

WEBINARS ON

**Right to Food and Caste
in the Context of Current
Crisis of COVID 19**

**Farm Acts 2020 and Right
to Food: A comprehensive
Analysis and Discussion
(Kannada and English)**

**Mental Health of Children
in Conflict with Law**



Conducted by
Centre for Child and the Law
National Law School of India University





Right to Food and Caste in the Context of Current Crisis of **COVID 19**

Speakers:

- *Mr. Harsh Mander, Director, Centre for Equity Studies*
- *Ms. Kavita Srivastava, People's Union for Civil Liberties*
- *Mr. Haldar Mahto, Member, Jharkhand State Food Commission*
- *Dr. Ujjaini Halim, Executive Director, Institute for Motivating Self-Employment*
- *Mr. Aditya Srivastava, Aditya Srivastava, Right to Food Campaign*
- *Mr. Martin Rempiss, Consultant, Bread for the World*
- *Dr Sylvia Karpagam, Public Health Doctor*

A webinar on “Right to Food and Caste in the context of Current Crisis of COVID-19” was organized by Ford Foundation Chair on PIL in collaboration with Centre for Child and the Law and Savitri Phule Ambedkar Caravan, National Law School of India University, (NLSIU) Bangalore on the occasion of Ambedkar Jayanthi on 14th April 2020 between 06.00 PM and 08.00 PM on zoom platform. The discussion was moderated by Prof. (Dr) Sarasu E. Thomas, National Law School of India University and Dr Neetu Sharma, Centre for Child and the Law, National Law School of India University, Bangalore.

The COVID-19 pandemic and the responses to it, including movement restrictions and suspension of 'non-essential' economic activities have proved devastating for India's vulnerable, impoverished population. The worst hit in this pandemic, are small producers, vendors, daily wage labourers and small farmers. Movement restrictions have resulted in loss of business for vendors and small producers, small and marginal farmers are unable to market their produce, leading to severe forms of food insecurity and widespread hunger. It is to be noted that big companies and aggregators involved in supply of essential commodities can operate and the absence of such formal structures have kept poor people deprived of such opportunities. Special benefits announced by central and state governments are yet to reach them and in the meanwhile the poor communities especially those in remote and rural areas are facing a humanitarian crisis. Studies have shown that people have been subjected to multiple deprivations owing to not only their economic but social status as well.

Caste and religion have always played a major role in determining and realizing the right to food. Historical deprivations and discrimination are multiplied in the wake of crisis and shortage of food supply. For socially marginalized groups, dependence on welfare schemes increases multi-fold because of the lack of livelihood opportunities. However, with COVID-19 pandemic, even the entitlements are not getting realized leaving these marginalized groups reeling under severe hunger. At the Central and State level, support measures and welfare packages have been announced for the impoverished population to survive the pandemic. However, immediate implementation of such provisions remains a challenge. Closure of service delivery centres such as Anganwadi centres, Schools and Fair Price Shops or the challenges in reaching those centres, have endangered not only household level food security but have also resulted in blatant violation of right to food for children, children from marginalized social groups being most affected.

Specific objectives of the Webinar were

1. To analyze the impact of the COVID-19 pandemic on socially vulnerable populations with a focus on historically disadvantaged communities, women and children from low-income households, especially small farmers, vendors, casual/migrant workers in terms of their right to food and nutrition.
2. To understand the specific challenges on the ground and brainstorm on the immediate and strategic interventions to be made to support these communities realize their right to food.



3. To explore strategies to improve or supplement access to food and social security measures, through engagement with the community, civil society and the state.

Prof. Dr. Sarasu Esther Thomas welcomed around 300 participants from India and around the World and highlighted the importance of such a discussion. Dr Neetu Sharma said that this was an opportunity to discuss and respond to issues that prevail in the landscape of right to food and caste. She spoke of the violations stressing upon the fact of how people were starving, migrants being stranded appraising every one of the alarming situation and then introduced and thanked the panel of speakers.



Mr. Harsh Mander
Director, Centre for Equity Studies

He said that there is an enormous crisis for the poor in India. He added by saying that he could not recall a time like this in his entire lifetime, the way the government is responding to this pandemic placing a heavy economic burden on the Indian poor. He opined that though public health experts have different views on the approach, for the majority of the people, social distancing was not possible, since they do not draw regular wages; they cannot wash hands as the circumstances they live in does not permit such practices. He questioned the choice of strategy that excludes the health and safety of majority people and if this was let to pass, the kind of lockdown, the terms on which the poor people were asked to deal with it was just unfair and was not uniformly distributed. He said that the middle class have salaries, hence dealing with mental health and loneliness are the issues for them but not survival.

He said that 90 percent of the workforce was in the informal sector and they did not have any guarantee of a salary. Most migrant workers who he had come across were not paid for the month of March 2020 and many were self-employed who had no employer to pay. He strongly opined that the government must have imposed the lockdown ensuring that elementary equity is protected for them by being paid with minimum wages and only such an economy package would help.

He said that in Delhi they were trying to get food to as many people as they could, and were desperately trying to reach as many as one could, but realised that it is a deeper issue. He added that there was absolutely no prospect of food on the streets of Delhi and this showed a total absence of dignity as people rushed for packets that were distributed. He raised questions on how we could, as a society, allow our people to go through this as they get reduced to begging.

He explained that there were about 7 million tonnes of food grains and there was a need to declare an emergency and ensure that food was distributed and minimum wages were ensured. He added that there was a need for equity in the distribution of suffering. The pandemic had hit everyone hard, it had affected poor people disproportionately with them having no access to even health services. He spoke of how India's poor were let down profoundly and this should have stirred more outrage but was deeply pained by the poor response to it. He also spoke of food distress and said that he had not seen such incidence for decades.

He also spoke of how Muslims, Dalits, and tribals were stigmatized. He added that in the days to come these sections would face additional burden and an unprecedented onslaught. He referred to Amartya Sen who thought of how free press and free opposition was needed for a democracy like India and said that the mainstream media had not been reporting about the poor. He also mentioned that there was a looming fear with a famine like situation and it was a terrifying prospect for the poor considering the way India was responding to the pandemic and suggested that there must be universal food distribution to begin with.



Ms. Kavita Srivastava
People's Union for Civil Liberties

She described hunger in the present context in a police state. She shared her experience in Jaipur with a population of about 38 lakh and about 400 COVID-19 cases. She said that a large section of people were living under curfew and the only reporting about them was that they were terrible and did not cooperate. She said that in the industrial areas there were inter-state migrant workers and highlighted the excessive police presence in these areas.

She said that there were four issues namely *hunger, mismanagement of distribution of food supplies, police brutality and denial of health care*. She gave a sense of reality by saying that to deal with hunger amidst the homeless, there had been an ad-hoc distribution of food from *Gurudwaras* and Muslim groups and highlighted how the efforts of the government was not being up-scaled. She said that the religious groups had gone beyond the government to help.

