

# One-fifth of district courts in country lack separate toilets for women: report

**Soibam Rocky Singh**

NEW DELHI

Nearly one-fifth of the district court complexes in the country lack separate toilets for women, according to a report published by the Centre for Research and Planning of the Supreme Court recently.

The report – ‘State of the Judiciary’ – underscored the necessity of women-friendly toilets, stating that sanitary napkin vending machines have been provided at only 6.7% of the toilets meant for women.

“To ensure equality, dignity and the right to menstrual health and sanitation facilities to women, it is essential that women toilets in institutions of justice

**Sanitary napkin vending machines have been provided at only 6.7% of women's toilets, the report found**

have sanitary napkin vending machines with appropriate menstrual waste disposal options,” it stated.

## **Grim picture**

Citing data from the National Judicial Data Grid, the report said that while 19.7% of district courts did not have separate toilets for women as of September 25, 2023, the condition of the existing washrooms painted a grim picture.

The report said that toilets in courts are often

found with broken doors and lack regular water supply.

“Sometimes, toilets are attached to the chambers of judicial officers, and both male and female judges are required to share a common washroom,” it added.

The report also said there were instances when judges personally had to engage sweepers and cleaners to ensure cleanliness and hygiene.

In Peren district of Nagaland, no maintenance facility was engaged to clean the toilets. Staff members themselves had to ensure the upkeep of the washrooms, the report said.

The report also revealed that most district courts did not have toilets for

transgender persons and emphasised the need for “gender-inclusive toilets” in every court complex.

## **‘Sharing basis’**

The report added that in Kerala, washrooms for transgender persons are available on a sharing basis with persons with disabilities.

In Uttarakhand, there are only four washrooms for transgender persons across the State.

In Tamil Nadu, such facilities are available only in two districts – Chennai and Coimbatore. The report said that using washrooms that “do not align with their gender identity may cause discomfort and harassment to transgender persons”.

# 'CAA rules may be notified before Lok Sabha election'

The citizenship Act was passed in 2019. Hindus from Pakistan who entered India legally but their documents expired while waiting for citizenship will also be eligible to apply online, says official

Vijaita Singh  
NEW DELHI

**T**he rules of Citizenship Amendment Act (CAA) are likely to be notified before the announcement of the next general election, a senior government official said on Tuesday. Members of the Pakistani Hindu community who had entered India legally and their documents expired while awaiting citizenship will also be eligible to apply online under CAA, the official added.

The CAA, which was passed by Parliament in December 2019, is yet to be implemented. It is only after the rules are notified that the Act will come into force.

The *Hindu* had reported on December 29, 2023, that there is a one-month window for the CAA to be implemented before the next Budget Session, which is expected to start on February 1.

The legislation facilitates citizenship to undocumented people, who entered illegally without visas and passports, belonging



**Almost there:** Hindu refugees who migrated from Pakistan's Sindh Province display their passports in Ahmedabad. FILE PHOTO

to six non-Muslim communities from Pakistan, Bangladesh and Afghanistan. The CAA fast-tracks citizenship to people belonging to the Hindu, Sikh, Buddhist, Parsi, Christian, and Jain communities from the three neighbouring countries who entered India on or before December 31, 2014. The Act reduces the requirement of aggregate stay in India for applicants from the six communities seeking citizenship from 11 years to six years.

The official added that if the need arises, the 2014

cut-off can be extended by bringing in necessary legal changes. The total number of undocumented people, particularly in West Bengal and Assam, who will get citizenship under CAA has not been specified by the Ministry.

Hindu Singh Sodha, president of Seemant Lok Sangathan, a group that advocates for the rights of Pakistani minority migrants in India, said around 80,000 applications of Hindus from Pakistan were pending with the authorities.

"In Rajasthan, there are

35,000 people whose citizenship application is pending. All these people came on valid papers and visa post-2010. They have been waiting for citizenship for more than 10 years," Mr. Sodha told *The Hindu*.

The Union Home Ministry in 2018 made the citizenship process online for such applicants. Over the years, it has empowered and delegated powers to district collectors of 31 districts and home secretaries to accept online applications to grant citizenship to applicants belonging to the six communities under Section 5 (registration) and Section 6 (naturalisation) of the Citizenship Act, 1955.

Despite an online process being in place, the portal does not accept expired Pakistani passports, forcing people to apply to the Pakistan High Commission in Delhi to get their passports renewed for a hefty sum.

Most Pakistani Hindus and Sikhs came to the country either on long term visas (LTV) or pilgrim visas.

