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Operationalizing rights-based approaches to development: a study of state and non-state duty-bearers in Odisha, India

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In fulfilment of the requirement of Doctoral Degree in Philosophy

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Declaration

This is to certify that the work I am submitting is my own and has not been submitted for another degree, either at University College Cork or elsewhere. All external references and sources are clearly acknowledged and identified. I have read and understood the regulations of University College Cork concerning plagiarism.

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Date: 6th October 2017

Acronyms

AES   Adivasi Ekta Sangh

ASHA Accredited Social Health Activist

AWC   Anganwadi Centre

AWW Anganwadi Worker

AWH Anganwadi Helper

BBSA Bhirnabhoi Bhinnakshama Samarthya Abhijan

BDO   Block Development Officer

BPL   Below Poverty Line

CARD Centre for Action Research and Documentation

CDPO Child Development Project Officer

CYSD Centre for Youth and Social Development

DAS   Dangar Adhikar Samiti

DSWO District Social Welfare Office

EFP   Emergency Food Program

FCRA Foreign Contribution Regulation Act

FSCW Food Supplies and Consumer Welfare

FRA   Forest Rights Act

GOO   Government of Odisha

HFW   Health and Family Welfare

ICDS Integrated Child Development Services

ICLAA Indian Council of Legal Aid and Advice

KBK   Kalahandi-Bolangir-Koraput

MBY   Madhubabu Yojana

MDMS Midday Meal Scheme

MGNREGA   Mahatma Gandhi National Rural Employment Guarantee Act

MPHW Multipurpose Health Workers

NFSA National Food Security Act

NGO   Non-Governmental Organisation

NOAP National Old Age Pension

OLIC   Odisha Lift Irrigation Corporation

OREDA Orissa Renewable Energy Development Agency

PEEP Public Evaluation of Entitlement Programmes

PDS   Public Distribution System

PR   Panchayati Raj

PESA Panchyat Extension Services Act

PECUC Peoples Cultural Centre

RSSO Ruchika Social Services Organisation

SHG   Self Help Groups

SMS   School and Mass Education department

SPREAD Society for Promoting Rural Education and Development

SWAD Society for Women Action and Development

THR   Take Home Ration

TRIPTI Targeted Rural Initiatives for Poverty Termination and Infrastructure

UID   Universal Identity Card

WCD   Department of Women and Child Development

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Abstract

A rights-based approach to development (RBA) is an approach to development promoted by many development agencies and non-governmental organizations (NGOs) to achieve a positive transformation of power relations among the various development actors. With a particular emphasis on human rights, RBA creates justiciable rights and identifies obligations and rights on the part of duty-bears (such as the state) and right-holders (citizens). Most studies on RBA to date have been limited to the role of non-state duty-bearers. The absence of in-depth investigation of state actors, as the primary duty-bearers, poses limits to our understanding of how such approaches work in practice. This thesis, therefore, examines how rights-based approaches to development are operationalised in Odisha, India, through an investigation of its practice by state and non-state actors at various levels.

The thesis asks four research questions. The first asks how and state policy and political will in India are articulated, and how this impacts upon its operationalisation of RBA. The second asks what specific governance strategies are used by the state in Odisha to operationalise RBAs. The third looks at how "lived experiences" of grassroots state duty-bearers impacts on the practice of RBA. The fourth question seeks to identify strategies used by NGOs to enable poor communities to claim rights. In terms of methodology, the study uses a range of qualitative methods for the collection and analysis of data; data was collected across three districts including 64 villages, and from over one hundred individual informants.

The findings of the study highlight the importance of the experiential knowledge of middle level officials, and how this is potentially crucial to the operation of RBA. Second, it shows that duty-bearers at grassroots level, especially poor women, are also rights-holders, and that these conflicting roles poses multiple constraints on the operation of RBA at the village level. Thirdly, cooperation between the state and non-state duty-bearers is essential for a rights-based development practice, and gives rise to a range of creative solutions to pressing development challenges. The fourth is the importance of communities taking responsibility for their development through active participation, and strengthening community governance systems. The fifth shows that empowerment processes are invisible and intangible and begin with an assertion of individual agency which is discussed in the case of women's self-help groups. The sixth major finding is that the use of the language of rights challenges local power structures and reveals tensions between opposing interests of the state, communities and political movements.

Overall, this study provides policy insights through analysis of the workings of rights-based approaches to development at grassroots levels, and enhances our understanding of the potential – and constraints – of a rights-based approach in tackling pressing development issues in wider democratic contexts.

Acknowledgements

A long story

To the distant known and unknown men who made it possible
Through simple *daal-bhaat-sabji* lunches in Campaign offices
In long arduous field-visits, on non-existent roads to far flung villages
Where once at dusk I was stopped by undeclared Maoists
Those men behind officers' desks who spoke with a conviction
And wanted to be heard, risk or no risk,
To the helpless father of five hungry children at the village hospital
Watching his skeletal wife deliver yet another one, and running amok
To collect pennies to pay the greedy duty-bearers for what was his
Wife's right to free healthcare…

Chapter 1: Introduction

This study critically examines the concept of rights-based approaches to development by investigating its practice by State and non-State duty-bearers in Odisha, India. The objective is to broaden the understanding of rights-based approaches to development through an investigation of its practice, and its emerging meanings, by duty-bearers, and how these practices lead to empowerment of poor communities.

I have adopted the United Nations Office of the High Commissioner of Human Rights (OHCHR) definition of a rights-based approach to development which is as follows:

> "a conceptual framework for the process of human development that is normatively based on international human rights standards and operationally directed to promoting and protecting human rights. Essentially, a rights-based approach integrates the norms, standards and principles of the international human rights system into the plans, policies and processes of development. The norms and standards are those contained in the wealth of international treaties and declarations" (OHCHR 2004: 15).

In this chapter, I discuss the concept of a rights-based approach to development, and describe the linkages between human rights and human development. I have identified four main research questions for the study which arise from my examination of the literature on rights-based approaches to development. Next, I describe the theoretical framework within which my research is situated, the justification for my chosen research subject, the chosen methods, the field study, and provide a brief outline of the chapters.

While scholars such as (Nussbaum 2003) and Mikkelsen (2005) argue that there is no one definition of a rights-based approach to development, it is widely agreed that it has three primary components, namely, justiciability, adherence to international norms on human rights, and adherence to human rights in the means as well as the ends used for its operation. Essentially, a rights-based approach identifies a duty-bearer who is obligated to the rights-holder who, in turn, has the right to demand fulfilment of a claim it is denied or violated. Obligations may lead duty-bearers to induce changes in

law, social or political structures through democratic processes. A change in people's lives through poverty reduction schemes, welfare schemes, development planning, and in attitudes leading to enabling and empowering processes, are also ways in which duty-bearers can fulfil their rights-based obligations.

In this thesis, I have followed Amartya Sen's (1999) definition of development which refers to development as an expansion of human freedoms to enhance capabilities as desired by individuals to live a life of dignity. Human rights, according to Sen (2004), alludes to basic rights, which every person in the world has, irrespective of citizenship or territorial legislation, and which are respected by others. The broad spectrum of the concept of human rights is further emphasised by Nussbaum (2003: 37) who argues that the idea of human rights is not crystal clear, and sometimes gives rise to more questions than it could address. For instance, questions such as what it really means to secure a right to someone; where do rights originate from (from nature, moral claims, humanity, or laws and rules of institutions); or should rights be goals in themselves provide details of what constitutes a human right in specific contexts.

Scholars such as Alexander (2004, following Alston 1987 and Donnelly 1989), argue that human rights have evolved across three generations. The first generation rights are civil and political rights, the second are social and economic claims, and the third generation rights are those that communities and groups assert together such as rights to self-determination, rights of minorities, and rights to public goods such as peace or environment. The idea that civil and political rights are indivisible, interconnected and interdependent with social and economic rights has been present in various forms in international declarations on rights, and was highlighted in the Vienna World conference of 1993 (McDermott 2012). Prior to this, international organisations typically stressed only civil and political rights, with little inference to socio-economic rights (McDermott 2012; Gready and Ensor 2005). The linkages between first and second generation of rights found expression in the United Nations Development Programme (UNDP) which stated that human rights and human development supplement and reinforce one another in the common goal towards poverty eradication, and although, these links are not automatic, but they can be mobilized strategically which then becomes the development task of states and other duty-bearers (UNDP 2000).

Since the 1990s, development agencies such as the United Nations Development Program (UNDP), the United Nations Children's Education Fund (UNICEF), the World Health Organisation (WHO), the European Anti-Poverty Network (EAPN) and international donors such as the UK's Department for International Development (DFID), the Swedish International Development Agency (SIDA), and non-government-organisations (e.g. CARE, Oxfam, Trocaire, Action Aid), have been using a rights-based approach to their development program activities. More recently, rights-based approaches to development have found a place in many national constitutions, such as in South Africa, India, and Brazil (McDermott 2012). Thus, the RBA to development is being used both by states and non-state duty-bearers in their development practice. Scholars such as Rand and Watson, however, caution against the use of rights-based approaches to development as rhetoric, noting that "the term rights-based approaches has become so familiar that we tend to assume that it is well-understood and it is a foregone conclusion that RBA offers more potential for sustainable impact" (2006: 1). Feminist activist Batliwala expresses concern that "old approaches are often rebottled in the rights rhetoric" leading to "the dismissal of even the most impressive empowerment strategies and movements because they did not package their work in the rights rhetoric" (2013: 287). Others such as Mikkelsen (2005) argue that the concept of a rights-based approach to development is still evolving.

Recent studies on rights-based approaches to development have focused on non-government-organisation (NGO) practices (see Nyamu-Musembi 2002). Uvin (2004) has written extensively on the elements that define the concept of a RBA, and others such as Drydyk (2013) and Kabeer (1999) have discussed the inter-relatedness of concepts of agency, and empowerment, with rights. Sen (2009) and Nussbaum (2003) have discussed concepts of capabilities, freedoms, and entitlements, which are basic to the facilitation of human rights, and therefore have a bearing on the concept of rights-based approaches to development. The UN's Office of the High Commissioner on Human Rights (OHCHR) has documented the practice of rights-based approaches, such as using RBAs to negotiate access to forests (Johnson and Forsyth 2002; Colchester and Chao 2011), in gender mainstreaming programmes (OCHRC 2006), and in health related studies (EAPN et al 2010). International NGOs such as ActionAid (AA 2010, Akerkar 2005), and CARE (CARE International, undated; Care Denmark

2009) have adopted a rights-based approach to examine the attitudes of its staff towards rights-holders or beneficiaries of development projects as part of their rights-based. The missing aspect is often the voice of the grassroots development worker in the discourses on NGO practice. For a meaningful understanding of RBAs, therefore, it is, important to draw attention to the practice of rights-based approaches by grassroots development workers.

There is an absence of studies on how states operate rights-based approaches to development, which is a significant lacunae in the discourse on RBA. Scholars such as Sen (2004, 2009), Nussbaum (2003), Sengupta (2007) and Pogge (2007) agree that the state, as the guarantor of rights, is the primary duty-bearer, and has the primary obligation to fulfil and protect people's rights. The state's role as primary duty-bearer becomes particularly important in the context of competition for scarce resources to ensure that the very poor are not left out. Furthermore, as signatories of international covenants and treaties, according to McDermott (2012), nation-states have an additional obligation to respect people's rights. Others such as Knuth and Vidar (2010) have argued that for rights to be effective for individuals, national legislation must make the right applicable through clearly defined obligations for governments. Thus, the role of the state, its government, and the methods it adopts to operate its obligations, are crucial to the discourse on rights-based approaches to development.

The basic premise of my theoretical argument lies in Sen's (2004) contention that at the core of the concept of human rights lies the understanding that human rights are universal, are primarily ethical demands, and can inspire legislation. Other scholars such as Ashford argue that all human beings possess a set of rock bottom moral claims which are morally urgent and basic, and must be enforced (2007: 184). Translated into tangible rights, such human rights are rights of "access to basic necessities such as food and water, clothing, shelter and basic health care in order to live well (Pogge 2007: 11). Taking further the argument that human rights are primarily moral obligations, O'Neill contends that liberty rights, and rights to goods and services, both constitute human rights (2005: 428-429). A rights-based approach to development, specifically human development, thus emerges from an ethical demand for rights to basic human rights including liberty, especially for people whose human rights have been denied. The basic premise of the link between human rights and human

development lies in the understanding that if rights are being realised, development is in progress which includes an expansion of freedoms, rights, and well-being of all people (Sengupta 2007). Consequently, there arises the need to identify who is responsible to fulfil rights when they are denied or violated, i.e., duty-bearers, which is a core concern of rights-based approaches to development.

