution, and given the vast disparity among her people, it's critical for India to develop policies that safeguard the right to one's cultural practices, access to artistic education, and to make one's livelihood from practising an art form. Furthermore, given the

global policy evolution from arm's length funding to creative industries models, we need to recognise India's cultural sector contribution to the creative economy as a key part of her global competitive advantage in the marketplace as a driver for wealth creation; enterprise and innovation; and positive international cultural relations. In line with the above, here are the policy recommendations which also take into account recommendations made by the author in the aftermath of the COVID-19 pandemic and its impact on India's creative sector<sup>65;66</sup>:

### ***Develop a culture policy***

- We strongly recommend the development of a mid and long-term national policy for the creative sector and arts.
- This should accompany certain regulatory changes that make it easy for the companies and individuals to donate to art and culture. Currently, only 50% of one's donation to the arts is set off against Income Tax. This needs to be increased to 100%.
- The policy should also safeguard the right to practise art and protect freedom of expression of the artiste.
- The policy should seek integration of socio-cultural impact as a key metric for assessment in all major infrastructure projects, be it ports, bridges, dams, or in urban planning (such as new townships).
- Regular research reports measuring the value of arts to society, livelihoods, cultural pride and the economy.

### ***Review regulatory frameworks***

- Review the regulatory framework to strengthen the export and import market for creative goods and services and reduce barriers to entry.
- A significant review of financial and livelihood statistics is needed to assess the impact and contribution of the sector in a broader context. E.g.: We recommend embedding tax coding of the creative industries in the formal economy through the Goods and Services Tax (GST) council to measure the contribution of both not-for-profit and for-profit arts and culture organisations and individuals.
- Review the CSR framework to develop a systematic inclusion for private investment and build a system of philanthropy for arts and culture.
- Establish arms-length bodies (ALBs) to strengthen and invest in arts and culture through a partnership of public and private investors.
- Identify common sectoral barriers to enabling deeper socio-cultural impact through policy change and implementation of innovative schemes in the regulatory framework

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<sup>65</sup> British Council. "Taking the Temperature 2". (2021)

<sup>66</sup> British Council. "Taking the Temperature 3". (2021)

to strengthen routes to the market for both for-profit and social impact enterprises in the sector.

### ***Creative Economy taskforce***

- Establish coordination between secretaries and ministers from the 14 Ministries that have a mandate for the Creative Sector. This can take the form of a Creative Economy Task Force (CETF) to coordinate and plan a comprehensive and substantial package of emergency and long term investment across arts and culture sectors.

### ***Strengthen infrastructure development***

- The CETF, made of bureaucrats and politicians from the central government and states of India and major stakeholders to inaugurate a major ground-breaking international creative economy conference, convening public and private partnerships across government.
- Establish sector specific management self-help groups and management organisations and city-wide enterprise zones and clusters in performing arts, festivals, literature and publishing, visual arts, galleries and museums, crafts, CreaTech and start-ups.
- Unite with national and state government interventions, e.g. create cultural districts in every Smart City to allow for performance spaces, rehearsal venues, libraries, studios and artists offices.
- Institute programmes for arts management education, and deeper studies on India's culture sector across all domains.
- Establish creative economy networks of artists, artisans and culture organisations to develop sector, city, state and national knowledge and impact for:
  - a. Collective advocacy
  - b. Pooling resources for mutual support
  - c. Shared learning across the diversity of India's languages, creative industries and artforms.

### ***Financial investment and innovation***

- Maximise the potential of technology and AI through informal education networks to enable livelihoods for artists, entrepreneurs and arts innovators.
- A comprehensive national skills campaign across urban and rural geographies for cultural MSMEs and not-for-profits in digital and technological skills, business development, marketing and communication capacity.

### ***Export and Import of Cultural Services and Goods***

- Evaluate the free flow of artistes between countries with whom cultural treaties are in place. The free flow of artistes between is a significant need as written into the charter by UNESCO and signed by member countries.