## Faulty compulsion

Issues with Aadhaar-seeding are a headache for MGNREGS beneficiaries

**W**ith the government refusing to extend the deadline for Aadhaar details of workers under the Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS) to be seeded to their job cards beyond December 31, 2023, to enable payments through an Aadhaar-based payment system (ABPS), the system has now become mandatory. Alarmingly, the decision would now affect nearly 35% of job card holders for this mode of payment and 12.7% of "active" workers (those who have worked at least one day in the last three financial years), thereby putting a dampener on the demand-driven scheme for many. ABPS implementation, the Union government claims, will ensure that payments are quick, reduce rejection and plug all leaks. The government also contends that as the ABPS has been in place for MGNREGS from 2017, and because Aadhaar number availability is near universal in India, the ABPS is a robust and a safer way to transfer wages. However, the over-reliance on technical tools has resulted in problematic implementation, with beneficiaries devoid of a proper recourse for corrections in the system. Data analysed by LibTech India suggest that the names of 7.6 crore workers have been deleted over the past 21 months due to discrepancies between the Aadhaar and the job card, among other reasons, with many of these done erroneously.

There are other issues with the use of the Aadhaar-based payments – where errors in any step of the process result in payment failures. Apart from the spelling discrepancy issue between the Aadhaar and the job card of the worker, there is also the problem of mapping the Aadhaar to the wrong bank account for many. In a number of cases, payments can be diverted to some other account than the one beneficiaries prefer, and also without their consent. Claims by the government that Aadhaar use has reduced delays in wage payments have also not been borne out, according to LibTech India, with wage delays largely due to insufficient funds in the first place. Without cleaning up Aadhaar seeding and mapping with bank accounts, making the ABPS mandatory will only create further issues. The Union government must revisit this decision, and work out a way to correct the faulty seeding and mapping problems before imposing ABPS. The Ministry of Rural Development has said that it may consider an exemption from ABPS on a case-to-case basis for gram panchayats if there are technical issues, but it would be better if the Ministry conducts social audits to ascertain the extent of the problem before insisting on ABPS. MGNREGS remains a vital demand-driven welfare scheme that helps the rural poor and its implementation must not be dependent upon a faulty technological system.

## Growth signals

The indirect tax intake might be a bonanza despite some momentum loss

**T**he Goods and Services Tax (GST) has yielded close to ₹1.65 lakh crore in gross revenues in the last month of 2023. As the Finance Ministry has highlighted, this is the seventh occasion in this fiscal year that GST revenues were over ₹1.6 lakh crore. The first nine months of 2023-24 have clocked a 12% rise in GST collections, with the monthly intake averaging ₹1.66 lakh crore, from ₹1.49 lakh crore in 2022-23. There is a good chance that the tax, which North Block mandarins have often lamented has not delivered as much revenue as was anticipated at the time of its launch, may end up bestowing a bonanza to the exchequer this year. The Budget had factored in monthly GST revenues of around ₹1.59 lakh crore, so maintaining the current rate should translate into an additional inflow of ₹80,000-odd crore. While this may provide some buffer for any fresh pre-poll handouts from the Centre ahead of the general election, an expected slowdown in the final quarter of the year may moderate the gains. The Reserve Bank of India's projection was for growth to taper off from 7.7% in the first half of the year to 6.5% in the October to December 2023 quarter and further to 6% in the current quarter. December's GST collections for transactions undertaken in November indicate some moderation in momentum already.

Both the headline number and the growth rate for December were the lowest in three months. In fact, the 10.3% growth was far weaker than the 15.1% recorded a month earlier, and just marginally better than September's 10.2% uptick, which in turn marked a 27-month low. Deepavali, which was closer to the middle of that month, should have spurred some last minute spending boost, but that effect seems to have been insipid. Revenues from domestic transactions grew 13% in December, down from the 14-month high growth of 20% in November, suggesting that the initially healthy festive fervour may have partly hit the 'snooze' button. This is corroborated somewhat by e-way bills generated in November which slid to 87 million from 100 million in October. The government has emphasised resilient domestic consumption steered the economy despite global headwinds. Indicators such as car sales, which crossed the four-million mark in 2023, led by high-end sport utility vehicles, can buttress that belief. But with rural demand likely to be fragile amid bleak prospects for the farm sector, and the festive push already in the past, policymakers, for whom this is the last month of official data to base their Interim Budget premises on, must note the slowing pace while factoring in the additional inflow that seems set to exceed expectations.



# Transforming narratives: unravelling India's transition in slum definitions

The changing conceptualisation of slums influenced government policies and approaches, with varied perspectives from considering slums as an epidemic needing eradication to later viewing them as objects of technocratic solutions

Rebecca Rose Varghese

Narayanan, Nipesh, 'The Making of Slums: An Analysis of Indian Parliamentary Debates from 1953 to 2014', *Economic & Political Weekly*, Vol 58, Issue No. 42, Oct 21, 2023

**T**he subject of slums has found a prominent place in the debates and discussions of the Indian Parliament throughout history. Yet, the discursive understanding about slums has always changed making it difficult to define it. There have been different interpretations of the concept during various periods. Such discursive approaches have affected the treatment of the topic by legislatures and policies.