Sen (1999, 2004) argues that claims - or rights - are addressed generally to anyone who can help, and anyone who is in a position to help achieve human rights has a moral obligation to do so. More importantly, for the purpose of this study, as Sengupta emphasised, the state alone cannot deliver a right on its own without taking into account the actions of all concerned social agents such as civil society and other international bodies (2007: 329). However, scholars agreed that although anyone who is in a position to help becomes a duty-bearer, the state is the primary duty-bearer (Sengupta 2007; Pogge 2007; Sen 2004; and Nussbaum 2003). To provide an example of how a state can fulfil its obligations, Dreze and Sen (1989) argue that as part of its obligation to tackle hunger with immediate relief, a state could either provide direct support such as free food or cash, or it could create social security networks like unemployment insurance, free health services, and basic education. In other words, these actions of the state either protect or promote the welfare of all people. Going a step beyond fulfilment of obligations by the state, Sen (2004) advocates institutional reform as redressal in cases where rights to economic and social freedoms are hampered. An important caveat provided by Sengupta (2007) is that the process of realisation of rights is not always immediate, and will be progressively realised over time. The focus is therefore on motivating social change, and moving from feasibility of rights to actual implementation (Sengupta 2007: 330-331). And it is in this last argument that the Indian constitutional amendments (leading to rights to information in 2002, to employment in 2005, and to education in 2009), are perhaps situated, which Nussbaum (2003) argues are affirmations of positive rights declared under the Fundamental Rights in the Indian Constitution. Additionally, Nussbaum argues that the many affirmative action programs undertaken by the Indian state for vulnerable groups and women are examples of securing rights through positive actions instead of the mere absence of negative state action (2003: 37).

This thesis analyses how rights-based approaches to development are operationalised within the broad parameters of the arguments forwarded by key scholars discussed above, and using evidence based on empirical research. It highlights how the state operationalises rights-based approaches, the type of activities that indicate a rights-based approach, and compares state practice with non-state practice of RBA. This study begins with the premise that, in general, in democracies, rights are progressively realised, and to make rights operational, a state must protect and promote rights under its obligations and duties to the people. Using detailed evidence from a range of duty-bearers at all levels, this study examines different aspect linked to the Integrated Child Development Services welfare scheme adopted by the state in India (and followed by the Odisha government), and how limitations imposed by its institutions or other reasons, may pose hurdles in realisation of rights. The second focus of my study is the role of other duty-bearers, especially of non-governmental organisations and community-based organisations, in initiating, and supporting state-led rights-based activities. Although many studies on the use of RBAs by non-governmental organisations have been conducted, my research is an in-depth examination of its practice through the experiential knowledge of grassroots development practitioners. The third significant departure from existing studies on rights-based approaches is that my research analyses governance strategies used by the state and non-governmental organisations highlighting the differences and similarities in the approaches used by both sets of duty-bearers. The findings from my field based research study have significant implications on the discourse and practice of rights-based approaches to development.

I chose India for my field study for a number of reasons. The Indian constitution, according to McDermott, is a case of national legislation where the constitution "provide[s] instructive examples of domestic approaches to an enforceable right to food" through "legal redress, national food policies and state aid programs" (2012: 549). Nussbaum (2003) contends that the Indian legislature has taken affirmative actions through constitutional amendments, under the section on Fundamental Rights of the Indian Constitution, to secure people's socio-economic rights. Constitutional expert De Villiers writes that the Indian Supreme Court made non-justiciable socio-economic rights under the Directive Principles of State Policy justiciable "following several constitutional amendments, public debate and disputes over court decisions"

(1992: 198). The Indian case is also interesting to study from a rights perspective because ordinary people, through public litigation, have been able to re-define the socio-economic provisions of the constitution. One of the foremost commentators on the Indian constitution has argued that "letters written by ordinary citizens to courts get converted into writ petitions" (Baxi 1993: 7). Baxi argues that the law of standing, that is persons who can bring complaints of rights-violation, has thus been revolutionised, and "access to constitutional justice has been fully democratised" (1993: 7). Baxi further states that there has been a procedural innovation through the above-mentioned social action litigation (or public interest litigation) because the courts have begun to appoint legal commissions of citizens and experts to check the validity of alleged violation of people's rights and provide potential remedies, at state expense. India is, therefore, a good example of how, and why, nation-states legislate a rights-based approach to development.

Within India, I decided to focus on Odisha for two important reasons: firstly, Odisha is classified as a poor state (GOI 2011), and secondly, the state government has announced rights-based actions to "encourage pro-poor growth economic opportunities in an equitable and sustainable manner" (GOO 2004: vii-viii). Odisha's Human Development Index ranks at 22nd of 23 Indian states, and is comparable to Malawi (GOI 2011). The first Human Development Report of Orissa (2004) stated that although food availability was satisfactory in the state, there was chronic food insecurity mainly because of poverty, unemployment, and poor access to subsidised food grains which were exacerbated by natural calamities of cyclones, floods and droughts. The report also noted that a "lack of basic amenities due to poor governance in the social sectors reinforces the severely food insecure status of the state" (GOO 2004: 55). The state government has therefore put in place institutional and policy reforms to "sensitise planners and policy-makers to take expeditious steps to enhance social well-being" (GOO 2004: vii-viii). Furthermore, the report emphasises that the State Government is engaged in encouraging pro-poor growth economic opportunities in an equitable and sustainable manner; one such state-led program is the Mission Shakti to empower women and encourage them to participate in the economy building process. The above announcements used a rights-based language in its governance strategies to alleviate poverty and vulnerability of poor people.

Within Odisha, poverty levels are high compared to other Indian states, and although there are many scholarly works analysing its poverty, an analysis of state development activities using a rights-based approach is absent. Scholars such as Sainath (1996), Agnihotri (1998), Peng and Hardy (2001), and Kumar (2015) have conducted evidence-based studies on poverty and its impact on the poor in Odisha. Datta and Pradhan (2012) examine strategies used by an international NGO (Concern Worldwide) to help people access their entitlements in Odisha, but the study does not focus on state practice of enabling people to claim rights to their entitlements. The surveys done by the Odisha office of the Right to Food Campaign Secretariat, although crucial to understanding RBAs, are limited to campaign-based activities focusing on challenges in implementation of food entitlements, and networking amongst development practitioners at the State and national levels. A few local NGOs, namely, PECUC (Peoples Cultural Centre), Spread (Society for the Promoting Rural Education and Development), RSSO (Ruchika Social Services Organisation) and the Right to Food Campaign Odisha have documented their advocacy and training activities on processes of informing and accessing entitlements for communities. Overall, there is a notable absence of studies on how the state, understood as the primary duty-bearer, practices a rights-based approach to development through policies, both at the centre and at the state level. My study therefore contributes to the discourse on rights-based approaches to development by focusing on the experiential knowledge gathered from duty-bearers of the state and non-governmental organisations.

This thesis has four primary research questions, as follows-

1. How does political will and commitment of the state manifest in defining and expressing rights to entitlements of poor communities, and how does it impact upon operationalisation of rights-based approaches to development?

2. What are the specific governance strategies used by the state to operationalise rights-based approaches to development?

3. How are rights-based approaches translated into practice at the grassroots level? What is the "lived experience" of grassroots state duty-bearers, and how does it impact rights-based approaches to development?

4. What are the different development issues that non-government organisations (NGOs) focus on? What strategies and actions do NGOs use to enable poor communities to claim rights?

The first question is examined mainly through the use of secondary sources such as the National Food Security Act and other rights-based policies of the Odisha state government, as these determine the operational aspects of policies. I have also used primary data collected from interviews with duty-bearers at higher levels to throw additional light on the choices made by the state in the operation of specific policies. Data for the second research question was obtained mainly through observations, and interviews with middle level state officials. I have discussed in detail the participatory processes, facilitated by the state to show empowerment processes evident in women's self-help groups. The third research question focuses on the activities and experiences of local anganwadi workers, in particular with the aim of understanding the conflicting demands of a rights-based approach on grassroots duty-bearers. Data was collected in the field primarily through open-ended and in-depth interviews with anganwadi workers (AWW) and helpers (AWH) across the four districts. Listening to, and observing the silences of the AWWs and AWHs in their natural settings were important tools which supported the interpretation of lived experiences of the respondents, the intersectionalities, and the power dynamics between all stakeholders. The fourth question focuses on the strategies and activities of NGOs through interviews with development practitioners from the field. I used open-ended interviews with grassroots NGO workers where conversations and participatory observations over a number of days were the main tools of data collection.

My study is qualitative, and I have used mixed methods for data collection drawing upon ethnographic and feminist methodologies, including in-depth interviews, group discussions, and direct and participatory observations. The focus throughout is on the "lived experiences" (Denzin & Lincoln 1994) of duty-bearers at all levels to analyse their experiences, learnings, and insights during their duty-bearing activities. Data collection was conducted in 64 villages across four districts, namely, Puri, Cuttack, Khorda and Koraput. Respondents from three urban slums form part of the study. Interviews were conducted with a total of 34 higher and middle level duty-bearers within the government of Odisha, 58 grassroots duty-bearers, 39 non-government development practitioners, a mixed list of 45 respondents, and 46 self-help groups.

This thesis has the following chapter structure. Chapter One begins with the standard UN OHCHR definition of rights-based approach to development, introduces the research problem, and then discusses the background to the problem. In the chapter, I have justified the focus on this problem, and the selection of the field-sites in Odisha, using secondary sources show the engagement of the state with rights-based approaches to development policies. Chapter Two discusses the theoretical and conceptual arguments underlying rights-based approaches to development. It then traces the origins of the discourse on rights and of development and analyses the major discussions around the key elements of rights and development. Theoretical linkages between the concepts of rights and development are explored along with their links with other important ideas such as capabilities, empowerment, and agency. Chapter Three states the four research questions, and describes the methodology of the thesis which is primarily qualitative. It includes the research strategy, the choice of sites, selection of informants, techniques of data analysis, role of the researcher, and some reflections from the field. The primary tool of data collection is in-depth interviews with duty bearers at all levels. A second important data collection strategy was to observe either directly or engage in participatory observation depending on the settings such as official meetings, organised demonstrations, and daily activities. Group discussions with duty bearers at grassroots levels is the third important tool used in the study. Group discussions with poor women's self-help groups focuses on their "lived experiences" gives important insights to the invisible ways empowerment processes manifest within the lives of the poor women duty-bearers and rights-holders alike. The findings are analysed in the next four chapters.

How the state operationalises a rights-based approach to development in Odisha is analysed in Chapter Four, by identifying political will and commitment through an investigation of legal frameworks, policies and programmes, and budget provisions of Odisha state. Adherence by the state government to Supreme Court directives is an important indicator of state political commitment to food rights of the poor. Legal frameworks enlists the various Acts and constitutional rights, especially the National Food Security Act (NFSA), and its provisions, with special reference to the Integrated Child Development Scheme (ICDS) services. The ICDS program provides food entitlements to vulnerable sections of society, especially poor pregnant women and children, through anganwadi centes in small communities. Innovative programmes of

the Odisha government such as the Mamata Yojana and the Bhirnabhoi Bhinnakhsamata Scheme, are examined based on field study in terms of their access, availability, and challenges for vulnerable groups such as poor women, children, older people, and differently abled people.

Chapter Five analyses three main governance strategies used by the Odisha state to operationalise its rights-based programs for development. The three strategies are the convergence of departmental programs, information dissemination and creation of awareness, and facilitating participation of the poor in its rights-based programs. I have used interviews with government officials to analyse political will and commitment of duty-bearers. Obstacles arising as a result of rights-based approaches in the discharge of their official duties have been discussed, because of their impact on development activities. Using the voices of people or rights-holders, the chapter illustrates how the formation of self-help groups is a manifestation of invisible ways empowerment which is the outcome of state-facilitated participatory programs for poor women.

Chapter Six analyses rights-based approaches to development from the "lived experiences" of grassroots duty-bearers, namely the anganwadi workers and helpers. Because state policies influence gendered access to household resources, feminists (Lister 2000) contend that it is imperative to engage women's voices in policy making. Through open-ended and in-depth interviews, and informal narratives, this chapter engages the voices and experiences of grassroots duty-bearers in their rights' practice, and analyses whether it enabled them to develop their own agency, and empower other vulnerable sections in their communities. The chapter provides an understanding of the complex and competing interests of anganwadi workers as grassroots duty-bearers and as rights-holders, and its resultant impact on the operationalisation of rights-based approaches to development at the village level.

Chapters Seven and Eight focus on the rights-based activities of selected non-governmental organisations in Odisha. Chapter 7 examines how NGOs in Koraput district have identified the root cause of people's poverty in the region, and how they operationalise rights-based approaches to development. In Chapter 8, I discuss two specific rights-based strategies, namely, ensuring active duty-bearer engagement, and

alliance-building and networking at multiple levels adopted by NGOs in Khorda and Puri disticts.