- Acknowledge the export of cultural services and goods and offset taxes as per existing laws.
- Remove import taxes on artwork pledged to or gifted to Museums both by Governments and Private organisations.
- A provision for a blanket permission for an institution valid for a certain period of time to receive gifts and endowments of art works and bring it into the country.
- Work with national galleries and museums across the world to bring back objects that may have been carried out of the country through illegal means. These may be in the form of long term loans of permanent loans to offset legal requirements in those countries.
- Create a special service for art works that are being exported or imported with a one window clearance and custom system.

## APPENDIX A

The original source of this appendix is: "Country Profile: India." International Federation of Arts Councils and Culture Agencies (2013), authored by Ashish Rajadhyaksha, P. Radhika, and Raghavendra Tenkayala.

### A. Constitution

In the Indian Constitution, Articles 29 and 30 are the ones usually used to define both cultural and educational rights. These Articles deal broadly with cultural rights such as language, script and religion. We detail below the specific references:

In Article 29, these refer to the protection of interests of minorities, and include 29 (1) which says that 'any section of the citizens residing in the territory of India or any part thereof having a distinct language, script, or culture of its own shall have the right to conserve the same', and 29(2) which affirms that no citizen shall be denied admission into any education institution maintained by the State or receiving aid out of State funds on grounds only of religion, race, caste (or) language.<sup>67</sup>

Article 30 refers specifically to the rights of minorities to set up educational institutions. 30(1) explicitly allows minorities – whether based on religion or language – as explicitly possessing the right to establish and administer educational institutions of their choice. 30(2) requires that the Indian state shall not discriminate against any educational institution on the ground that it is under the management of a minority.<sup>39</sup>

Apart from Articles 29 and 30, there are several other Constitutional provisions that are seen as having a bearing on culture. For instance, *Article 15* that asserts a right to equality, ensuring equal access of resources for everyone irrespective of one's religion, race, caste, sex, place of birth and the even more famous right to freedom of speech and expression (*Article 19*).<sup>39</sup>

Furthermore, Article 25 strengthens these rights, stating that 'subject to public order, morality and health...all persons are equally entitled to freedom of conscience and the right freely to profess, practise and propagate religion.'<sup>68</sup>

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<sup>67</sup> Rajadhyaksha, Ashish, P. Radhika, and Raghavendra Tenkayala. "Country Profile: India." *International Federation of Arts Councils and Culture Agencies* (2013). P.100

<sup>68</sup> Rajadhyaksha, Ashish, P. Radhika, and Raghavendra Tenkayala. "Country Profile: India." *International Federation of Arts Councils and Culture Agencies* (2013). p.101

These articles are further backed up by *Article 51A* which details the fundamental duties of citizens, some of which are focused upon an Indian citizen’s personal duty to preserve and promote Indian culture -

- to promote harmony and the spirit of common brotherhood amongst all the people of India transcending religious, linguistic and regional or sectional diversities; to renounce practices derogatory to the dignity of women.
- to value and preserve the rich heritage of our composite culture.
- to protect and improve the natural environment including forests, lakes, rivers and wildlife, and to have compassion for living creatures
- to develop the scientific temper, humanism and the spirit of inquiry and reform.<sup>69</sup>

The Constitution also ensures proper allocation of funds and resources towards the maintenance and promotion of cultural heritage in India. The Ministry of Culture (MoC) has sole discretion, subject to audit and other restrictions, to disburse funds in the following areas:

<b>Tangible Heritage</b>	<b>Intangible Heritage Culture</b>	<b>Knowledge Resource Heritage</b>
Archaeological Survey of India,	National School of Drama	National Archives of India
National Museum	Indira Gandhi National Centre for the Arts,	Anthropological Survey of India
National Gallery of Modern Art	Sahitya Akademi, Lalit Kala Akademi and Sangeet Natak Akademi.	Nehru Memorial Museum and Library
National Research Laboratory for Conservation of Cultural Property	Centre for Cultural Resources and Training	Asiatic Society

<sup>69</sup> Rajadhyaksha, Ashish, P. Radhika, and Raghavendra Tenkayala. "Country Profile: India." *International Federation of Arts Councils and Culture Agencies* (2013). P.102

National Culture Fund.	Kalakshetra Foundation	Maulana Abul Kalam Azad Institute of Asian Studies
	all Zonal Cultural Centres.	