She spoke of certain groups giving certain kinds of food that was difficult for people to eat and suggested that giving dry rations was in their best interest. She highlighted situations wherein people from outside were being discriminated against and gave an example of a Legislator who was giving out relief only to his party people and his constituency excluding others. She said that the labour industry and department had become their enemies failing to pay wages and even spoke of the large number of migrant workers and their pitiable condition as they tried to move through Jaipur to reach their houses.

She opined that the food distribution was unsystematic and even the rations being distributed were insufficient. She said that even in procurement of rations, there were problems between the centre and the state. She said that even the media was not reporting about it. Speaking about the hostility for Muslims, she said that people had stopped buying fruits and vegetables from Muslims and there was also a denial of health care services to them.



Mr. Haldhar Mahto

Member, Jharkhand State Food Commission

He said that the most affected people were the migrant daily wage labourers. The Food Commission had created a platform to inform people about the schemes announced by the government and ensure implementation of them. He said that they had designed an advertisement and printed it in all newspapers and was also broadcasted over radio. He highlighted that in Jharkhand, for the PDS dealers it was a golden opportunity to exploit the beneficiaries. He also said that only rations would not solve their problems and that there were other needs too.

He also spoke of the debts incurred by small and medium enterprises and agriculturalists and raised questions on how they could tide over this situation that looked grim. He spoke of the platform they had created to ensure that people with such issues could reach to the higher authorities making redressal faster. He opined that as the lockdown continued, it was important to ensure that food distribution and wage compensation also be included as a response to the pandemic.



Dr Dipa Sinha

Assistant Professor, Dr B.R. Ambedkar University Delhi

She said that the response to the crisis by the government was questionable and how it showed the elitist approach of the state. She said that the government imposed the national lockdown causing severe distress and noted that this logic was to be questioned. In Delhi, the response of the state was late and inadequate. The announcements that were made were not implemented. She highlighted that the central government package had not yet reached the people and the amount under the government schemes were meagre. She also spoke of the insensitivity of the Central Government in the way they were handling the situation. She referred to the data relating to unemployment and said that there had been an increase from 8 percent to 30 percent in unemployment.

She also spoke of the looming health crisis and opined that the allotted fifteen crore rupees was insufficient. She suggested that there must either be a way to regulate the private sector or the entire private sector be taken over and there must also be a plan in place for distribution of ration for the next 6 months to a year. She suggested that the government had to ensure that foods and vegetables were procured from farmers and distributed. She concluded by saying that the ration shops must be monitored.



Dr. Ujjaini Halim

Executive Director,
Institute for Motivating Self-Employment

She spoke of her experience in West Bengal and of the issues pre-COVID-19. There already existed a slow economy, and the upcoming state elections had furthered the efforts to divide people on communal lines. There was a lack of capacity and skill to deal with this pandemic. There was a lot of uncertainty, lack of transparency, lack of information in the current times. She said that in Bengal, the government had suspended the Mid-Day Meals and the ICDS scheme and the state government had announced an additional 2 kg of rice and wheat flour and mandated to continue the subsidy for 6 months.

She opined that in terms of implementation of COVID-19 related safety measures, it was a huge challenge as the majority of people did not have access to proper soaps and masks. She also said that sufficient tests were not being conducted and even the services that were being provided were all city centric. She added that the food supply chain was not working and even the shops were functional only from 6 a.m. to 9 a.m. During this time no social distancing was followed by people. She suggested that there be social safety nets and the government must prepare for the post COVID situation.



Mr. Aditya Srivastava

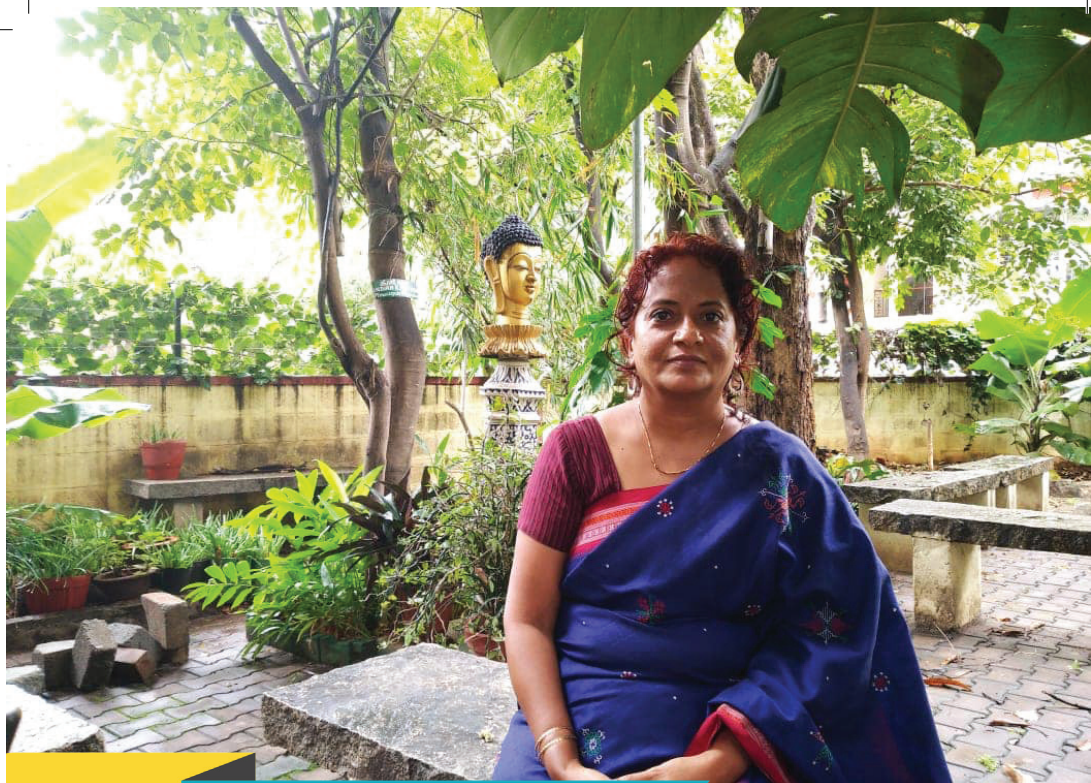
Right to Food Campaign

He mentioned a website that he was working on, which would track the announcements of the various state and central governments orders. He said that these announcements were an impromptu reaction of governments and even the response from the judiciary was disappointing. He highlighted the situation in courts and spoke of how cases were not getting listed for hearing. He also spoke of how the governments had consistently failed to implement the orders of the Supreme Court.



Mr. Martin Rempiss
Consultant, Bread for the World


He said that there existed a civil society which responded and the government also had support from the civil society. He said that there was a need to identify loopholes and make suggestions to the government and even advocate with them. He said the issues were exacerbated by COVID-19 and this was an international crisis with different political systems competing with each other. He spoke of the issues of the current situation, and suggested the rights based approach could be maintained through federalism. He also suggested that legal clarity and democratic decision making should be a way to move forward.