Drawing upon key findings of the four research questions, the Conclusion chapter integrates and identifies strengths and weaknesses in the right-based approaches used by the state, and NGOs in Odisha. It recommends the use of lived experience of duty-bearers and development practitioners in policy-making to ensure effective operationalisation of rights-based approaches to development at the grassroots level.

Chapter 2: What it is really to secure a right to someone? A review of the literature on rights and development

2.1   Introduction

In this chapter, I examine the major aspects of the concepts of rights and development, separately, and then how the two concepts are linked in the discourse on rights and development. Through my examination of selected concepts of key political philosophers, I aim to provide a theoretical basis to the idea of a rights-based approach to development.

The chapter is divided into two sections. The first section examines the concept of rights, and the second section, discusses development, and its links with rights. It begins with a historical overview of the concept of rights followed by an examination of what constitutes human rights. I have alluded to various aspects of rights debated upon centuries instead of an in-depth analysis of each aspect with an aim to situate the idea of RBAs within the discourse of rights historically. My contention is that the current discourse on RBAs did not arise in a vacuum, and it is important to draw upon this vast discourse, and give due recognition to its antecedents. I have, then, focused on the main goal of the human rights' agenda which, as delineated by eminent political philosophers, is poverty eradication. I have framed my analysis of the linkages between rights and development using Martha Nussbaum's query on "what it is really to secure a right to someone" (2003:38). Through Nussbaum's query, I have deliberated upon the goal of rights, the types of rights, the duty-bearers of rights, and the different elements of the concept of rights, and through this examination, I have highlighted arguments of key scholars. I have then moved to a discussion on the intersection of rights and development with a short timeline of international deliberations that made the connections between the two concepts more visible, and brought it to centre stage into the development discourse. The section on development begins with a historical overview of the concept, the key moments in its progress, the role of the United Nations, and then finally examines the central elements of the idea of rights-based approaches to development. Through Uvin's question on what do development practitioners do differently when they adopt a rights-based approach, I have discussed key rights-based activities undertaken by organisations.

2.1.1   A brief history of rights

Scholars such as Sen (2009) and Nussbaum (2000a) argue that although the term "rights" is generally associated with the European Enlightenment period, concepts such as justice, just claim and others related to it have deep roots in many traditions. For instance, Sen (2009) discusses in detail the concepts of 'nyaya' and 'niti', closest to the concept of rights, in the Indian tradition. Others trace the concept of rights as being present in various religions, cultures, and philosophies in some form or the other since ancient times (MacIntyre 1981; Donnelly 1989; Heredia 2012). In his seminal work on rights, Michael Freeman (2002: 14) traces the historical and philosophical bases of the modern concept by establishing interlinkages between the concepts of rights, just claims and justice through a discussion of Aristotle's *dikaion*, or just claim, the Magna Carta of 1215 ("to no one deny or delay right or justice"), and Hobbes' differentiation between right (jus) and law (lex). The task of a sovereign to act on behalf of the "nasty, brutish, and short" lives of ordinary men, and the type of sovereign a society should have, was debated by the social contract theorists. For instance, John Locke (1632-1704) argued that the natural rights of individuals could be protected only in a political community which must be governed for the public good. Lockean principles of constitutional monarchy, rights to life, liberty and property were largely adopted by the State in England after the 1689 revolution (Macpherson 1962). That human beings were reasonable was a belief that was held by Locke (Uzgalis 2015) who further claimed that individuals had a natural right to freedom and this was limited only by the obligation to respect the natural rights of others. Summarising the main debates on rights in the seventeenth century, Freeman (2002) contends that rights were discussed under two main traditions of thinking, namely as individual, subjective and natural rights, and the second focused on objective right or civil rights. Key moments of the debates, during the Civil War (1642-1651) in England, were the Levellers focus on the inalienable rights of individuals, and believed that people were above estates followed by their demand for the right to subsistence and wealth redistribution. Additionally, a group of philosophers called the Protestants in England, in the same period, argued that all humans were rational and that reason meant freedom of individual will, and the legitimacy of independent action and dissent from authority imparted rights and duties to individuals.

In the 18th century, significant political events impacted upon the rights' discourse. The American Declaration of Independence (1776) upheld Lockean principles that all men were created equal, and endowed with certain unalienable Rights, namely, Life, Liberty and the pursuit of happiness, by their Creator. In Europe, the 1789 French Revolution resulted in the French Constitution, based on the Declaration of Rights of Man and the Citizen. The ratification of the Bill of Rights in 1791 in the United States of America included freedom of religion, the press, expression and assembly, and the right to due process of law. In England, Mary Wollstonecraft advocated equality for women, and critiqued the conventional conception of womankind in her book "A Vindication of the Rights of Woman" in 1792. Thomas Paine, one of the architects of the Bill of Rights, argued that 'real rights of men' were rights of everyone, everywhere at all times. Supporting the French revolution and its demand for Liberty, Equality and Fraternity, Paine contended that a just society will support natural rights as well as civil rights. Paine calculated a tax system in support of his arguments for provision of social welfare for education, child benefit, and pensions for the elderly and the poor (Freeman 2002).

Jeremy Bentham, in 18th and 19th century England, argued that unlike natural laws which were vague ("nonsense upon stilts"), rights were derived from law. Freeman (2002) summarises Bentham's principle of utility as that which enables the evaluation of goodness and badness of laws, and his argument that the aim of politics and ethics was to create happiness of the greatest number. Bentham also believed that everyone was not equal in rights, for instance, children were not equal in rights to adults. Utilitarianism in an industrial society promoted socialism in order to bring the cause of the poor and the working class which had been earlier ignored by the natural rights' theorists. Other philosophies of the same period, such as the Ideologues (Mollenkamp 2004) sought to reconstruct a society on the basis of the science of mind (or psychology) with the aim of promoting happiness but this did not take the form of a political program. The Saint Simonians, contends Freeman, gave "priority to the social and economic over the political, the collective over the individual, and the scientific over the philosophical" (2002:29).

In this section, I have drawn attention to the various aspects of the rights discourse, the need and content of rights, which was prevalent throughoutt history, across

continents. A key element of this discourse was about the source of rights, be it God or society, and on the nature of man, which raised the question of a need of a sovereign or a social order, and therefore, the limits of rights. Rights, according to philosophers as observed above were not universal, and were defined by class, gender, and ethnicity, and were shaped by the socio-economic needs of the era. Heredia observes that "different understandings of rights derive from the different values and principles that they were grounded in, leading to multiple approaches to the welfare of a society" (2012: 115). In the 20th century, following wide-scale violation of human rights during the Second World War, the concept of human rights became central to the discourse on rights.

2.1.2   Human rights

In his *Elements of a Theory of Human Rights*, Sen argues that "there is something deeply attractive in the idea that every person anywhere in the world, irrespective of citizenship or territorial legislation, has some basic rights, which others respect" (2004: 315). Sen proposes six elements for a theory of human rights, and contends, first, that human rights are primarily ethical demands, not principally "legal", "proto-legal" or "ideal-legal" demands, and can inspire legislation. Second is that human rights are important because of the freedoms they imply which must "satisfy some threshold conditions of (i) special importance and (ii) social influenceability" (pp 319) for the person. The third element is that human rights induce obligations, perfect and imperfect, on "agents who are in a position to help" promote or safeguard the freedoms (pp 319). The fourth element emphasis that "some recognised human rights are not ideally legislated, but are better promoted through other means, including public discussions, appraisal and advocacy" (pp319-320). The fifth element argues for "significant and influenceable economic and social freedoms" which, if an institution is unable to guarantee, reforms to the institution must be introduced. The sixth element states the universality of human rights across national boundaries through "unobstructed discussion" and an interactive process where "a reasonably free flow of information and uncurbed opportunity to discuss differing points of view" can be achieved (Sen 2004: 315-320).

Ashford contends that human rights are "a set of urgent and rock bottom moral claims", and they are different from other moral rights because they are morally urgent

and basic, they must be enforced, and everyone has it because of being human (2007: 184). Human rights, according to Pogge, are rights of "access to safe food and water, clothing, shelter and basic medical care in order to live well-indeed, in order to live at all" (2007: 11). O'Neill argues that "the cornucopia of universal human rights includes both liberty rights and rights to goods and services", especially rights to food and healthcare (2005: 428-429). The broad spectrum of the concept of human rights is further emphasised by Nussbaum (2005: 37) who argues that "the idea of human rights is by no means a crystal clear idea", and sometimes gives rise to more questions than answers. For instance, the question where do rights originate from (from nature, moral claims, humanity, or laws and rules of institutions) is one such query. A second question is if rights should be goals in themselves. Another question is to know exactly what constitutes a human right in specific contexts.

Many scholars (including Alexander 2004, following Alston 1987; Donnelly 1989), argue that human rights have evolved across three generations. The first generation rights are civil and political rights, the second generation rights social and economic claims, and the third generation rights are those that communities and groups assert together such as rights to self-determination, rights of minorities, and right to public goods such as peace or environment. Alexander (2004) contends that the first generation rights have been the primary concern of States until the human rights discourse became central to development concerns. Attempts are continuously made to theoretically link rights of the first two generations on a causal plane in terms of indivisibility of rights through the concepts of human rights and human development. It has been widely argued (Sen 2004, Nussbaum 2005, Pogge 2007, Sengupta 2007) that human rights and human development have an intrinsic value as ends in themselves, and an instrumental value which results in the realization of other rights which lead to expansion of freedoms and therefore have become the goal of human development. The United Nations Development Program (2000) announced that human rights and human development supplement and reinforce one another in the common goal towards poverty eradication. These links are not automatic, however, but they can be mobilized strategically through the development activities of states and other duty-bearers (UNDP 2000). Unlike the idea of rights debated in the 18th and 19th centuries, in the mid-20th century, the discourse was more on human rights as

universal, inalienable and equal for all, and not abstract values of liberty, equality and security.

While the importance of legislation of rights cannot be denied, human rights derive their legitimacy primarily from being moral imperatives. The interpretation of moral claims to basic necessities by lawyers in different political contexts provides the fuel for its legislation. The primary concerns of human rights and human development have been teased out through Nussbaum's question what it is really to secure a right to someone in this study.

2.2   Types of rights

In this section, I examine the different types of rights. While most discourses on human rights, focus on the importance and juxtaposition of moral and legal rights, I have included cultural rights, and the right to respect others' rights as an integral part of the discourse.

2.2.1   Rights- Moral, Legal, and Cultural

Securing a right to someone raises the question of which type of human rights: moral or legal? Scholars argue that there is a clear distinction between moral human rights and legal human rights. According to Amartya Sen (2004), human rights are "primarily ethical demands" moved by a moral urgency, and "can inspire legislation"; some recognised human rights, if not legislated, can be better promoted through public discussions, appraisal and advocacy (2004: 320). Envisioning human rights as moral imperatives also widen its scope for a universal appeal. Asserting the primacy of moral human rights, especially since World War II, Pogge argues that "only if they respect moral human rights do governmental bodies have legitimacy, i.e., the capacity to create moral obligations to comply with, and the moral authority to enforce, their laws and orders" (2007: 13). Similarly, the legal rights and obligations that Human Rights lawyers draft and interpret are meant to give effect to pre-existing moral rights, such as the Universal Declaration of Human Rights (UDHR). The UDHR declaration of 1948 contains separate statements on moral and legal rights. Moral human rights are address in the declaration that "everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care" (UDHR, Article 25). All individuals are legally entitled to

a social and international order whereby rights and freedoms listed in the UDHR can be fully realised (UDHR, Article28), and this provides the broad legal framework within which moral human rights can be pursued. Pogge (2007) contends that the UDHR declarations are "desirable goals", and can be realised when moral rights and legal rights coexist.

Arguing that moral imperatives give rise to legalisation of basic needs which had hitherto gone unnoticed, Pogge writes that "whoever cares about moral human rights will grant that laws can greatly facilitate their realization" (2007: 13). For example, the moral human right to put a stop to poverty related deaths through better nutrition, safe drinking water and sewage system, vaccines, cheap rehydration packs and other basic needs can be achieved through specific legislations. Rights create obligations. Pogge explains this distinction between rights and obligations by emphasising that laws create many human rights, but the content and corresponding legal obligations of the law depend on the legislative, judiciary and the executive bodies that interpret and maintain those laws. In other words, the type of government is crucial to securing right to someone.

Rights are determined, and shaped, by local culture. Heredia (2012) cautions that legal rights can often be stymied by tradition and custom in civil society, especially in cultural contexts where glaring inequalities based on race, class, caste, ethnicity, and gender exist. Heredia succinctly summarises rights as "multi-layered, complex claims premised on consensual values, have a significance beyond legal entitlements. They derive from a moral universe that may not translate well into culturally different societies with radically dissimilar world views" (2012: 114). Thus, although legislation of rights to basic necessities is desirable, the moral basis of such rights, based on its cultural manifestations, forms the driving force behind its enactment.