*Areas and organisations under the areas funded by the Ministry of Culture*

**Source:** *Country Profile: India. (2013).p.104*<sup>70</sup>

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<sup>70</sup> Rajadhyaksha, Ashish, P. Radhika, and Raghavendra Tenkayala. "Country Profile: India." *International Federation of Arts Councils and Culture Agencies* (2013). P.104

**Act: made by Parliament/State Assembly within the parameters of the Constitution<sup>71</sup>**

**In India, several acts and amendments have been made in relation to culture.**

ACT	AMENDMENT	SUBORDINATE LEGISLATION/RULES/BY -LAWS/ NOTIFICATIONS
The Asiatic Society Act, 1984	The Asiatic Society Amendment to Regulations, 2007	
The Jallianwala Bagh National Memorial Act, 1951	The Jallianwala Bagh National Memorial (Amendment) Act, 2006  The Jallianwala Bagh National Memorial (Amendment) Act, 2019	Notification - 28.09.2018 regarding nomination of Members as Trustees
The Public Records Act, 1993		Public Records Rules, 1997
The Delivery of Books [And Newspapers] (Public Libraries) Act, 1954		
The Khuda Bakhsh Oriental Public Library, 1969		
The Salar Jung Museum Act, 1961		The Salar Jung Museum Rules, 1961  The Salar Jung Museum Regulations, 1962  The Salar Jung Museum Board Regulations, 1972  The Salar Jung Museum Notification, 1962

<sup>71</sup> Acts & Subordinate Legislation | Ministry of Culture. n.d. Accessed January 2023. <https://www.indiaculture.nic.in/acts-subordinate-legislation>

The Kalakshetra Foundation Act, 1993		The Kalakshetra Foundation Rules, 1998  The Kalakshetra Foundation Recruitment Regulation 13.01.2005  The Kalakshetra Foundation, Chennai, (Director) Recruitment Rules, 2012
The Antiquities and Art Treasures Act, 1972		The Antiquities and Art Treasures Rules, 1973
The Ancient Monuments and Archaeological Sites and Remains Act, 1958	The Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Act, 2010	The Ancient Monuments and Archaeological Sites and Remains Rules, 1959  The Ancient Monuments and Archaeological Sites and Remains (Framing of Heritage By-Laws and Other Functions of the Competent Authority) Rules, 2011  The National Monuments Authority (Condition of Service of Chairman and Members of the Authority and Conduct of Business) Rules, 2011
The Lalit Kala Akademi (Taking Over of Management) Act, 1997		Order under Section 6 of the Act vide S.O 202(E) dated 31.03.1999
The Rampur Raza Library Act, 1975		

*Acts Made by Parliaments/State Assembly*

**Source:** Acts & Subordinate Legislation | Ministry of Culture

### C. Subordinate Legislation

Subordinate legislation refers to Rules, Regulations, Bylaws made by the authorised government agency within the parameters prescribed by the Act. The country does not have a single, central cultural policy, but the sector has been supported by a range of Government initiatives and departments from the Ministry of Culture (MoC), Ministry of Tourism, Ministry of Information and Broadcasting to Ministry of Youth Affairs and Sports. The following section is entirely sourced from IFACCA, “WorldCP-Asia International Database of Cultural Policies”, 1st edition, 2013.

The Government itself divides its functions into Central, State and Municipal levels (outlined in this section). Cultural policy, along with procedures for disbursement of funds for public purposes in culture, move from the Centre (various Ministries involved with cultural issues), State, and City (Municipal) levels.

Central administration: At the Centre, the Ministry of Culture plays a major role in the promotion and protection of India’s ‘cultural diversity and heritage’ (quoting from the Ministry of Culture’s Vision Statement of Citizen Charter)<sup>72</sup>. The Ministry’s mandate emphasises the right of all sections of Indian society to conserve their language and culture as also the rich heritage of its composite culture (see Legal Mandate, Ministry of Culture)<sup>73</sup>. Thus, the Ministry largely focused on establishing museums, libraries and arts institutions, and protecting ancient monuments and archaeological sites. The Ministry of Culture has numerous organisations under its jurisdiction.