Concluding remarks by

Dr. Sylvia Karpagam, Public Health Doctor

With regard to the current situation, more than the COVID-19, the lockdown had thrown up deep rooted caste discrimination in India. It is important to understand that lockdown had not created these lines but had only exposed it. There was an underlying assumption that providing dal, oil, rice and wheat would fulfil the needs of the people, although what was not understood was that there was a section of people who consume meat and it was important to understand preference and choice of such population as well. People who consumed meat were facing humiliation and there was an erasure caused by the dominant culture that enforced thoughts of purity, pollution, untouchability, upper-lower class. This had been laid bare even more blatantly with COVID-19 pandemic.



Going by the data from National Family Health Survey, National Sample Survey Organisation, India Human Development Survey (IHDS), vegetarians constituted only 20% of the population in India – but vegetarian food was the main food in PDS, ICDS, MDM, hostels, relief (only rice).

The idea that India is vegetarian is being promoted everywhere by a larger set of influential people. Hindus are majority meat eaters with around 2/5th being vegetarian. Christians and Muslims are overwhelmingly meat eating populations. There is meat and fish eating practices amongst various castes, cultures and regions. Of the 80% people who eat fish, meat, eggs were not representing decision making that was why this situation was becoming grimmer. Right to Food takes place when realisation of it happens with usage of culturally and need specific food.

She concluded by suggesting that the interest of the meat eating community be brought into mainstream conversation and current advocacy discourse.



Farm Acts 2020 and Right to Food: A comprehensive Analysis and Discussion (Kannada)



Mr. Shivasundar

Eminent Columnist and Progressive Social thinker

*A webinar in Kannada on “Farm Acts 2020 and Right to Food :
‘A comprehensive Analysis and Discussion’ was organized by Centre
for Child and the Law, National Law School of India University,
(NLSIU) Bangalore on the occasion of World Food day on 16th
October 2020 between 11.00 AM and 1.00 PM on zoom platform.
The discussion was moderated by Mr. Kumaraswamy T., Centre
for Child and the Law, National Law School of India University,
Bangalore.*

The three acts passed by the Indian Parliament aiming to introduce reforms in the agricultural sector are:

- **Farmers' Produce Trade and Commerce (Promotion and Facilitation) Act, 2020**
- **Farmers' (Empowerment and Protection) Agreement of Price Assurance and Farm Services Act, 2020**
- **Essential Commodities (Amendment) Act, 2020**

The laws claim to bring farmers closer to the market by changing where they can sell, the ability to store produce, and whether they can enter into contracts.

Farmers' Produce Trade and Commerce (Promotion and Facilitation) Act, 2020

The Farmers' Produce Trade and Commerce (Promotion and Facilitation) Act seeks to completely open up the sale of produce outside the Agricultural Produce Market Committees (APMC). It not only creates an e-highway for trading and transactions, but also creates a structure for e-trading of agriculture produce. Farmers are allowed to sell their produce outside of the APMCs, and that creates a possibility for more competition and better pricing for farmers. In other words, the market is thrown completely open for the private players to come in the agriculture sector and deal directly with the farmers.

Farmers' (Empowerment and Protection) Agreement of Price Assurance and Farm Services Act, 2020

The Farmers' (Empowerment and Protection) Agreement on Price Assurance and Farm Services Act creates a framework for contract farming. It provides a template at the national level of farming agreements, with regard to agribusiness, processing, and the entire range of services including wholesalers, exporters and large retailers for sale of farming produce at a mutually pre-agreed price.

Essential Commodities (Amendment) Act, 2020

The Essential Commodities (Amendment) Act takes away cereals, pulses, oilseeds, edible oils, onion and potatoes from the list of essential commodities. Therefore, these commodities are now free of the Essential Commodities Act restrictions and stand deregulated. However, the central government has retained the right to regulate them under extraordinary circumstances, such as in case of a war, famine, natural calamity, and impose stock limits if there is a steep rise in prices.

Put together, this package of legislations seeks to open up the farming at both ends – production (through contract farming) and sale (through complete deregulation). All three Bills are interconnected. The first two give corporates opportunity to trade in agricultural commodities while entering into agreements with farmers without any government intervention. The third provides corporates the opportunity to stock up agricultural commodities as much as they wish through procurement and contracts. The government has created opportunities for corporates to procure commodities at cheap prices, hoard the stock, create artificial shortages, and possibly sell them later at exorbitant prices. The three laws will facilitate looting of farmers and consumers; the Centre has legitimised hoarding and black market trade with them.

The manner in which the government passed the controversial agriculture legislations left little scope for democratic and opposition voices to be heard in a meaningful manner. One issue that rankles most in the matter is that when agriculture is a state subject why the Centre was pushing legislative processes of the nature that impact farmers' livelihoods and food security of millions of people.

The farm Bills are seen as a move to throw farmers to market forces which had been a contentious issue under the World Trade Organisation (WTO) norms. Citing “market distortion,” the WTO rules impose a limit on India's price support-backed public food grains stockholding programme for sale at concessional rates to the poor through the Targeted Public Distribution System.

However, ignoring the fact that the world body is collapsing under its own weight, the Modi government seems keen on imposing its unequal rules on Indian farmers and consumers, by creating private markets – through these Bills – that are not legally bound to purchase farmers' produce at the minimum support price set by the government.

The Acts aim for one nation, one market, i.e., they allow farmers to have monotony over the decision of where to sell the produce. But this can lead to the privatisation of the sector. As no APMC taxes would apply on sale and purchase of goods outside APMC, corporations would prefer buying the produce outside of APMC *mandis*. Thus, APMC would collapse as more and more people opt-out of it.

Talking about MSP (Minimum Support Price), it only applies to crops that are sold in *mandis*, not outside of it. Even though we have a law for mandatory MSP in APMC *mandis*, only 6% of farmers get it. Now that we have laws, the situation of the farmer is substandard, imagine the situation outside *mandis* where MSP doesn't apply. The amendment will increase the exploitation of these farmers by corporates and decrease the MSP ratio.

It will corporatize the agriculture sector by big companies whose main aim would be to earn profits. Their monopoly would flourish. Farmers would be left with nothing but legal battles they can't fight.

The government is aiming to sustain a free market. The idea of neoliberalism might look quite appealing on paper but the reality differs. The model that India is aiming for right now has already been adopted by the USA and France long back. As the model failed drastically, farmer suicide rates increased in these nations. The agriculture sector in these nations works mainly on subsidies. The question arises, why are we aiming for a model that failed in big economies like the USA?

