**FRESH DEMANDS BASED ON GROUND REALITIES**

Dear Sir,

Greetings from Centre for Social Justice (CSJ) <https://www.centreforsocialjustice.net/>

During these trying times, the efforts taken by the State of Gujarat are truly commendable. From the implementation of the food basket and the Ann Brahma Yojana to implementing the lockdown measures to prevent the further spread of the pandemic. Despite these great steps, the huge diversity in population and demographics of the state, gives rise to certain problems which remain unaddressed and certain issues which crop up which the policy-maker at the state level would not be privy to. For this reason, we believe it would be in the interest of the State, as well as the affected vulnerable groups, that collaboration with NGOs who have a solid understanding of field realities and have presence on the ground is necessary for effective policy-making as well as implementation of existing schemes.

Based on extensive observations from the ground through our field volunteers and leaders, we have identified the following problems. Because local problems require local solutions and during times of pandemic it is difficult for the State to engage with all the stakeholders involved, we have parallelly made certain recommendations to tackle the problems identified on the ground.

1. **Access to Entitlements under the Pradhan Mantri Gareeb Kalyan Yojana:**

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| **PROBLEMS FACED** | **RECOMMENDATIONS** |
| 1. It has been observed that beneficiaries under PM Kisaan, Jan Dhan Yojana, Pension Schemes don’t receive their monetary benefit due **mismatched spellings** in the Aadhar Card and the bank accounts.

  | DLSA in co-ordination the Taluka Legal Services Authorities, Bank Mitras and Banks to organize Service camps at the Panchayat level and direct disbursal of funds to happen at the Panchayat level. |
| 1. It has been observed that the entries made in the passbook are wrong and the slips are undated at the Post Office. The potential for corruption is high.
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| 1. Another bank related issue cropping up is that the accounts used for PM Kisaan and Jan Dhan **are frozen and hence inaccessible** as these accounts are only used by the beneficiaries to access the amount received under these schemes.
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| 1. Forms for PM Kisaan and Jan Dhan Yojana prior to the announcements have been stuck due to technical problems or mistakes at the Panchayat level.
 | As people under this category belong to the vulnerable groups it is recommended that their applications be processed and they get the benefit of these schemes. This can also be done through organized service camps. |

1. **Problems Arising in Coastal Areas**

Gujarat has the longest coastline in the country and highest number of fisherfolk. Hence, the economy of the state depends a lot on fishing activities. Plethora of problems have arisen in the coastal belt despite the notification of the fifth addendum exempting fisheries activities from lockdown on tenth April 2020. Following are the problems faced and the recommendations

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| **PROBLEMS FACED** | **RECOMMENDATIONS** |
| 1. Despite the Fifth Addendum to the MHA Lockdown Order stating that all activities related to fisheries, cold storage, transportation and marketing would remain functional, markets are closed as the District borders are sealed. The demand has reduced drastically and is severely affecting the poor fisherfolk especially the labourers working in transportation of fisheries and on boats at sea. In Jaffrabad, Siyalbet and Pipavarel, the Police is constantly harassing people who want to sell their fish outside their village or want to travel to the towns to sell their catch. The supply to neighbouring districts has reduced drastically and still has not resumed.
 | As the Fifth Addendum clearly states in no uncertain terms that activities related to fisheries including transportation and marketing are exempted from the lockdown, instructions should be given to the Police to not interfere in transportation of fisheries and resume normal fish markets. This will help increase demand and supply and will help in alleviating the conditions of the poorest of the poor in the coastal villages. Instructions should be given to the police to not stop boat owners from fishing and employing labour.  |
| 1. Due to problem in transportation and lack of supply to the market, storage of fish is a huge issue and has resulted in fisherfolk fishing less.
 | Cold Storage at every Panchayat level should be established so that even if daily transportation is not possible, there is adequate storage available. This may be done directly through the Panchayat funds. |
| 1. Due to ban on international supply of fishing in times of covid-19, it has had a massive economic impact leading to abject poverty, especially amongst the boatless labourers
 | As the fish which used to be exported can no longer be exported, it is imperative that internal supply chain is activated so that coastal economy survives. The catch should be allowed to be transported to various districts of Gujarat where there is a demand and an advisory may be issued to all the collectors for the same to allow transportation of fish.  |
| 1. The labourers working on big boats have walked all the way back to their villages and reached their villages around Rajula, Siyalbet, Jaffrabad around 14-16th April.