2.2.2   Right to respect

To secure a right to someone entails addressing root and structural causes of the violation or denial of a right. For instance, O'Neill (2005) argues that in the task to secure rights, it is imperative to give due recognition to human subjects who are incapable of reacting in emotionally neutral ways to social injuries (2005: 427-439).

According to Honneth (2001), violation of rights can arise out of experiences of disrespect resulting from either physical abuse or experiences of denigration that affect a person's moral self-respect. The latter arises when an individual is structurally excluded from the possession of certain rights in society. In this context, according to Honneth, rights refer to "those individual claims that a person can legitimately expect to have socially met because he or she participates, with equal rights, in the institutional order as a full-fledged member of a community" (2001: 41). Honneth, therefore, contends that when an individual's socially valid rights and claims are denied, it signifies a violation of her 'right' and 'agency' to be recognized as capable of forming moral judgements, and it also takes away from the individual, the opportunity to attribute social value to her own abilities. Honneth's emphasis on self-respect draws attention to the psychological aspects of human behaviour, especially on issues of "personal identity and disrespect" which have the potential to motivate people to collectively organise political resistance depending on their socio-political and cultural environment. The 'hope movements' and movements for land rights in India highlight "the negative emotional reactions accompanying the experience of disrespect", which manifested in an "affective motivational basis in which the struggled-for recognition is anchored" (Honneth 2001: 69-75). Thus, the spirit of revolt against a deep sense of injustice and disrespect to the self may lead to resistance.

Elsewhere, Gready and Ensor (2005) agreed that a sense of powerlessness and rightlessness of people which emerge from a denial of basic needs or disrespect is symptom of poverty. For instance, deep rooted inequalities and unequal power relations across social divisions of gender, class, case and ethnicity could influence the power vested in the State resulting in the disrespect of rights of some, over others. Molyneux and Lazar (2003) argued that this powerlessness must be identified, and addressed through personal values and interpersonal relationships, and by demystifying legislation for poor people.

All types of rights (moral, legal, cultural), including right to respect constitute the terrain of discourses on rights-based approaches to development. Psychological aspects of human behaviour, and experiences of disrespect, arising out of a denial or violation of basic rights can act as a propeller for dissent by groups of people because there is a sense of powerlessness attached to such incidents.

2.3   What is the primary goal of rights: Poverty eradication

In this section, I discuss the primary goal of rights, which according to scholars (Sen 2004; Sengupta 2007; Pogge 2007) is to eradicate poverty in all its forms. Key scholars have described poverty as a deprivation of basic necessities required for a decent living, and the denial of basic threshold conditions of life. Poverty is a condition where people are not free, and one which manifests a violation of legal and moral rights. The task of development is to acknowledge it as such, and attend to people's threshold conditions. According to Pogge, "freedom from severe poverty is among the most important human interests. We are physical beings who need access to safe food and water, clothing, shelter, and basic medical care in order to live well—indeed, in order to live at all" (2007: 11). Food poverty is defined as the most important dimension of deprivation by most people living under the poverty line, in a world-wide study. Scholars contend that it may not be feasible to eradicate poverty immediately, but this should not dampen the spirits of all stakeholders. Instead the steady progress made towards the goal of poverty alleviation through socio-economic development activities should be acknowledged.

Elsewhere, Sengupta argues that poverty is equivalent to degradation of human dignity because poor people have many afflictions which erodes their self-respect and ability to participate in a fulfilling life. The poor are "afflicted with hunger, malnutrition, ill-health, unsanitary housing and living conditions, and often lacked education" (2007: 324). Moreover, the poor lack the resources, alternative possibilities, and the capability, to overcome such afflictions. Sengupta argues that although overcoming poverty is a universal moral value, it exists because of "a lack of political will to translate the relevant moral values into practical social arrangements" (2007: 325). And therefore, the appeal of poverty as a violation of human rights, and its removal as the panacea of realising human rights, according to Sengupta, made sense.

Key political philosophers such as Sen (2004), Pogge (2007) and Sengupta (2007) link poverty to an absence of freedoms to basic necessities for living, or a threshold condition of life. Amartya Sen (2004) argues that human rights are important because of the freedoms they implied, especially, freedoms to some very basic "threshold conditions" of life which must be satisfied (2004: 330). Threshold conditions of life, especially the second generation socio-economic rights, were ignored in the "classic

presentations of rights of human beings" such as the 'rights of man' but are integral to the current discourse on rights (2004: 346). Sen argues that although the poor were labelled as indolent and inactive in the old literature on poverty, people have starved and suffered because of a lack of alternative possibilities (2005: 155). Therefore, to facilitate alternative possibilities, Sen argues for the inclusion of socio-economic rights in the domain of human rights through institutional reforms, if needed. Poverty results from a lack of freedom to escape such deprivations of threshold conditions to live with dignity. In cases of great deprivations, other scholars (Pogge 2007; Sengupta 2007) further argued that there was a violation of not only of moral rights, but also of legal rights especially in contexts where these rights were recognised by law. Citing Marx, Sen (2005) further contends that it was the connection of poverty with unfreedom that led Marx to argue for the replacement of the domination of circumstances and chance over people by people over their situations. The desire to change such circumstances of domination, and situations where people feel their freedom is thwarted by circumstances, are some of the chief motivating factors behind development activities.

Scholars differ on what constitutes poverty arguing that it varies with changing circumstances of the socio-economic context people live with. In many cases, Schaffer (2012) argues that modern conceptualisations of poverty do not match local variations, and are largely an imposition on the communities of the Global South. For instance, the understanding of poverty as insufficient basic consumption, defined in terms of minimal caloric requirements, has been challenged by many post-development scholars. Deaton and Dreze (2009) argue that calorie requirements are context-specific, depending on factors such as activity levels, the epidemiological environment and the composition of the population, and this has to be taken into consideration when poverty types are discussed. Elsewhere, Sachs (2010), Maia (2009) and Rahnema (1991) argue that poverty emanates from a weakening of communal bonds in traditional societies as a result of the rise of capitalism which impacts upon practices of sharing food provisions with those who could not provide for themselves in the community. According to Rahnema (1991), such a breakdown of communitarian bonds resulted in long-term destitution, deprivation and disentitlement, compared to other forms of poverty.

In a poverty assessment exercise, conducted by the World Bank in 1999, in 23 countries involving participatory discussions with 20,000 people, 70% of respondents identified lack of food as one of the main dimensions of poverty, followed by 40% who mentioned lack of work or "few or no possessions" (Narayan et al, 1999). Making food available and accessible to poor people is thus one of the foremost strategies to combat poverty. In the Rapporteur's Report on the Right to Food submitted to the Human Rights Council on 24th January 2014, Schutter has argued for the recognition of "the transformative potential of the right to food", and further re-emphasised that it was the "right of every individual…to have physical and economic access at all times to sufficient, adequate and culturally acceptable food…" (2014: 1-3). Securing food to the hungry to alleviate food poverty, according to Schutter (2014) was possible through different methods such as ensuring employment opportunities, through social transfers, or by producing own food. Earlier, in 1989, in their analysis of famine related starvation deaths, Dreze and Sen concluded that a lack of proper governance mechanisms for the distribution of food provisions was the chief cause of the deaths, and argued that the law stands between starvation deaths and food supply. Stressing the role of social transfers and other means in such cases where legislation can help, Dreze and Sen therefore contend that "it is natural to turn towards a reform of the legal system, so that rights of social security can be made to stand as guarantees of minimal protection and survival" (1989: 20). More recently, in an evaluation study of the right to food, comparing four countries, McDermott (2012) argued that the right to food is most effective when national constitutions provide justiciable means for legal redress and enforcement of that right (2012: 543).

Poverty eradication, thus, is not only a human rights' concern, but has been a primary goal of development in pursuit of facilitating alternative possibilities for the poor and vulnerable. For example, linking poverty alleviation with development work, development economist Ghosh, argues that most development activities revolved around "defining the poor, categorising the poor, analysing the behaviour of the poor, assessing policies designed to assist the poor or to alleviate their poverty, and so on" (2011: 849). Others such as Uvin contend that if concerns of unfreedom of people have not been dealt with, through its activities, then development has failed because "when people are deprived of their freedom, live in constant fear, cannot move or work as they wish, and are cut off from the communities and the lands they care about,

development has emphatically *not* taken place" (2004: 123). Elsewhere, using Chamber's (1995) research, Uvin (2004) argues that participatory research on deprivations and poverty showed that both were characterised not only by a lack of income, but also by social inferiority, isolation, physical weakness, vulnerability, seasonal deprivation, powerlessness, and humiliation. Development activists, therefore, expounded new ways of tackling people's poverty, giving rise to different approaches to development, such as basic-needs, top-down and bottom-up paradigms of development (Hodder 2000). The main argument here is that the common concern to eradicate poverty, in all its manifestations, is the link between human development activities and concerns for human rights.

2.4   Whose task is it to secure rights?

> "So, Gods and saints were supposed to look after the poor, good kings were expected to protect the poor, and all virtuous were enjoined to help the poor" (Sengupta 2007: 324).

Scholars such as Heredia (2012) contend that the Greek concept of *dike* (translated as rights or just) referred to an objective cosmic order that the 'gods' maintained (*as duties*) in their quest for a just society. The task of benevolent duty-bearers, according to Sengupta, was to look after, protect and help ordinary people, and adopt specific measures to enable people to enjoy such rights (2007: 329). However, in spite of moral imperatives, and duties of the rulers, poverty persisted, and rights were not fulfilled. Securing a right to someone meant that rights had to be demanded as claims by people. As claims, rights imposed a corresponding obligation on others, and such claims were validated by the person, the institute or the duty-bearer responsible for its smooth operation. "Without the obligations there are no rights" argues O'Neill (2005: 431). Therefore, if there were obligations, there was a duty-bearer who was obliged to fulfil these obligations so that individuals could enjoy rights.

2.4.1   The Duty-Bearers

Governments exist for a reason, Bebbington argues:

> "a large part of that reason is to provide services to citizens…that is, to plan and manage resource redistribution" (2007: 33). Governments, therefore, have to formulate, implement and coordinate sectoral (food, education, health,

shelter) development policies which are rights-based, and have corresponding goods, and services, provided by the state to implement the policies.

According to Sengupta, the state (and its government) is the primary duty-bearer because it has the authority (i) to frame laws and regulations and (ii) to enforce them with penal powers over all agents functioning within its jurisdiction, (iii) it also mediates between other states and coordinates with international institutions whose cooperation it may seek to fulfil human rights obligation (2007: 328-329). A right-holder can be an individual, a group of individuals, or a legal personality, and in essence, every human being is a right-holder by virtue of being human.

Over the decades, the role of the state in a market economy, and in development activities has been debated upon widely. For instance, in its *World Development Report 1997,* the World Bank (1997*)* shifted its focus from 'minimal' state intervention to an 'effective' state role through an active citizenship, and, in 1998, replaced the Structural Adjustment Programs with a Comprehensive Development Framework through the Poverty Reduction Strategy Programs (PRSP). According to Sengupta, the state and advocates of human rights must accept the reality of market interrelations, and its "role in resource allocation with efficiency and over time" (2007: 341). Sengupta's arguments resonate with neo-classical economics which does not claim that competition will achieve equitable outcomes, but argues that there will be enough gains for winners to compensate losers, should society want this. Sengupta further maintains that the state should foster "such growth (that) secures sufficient increased income of the poor to allow them to rise above the poverty line and remove constraints in the individual sectors" (2007:341). Balakrishnan et al (2010: 32) argue on similar lines, emphasising that "the main purpose of government policy should be to create a level playing field" which implies that other stakeholders in society such as the markets must also fall within the ambit of state regulations. The role of markets in promoting human rights for all is disputed by heterodox (feminists, ecologists, Keynesian) economists who argue that the State must regulate competitive markets or equitable distribution of resources through economic policies that are just, rights-based and "least inconsistent with human rights obligations" (Balakrishnan et al 2010: 35). Sen (1989) however, argues that the starting point for economic policies is to focus on maximising satisfaction of individual 'capabilities' in order to be just and

rights-based. Arguing for meaningful participation, Sen (2009) stresses that the state type (liberal, neo-liberal, communist, totalitarian regime, or a welfare state) is important because it will define people's political opportunity to participate or refrain from it.