Private trade in agricultural commodities is not something new in India. At the same time, the justification for these Acts at this point of time is primarily, in the speaker's opinion, to facilitate bigger private players into the farm sector. There are several reasons for that. The government's justification is hinged on farmers getting

better prices for their produce because they are going to get greater choices. Now, the farmers, at least the big farmers, and the net surplus producers don't seem convinced. The reason is that market prices or farmers' incomes are not simply dependent on the market structure. Farmers' organisations are concerned that other demands are being ignored, particularly during this difficult economic situation. Market prices are sluggish because demand is sluggish. Farmers' incomes are actually seeing a period of stagnation. The other concern for farmers has been growing input costs. Farmers have been squeezed between rising costs of cultivation and sluggish prices. These concerns need interventions from the government in the form of subsidies or procurement. There is MSP and procurement but one major concern is that certain policy documents were presented before the government earlier, which talked about replacing the Food Corporation of India (FCI) and PDS with cash transfers.

What might happen as a result of the facilitation of big players into the farm sector is that some farmers will get better choices and big farmers will actually start selling to the private players. There is a possibility that the importance of the APMC and the procurement system will actually wither away over time. And that concerns everybody.

Apart from this, farmers also fear that the government will roll back MSP, which PM stated in his recent address to the nation, would not be the case. However, there is no written proof of the same.

Farmers are debt ridden, starved of funding and of assured price mechanism. The three legislations if taken together accentuate the crisis even further. In the absence of a guaranteed support price mechanism, the legislations even fail to mention a very strong support for the MSP as a benchmark price as a fundamental condition for open agriculture trade and winding up of *mandis*.

New Agricultural Acts to Increase Hunger

In 2020 India ranks 94th out of 107 countries reviewed for the Global Hunger Index Study. That means 13th from the bottom! Four factors are considered to determine a country's hunger index:

1. *Overall malnutrition:* The proportion of the country's population not receiving adequate nutrition
2. *Child Wasting:* The proportion of underweight children in five-year-olds within the country. This is caused by severe malnutrition.
3. *Child stunting:* The proportion of children under the age of five who do not grow up to the height prescribed for their age. This is the result of chronic malnutrition.
4. *Infant Mortality:* The mortality rate of children under five within a country. It is caused by both malnutrition and inadequate environment.

This study obtains the statistics for these four factors from various United Nations affiliates. The United Nations collects this information from studies of its own affiliates and the statistics provided by governments of its member states. The situation of each country is classified based on the four categories of data collected. If any country gets 50 points in this classification, then the situation in such countries is considered very worrisome. Countries with a score of 35-50 are classified as worrisome, while those with a score of 20-35 are classified as serious. The situation of countries receiving scores between 10 and 20 is considered normal. In short, these figures clearly indicate the direction in which a country's future is headed.

In the Global Hunger Index calculations for 2020, the 2019 figures for overall malnutrition and infant mortality, 2015-17 for the Child Wasting calculation and 2015-19 for the Child Stunting calculation are taken into account.

The report declared the situation in India to be serious, with a total score of 27.2. The report suggests that overall malnutrition has been declining in the past few years. It should be recalled that the country's food security act has been providing subsidized food grains to 67 per cent of the country's population since 2013. Otherwise the situation in India would have been a serious concern. However, the report indicates that government grants for public

health, ICDS and other projects have been severely depleted and the country's farming crisis is increasing, leading to malnutrition amongst the majority of India's children.

As a result, the report clearly indicates that India's growth in children has been stagnant over the past five years. This is why India shares its position with Sudan, Africa's poorest country this year. Moreover, India's neighbouring countries such as Pakistan, Sri Lanka, Nepal and Bangladesh are better than India.

The International Food Policy Research Institute (IFPRI), an international food policy expert, recently released its report on the availability and consumption of nutritious food in rural India in March 2020. According to the report:

“Three out of every four (65 per cent) in rural India do not have enough energy to buy enough food from the market to give them enough calories to stay healthy. Therefore, malnutrition and food shortages make up about half of India's population. 40% of children suffer from stunted growth and other severe problems.”

This is because 80 per cent of India's rural population depends on agriculture. According to the latest survey, 86% are small and very small farmers. If the cost of agricultural production goes up every year, the profitability of the crop will not increase.

The farmer who is selling at the highest prices in the market is getting into more and more debt each year. In this case the government had to intervene and protect the farmer from market exploitation. Manure and seeds had to be supplied at a discounted rate to reduce the cost of the farmer. The farmer had to provide the minimum support price (MSP) at the rate recommended by the Swaminathan Commission.

The farmer's voice in the government-controlled agricultural market (APMC) was supposed to increase the voice of the farmer. Domestic farmers had to protect the prices from the flow of foreign and cheap goods. The government had to ensure food supply to the rural and urban poor to avoid food shortages and malnutrition.

For these same purposes, the APMC and MSP have a Food Corporation (FCI) and a rationing system for farmers to purchase their crops and distribute food grains at discounted rates to the poor. But over time, the system continues to grow, with serious loopholes and bureaucratic trafficking. Thus, all those systems today need to be improved for the benefit of the farmer and the poor. But the new agrarian laws brought by the present government have highlighted these old loopholes and completely exterminated them to bring the peasantry to the brink of corporate giants. Farmers are scrambling for the little solutions they have so far.

The Shanthakumar Committee, which was formed by the Modi government in 2015 on the restructuring of the Food Corporation and the privatization of meaningful public ratios on the reform of the public food purchasing system, reported:

“The Food Security Act of 2013 provides the government with minimum food for 67 per cent of beneficiaries of the country. And slow down the number of beneficiaries from 80 crores to 20 crores. MSP system for farmers should be replaced. The government should not buy food from farmers. It should be left to the private. The fertilizer crop should be completely out of government control and handed over to the private sector. The management of the food corporation’s warehouses must be assigned to the private. All of this will strengthen the farmers and agriculture sector.”

Similarly, the present government recently passed the Farmers Produce Trade and Commerce (Facilitation and Promotion) Act, commonly known as the APMC bypass Act. The government says that the Act has freed the farmers from the slavery of the APMC by allowing private players and allowing farmers to sell their goods to any private bundle they can afford. So the income of the farmers is doubled.

For example, in 2006, the APMC Act was completely repealed in Bihar and private players were allowed. If so, have farmers in Bihar been getting higher rates than APMC for the past 14 years? The National Council for Applied Economic Research (NCAER), in its 2019 Study on Agricultural Diagnostics for the State of Bihar in India found that “despite the repeal of the APMC Act in 2006,

no new private capital has been created to create new markets or improve existing facilities. This has resulted in a decline in the agricultural market in Bihar. Moreover, both government agencies' participation in purchasing farmer-grown grains has continued to decrease. The farmers are thus blamed for the mercenaries of the traders who set the lowest rates for their goods. Inadequate market facilities and inadequate corporate systems have led to instability in agricultural commodities and very low prices."

These three laws, implemented by the present government, will further reduce the purchasing power of the peasant. FCI is already in the process of moving into the monopoly of big corporates. As said earlier, procurement of essential food grains meant for the distribution to the poor as their entitlements through PDS under NFSA 2013 will be diverted to the private players for stock hoarding and the present PDS will be replaced by the direct cash transfers as planned by the government, shortcutting NFSA 2013 in near future.