They were not even quarantined but instead charged under Epidemic Diseases Act, 1897 and the Disaster Management Act, 2005  | These poor labourers walked all the way back to their villages as they did not have access to food and shelter. To charge them criminally is an inhuman act and also results in their exploitation making them more vulnerable.It is recommended that an order be issued to not charge these labourers under any act on humanitarian grounds as these are exceptional circumstances.  |

1. **Problems in Tribal Areas**

The tribal areas are peculiar in nature and being remote and populated by a population striving through property, face special challenges. This lockdown has had an excruciating impact on them.

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| **PROBLEMS FACED** | **RECOMMENDATIONS** |
| 1. The collection of minor forest produce has totally stopped in most Adivasi areas. In Dhanpur block, tribals are not even collecting timbru patta despite the season having started. Similar situation is found in all remote villages as the lockdown has severely restricted movement.

Whatever is collected is not being sold as the agents/ contractors are not going to the villages to collect the timbru patta and mhowda flowers as well.  | The Sixth Addendum to the MHA Lockdown order and the letter written by Tribal Affairs Minister, Mr. Arjun Munda, read together, exempts collection and selling of minor forest produce. It is recommended that the State issues a circular to Collectors of all tribal districts to facilitate procurement and transportation of minor forest produce from the villages as livelihood of tribals. Transportation be organized village wise and contractors and agents be issued passes to procure MFPs at standard rates or at MSPs. As fear is holding people back from collection of MFP, that fear may be tackled by issuing circulars to all the Panchayats in Schedule V Areas, letting them know that collection of MFP is exempted from lockdown. |
| 1. Procurement of Minor Forest Produce has stopped completely
 | According to the letter written by Hon’ble Minister Mr. Arjun Munda to the respective State Chief Ministers, he envisaged collection of MFPs at Minimum support price by TRIFED. It is recommended that wherever possible, procurement of MFPs is done by the State itself according to the MSP rate list.  |
| 1. Because tribal villages are located in remote areas, it is difficult for tribals to access their benefits, especially elderly and disabled to access their pensions.
 | DLSA in co-ordination the Taluka Legal Services Authorities, Bank Mitras and Banks to organize Service camps at the Panchayat level and direct disbursal of funds to happen at the Panchayat level. |
| 1. There is a lack of supply of essential items in the villages. To expect them to survive only on ration provided is inhuman and in violation of Right to Life under Article 21
 | It is recommended that two or three individuals be assigned in each village to buy supplies from the talukas for their respective villages. Passes may be granted for the same to them by the relevant authorities so that the supply of other essentials is streamlined and the villagers get access to these essential items.  |

1. **General Recommendations**
2. It has been observed in multiple regions of the state that the Police, in its zeal of implementing the lockdown strictly, is charging migrant labourers and poor people under the Epidemic Deseases Act and the Disaster Management Act. It is recommended that such FIRs be ordered to be quashed as they may give rise to further exploitation of already vulnerable class of people.
3. Treatment is being denied to people suffering from other diseases and even to pregnant women. A circular be issued to all the private and public hospitals to not deny treatment or reject admission to anyone irrespective of their medical condition.
4. The Second addendum clearly states that agricultural operations are exempted from the lockdown. It has been a month since this addendum was notified and yet this is not implemented in most districts. A notification be issued to the Police in all districts to allow without hassle, smooth transport of vegetable vendors and farmers from villages travelling to mandis to sell their produce