Sengupta contends that although the state is the primary duty-bearer, "it cannot deliver the right on its own without taking into account the actions of all concerned social agents" (2007: 329). Society consists of many "interacting agents" such as the corporates, non-government organisations, community based organisations, faith-based organisations, women's groups and many other bodies. Sengupta asserts that "all (such) external states and institutions" are duty-bearers and share the obligation of the state to ensure rights of rights-holders by virtue of having ratified international treaties and covenants on human rights (2007: 328-329). It is therefore important to identify the different duty-bearers, specify their duties in relation to their specific duty to a specific right-holder. This specification of duties, in turn, will help determine whether it is feasible to achieve the right or not, and if it is deemed feasible. Sengupta gives an example of this binary relation by pointing out that actions taken under right to food by a duty-bearer for someone starving will be different to the actions taken for someone of middle income. Additionally, different duty-bearers, such as states, international institutions and other agents, will have different actions towards the same issue, such as the right to food. A feasible human rights-based approach, according to Sengupta, to ensure food provisions will mean: there are obligations; these obligations are on duty-bearers who must be identified; the right-holders must be identified; there will be indicators to help identify these obligations or duties; and procedures will have to be laid down.

Sen (2004) makes it clear that claims, of people, to rights should be addressed generally to anyone who can help, and therefore, anyone who is in a position to help achieve human rights has a moral obligation to do so. "The recognition of human rights is not an insistence that everyone everywhere rises to help prevent every violation of every human right no matter where it occurs. It is, rather, an acknowledgement that if one is in a plausible position to do something effective in preventing the violation of such a right, then one does have an obligation to consider doing just that" (2004: 340-341). Furthermore, Sen emphasises that if obligations are not clearly spelt out, it does

not mean that there were none in the given context: "Loosely specified obligations must not be confused with no obligations at all" (2004: 341). Thus, both Sengupta and Sen, broaden the scope of duty-bearers to include non-state actors and other members of civil society.

Individuals are also important because duty-bearers at higher levels have the authority to formulate and interpret laws. For example, Leftwich argues that "if institutions are the rules of the game, then better players will devise better and more locally appropriate rules; likewise the games within the rules will be played better by better players" (2010: 94). Elsewhere, Leftwich stressed the importance of examining how individuals, organisations, and institutions interact. While organisations are the formal and informal coordinated vehicles to promote or protect individuals with shared interests and ideas, institutions were durable social rules and procedures, and shaped (as different from determining) human behaviour in their economic, social and political life (2011: 319-337). Organisations include non-governmental organisations, community-based organisations, and other such groups that collectivised for a common cause. The State was the most important institution which impacted upon individual lives through its policies and rules.

2.4.2   Obligations and Duties

An important rule for making policies around poverty eradication is to acknowledge that there is a binary relation between rights and obligations, and between rights-holders and duty-bearers. This binary relation meant that the same right when claimed by different rights-holders may entail different kinds of obligations on specific duty-bearers. Securing a right to someone, therefore, imposes corresponding duties, which can be both, negative and positive duties, on the duty-bearer. 'Negative' duties, according to Sengupta (2007) are constraints which require forbearance on the part of others, and 'positive' duties are those that require others (duty bearers) to provide goods, services or opportunities. Nussbaum (2004) contrasts negative liberties such as those provisioned in the U.S. Constitution (First and Fourteenth Amendments, e.g.,) with the positive rights affirmations declared under the Fundamental Rights in the Indian Constitution, and the affirmative action programs for vulnerable groups and women through various welfare entitlement programs.

Securing a right to someone thus refers to putting strategies in place that may be either instrumental in realisation of other rights, or impose constraints to enable realisation of rights (Sen 2004). Rights as instruments will lead to fulfilment of other goals or human functionings or achievements. Also for this fulfilment of rights, other things such as capabilities, entitlements and institutional support may be required. According to Sen, rights as instruments ignore the fact that rights are valuable in themselves. The constraint view of rights sees rights as possessing an intrinsic value, and thereby lay constraints on what others can or cannot do. Sen (2004) argues that the constraint approach to rights gives primacy to negative freedom of individuals as it focuses on what one cannot do. Giving an example of the inadequacy of negative rights, and emphasising on the importance of both types of strategies, Sen argues in *Poverty and Famines* (1981) that starvation deaths in famines (which is a denial of human rights and therefore undesirable) can occur even in societies where negative freedoms have not been violated. Therefore, it is important to use, both constraints and instrumental aspects of rights. Alexander (2004) argues that, in an attempt to combine both instrumental and constraint approaches to rights and capabilities, Sen provides an alternative approach, i.e., the goal-rights system which states that a right has a value in itself and also leads to other benefits. Most importantly, it defines rights as social goals to be achieved. For instance, the right to food is worth protecting and promoting because it is valuable in itself, and it facilitates the realization of other fundamental rights.

The State, in its duty-bearing role can adopt different methods which can promote or protect rights of people. Dreze and Sen (1989), argue that as part of its obligation to tackle hunger with immediate relief, for example, depending on an individual's capabilities a state can provide direct support such as free food or cash, or the state could create social security networks like unemployment insurance, free health services, and basic education. In these actions of the state, Dreze and Sen (1989) argue two different aspects of social security, i.e., protection and promotion, are observed. Protection refers to preventing a decline in living standards during an economic recession, and promotion refers to taking steps to improving living standards and expand basic capabilities of individuals. Policy making avails of these different combinations to protect and secure rights of poor people depending on the urgency of the claims. Going a step beyond state fulfilment of obligations, Sen (2004) advocates

institutional reform in cases where human rights to "economic and social freedoms" are hampered, and this clearly lays emphasis on a greater role for the state to fulfil its obligations.

There are three kinds of duties which the duty-bearer can resort to, according to Sengupta (2007), namely, 'direct', 'indirect', and 'contingent' duties. Direct duties refer to the impact of policies on the right-holder, and indirect duties refer to those policies carried out by other duty-bearers upon the same right-holder. Contingent duties are those which are adopted by the duty-bearer in response to actions taken by others or as a result of some unforeseen circumstances. In the case of the right to food, for instance, the state can either provide food through public distribution (direct duty), through other policies such as employment or farm subsidies (indirect duty), or through special and emergency measures as drought or flood relief programs.

Securing a right to someone entails designing a program to be implemented by duty-bearers. Sengupta (2007: 330-331) highlights three broad considerations for the design of a rights-based welfare program. First is that the policies adopted by the duty-bearer to realise a right cannot be fully realised, and can at best be described as having a high probability of producing the outcome as desired. The second consideration is that the process of realisation of rights is not always immediate, and will be progressively realised over time because changes resulting from policies take time to be effective. The third purpose of the design, shaped by human rights duties and obligations, should be to motivate social change, shape social institutions, and act as a guide to social change and public action, moving beyond feasibility to actual implementation. Furthermore, Sengupta contends that many factors such as resource constraints, a lack of political will, and the time-period involved in a plan can delay poverty alleviation plans, but that should not deter the planners or the people. The important thing, according to Sengupta, is the desire to pursue certain goals with an aim to reduce poverty in the long run, even though short-term goals have not been achieved. Sengupta further cautions that there could be situations where the targeted outcomes of specific policies have been achieved, or obligations of achieving results by duty-bearers, and obligations of conduct of the duty-bearers have been achieved, and yet, people felt that rights were not fully realised as intended (2007: 339). These intermediate stages, when rights are not fully realised but are in the process of

progressive improvement, should not discourage policy makers because "the trends will be firmly set and the social arrangements established to achieve the results and realise the rights as early as possible" will be in place (2007: 324-339). Sengupta then reasons that it may not be a straightforward job to formulate a program, identify different duty-bearers and their specific roles: "Feasibility does not mean that the right will be actually realized, immediately, under present circumstances, and for everyone, without limiting the rights to a very few in number" (2007: 330). Elsewhere, others such as Ghosh argued that identifying the poor is a conceptually difficult task, and therefore, targeting development programs typically involves "large errors of unfair exclusion and unjustified inclusion" (2011: 857).

Gaps between lofty ideals of poverty eradication and the objective of human rights remain, especially for vulnerable groups of population such as those with no productive sources to earn incomes, no opportunities to enhance capabilities and so on. However, people must not be dismayed by the gaps. According to Sen, "the understanding that some rights are not fully realized, and may not even be fully realizable under present circumstances, does not, in itself, entail anything like the conclusion that these are, therefore, not rights at all. Rather, that understanding suggest the need to work towards changing he prevailing circumstances to make the unrealised rights realizable, and ultimately, realized" (2004: 348).

Securing a right to someone, thus, entails a binary relation between rights and duties which entails obligations on a duty-bearer to protect and promote people's rights. The process must also take into consideration that there may be various types of obstacles to the immediate realisation of rights. However, duty-bearers and rights-holders must not despair because the framework of a rights-based society is being laid down through such a process of securing rights.

The binary relation between rights and duties presupposes a duty-bearer. Although the State is the primary duty-bearer, anyone who is in a position to help becomes a duty-bearer to secure a human right to someone. The political regime, and the individual duty-bearer are important aspects that have the ability to influence how rights are protected and promoted. Designing a rights-based program takes into account various types of duties which may directly or indirectly impact upon people's lives.

2.5   What guides the duty-bearer to secure rights?

In this section, I examine the ideas underlying a rights' agenda, the competing claims that duty-bearers must keep in mind while designing a rights-based program, and the most desirable type of governance arrangements a state should have in order to secure rights to someone.

2.5.1   Public reasoning and Democracy

Securing a right to someone entails giving due consideration to people's viewpoints or public reasoning. Sen (1999, 2009) argues that for rights to manifest, the mere knowledge of rights is not enough. People's capacity to be reasonable, and their capabilities to exercise their rights has to be respected which means that to create a just society, the flourishing of public reasoning is central. To support this argument, Sen invokes history, especially of non-western societies, using the examples of Gautama Buddha's path of knowledge, the Lokayata school which scrutinised all traditional beliefs and in democratic contexts, of Emperor Ashoka's social justice, and in emperor Akbar's 'pursuit of reason', to indicate the faith that rulers reposed in people's reasoning attributes and formulated social rules around it. Similarly, in the western traditions of philosophy (social contract theorists, Wollstonecraft, Bentham, Mill, Marx and others), Sen (2009: xvii) argues, there was a reliance on reasoning through public discussions. Sen is concerned with comparing the different ways people live, the influence of institutions, people's behaviour and their social interactions because these influenced the relationship between the state and individuals and shape the ways in which rights of people manifested. Public reasoning manifests itself through interactive discussions, freedom of speech, and the right to information amongst other forms of expression, which indicated a democratic form of government.

Scholars such as Sen (2009) stress the importance of people's engagement with the State in a democratic context. Combining arguments for public reasoning and active engagement with his previous concerns on development as expansion of freedoms and capabilities of people, Sen argued that such a just society was best achieved in democratic contexts. According to Sen (2009) justice should be defined in terms of the lives and freedoms of people involved, and not by institutions or by ideal and transcendental theories of justice. Sen agrees with J.S.Mill that democracy should not

be judged by its institutions but by the extent it listens to different voices, and he makes a case for the advancement of a realisation-focused just society through public reasoning. Through public reasoning, there is an active participation and engagement by people at large "involving arguments coming from different quarters and divergent perspectives" (2009: 392). This 'agency' observed in people's participation in debates, deliberations on injustices experienced, and making decisions about policies specific to particular injustices experienced is crucial to a realisation of human rights. In his discussions on hunger, Dreze (2004) argues that Indian democracy was trapped in elitism and exclusion politics although its institutional foundations are strong. Dreze (2004) further invites development practitioners to challenge the silence surrounding hunger and nutrition to push the boundaries of the nature and limits of Indian democracy. "In a democracy, legal action is not the only means of holding the state accountable to its responsibilities. Rights can be asserted through other democratic means based on participatory interventions, the electoral process, the media, institutional solidarity, street action, or even civil disobedience…political will emerges from democratic politics", contends Dreze (2004: 1726).

Emphasising that democracy is key to development, Uvin (2004) argued that democracy and development were linked on grounds that it is the only form of governance that can manage competing ethnic, religious, and cultural interests in ways that minimises the risk of internal conflicts, as well as provide an environment for people's participation in decision-making processes. New democratic spaces for engaging all sections of society can be either State facilitated such as those "intermediary spaces, conduits for negotiations, information and exchange", or they may be "conquered by civil society demands for inclusion" (Cornwall and Coelho 2007: 1-29). Such new democratic spaces can be provided by the State through different welfare schemes such as reserving seats in political elections for minority groups, through constitutional guarantees, and through other local-specific legislations.

Giving the example of India, Ghosh argues that while India is a member of the United Nations, and is committed to human development, its' membership of the World Trade Organisation is perhaps more significant, and determines the direction of its welfare policies. Neo-liberal states, contends Ghosh (2016), introduce affirmative legislations

to avoid societal disturbances based on the conventional wisdom that society will become unstable and the development process will be disturbed if benefits are not allowed to trickle down to address issues of deprivation (2016: 556). Ghosh, further, convincingly argues that although India's human development performance is poor, the four legislations (of education, information, rural livelihoods, and employment guarantee) have facilitated processes of empowerment and capacity building for the poor, and are bound together with democracy's demand for human development (2016: 556).