## Evolution of discourses

Nipesh Narayanan's research is an addition to such a discursive research network. He explores the shifting narratives around slums by analysing discussions and debates in the Rajya Sabha between 1953 and 2014. Through an in-depth study of 1,228 debates in the Upper House of Parliament and an array of policy documents, including the Five-Year Plans of India released during this period, the author looks at the evolution of the discourses surrounding slums.

The author emphasises the dynamic nature of slum definitions as a critical aspect in understanding the contextual variations in discourse. He explains that while the government's approach to slums kept changing according to the changing conceptualisation of slums, the role of urban disparity as a causal factor was largely ignored.

The five decades scrutinised in the paper are divided into four eras wherein the consequences of the changing definition of slums are explored.

In the first era between the 1950s and 1960s, the slums were considered to be an aftermath of the formation of the new country - a result of partition and the inflow of a huge population into cramped,

dilapidated residential areas. Old Delhi Katras were examples of such areas, wherein old Mughal buildings that were already compact, were further divided to accommodate the new population. This resulted in people living in deteriorating buildings without basic civic amenities. The Parliamentary discussions about slums during this period sidelined socio-economic factors like migration due to caste and religious violence. While they avoided defining the concept, slums were considered an epidemic that needed to be eradicated. It was connected to spatial constraints and health issues rather than looking at the urban disparities that resulted in its formation. However, as most slum regions were private areas, the government could not engage with these regions. This changed with the introduction of the Slum Areas Act of 1956 which marked a pivotal moment that made government intervention plausible after an area was officially notified as a slum.

During this period, the slum became a legal entity and the citizenship rights of slum dwellers were also ignored as slums were only considered worthy of demolition, due to arguments around health and sanitisation, but also due to aesthetic considerations and image consciousness revolving around it.

Between the early 1970s and mid-1980s, the narrative around slums shifted - from being considered a space that needed eradication, it was looked at as a necessary evil that had to be developed. Limitations to funding large pieces of land to shift the residents of the slums pushed the government to think of a different method to deal with slums. Town planning emerged as a governance tool, pushing slums to the peripheries. The narrative evolved to prioritise providing basic amenities to slums instead of destroying them.

This era highlighted the challenges of transitioning from a singular focus on slum clearance to a more complex approach involving slum improvement.

Most questions in the Rajya Sabha revolved around town planning and management strategies of the government.

In the third era between the mid-1980s and late 1990s, the author explains that there was yet another transformation in the perspective of slums. In 1985, the newly formed National Commission on Urbanisation published its first report, wherein cities were portrayed as the economic engines of the States. This was very different from how it was understood by policies and governance until then. From being considered liabilities, funding to cities and urban spaces including the slums, were now looked at as assets and investments for the economic growth of the State. Economic reasoning was provided for interventions in cities rather than social ones. While town planning took a back seat, housing policies underwent significant changes, adopting a broader approach encompassing issues like land, finance, and infrastructure.

The first two National Housing Policies were introduced during this period.

Further, in 1996 the National Slum Development Programme was launched bringing back targeted funding from the union government towards slum redevelopment. Since the era relied on economic growth, while the focus was on a wide range of social and physical infrastructure, it was all based on data.

## Slum formation

The Union government took the role of providing funds to the State governments. The discussions in the Parliament during this period focused on how funds were allocated and used by various governments to improve the conditions of cities.

The need for a comprehensive understanding of slums based on data was finally fulfilled with the launch of the 2001 Census. The author clarifies that between the 2000s and 2014, with the help of the Census the definitions of

slums broadened, leading to many targeted schemes. Slums transitioned from being social concerns to technical, economic objects, focusing on implementation efficacy and economic development.

Statistical information demystified the complexity and ambiguity of the causality of slum formation. Lack of proper urban planning, growing population owing to urbanisation, the pressure on land, and the concomitant price rise which made affordable housing difficult were some of the reasons given for the formation of slums. Urban housing deficit was morphed into the motto of housing policies.

The issue of slum formation was once again discussed in the context of physical space, while other socio-economic problems related to slums were examined outside the confines of slums. Yet, unlike the 1950s the solution was based on upgradation strategies and legal rights. The concept of upliftment of slum dwellers was associated with giving property rights to them, rather than complete eradication of the areas.

Through an extensive analysis of the Rajya Sabha debates around slums in different areas, the author explains how the definitions of slums continued to transform, from being a socio-political subject into a technical object that can be dealt with technocratically. He details the increasing reliance on technological solutions for urban problems, which is reflected in the policies of the current government as well.

The article critically examines the dangers of utilising slums as a driving force for anti-poverty policies and underscores the necessity of challenging State categories to comprehend slum formation beyond numerical data. The historical analysis further delves into the evolution of government perceptions and actions towards slums, making it a significant contribution to the understanding of urban dynamics and socio-economic inequalities.