The recently reversed central government policy is an anti-peasant policy that disturbs the lives of farmers. Farmers no longer have their own free will and must now live under corporate conditions. Farmers who have land will devote their hard earned money to work for their own family.

In 2025, another law will come into force - Rural Resources Act. This act also provides for a system that gives the corporates the authority to look after everything in the village.

Overall, farmers are so hard working that they have to borrow enough and still lack the power to come out of debt and save some money. The government has again amended the situation and deprived the farmers of their freedom. With no support price in APMC market, farmers will continue to face more hardships henceforth.

As a result, India's development will be wasted and stunted. While people of the present government believe that India is a sub-par, India's situation is getting worse. There is no better way for the brain to understand the agony of the stomach.

Farm Acts 2020 and Right to Food:

A comprehensive Analysis and Discussion (English)



Prof. R. Ramakumar, NABARD

Chair Professor, School of Development Studies, TISS, Mumbai

A webinar on “Farm Acts 2020 and Right to Food; A comprehensive Analysis and Discussion” was organized by Centre for Child and the Law, National Law School of India University, (NLSIU) Bangalore on 2nd November 2020 between 11.00 AM and 1.30 PM on zoom platform. The discussion was moderated by Dr Neetu Sharma, Centre for Child and the Law, National Law School of India University, Bangalore.

| Bill | Lok Sabha | Rajya Sabha | President's Assent |
|--|--|------------------------------|---------------------|
| Farmers (Empowerment and Protection) Agreement on Price Assurance and Farm Services Bill, 2020 | Introduced - 14th September 2020 Passed - 17th September 2020 | Passed - 20th September 2020 | 24th September 2020 |
| Farmers' Produce Trade and Commerce (Promotion and Facilitation) Bill, 2020 | Introduced - 14th September 2020 Passed - 17th September 2020 | Passed - 20th September 2020 | 24th September 2020 |
| Essential Commodities (Amendment) Bill, 2020 | Introduced - 14th September 2020 Passed - 17th September 2020 | Passed - 20th September 2020 | 26th September 2020 |

This session intended to understand the implications of these acts and its direct impact on farmers. This discussion was to understand what these bills meant in terms of Indian agriculture, rural economy and food security.

1. *Law regarding freedom to the farmers to sell outside the Agricultural Produce Market Committee (APMC) mandi or to anyone of his/her choice which is called APMC bypass act.*
2. *Contract farming act, which provides legal regulatory structure for contract farming.*
3. *Essential Commodities Act, 1955 which takes away all the stock limits for traders with respect to stocking agricultural commodities.*

These three acts should be understood in the context of their impact on food security. Many of these policies that are being discussed in the current context traced their origin to the mid-1960s. At this time technological packages were supported by price support policy, a set of input subsidy policy, credit policies, marketing policies, agricultural research interventions and agricultural extension interventions. These policies complimented the green revolution package at an earlier time. Taking price support in the current context, this is the time when the Food Corporation of India (FCI) and Agriculture Price Commission (APC) for agriculture costs and prices were established in India in 1965. These institutes were supposed to introduce two sets of prices, *support price* and *procurement price*. *Support price* would act as a floor for farmers, where the government would support these farmers if the prices depreciated below the set market prices, like a minimum price assurance for farmers. *Procurement price* was where the government would buy from surplus states and would supply it to deficit states of India. This was necessitated by the nature of green revolution, as it was biased in its outcomes, in terms of crops (only rice and wheat benefitted), region (about 2/3rd of the additional production came from Punjab, Haryana, western Uttar Pradesh etc.) and lastly, it was biased against classes as initially, it was only the rich farmers who benefitted from this package. This resulted in movement of produce from surplus areas to deficit areas of the production. This further resulted in the formation of a new national food policy whereby the producer

and consumer were linked together in a single supply chain by the government. This objective was contradictory to itself, where the producer wanted a higher price and the consumer wanted a lower price. The government ought to pay a procurement price to the farmers; it took through the FCI Godowns finally to the state civil supply corporation for distribution through the Public Distribution (PDS) outlets. The economic difference caused by procurement and supply was sorted by budgetary allocation of food subsidy, in this way the interest of consumers and producers were harmonised at the time. This is the reason why food subsidy and PDS which was universal till then became targeted to a certain section of the population. The FCI and procurement mechanisms also came into being. This was brought in as a support measure to the farmers who were incurring problems in purchasing seeds, fertilisers etc. This was with regard to marketing as agricultural marketing in rural areas was dominated by itinerant traders and they were largely linked to the feudal or semi-feudal regime, landlords and their economic interests in many ways. The farmers were producing surplus under the green revolution and a part of it was procured by the government. The surplus had to be marketed and someone had to purchase outside the government procurement system. There was a need to establish a private trading system which would also be regulated. This system was supposed to be regulated differently from the exploitative unregulated systems that existed prior to 1960. The APMC acts were implemented in different states to overcome these problems which in current times are known as APMC *mandis*. In APMC *mandis*, prices were displayed for each procured product and using standardised weights and measures, they were supposed to provide full accountability of pricing of grains to the farmers, provide multiple options to sell including auctions to sell to the trader who offered a better price. These facilities ensured that farmers got better prices outside the procurement system as well and were not subjected to the exploitative regime that prevailed earlier.

The impact of Liberalisation on agriculture sector

By 1980 India sustained some stability in food production, this period was followed by the 1990s where economic reforms came by, beginning with the new farms act and along with the liberalisation of

1990 came the new perspective that denounced the 1960s approach of subsidy, and how it was a fiscal burden on the government. As a result, the stride taken was to reduce the amount of procurement and limit the TPDS. The other perspective that came to light was how the government was an inefficient participant in the entire trading chain and should withdraw from the marketing system and should allow the private trade to take over. It should open up avenues for import and export freely and should allow a free market price regime to the farmers. It was argued that because there was Minimum Support Price (MSP) which was actually suppressing the price to the farmer rather than providing a good price to the farmer, if the farmer was free to sell to the international market at a higher rate, then their income would rise by 20% to 25 %, if the farmer was allowed to sell in the open market and not forced to sell to the procurement agencies this would also yield the farmer a better price. So, this MSP regime suppressed the price for the farmers and hence it should be dismantled. It was a fiscal burden that denied good prices to the farmers, so the MSP should be removed and procurement should be done only to maintain the buffer stock and the remaining should be left for the open market.