Securing a right to someone may sometimes involve a conflict of interests of various groups operating in the economy. According to Dreze and Sen (1989), while some groups may benefit, others may lose in the process, and state policies must recognise that this 'cooperative-conflict', i.e., the presence of elements of conflict along with the realisation of mutual gains in cooperating through the conflict is an unescapable feature of social living. It is, therefore, important for duty-bearers to acknowledge the presence of conflicts, and it is equally important to stress on the cooperative elements in social relations which may be vested in communitarian values, social institutions, partnerships with non-state organisations, or moral values of duty-bearers, and must be included in social investigations.

Another type of conflict emerges while securing a right, which O'Neill (2005) directs attention to, in the form of challenges of complex obligations of the duty-bearer, especially where s/he is also the right-holder. Here, O'Neill is concerned about situations where duty-bearers are themselves engaged in claiming rights. In such situations, there is an active engagement of duty-bearers as rights-holders, and these complainants can be labelled as victims by themselves and/or others. O'Neill further contends that "giving voice is not generally a positive experience", and for many others the choice is mainly between loyalty and exit" (2005:438). In such situations of exit, a poor duty-bearer may feel disrespect, and therefore collectivise to claim own rights at the expense of her duties.

Duty-bearers are facilitated, in their obligations for protecting and promoting rights of people, by a democratic context which, amongst other things, gives primacy to reasoning capabilities of the people. Duty-bearers also have to keep in view the

elements of cooperation and conflict between various groups within a society, and accordingly devise their rights-based strategies for poverty alleviation.

2.6   How will duty-bearer secure rights to someone?

This section deliberates upon three strategies which duty-bearers may use to secure rights for the poor. The three strategies are facilitating the agency of the poor, enhancing capabilities, and putting in place a process for acknowledging and claiming rights when denied or violated by others. Discussions amongst duty-bearers range from understanding capabilities of individuals to enhancing and enlisting them, and from facilitating empowering processes to enabling individuals to claim rights through welfare schemes, or through advocacy.

2.6.1   Agency, Structure, and Empowerment

The agency of the individual is central to discussions on securing rights to someone. To understand how the agency of an individual manifests, it is crucial to take into account that every person is self-determining, and has lived experience as a result of interaction with some phenomena (Smith 2001).

According to Mahmud et al (2012), when an individual gains access to increased life options and choices, gains control over one's life, and generally attains the capability to live the life they wished to live, it reflects empowerment. Mahmud et al (2012) further argue that although empowerment is a latent phenomenon and not directly observable, a few key features can be identified. One such feature is agency of participants. The second feature is access to, and control over, resources (material, human and social) that an individual acquires from the multitude of relationships in the domains of the family, market and community. Another feature is defined by the broader circumstances of an individual's life (marriage, living arrangements, house-hold wealth characteristics of influential family members) which shapes the opportunities and choices available to the individual. Additionally, Nyamu-Musembi (2005: xii) argues that the importance of actor-oriented perspectives lie in the fact that these are based on the recognition that rights are shaped by actual and informed struggles by people of what they are justly entitled to.

Differentiating between agency and empowerment, Kabeer contends that, agency is the "ability to define one's goals and act upon them", and empowerment is a dynamic

process of change whereby "those who have been denied the ability to make choices acquire such an ability" (1999: 437-438). Kabeer (2002) further argues that the relationship between agency, and structure (household, social, political and otherwise), determine whether an individual will overcome deprivation given an opportunity. There are three levels of empowerment in an individual's life. At the immediate level are individual resources, agency and achievements; at intermediate levels, institutional rules and resources shape empowerment processes; and at deeper levels, structural relations such as class, gender, ethnicity, and caste play a role in determining empowerment processes (2002: 242). Kabeer (2002: 35-36) further insists that if one wishes to measure women's empowerment in the field of health studies, one should look at direct evidence of empowerment (e.g., equality in marriage, daughters' education, mobility), sources of empowerment (e.g., assets owned, paid employment, social welfare entitlements), and setting indicators (e.g., family structure, marital advantages) of a woman's life.

The relation between structure and agency has been discussed by other scholars. In his discussions on the role of leaders and elites in development, Leftwich (2010) contends that the role of agency in shaping institutional responses to political, economic and social challenges was critical to democratic engagement. As discussed above, Leftwich advised development practitioners to focus on interactions between individuals, organisations, and institutions to understand whether or not pro-poor development programs were sustainable or not. "It is time to recalibrate our understanding of the interaction of structure and agency in both academic social sciences and policy practices" (Leftwich 2010: 94).

A deprivation of capabilities leads to impoverishment and, according to Sen (2009), this can be corrected by facilitating opportunities whereby the deprived, such as poor women, can shape their own destinies and support each other. This is different from merely providing women with resources which would mean that women are treated passively, and without 'agency'. For example, Koggel (2014) contends that deprivation experienced by women can be identified if a study of the context is done in terms of freedoms, voices and agency of women, and not by mere income levels of the family because only then issues of illiteracy, security, safety, undernourishment and mortality levels of women can be traced. In her analysis of Sen's work, Koggel

(2014) argues that for Sen, health care, education and other socio-economic factors are important on their own, because they provided an "opportunity to approach the world with courage and freedom". Elsewhere, both Drydyk (2013) and Koggel (2014), argued that the transformative potential of these voices lies in the processes of empowerment, of which agency is only the first part, and the other two are well-being freedom and power.

Sengupta, too, differentiates between "a welfare program that simply delivers basic services, and a welfare program that describes the lack of basic necessities as a violation of the right to these basic necessities such as the right to food" (2007: 336). Thus, when the language of a welfare program focuses on the lack of some basic need, it reflects the underlying guiding principle of the program as aiming to tackle the root causes of a problem. The CESCR (1998) states clearly, that a rights framework enables the possibility of reanalysing and renaming issues of contaminated water as violations which arise from political decisions, and policies.

The main point in this section is that processes of empowerment begin with agency which in turn is shaped by how and where an individual is situated in the family, immediate community, and her relationship with the institutions of the state. Agency also helps identify lack of basic needs as a violation of rights to the same, and brings the problem into the domain of rights.

2.6.2 Enhancing and Enlisting Capabilities

Discussing Sen's concept of goal-rights, Alexander (2004), identifies two aspects of rights, namely, rights aimed at freedom of right-holder to achieve capabilities, and rights that demand some correlate duties on others (in terms of constraints, or instruments) to help the right-holder realise her freedom to her chosen activity. It is imperative, therefore, that public policies, market mechanisms and social institutions use goal- rights to enlarge people's capabilities and opportunities to lead the life they wish to live. Sen (1987: 36) explains that being capable to do something would mean that one has the opportunity, the choice, and the human right to be free to do that something. Capabilities refer to "real opportunities as against formal opportunities" one possesses which defines the life one may lead. In other words, Sen argues that individuals have entitlements (command over commodities) which are created through a set of endowments which are essentially the assets owned by on, i.e., physical,

personal, financial, human, natural, social and productive, and which one can trade for a set of opportunities or capabilities, in order to achieve functionings. For example, Dreze and Sen argue that "if some people had to starve, then clearly, they did not have enough food but the question is: why didn't they have food? What allows one group rather than another to get hold of the food that is there?" (1989: 154). In other words, reasons behind hunger and starvation can be found by examining the amount of food that goes to different groups in society, and the reasons behind unequal distribution of food. If some people starved, questions such as what capabilities they possessed to avoid starvation, what commands they had over food entitlements, brings attention to the differential abilities of individuals and groups of people in terms of access to food. In his oft quoted sentence, Sen (1981:155) argues that "it is the totality of entitlement relations that governs whether a person will have the ability to acquire enough food to avoid starvation, and food supply is only one influence among many affecting his entitlement relations". Thus, an individual's ability to act in society depends on their social context, entitlements, and capabilities to access available resources, and these in turn are influenced by relationships between individuals and institutions, and between institutions and society.

In her paper on 'Capabilities as Fundamental Entitlements', Nussbaum (2003) argues that what is required of a duty-bearer in order to be able to secure a right to someone is to conceive of rights in terms of capabilities. Nussbaum (1995) had earlier argued that the main purpose of public policy should be to enhance capabilities of citizens to be able to perform various functions, and for this to happen, there was an urgent need to conceptualise human beings and human functionings in public policy which her list of capabilities has the potential to offer. She prepared two lists under the title of the "Conception of the Human Being", namely, the Shape of the Human Form of Life, and Basic Human Functional Capabilities. Following these two lists, Nussbaum argued that the questions to ask while assessing quality of life or political arrangements in a country are: "how well have the people been enabled to perform the central human functions, have they been put in a position of mere human subsistence with respect to their functions, and have they been enabled to live well? And we focus on getting as many people as possible above the second threshold with respect to the interlocking set of capabilities enumerated by that list" (Nussbaum 1995: 61-104).

Arguing on the vagueness of the premise of rights, Nussbaum advances the idea that through the task of enlisting capabilities, duty-bearers would be able to provide positions on disputed issues, and thereby secure rights to someone. Nussbaum (2003) argues that a set of capabilities must be enlisted by governments because - (a) the capabilities stressed by Sen encompass both, "the first generation rights" (political and civil freedoms) and the "second generation rights" (socio- economic rights); and (b) capabilities, like human rights, supply a morally rich set of goals for development, and (c) because "the language of capabilities gives important precision and supplementation to the language of rights" (2003:37). Sen (2005:161) however, argues against what he terms as a "fixed forever" list of capabilities because it would be detrimental to public discussions, social agitation, and open debates, arguing that open scrutiny on lists of capabilities is essential for its dismissal as well as for its defence. Agreeing to the contention that Sen has, on occasions, enlisted elementary capabilities, as in 'Hunger and Public Action' (1989), or later while suggesting how to deal with India's economic and social achievements and failures (Dreze and Sen 1989, Sen 2002), or even for the Human Development Index (UNDP 1990), Sen argues that these were meant for very specific contexts and had specific purposes. The chief reason behind Sen's reluctance to enlist capabilities is that it would stifle the processes of public reasoning, open scrutiny, and other fair processes which people may need to invoke and utilise against 'unfreedoms' at a later stage.

Unlike Sen, Nussbaum (2003: 36) argues that capabilities approach needs to formulate "a set of basic entitlements without which no society can lay claim to justice". In an analysis of Nussbaum's concept of capabilities, Alexander (2004: 458) contends that having a fixed list provides "a more definite normative content to the capability approach", and focuses on the "ethical relevance of human vulnerabilities for social and political planning". Discussing Sen and Nussbaum's idea of capabilities, Alexander (2004) concludes that capabilities provide the best basis to think about development goals compared to the utilitarian approach (or the GDP approach) to development because of its normative focus, the primacy of human agency, and its questioning of distributive inequalities. The capability framework places emphasis on the distribution of resources and opportunities at individual levels, and therefore, Nussbaum (2003) makes a case for capabilities approach over human rights because the former takes clear positions, and leaves no room for doubt. Nussbaum clarifies the

fine distinction between human rights approach and capabilities approach arguing that "to secure a right to citizens… is to put them in a position of capability to function in that area. To the extent that rights are used in defining social justice, we should not grant that the society is 'just' unless the capabilities have been effectively achieved" (2003: 37). According to Nussbaum (2003), securing a right to someone is best understood through Sen's capabilities' approach and by enlisting individual capabilities because they provide a good base to understand the normative content of development goals. This is different from thinking of development from a utility perspective or in terms of GNP because the latter has not been able to capture the moral pluralism, heterogeneity, and importance of freedom and agency. Some of the positive aspects of the capability approach are its focus on moral pluralism such as giving importance to women's agency and participation, acknowledging that individuals need different levels of resources to be compared to others, and that individuals have different abilities to convert their capabilities into actual functioning.

Following a discussion on the "securing of rights in terms of capabilities", Nussbaum writes that "the language of rights still plays, I believe, four important roles in public discourse, despite its unsatisfactory features": "rights remind us that people have justified and urgent claims; these urgent claims are based upon justice; rights lay emphasis on people's choice and autonomy; combined with the language of capabilities, rights language re-emphasises the difference between pushing people into functioning in ways and leaving the choice up to them, and as the Indian Constitution typically does" (2003: 39-40)].

According to Nussbaum, to secure a right to someone therefore involves "affirmative material and institutional support", and this is exemplified by the use of a language of rights and the affirmative actions taken under the section on Fundamental Rights of the Indian Constitution. In other words, "securing a right to someone requires more than the absence of negative state action", and instead, "devise measures" that address the obstacles to securing the right (2003: 40).