These fall under the categories of:

- **Subordinate Offices** including Anthropological Survey of India, Central Reference Library, National Library, National Gallery of Modern Art, National Museum (Delhi) National Research, Laboratory for Conservation of Cultural Property (Lucknow).
- **Attached Offices** including Archaeological Survey of India, The Central Secretariat Library and the National Archives of India.
- **Autonomous Bodies** including Museums, Libraries, Akademies, Zonal Cultural Centres and Buddhist Institutions.<sup>74</sup>

<sup>72</sup> Ministry of Culture. “Vision Statement”. *Citizen’s Charter/Client’s Charter for the Ministry of Culture*. (2011). Accessed: January 2023.

<sup>73</sup> Legal Mandate | Ministry of Culture. n.d. Accessed: January 2023.

<sup>74</sup> About Us | Ministry of Culture. Accessed January 2023. <https://indiaculture.gov.in/about-us>

In addition, as mentioned in the earlier sections, there are other ministries involved in culture:

1. Ministry of Education, which deals with arts education, and technical education relating to crafts.
2. Ministry of Human Resource and Development. which deals with a total of 153 educational and cultural institutions including Indian Council for Historic Research (ICHR), Indian Council of Social Science Research (ICSSR) and National Council for Educational Research and Training (NCERT).
3. Ministry of Textiles, which runs the Export Promotion Council for Handicrafts (EPCH), the Handicrafts and Handlooms Export Corporation (HHEC), the National Institute of Fashion Technology (NIFT) and the National Handicrafts and Handlooms Museum.
4. Ministry of Micro, Small and Medium Enterprises, which runs the Khadi and Village Industries Commission.
5. Ministry of Information and Broadcasting, as well as the Department of Science and Technology, which deal with radio, satellite communications, television and cinema.
6. Ministry of External Affairs, which looks into international cultural relations through the Indian Council for Cultural Relations (ICCR)
7. Ministry of Tourism
8. Ministry of Tribal Affairs
9. Ministry of Minority Affairs
10. Ministry of Commerce and Industry, which runs the National Institute of Design (NID)
11. Ministry of Youth Affairs & Sports

**State administration:** At the state level, the 28 states and 7 union territories that constitute the Indian republic either have a department of culture or a department that also handles culture (e.g. the Department of Tourism in Daman and Diu, and Dadra and Nagar Haveli). The respective departments of culture centrally focus on the protection of regional languages and folk cultures and support of contemporary arts - literature, visual and performing arts.

Mirroring the Akademies that constitute the apex arts bodies at the centre, there are state Akademies in the fields of literature, music and dance, sculpture, visual arts, folk, minority languages and book publications. For example the state of Karnataka has a Karnataka Sahitya Academy (Karnataka Academy of Letters); Karnataka Sangeetha Nritya Academy (Karnataka Music and Dance Academy); Janapada and Yakshagana Academy (Folklore and Yakshagana Academy); Karnataka Media Academy; Nataka Academy (Drama Academy); Book Development Authority; Karnataka Lalitha Kala Academy (Karnataka Academy of Fine Art); Karnataka Shilpa Kala Academy (Karnataka Academy of Sculpture); Tulu Sahitya Academy (Tulu Academy of Letters); Konkani Sahitya Academy (Konkani Academy of Letters); Kodava Sahitya Academy (Kodava Academy of Letters) and Urdu Academy.

**Municipal administration:** At the municipal level, there are local bodies that have concentrated on heritage/conservation and related structures, gentrification, reuse of

vacant lands and arts in public spaces. Examples of important city-based bodies include the Mumbai Metropolitan Region Development Authority (MMRDA) and the Delhi Urban Arts Commission (DUAC). In 1997 MMRDA constituted a body MMR-Heritage Conservation Society for creating awareness in heritage conservation and support for preservation and development of natural and built cultural heritage.<sup>75</sup> The DUAC was set up in 1973 to 'advise the Government of India in the matter of preserving, developing and maintaining the aesthetic quality of urban and environmental design within Delhi' and has been one of the more proactive local bodies that has intervened in the preservation of cultural and historic meanings of the city in urban planning development. Many city municipal corporations such as in Ahmedabad, Cochin, Delhi, Mumbai and Puducherry (formerly Pondicherry) have in the last decade or so set up Heritage Cells, in partnership with non-governmental organisations.