The smaller procurement led to a smaller PDS, which evolved the PDS from a universal to a targeted system. This shift further led to the introduction of the Above Poverty Line (APL) and Below Poverty Line (BPL) division system by 1997. The first neo-liberal attack was on the pricing regime erected during the green revolution period, that is, reduce procurement, dismantle PDS and if possible convert it into a cash transfer scheme and allow private traders to take over. Second shift was on the second structure of support which was the APMC structure for marketing. India's stance about food policy has been centered around cereals, rice and wheat, which were the green revolution crop and it's time that a shift occurred out of this structure and diversified cropping and allowed Indian agriculture to grow on a high value, export oriented agricultural system basis. This shift meant by producing fruits and vegetables farmers would get higher prices and this would shift terms of trade in favour of agriculture.

World trade Organisation (WTO) treaty in 1994

In 1994, India signed the WTO Treaty which meant that a part of foreign exchange that was earned through the export of fruits and vegetables could conveniently be used for the import of food grains into India (rice and wheat) if required in situations of shortage. However, this was refuted at the time, as this kind of shift from cereals to fruits and vegetables meant that the current structure of farming, production, organisation in agriculture would be insufficient to achieve this kind of scale in farming which would be required. This was supposed to be done in two ways in India: one was through corporate farming, which meant that small farmers would have to lease out their land to these corporates, larger farmers, entrepreneurs, who would lease in and cultivate these crops in that plot of land. The land reform laws obstructed such kinds of reforms because of the existing land ceiling which prevented these corporations, large farmers, entrepreneurs to take over 400 to 500 acres of land. This required land reform laws to take away the ceilings that were present in the land reform laws.

Contract farming is where agricultural production is carried out according to an agreement between a buyer and farmers, which establishes conditions for the production and marketing of a farm product or products. The product quantity and quality will be predetermined at the time of signing the contract. This means that the farmer will be assured a price for his produce and when the harvest season arrives, farmers will get a fair price for their produce. Contract farming has APMC as an obstruction because it does not allow for the sale of any agricultural produce within the notified area, which would be a large area surrounding APMC market and private players cannot come in this market unless APMC explicitly allows for it. This meant if private companies wanted to open a collection centre in villages they would not be able to do so. In the end of the 1990s, the policy of liberalisation in agriculture had these two objectives right at the top, *dismantling or down-scaling the procurement and moving to a cash transfer regime and on the other hand the Land reform laws and the APMC laws in order to allow export oriented cultivation and diversification of the cropping.*

In 2017 and 2018 two model acts were passed in the states, this time 2003 model act was split into two, one was for APMC market and the other one for contract farming. Only a few states adapted to it. This was followed in 2020 where due to the COVID-19 crisis, central government under the *Atma Nirbhar* package announced that they were going to introduce three ordinances which would mean that the earlier stand of the state government on these decisions had been abandoned and central government would be taking over to pass legislations through the parliament, bypassing the state and implementing it at the national level.

These three acts constituted an upfront to federalism that is enshrined in the Indian Constitution, the central government does not have any role in exclusive state subjects, entry 14 of the state list specifies subjects like agriculture and anything that is ancillary to it falls under the legislative domain of the state. The central government invoked entry 33 in the concurrent list whereby entry 26 and 27 in the state list are kept subject to entry 33 in the concurrent list, whereby entry 33 allows the central government a legal levy to get in the power of the state and access legislation in intra state agriculture market. This small loophole which was left through the third amendment to the constitution in 1954 was used by the central government to enact this legislation completely bypassing the powers of the state.

The claims of these acts, that it provides farmers more sellers to choose from, is one of the most doubted elements of this act. The farmer already has freedom to choose the seller/trader, in fact that exists de facto for the majority of the farmers in India. Looking at the data from the government, we observe that about 29% of the paddy is sold to *mandis* by farmers, 41% is sold to the private trader and 44% of wheat is sold by farmers in *mandis* and the rest is sold outside the *mandi*. This is not enacted by the central government but parts of the model act have already been amended by states.

Out of 28 states,

1. 18 states have already amended APMC act to regulate private market yard, private markets managed outside APMC

2. 19 states have amended their act for farmers produce to be directly purchased by anyone,
3. 13 states have amended their APMC acts to establish farmers or consumers market managed by a person other than APMC,
4. 20 states have amended the APMC act to allow for contract farming,
5. 14 states have amended the act to facilitate single point levy of market fees, the *mandi* tax, the multiple fees that has been cited by many, has been now unified.

In many cases like these, state governments have made legislative changes conducive to specific contexts that exist in each state. For example, Bihar completely annulled its APMC act in 2006 and no private investment came in agriculture. The situation became worse, from regulated markets to completely unregulated fragmented markets of the state. This has led to price exploitations of the farmers. In Maharashtra it delisted fruits and vegetables from the APMC list in 2016 and in 2018 it passed an ordinance stating anybody can open a market outside APMC *mandis*. Even then private investment did not increase in Maharashtra. The argument that more private investment will come in the agricultural industry and farmers will have more options to sell their produce turned out to be a false claim.

If APMC, MSP system, and procurement systems are weakened in the long run and if private markets do not come as per expectations, then it would bring chaos in the rural market. This chaos will be filled by unscrupulous village traders who will have no regard for MSP, or transparent price mechanism. So, the argument that middlemen will be eliminated would become a false claim. The problem is that India is a country of small farmers, they produce small quantities of commodities, these small quantities cannot be taken to the *mandis* as the transport cost will not be viable, this is one reason why it is feasible for them to sell it in the village. If these producers have to be connected with the *mandis* then there has to be some kind of aggregator in between who can collect and sell it in

the *mandi*. Government will bring Farmer Producers Organisations (FPO) to tackle this problem, but they are small in numbers and hardly adequate to meet the requirement. This will not lead to better prices, ultimately this will not remove the middle-men, nor will it create more choices for farmers to sell their produce.

The positive aspect of contract farming is that farmers are assured of a price by the sponsor even before sowing the crop. Negatives, in many cases take place when the company commits that they will buy the crop at Rs. 10 per KG at the end of the cropping season, but at the end of the cropping season the company finds that the market price is actually Rs. 7 per kg, they breach the contract and go to market and buy. The other problem is that food security comes under crisis when there is unlimited contract farming and these contours are not taken into consideration in many cases. Regional food securities have suffered because of contract farming as it has led to a complete shift of the crop pattern in a region away from food crops into more export oriented crops or crops which are supposed to be of interest to the company.

The exploitation of women and children takes place in the name of cost in the contract farming arrangement. A lot of labour displacement occurs in this arrangement because indiscriminate mechanisation is brought into play in these farms. There is a need for a regulation of contract farming that is accountable, for it to yield any benefit to the farmers. A regulation is needed that keeps the farmers' interest at the centre, one way this could be achieved would be by allowing third party signatory where local bodies come into picture which would lead to more accountability when a company would try to breach the contract. The other approach could be to allow group contracts rather than individual contracts to be signed, forming collectives, cooperatives that will sign a deal with the company which would allow farmers to be in a position of better bargaining power in this arrangement compared to individual contracts. The current regulation leaves the whole area completely unregulated and open for any kind of private firm to enter into any kind of contract farming, does not provide any kind of grievance redressal mechanism for the farmers. The conscious policy legislations are completely missing in this scenario.