2.6.3   Claiming a Right

When rights are violated or denied, the poor, if empowered, have the capability to claim the right through different means. Claiming a right [through means of protest, demonstrations etc] is usually the final resort for an individual whose rights have been

denied or violated, and it can "make things happen" asserts Feinberg (1980: 150). Claiming a right, in actual terms, means that a right-holder is staking a claim on the welfare entitlement, or on the actions of the duty-bearer towards enabling or disabling the access of such a human right to the right-holder. Only if the entitlement is seen as a human right, it can impose obligations (duties) on a duty-holder, when violated. Otherwise, scholars argue, it becomes difficult to make a case of violation of human rights of people, and therefore makes a claim to basic right non-justiciable. For example, Johnsson (1999: 49) argues that "a rights-based approach recognises beneficiaries as active subjects or 'claim-holders' and establishes duties or obligations for those against whom a claim can be held". A rights-based approach creates claims, and uses human rights in the process of implementation at every level. Underlying the act of claiming a right, therefore, means that the claimed right is legal, and the act of claiming it further implies that one is exercising a human right that one already has. According to Dworkin (1977: xi), securing a right as a claim can be best described as follows: "to have a right to 'x' is to be entitled to 'x'. It is owed to you, belongs to you in particular. And if 'x' is threatened or denied, right holders are authorised to make special claims that ordinarily 'trump' utility, social policy, and other moral or political grounds for action". Furthermore, individuals have political and moral rights which may be different from that of the majority.

Claiming a right is done at three levels, argues Sengupta (2007). If the right was created by law, then the claim has to be justified by the legal system, and if a right is recognised as a human right, it is justified under norms of behaviour within a society which may or may not be incorporated into its legal system. The second is that the justification of claims "depends on their relation with the notions of human dignity, liberty, happiness, and well-being" of the right-holder. The third is that the indicators, or guidelines, for any claim to a right, to be viable, must be constructed from the duty-bearers' assessment of "access to and availability of goods and services, of technology and institutions, of time, and of scarce resources" (Sengupta 2007: 328). Thus, it follows from the above, procedures "to improve the right or remove its violation" will have to be laid down after identifying indicators, and goods and services, required to address a violated right.

In this section, I discussed how duty-bearers secure rights to someone through facilitating empowerment processes, and encouraging the agency of the poor. Such agency is visible when the poor are able to claim their rights, if and when violated. The importance of enhancing capabilities of the poor is also an important strategy used by the duty-bearers. Understanding problems as a denial of rights rather than a lack of some basic need is essential in claiming rights.

2.7 Entwining rights with development

Many scholars argue that the links between rights and development were always present, but invisible before the 1986 declaration on the Right to Development. In this section, I show, through arguments of key scholars, the link between development and rights. I, then, discuss the role of the United Nations as the main actor behind the advocacy of a rights-based approach to development.

2.7.1   On Development and its goals

The narrative of 'development' is a contested domain with a complex past (Crush 1991; Cowen and Shenton 1996; Escobar 1995; Kothari 2005). In this section, I draw on some critical insights into the idea of 'development' which have influenced its discourse and meaning. The discourse on development changes according to "who holds power and who dominates who" (Said 1983: 221). Jonathan Crush (1991) demonstrates the historical emergence of 'development' through a study on texts and words around development, on how it is written, narrated and spoken with a view to understand how development constructs the world. Others like Kothari (2005) argue that there is no singular, unilinear path of development discourse and its institutions. Kothari argues that although development studies emerged in the post-colonial and post-war period as a multidisciplinary subject, it "was also informed by antecedent influences" (2005:2), especially colonialism. Kothari probes into the continuities and divergence in the transition from colonialism to development through the lens of narratives of those who moved from colonial service to development work. Robert Chambers, as a former colonial administrator and a development professional, reinforces Kothari's argument by arguing that there is a need for greater methodological awareness and critical reflexivity. Scholars such as Cowen and Shenton (1995) argue that "development was in the air" in the 19th century, and have written extensively on its historical evolution and its connection with other concepts

such as 'progress', 'trusteeship', 'positivism', and 'rights' of the period. According to Crush (1995), Frantz Fanon in his famous statement that 'Europe is literally the creation of the Third World' refers to development as a reaction, reflecting the responses and resistance of the people who are its objects.

In the 1950s and 1960s, according to Willis (2005), the broad focus of development, in the West was on the role of the markets to restructure the war torn economies of Europe through rapid industrialisation. Financial aid to former colonies was provided by European countries to foster growth through large infrastructural projects. Development was propelled by modernising theories, and there was a belief that industrialisation would break the circular causation of poverty (Myrdal 1957), and trickle-down effects (Hirschman 1958) would lead to development. Neo-liberal frameworks, as opposed to communism, with emphasis on defining the limits of state involvement in the economy, were prescribed. The former argued that state should intervene in favour of disadvantaged groups, while the latter stated that state should only have a regulatory function.

The late 1960s and 1970s saw the rise of dependency theories where it was argued that Southern nations (the periphery) were being exploited by the Northern countries (the core). The focus was on 'underdevelopment', and on the failure of financial aid to boost economies which ultimately led to demands for fairer trade and policies, questioning aid, trade and political conditionalities, and direct approaches to welfare models. Many scholars, such as Willis (2005), Gready and Ensor (2005), Elliot (2002), contend that following the unrest of the 1960s, the goal of 'development' shifted to welfare and anti-poverty programs, with a critique of the modernisation approach. The mantra was 'redistribution with growth' which directed aid and government attention to the needs of poorest people in the 1970s. Failure to reduce poverty gave central attention to the basic needs approach which had three themes, namely, to increase income for poor through labour intensive production, to promote public services, and to encourage participation. Neo-Malthusian concerns of checking rapid economic growth, population expansion and unlimited resource use were debated internationally (Willis 2005). This period also brought in concerns of women and development recognising that the impact of development is experienced differently. However, with increasing poverty and debt due to conditionalities imposed

by the donors, the idea of enhancing development and growth through aid from the richer countries is challenged. For example, in his report on an intergovernmental Task Force, Carsen (1986) questioned the rationale of aid asking if aid worked at all, and Boone (1996) concluded that aid has had no impact on growth.

In the 1980s, structural adjustment policies were introduced, contend Gready and Ensor (2005), to solve the debt crisis. A neoclassical theory of development came into being which argued that the State is responsible for growth failures, and poverty status quo, and the solution is to foster free markets. There was also an increase in neo-liberal ideas promoting market economy, and the private sector, along with a focus on local contexts, an awareness of sustainable development, and gender and development concerns. Other features included the introduction of a sustainable livelihoods approach to development, adopted by many NGOs and donors (DFID, Oxfam) to eradicate poverty (Conway et al 2002). The livelihoods approach to development took into consideration all the assets a household possessed, and how these assets fare or support the household at times of crisis. Hodder (2000) notes that 'new' approaches to development theory in the 1990s emerged, and consolidated, in response to local movements, gender issues, social justice concerns, environmental movements, and citizenship issues of the late 1980s. Molyneux and Lazar (2003) argue that the increasing role of non-government organisations (NGOs), and their adoption of the rights' language, the UN Conferences, and the academic discourses on rights (as noted above) on the indivisibility of rights, and links between disempowerment and poverty, directed a conceptual shift from needs-based and service driven to a more strategic approach to development.

2.7.2 Development and rights

International debates linking rights to development can be gleaned through the documents of the International Labour Organisation (ILO 1976), the UNCTAD (1972), and the 1977 United Nations' Commission on Human Rights (CHR). According to Gready and Ensor (2005), in 1977, under the aegis of the CHR, the Secretary General (SG) of the United Nations undertook an international study on different aspects of the right to development. In his report two years later, the SG defined development from a rights-based perspective where respect for human rights, and the realisation of human potentials were some of the central tenets. In 1981, the

International Commission of Jurists (ICJ) declared that basic needs can be fulfilled only if structural changes at all levels enable people "to identify their own needs, mobilise their own resources, and shape their own future in their own terms", and further defined development as a global concept with emphasis on all rights (ICJ 1981: 224). According to scholars such as Gready and Ensor (2005), a rights-based approach was already present within the development discourse, when the ICJ had affirmed the indivisibility of rights as early as 1958, and again in 1978, when it stated that development should be understood in terms of human rights, and not in terms of economic growth alone. The announcement of the 1969 Declaration on Social Progress and Development by the UN that "development shall be founded on respect for dignity and value of human person and shall ensure the promotion of human rights and social justice" (1969: 2) was another landmark which was a precursor to the Human Development Report of 1990.

The link between human rights and development was clearly stated in the 1986 Right to Development Declaration of the UN. Article 1 of the Declaration stated that "The right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized" (UN 1986). According to Sengupta, the 1986 Right to Development declaration refers to rights as a composite right, and that a right was "increasingly realised if one or more of its constituent rights are themselves more fully realised, while no constituent right regresses or is violated. It is regarded as development, because development means expansion of freedoms and rights that improve the well-being of all people" (2007: 338). Thus, so long as any part of a right was increasingly realised, without other related rights being denied or violated, development occurred. Furthermore, according to Sengupta (2007), the emphasis in the Right to Development Declaration was on an evolving social arrangement and international order that facilitates the realisation of, and actually realises, in a progressive manner, all those rights. For instance, if government duty-bearers framed right to food or health as components of human right to development, it then accepted its primary responsibility to deliver this right on its own or in collaboration with other duty-bearers. To fulfil this obligation, the government will, then, adopt appropriate policies and provide for resources (financial, institutional and other) to facilitate its

delivery. The most significant aspect is that such a human rights' obligation would have a primary claim on all the resources that the State commands, and this added value to the idea of a right to development. Thus the significance of conceptualising development as a human rights obligated governments and international bodies (all duty-bearers) to ensure that human rights were progressively realised by governments.

The political philosophy of Sen with its emphasis on human capabilities, freedoms, and entitlements became central concerns of approaches to development as the United Nations Human Development Reports increasingly used the capability approach for analysing issues of development (Alexander 2004: 452). Due recognition was given to the Capability Approach in the first Human Development Report (1990) which recognised life expectancy, literacy and economic standard of living as important indicators of development. The argument that development is a fundamental human right was consolidated by the UN Secretary General, in the Agenda for Development where it declared that "people are a country's principal asset. Their well-being defines development" (United Nations, 1994, paras 3 and 96). Rights and development gained an impetus in 2000 when the United Nations Human Development Report (UNHDR) was launched, arguing for an integrated approach to development based on human rights, and strategies of human development, to advance dignity and well-being. Development was a means to realise human rights whereby principles of accountability of a duty-bearer, and social justice were deemed important. According to Therien (2012), until the 1980s the United Nations (UN) regarded development as an economic process whereby the poor countries had to catch up with the rich. However, in 1990, the UN announced that the idea of Human Development (HD) was central to development, and developing capabilities of people was central to achieving goals of poverty eradication and hunger alleviation. The UNHDR emphasised that "investing in basic capabilities and securing rights in law are a powerful combination—to empower poor people in their fight to escape poverty" (2000: 94).

Other international institutions followed suit, and direct links between poverty alleviation and human rights-based approaches to development were established. Most importantly, in collaboration with the Bretton Woods institutions in 2002, the UN prepared draft *Guidelines for a Human Rights Approach to Poverty Reduction Strategies* (OHCHR 2002) which recognises the link between poverty and human

rights at the policy and strategy level. The PRS emphasised a human rights perspective which implied that human rights will be mainstreamed in all poverty related programs by attempting to apply them consistently throughout the development cooperation process. Poverty as a violation of the right to development of the people categorised as poor, and its removal through appropriate development policies is the driving force behind a rights-based approach.

2.8   A rights-based approach to development

What it is really to secure a right to someone can be best discussed under a rights-based approach to development, as outlined below. In the following sections, I have undertaken an examination of the main elements of rights-based approaches to development using the scholarly works of key authors followed by a critical analysis of RBAs.

2.8.1   Key Elements of rights-based approaches

Key elements of rights-based approaches delineated by scholars (Uvin 2004; Gready and Ensor 2005; Rand and Watson 2005) will further illuminate the importance of the approach in development activities.

In his seminal work on rights-based approaches to development, Uvin (2004) has argued that rights have been used in development practice in four different ways. The first is a rhetorical repackaging of development with no impact in development practice, and the second is related to conditionalities attached to aid which asks for a human rights criteria to continue aid. The third is positive support where changes for the betterment of people occurs. The fourth is a rights-based approach. According to Uvin, the fourth is the highest level of integration of rights with development concerns because at this level development practice is fundamentally challenged to include human rights concerns in its goals, interventions, methods, partners and processes (2004: 168).