**Inter-ministerial or intergovernmental cooperation:** Culture administratively comprises the departments covering Education, Economy, Human Resource, Communications and Science & Technology and, in disciplinary terms, includes at least History, Anthropology, Political Science, Design, Literature, Economics and Science, all of which appear to incorporate and even perhaps supersede substantial aspects of contemporary cultural practice in the sense of merely 'fine arts'.

#### D. International treaties ratified by India<sup>76</sup>

Title of the Treaty	Year of adoption
<b>Human Rights</b>	
Universal Declaration of Human Rights (UDHR)	1949
International Covenant on Civil and Political Rights (ICCPR)	1979
International Covenant on Economic, Social and Cultural Rights (ICESCR)	1979
<b>UNESCO</b>	
Universal Copyright Convention	1957
Convention for the Protection of Cultural Property in the Event of Armed Conflict with Regulations for the Execution of the Convention	1958

<sup>75</sup> Home | Mumbai Metropolitan Region - Heritage Conservation Society. Accessed: February 2023.

<sup>76</sup> Rajadhyaksha, Ashish, P. Radhika, and Raghavendra Tenkayala. "Country Profile: India." *International Federation of Arts Councils and Culture Agencies* (2013). p.110.

Convention for the Protection of Producers of Phonograms against Unauthorised Duplication of their Phonograms. Geneva	1974
Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property. Paris	1977
Convention concerning the Protection of the World Cultural and Natural Heritage. Paris	1977
Convention on Wetlands of International Importance especially as Waterfowl Habitat. Ramsar	1981
Multilateral Convention for the Avoidance of Double Taxation of Copyright Royalties, with model bilateral agreement and additional Protocol. Madrid	1983
Universal Copyright Convention as revised on 24 July 1971, with Appendix Declaration relating to Article XVII and Resolution concerning Article XI. Paris	1988
Regional Convention on the Recognition of Studies, Diplomas, and Degrees in Higher Education in Asia and the Pacific. Bangkok	2000
Convention for the Safeguarding of the Intangible Cultural Heritage. Paris	2005
Convention on the Protection and Promotion of the Diversity of Cultural Expressions. Paris	2006
International Convention against Doping in Sport. Paris	2007

*International Treaties ratified by India*

**Source:** *Country Profile: India. (2013).p.110*

**E. Sector specific legislation<sup>77</sup>**

Sector	Legislation	Description
Visual and Applied Arts	Indian Copyright Act 1957	Under Section 2 (c) of the Indian Copyright Act, 1957: (c) "artistic work" means- (i) a painting, a sculpture, a drawing

<sup>77</sup> Rajadhyaksha, Ashish, P. Radhika, and Raghavendra Tenkayala. "Country Profile: India." *International Federation of Arts Councils and Culture Agencies* (2013). p.111-113

		(including a diagram, map, chart or plan), an engraving or a photograph, whether or not any such work possesses artistic quality; (ii) work of architecture; and (iii) any other work of artistic craftsmanship
	Indian Penal Code 1860	Used to regulate exhibitions, publications, etc.
Performing Arts and Music	Indian Copyright Act 1957	
	Dramatic Performance Act 1876	Believed to be draconian and used for rigid regulation of dramatic performances. Replicated by several state governments
	Article 246 of Constitution of India	All state Governments have the power to regulate 'Theatres and dramatic performances
Cultural Heritage	Central Acts	<ul style="list-style-type: none"> <li>● Indian Treasure Trove Act</li> <li>● 1878 Ancient Monuments Preservation Act 1904</li> <li>● Ancient Monuments and Archaeological Sites and Remains Rules, 1959</li> <li>● Antiquities and Art Treasure Act, 1972</li> <li>● Environment Protection Act, 1986</li> </ul>
	State Acts	<ul style="list-style-type: none"> <li>● Monuments and Antiquities Act, 1961</li> <li>● Town and Country Planning Acts</li> </ul>
	City Heritage	<ul style="list-style-type: none"> <li>● Statutory protection is available only to monuments protected under the Monuments and Antiquities Act, 1961 in the states.</li> <li>● Cities and the heritage within them are governed by Municipal laws which are a state subject. Many states do not have adequate legislation to conserve city heritage and amendments to heritage protection rules are pending in many states.</li> </ul>

## ANNEXURE 1

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