Essential Commodities (Amendment) Act, 2020

The Essential Commodities (Amendment) Act, 2020 removes the stock limits on how much can be stored. It disincentives private players to set up storage as they would want, without any upper limit on stock that can be held. So, removal of stock limits will not accentuate the investment of private players to set up big infrastructure for storage.

The Indian agrarian space comprises small producers, who are producing many heterogeneous commodities, without any planning or strategy and as a result there is not enough surplus of a single commodity that is available in a rural local area that would never necessitate the structure of a big storage area. The absence of the scale of production of a homogenous cropping pattern is the reason why large investment in storage and warehouse has been an unviable proposition in India even for large private companies.

The other aspect is food supplier availability. For example, The Adani Logistics paid about Rs. 3000 crores, a 40% stake in snowfield logistics and this has stakes in India's cold storage infrastructure. Companies like this expect that tomorrow if procurement comes to an end all the commodities which have been procured will come to the open market, that would be about 30% of India's production. If the APMC *mandis* are weakened, even that will come in the open market and with restrictions on storage removed, the field will be open for companies like Adani to take over and come into play. This would mean that food prices in India would be set by large agri-business enterprises of India and would not be subject to any regulation by the government.

These three acts enacted are hardly going to benefit farmers, or private investment in agriculture, or give them any better price for their produce or better choice, that is the overall assessment of this whole situation. It will open the space for large agri-business enterprises which would not have any respect or concerns for food security, farmers' income, and fair market regime for farmers. The current protective structure available to the farmers through the government in the price sector or in the marketing sector would be weakened and the farmers would be left in much more vulnerable situations in the aftermath of these acts.

Conclusion

It was concluded by Prof. Ramakumar that these Acts would barely benefit farmers, and in fact they would be left in the most vulnerable situation after the implementation of the Acts.

Agricultural Produce Marketing Committee

The amendment will bring in a lot of benefit to the large agri-business enterprises as the policy frame focuses more on centralised schemes and more benefit to the big businessmen rather than small farmers. It is very important to understand that, if the APMC *mandis* are weakened then those commodities transacted through the APMC *mandis* will come to the open market and the field would be open for large companies, which means that food prices in India will be set by large agri-business enterprises. This will result in putting farmers in a more fragile state, and making it even worse for them to survive.

Contract farming

Contract farming nowhere resulted in any benefit across the globe. It could only be useful if there is room for state intervention into the policies, otherwise it would lead to defeat in food security concentration as its arrangements have a direct impact on food security, which might cause a drastic shift in the cropping pattern.

Essential Commodities (Amendment) Act, 2020

The Essential Commodities Act was never ideal from the time of conception, but the amendment which has been taken up now would result in an extremely bad situation, specifically for the farmers. As per the latest amendment, the consumer prices would be left at the mercy of these large companies, and would be completely outside the control of any government agency. This will result in bringing these large businessmen in more profitable situations and worsening the lifestyle of farmers.

Questions and Answers

1. *What are the legal options/ measures to be taken to raise voice against the latest amendments in the farms Act?*

These issues need to be addressed legally as well as politically. The current policies are based in centralised manner and it dominates the local regional markets. Every state has its own requirements which can be better understood at the state level. The amendment has removed complete state intervention which can affect severely in the long run. The policies must be decentralised and contextualised in matters of food production and distribution. Removal of the responsibility of the state would deem to become a major issue for the long term planning. There are two domains to raise voice against these issues:

- Legislative and Judicial domain - Many states like Punjab are planning to challenge the amendment in the Supreme Court. There are many states that are trying to enact their own laws to by-pass these farm acts.
 - Local Domain - States need to strengthen public intervention, public infrastructure in agricultural marketing, and states need to take responsibilities to establish local formalities so that farmers can also benefit out of it and the markets can act as aggregators between the farmers and the APMC *mandis*. This type of new market innovations need to be taken up by the States to keep away from the negative impacts of these acts.
2. *Are we moving towards a state of policy incoherence? And do you think this may lead us towards inconsistency in policy framework, which could have supported food security and eradicated poverty?*

Yes, as per the latest amendments we are moving towards state of policy incoherence. This will lead to inconsistency in policy framework, which could have supported food security and eradicated poverty. Farmers need to be protected and for that matter different NGOs, State and other organisations must come together to look for other appropriate alternatives. More creative innovations must be taken up to create a robust agriculture system at the state level. This needs to be resisted by creating alternatives at the local level.

3. *How do you feel about the idea to reduce the reach through the Targeted Public Distribution System (TPDS) and move towards giving cash transfers rather than foodgrains?*

The whole PDS regime has been under a deep threat for a very long time. The conversion of PDS into cash transfer is not a good option. Though such conversion steps have been taken up like introduction of *Aadhar* and turning into advanced computerised versions, but at present there is a need to give food grains rather than cash benefits. For example, during the ongoing pandemic, PDS helped a lot in the survival of people.

4. *Marketing functions will continue to be there looking at the culture, can we think of empowering farmers' cooperative and sharing the spread in marketing channels?*

Indeed we need more connections for farmers, like more cooperatives, farmers' producers' organisations, joint liability groups, so as to support farmers to help them fight against their rights. Farmers must not be left alone, and initiatives must be taken up to create groups of farmers, to create collectives of farmers to ensure that bargaining power is significantly raised. That's the only way farmers can be protected given the current policy regime.

5. *What are the implications of contract farming and where are we heading?*

Contract farming has no spectacular success across the globe. Its results are deeply suspected. Only in Thailand, there was success in contract farming and the reason behind that was state intervention. The government of Thailand supported it in many ways such as ensuring that food security concerns were protected, etc. So, contract farming can only face success if there will be support from the State Governments. There are also many significant negative impacts under contract farming such as, female labour, child labour, food security concerns, etc.

Mental Health of Children in Conflict with Law



Dr Kalpana Purushothaman

*Counselling Psychologist and Member,
Juvenile Justice Board, Bangalore (Urban)*

A webinar on “Mental Health for Children in Conflict with Law” was organized by Centre for Child and the Law, National Law School of India University, (NLSIU) Bangalore on 19th December 2020 between 10.30 AM and 12.30 PM on google meet platform. The discussion was chaired by Ms. Enakshi Ganguly Thukral, Human Rights Activist and Child Rights Advocate.

Children in conflict with Law form a very important group of rights holders in the community who are vulnerable to and confronted by a gamut of challenges that affect their mental, emotional and psychological state. This summary report captures the discussions that formed part of a webinar on Mental Health of Children in Conflict with Law, organized by the Centre for Child and the Law

(CCL), National Law School of India University (NLSIU).

The session began with a brief introduction to the profile of work undertaken by Centre for Child and the Law, NLSIU, by Dr Neetu Sharma, Centre Coordinator and Programme Head of the Right to Food Programme. This was followed by an introduction to the importance and need for organizing a webinar on the “Mental Health of Children in conflict with the Law.” Dr Sharma emphasized that this topic remains an unexplored area. An impetus must be provided for further research that can play a significant role in influencing policy decisions that impact children in conflict with the law directly.

This was followed by a brief introduction to the speaker, Dr Kalpana Purushothaman, who has a rich expertise and experience in working with marginalized communities and children in difficult circumstances and particularly her engagement with the Juvenile Justice System for over a decade as a senior counselling psychologist, researcher and Member, Juvenile Justice Board, Bangalore (Urban). Dr Sharma also introduced the Chair of the session, Ms. Enakshi Ganguly Thukral, who has over three and a half decades of experience as a Human Rights Activist, Child Rights Advocate and has rich expertise in varied domains, including social, political, economic and cultural issues that impact children’s lives.

Ms. Ganguly appreciated the speaker for having worked on a topic of significance and spoke about various scientific factors, socio-economic conditions and behavioural issues that are often not considered and highlighted enough in any discourse on children in conflict with the law. Ms. Ganguly also mentioned that the cross-over experience of the speaker across academia, corporate sector, development sector, as well as the long-standing engagement with the Juvenile Justice System, and associated networks, will be a huge learning for all.

The speaker began her presentation with a personal experience of a child in conflict with law that eventually became the core question of the study. The question was, “Why is it that nobody seemed to be bothered about the death of a child who had become involved in a petty theft?” This question led the speaker to further explore

about the kind of childhood these children have and the kind of environment they have grown up in. The speaker reiterated that children in conflict with law are not really spoken about unless there is a heinous crime that has been committed. The moment a heinous crime is committed, the child's identity is immediately shifted to that of a "juvenile offender" and is seen from a legalistic lens that focuses on guilt or innocence, punishment or acquittal rather than rights or wellbeing. The fundamental questions that predominantly drove this study are:

1. Who are these children who come into conflict with the law and thus into the juvenile justice system in India?
2. What kind of childhood do these children have *before* they enter the juvenile justice system?
3. Once they come into the juvenile justice system, what happens to them?

The speaker suggested exploring a broader question of whether the juvenile justice system could be reimagined as a healing space that restores their humanity instead of a punitive, abusive setting that merely mirrors their earlier existence.

This was followed by an introduction to who "children in conflict with law" are. Legally speaking, "a child in conflict with the law" is defined as a person who is alleged or found to have committed an offence and who has not completed the eighteenth year of age on the date of the commission of the offence".

Developmental psychology and neuroscience informs us that adolescence as a developmental stage is a period of tremendous growth and development and hence a phase which is most **amenable to reform** and learning positive, socially and legally acceptable behaviour. Sending at-risk youth to prison and exposing them to adult criminals and further crime is only likely to introduce and groom them for a future career in crime. Instead, if at this age, children coming into conflict with the law are provided **access to an array of mental health services** which include screening and identification of mental illness and risks, care and treatment of any

mental health conditions, education and rehabilitative services, life skills and re-socialization, it is more likely to result in **reformation and prevent reoffending**.

The speaker highlighted a common myth that children involved in crime are not held accountable and are let off easily because they are children. The speaker reiterated the need for all children, including those in conflict with the law to be taught that there are consequences for their actions. But such accountability must be grounded in a developmentally-appropriate correctional mechanism, based on the human rights of children and a deeper understanding of the circumstances that led to such behaviour or actions. After having delved into the broad concepts of the study, the speaker introduced the rationale, objectives and scope of the study.

The objectives of the study are:

1. To study the mental health status of ‘children in conflict with law’
2. To study the status of counselling provided to ‘children in conflict with law’

The study was limited to children in conflict with the law (boys only) in juvenile justice institutions across two districts, namely, Bangalore and Mysore, in the State of Karnataka.

In terms of existing literature, the speaker mentioned that despite the relevance and importance of the topic, there is not enough literature or empirical data available on the mental health status of children in conflict with the law in India. Discussing some of the key learnings from the literature available, the speaker mentioned that the focus in India had been on understanding the number and type of offences and not on mental health. Furthermore, studies show that children in correctional facilities suffer from a combination of several mental health problems that are often undetected, undiagnosed and untreated. These conditions have put them into situations that bring them into conflict with the law.

The speaker shared some of the key findings from the study, including statistical inferences, participant observations and participant opinions based on themes such as Demographic profile, family profile, health status, circumstances in which the child came in conflict with the law, status of counselling in the juvenile justice system, opportunities for reform, rehabilitation and restoration, and rights of children in conflict with law while in custody and research.

As part of the presentation, the speaker also shared some of the adverse childhood experiences of children in conflict with the law and some of the factors causing these. She mentioned that majority of children in conflict with the law (77.14%) had 10 or more Adverse Childhood Experiences (ACEs) in their life. The average number of ACEs for a child in conflict with the law was 11.73%. The speaker also highlighted the need to look at multi-sectoral issues that could prevent more number of children coming in conflict with law. For instance, Right to Education must be extended up to 18 years of age. If children are in school, there are lesser chances of them being in jail/coming in confrontation with the juvenile justice system.

Conclusion and Recommendations

The speaker concluded by talking about and reiterating the need to look at underlying factors and circumstances that are largely responsible for pushing children into conflict with law. There is a compelling need to improve the status of counselling being provided to these children.

In terms of recommendations, the speaker shared a model for psycho-social services that had been conceptualized and implemented by her as a pilot at the Observation Home, Madivala, Bangalore. This model is called Project MAANSASA and is a collaborative and rights-based psycho-social centre providing infrastructure, counselling services, specialised services, institutional services, and community-based services, brought about through State and Civil Society Partnership. The speaker suggested that this model could be replicated as a model for mental health services for children in conflict with law to guide future practices.

A few glimpses of the MAANASA Wellness Centre, which was inaugurated in July 2019, were also shared as part of the presentation. This wellness centre provides individual, group and family counselling, Art Therapy, Activity-based learning and therapy, conducts health camps for children and families, and undertakes a number of activities that promote reform and rehabilitation, awareness generation and information dissemination for key stakeholders.

Concluding remarks by the Chair, Ms. Enakshi Ganguly

The Chair stated that Child Protection, as an area for reform, has become a vertical by itself and there is an urgent need to look at all factors and issues, across multiple sectors and make the right connections and for CCL to provide the thought leadership in this area. The need today is to increase our engagement and address issues in a more holistic manner.

Concluding remarks by Dr Neetu Sharma

Dr Neetu Sharma profusely thanked the speaker as well as the Chair for discussing in detail the key findings of the study, as well as highlighting all the areas that mandate reform. She suggested that the presentation has certainly challenged the ways in which we think about children who come in conflict with Law. Further, the discussion has also paved the way for a new direction that the Centre for Child and the Law can pursue, while exploring and advocating for Child Rights, across all three thematics, i.e., Right to Food, Education and Child Protection.





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