For Uvin, a rights-based approach differs from its predecessors in two basic ways: first is its vision, and the second is the focus on its process. The vision refers to the idea that RBA creates claims, and not charity in terms of thinking about and defining the problem. According to Uvin, the primary vision of a rights-based approach is that it will provide a framework of analysis which will help reanalyse 'problems' such as

lack of basic necessities as 'violations'. As violations, therefore, such problems are not natural or inevitable, but arise out of deliberate decisions and policies. Such an approach has the potential of redirecting the focus of NGOs towards legal and policy change that is carried by local communities and individuals. Thus, while NGOs previously worked in a reactive mode to Bretton Woods institutions, now armed with a rights-based approach, all agencies would begin to think of their work in terms of policy, law, institutions, exclusion and non-discrimination (Uvin 2004: 130-131). The second element of this vision is that if claims exist, then methods to hold accountable those who violate the claims, must be put into place. Such methods include rule of law and mechanisms for redressal of violations and denial of claims.

Earlier in the chapter, I discussed the argument that claims were addressed to anyone who can help, and this implies that such accountability is not restricted to courts alone. Alternate ways of fostering accountability exist, and these include naming and shaming, social mobilisation, administrative complaint mechanisms, amongst other methods. A third shared vision of a rights framework is that as claims to certain rights, it begins to question marginalisation, and root causes of vulnerability by focusing at inequalities, exclusions and oppression. As a result, a rights-based framework becomes a political method, and has chances of creating conflicts, losing neutrality, and taking sides. The second way a rights-based approach differs from other approaches is that the development process itself aims to respect and fulfil human rights. Stressing on what scholars such as Sengupta (2000b) had argued earlier, Uvin argues that a rights-based approach has the potential to ensure that the voices of the marginal groups are heard through participation in decision-making.

This leads Uvin to a key question—what can development practitioners concretely do differently when they adopt a rights-based approach to development? (Uvin 2004: 131). Uvin has focused on how non-state duty-bearers practice, or should practice, a rights-based approach to development work, although some aspects may seem to be relevant to state duty-bearers. One aspect of a RBA is to train all stakeholders in the human rights law machinery which means that a thorough knowledge of all legal rights is a must. Second is to invest in capacity-building of non-state duty-bearers at all levels, and not only of those that the state prefers to work with. Third is campaigning about policy issues, and this is different from mere advocacy work which most

international NGOs engage in. Uvin stressed on building capacities of community-based organisations in any given region to enable strengthening local institutions. A fourth useful aspect of a rights-based approach is that it has the capacity to "monitor actual violations of rights" by way of voicing out if violations are done, and by not partaking in such violations. Uvin (2004) argues that a violations approach is perhaps most used by humanitarian development actors, and the highly political nature of this work may create political tensions, and therefore has to be approached carefully. One of the ways to be careful is to undertake a benefit-harm analysis in order to ensure that the duty-bearer is not harming the communities it aims to support through its projects. A fifth aspect is that the duty-bearers will adopt an inward approach to look into their own ways of functioning within the organisation and with partner organisations from a human rights standard. The sixth aspect of a rights-based approach is the existence of the rule of law, especially beyond the election process, where laws exist and people know that rules are to be known and followed, and where mechanisms of redress and counter-power exist (2004: 154). Uvin argued that the rule of law can take non legal forms through mobilisation of people with information and creation of multiple channels of grievance redressal procedures. He gives example of the Right to Information campaign in India which has widened the scope of the ordinary citizen to access and demand information from duty-bearers. A seventh aspect is to reconceptualise development objectives through respect, protection and providing for capacity-building of people. For example, a RBA to food would conceptualise the problem in terms of guaranteeing the universal right to food, and then identify factors that limit the promotion, protection and provision of the right to food to vulnerable groups. In other words, the process of claiming the food right would entail identifying the root causes of the denial or violation of food rights. The eighth aspect is the choice of new partners by identifying new grassroots partners engaged in collective mobilisation and bargaining, and enabling learning and networking through the process. Uvin (2004) stresses that development NGOs and human rights have different functions, and can learn from each other.

Others, such as Rand and Watson (2005), describe rights-based approaches to development as grounded in normative frameworks of human rights, in capacity-building for rights-holders to claim rights, and in the obligations of duty-bearers' to fulfil their obligations. Based on the individual and collective experiences of 26

development practitioners from 12 countries, at a special workshop, Rand and Watson, documented eight common indicators of rights-based approaches to development, as follows- a thorough analysis of underlying causes of poverty which includes analyses of gender, power and risk; community-centred development including capacity-building; engaging duty-bearers and holding them accountable; advocacy or sustainable changes in policy and practice; alliance-building, working at multiple levels; focus on the marginalised; and frame problems as rights' issues according to customary, national and international norms (Rand and Watson 2005: 15). The eight indicators were identified to guide development practitioners in the field, especially for those who may be unable to, sometimes, distinguish between a rights-based practice and others. The authors argue that three of their essential elements find a place in other RBA frameworks including the UNHCHR' definition of RBA, namely, framing problems as rights issues and linking to international norms, the emphasis on capacity-building and agency of rights-holders, and engaging duty-bearers as accountable actors (Rand and Watson 2005).

Discussions on the aspects of rights-based approaches to development have been of interest to many other scholars. For instance, Mikkelsen (2005) concludes that a rights-based approach (RBA) has three basic features, namely, a legal basis, a normative framework, and the importance accorded to the process of realizing the overall goal. Ensuring a legal basis meant that it differs from poverty and human development approaches because it claims that others have duties to facilitate the fulfilment of individual rights and freedoms and this necessitates action. These obligations are legally binding under international law when a State signs a treaty. By ensuring that the necessary legislative, administrative or policy measures are taken, and implementation practices are reportedly put in place, such obligations towards human rights are cross-checked by duty-bearers. In other words, an RBA aims to realise human rights by (a) strengthening duty-bearers to fulfil obligations, and (b) empowering rights-holders to claim rights. The normative framework provides certain key principles that guide practitioners and policy makers in utilising a rights-based approach to development practice. These include universalism and inalienability, equality and non-discrimination, indivisibility and inter dependence of HR, participation and inclusion, accountability, and rule of law. As a process, the importance accorded to the means of achieving the human right is equally important

as its ultimate goal. "Therefore, rights should not only be promoted and protected by duty-bearers, but practised and experienced by rights-holders" through active and practical engagement (2005: 211). For instance, the right to information, to freedom of expression, or to participate in public affairs, are all active and practical rights which must be ensured at all levels of the development process.

Table 2.1: Needs-based approach and a Human Rights approach to development

Needs-based Approach	Human Rights Approach
Work towards outcome goals	Work towards outcome and process goals
Recognises needs as valid claims	Recognises that rights always imply obligations of the state
Empowerment isn't necessary to meet all needs	Recognises that rights can only be realised with empowerment
Accepts charity as the driving motivation for meeting needs	States that charity is insufficient motivation for meeting needs
Focuses on manifestation of problems and immediate causes of problems	Focuses on structural causes of problems, and manifestations and immediate causes of problems
Focuses on the social context with little emphasis on policy	Focuses on social, economic, cultural, civil and political context and is policy oriented

Source: Mikkelsen (2005:205), based on Collins, Pearson and Delany (2002)

Mikkelsen (2005) contends that the human rights-based approach (RBA) has common elements with other approaches to development. The emphasis on participation, transparent budgetary processes, provision of social security safety nets is common to many other approaches. Many of the techniques and management practices used in development work remain important tools for a rights-based approach to development. However, there are key differences (see Table 2.1) between a Needs Approach and a Rights Approach. Many international development agencies. CARE, Save the Children, International labour Organisation, UNICEF were amongst the first international NGOs that developed rights-based approaches to development. According to Annan (1998), a rights-based approach pays attention to human needs,

as well as society's obligations to respond to people's inalienable rights, and empowers them to demand justice as a right, not a charity. Mander (2005) argues that without a RBA, service-delivery NGOs neglect issues of power, structural causes of injustice, and ultimately fail to make the State accountable to human rights. In a detailed investigation on the concept and use of rights-based approaches to development, Cornwall and Nyamu-Musembi argue that human rights can be used in RBAs in four different ways, namely, as a set of normative principles, as a set of instruments, as a component to be integrated in development programming, and to strengthen institutions (2004: 1431). The important thing, according to the Cornwall and Nyamu-Musembi is to give promote all four dimensions while mainstreaming a rights-based approach.

Common elements of a RBA to development which cut across the above-mentioned scholarly works include identifying root causes of the problem, creating accountability mechanisms, focus on grassroots' mobilisation and participation of communities, capability-building of the vulnerable, and making alliances with other duty-bearers.

2.8.2   Critical discourses on rights-based approaches to development

In this section, I have highlighted critical perspectives raised by scholars based on their study on how effective rights-based approaches to development are conceptually and empirically.

A few studies on the use of RBAs have highlighted the importance of framing the concept from a social constructionist lens arguing that a rights-based approach ignores contextual realities. Alternatively, a rights' framework will be better able to analyse contextual realities of development programs because it does not strictly use common RBA elements across all contexts. For instance, Miller (2010) states that three aspects of RBAs, i.e., its arbitrary nature, broadness in usage, and inconsistent application, render it less useful compared to using a rights-frame to development issues. Differentiating between a rights-based approach to development and a rights' framework, Miller further argues that the latter arises out of local contexts which the former may miss because of its obsession with strict technical uses of the concept. Elsewhere, recognising dilemmas of power relations and existing inequalities, and its impact on the operation of rights-based health services, Ely Yamin and Cantor (2014)

suggest that RBAs must take account of meaningful voices of the people it purports to benefit and be accountable to. Furthermore, strict adherence to technical formulas in its conceptualisation, strategy, implementation and measurement, will render RBAs un-operational.

In a reflection on evaluating poverty lines, Srinivasan (2007), has argued that RBAs to poverty alleviation programs are a non-starter because core rights must not only be based on moral considerations, as argued by Sen (1999), but must also be unconditional and enforceable, and have meaningful operational guidelines. However, under its Directive Principles of State Policy (DPSP), Srinivasan contends, the Indian Constitution makes rights to basic needs enshrined in the DPSP mere aspirations as opposed to political and civil rights (to participation e.g.) which are fundamental. A fully participatory political process, Srinivasan (2007: 4162) argues, will ultimately guarantee all other rights, and therefore governance must be concerned with participation through elections and other means described in the Constitution instead of a focus on mere aspirations.

Assessing the practice of the right to food globally together with a wider group of scholars and activists, Lambek (2015) argues that mere recognition of rights through adoption into the constitution, and enactment through laws, does not guarantee its realisation. Challenges remain in the implementation and enforcement of laws in countries even in countries where right to food is fundamental for example, and such difficulties pose questions on the relevance of rights-based approaches to development issues.

Gauri and Gloppen (2012) distinguish between four types of rights-based approaches to development, namely, (i) global compliance to international and regional treaties, (ii) human rights programming by donors and governments in their policies and programs, (iii) "rights talk" focusing on transformative normative beliefs and rights consciousness, and (iv) legal mobilisation through focus on constitutional rights and litigation. Through extensive analysis of different scholarly works on development and human rights, the authors argue that convincing accounts of positive use of rights-based approaches to development can be found mainly in the use of legal mobilisation strategies, and in the adherence to international legal treaties. In the case of human rights programming, through the use of development governance, duty-bearers

introduce accountability mechanisms, grievance redressal mechanisms, social-audits and so on. The authors contend that while human rights programming and "rights talk" may have long-term implications for the effective use of RBAs, it is difficult to identify short-term evidence for the same. Others such as Clarke (2012) have noted that the use of human rights-based approach in development programming by the UN has been beneficial to the UN in providing greater focus on identification of root causes of disparities, and working towards sustainable solutions. A rights-based programming further enhanced receptivity towards creativeness, openness and responsiveness in the organisational culture amongst duty-bearers (Clarke 2012). Based on their study of the use of RBAs in improving slum sanitation in urban slums, Power and Wanner (2017) suggest that it was more useful as a tool in building partnerships across duty-bearers rather than as a legal instrument. The use of "rights talk" as a rights-based approach to development activities has led to varied forms of empowerment processes which have not been captured in the Gauri & Gloppen (2012) typology, although most of the studies as discussed below were done prior to the creation of the typology. For example, Slim (2003) reminds us that "rights talk" functions differently depending who is talking and what is s/he talking about. While for some it may be rhetorical, for many others it may entail courage and radical transformation. Thus, while Gauri and Gloppen's typology is useful in identifying the type of RBA in use, it has a limited understanding of contexts where the practice of RBAs has led to the creation and use of other forms of rights-based activities and strategies.

The ongoing debates on the concept of rights-based approaches to development, however, have not adversely impacted on its wide practice by international development agencies. The overall effectiveness of a RBA, argue development practitioners and scholars, lies in its rights-based language, challenging dominant assumptions and attitudes, ability to transform unequal relationships, finding one's voice, reclaiming cultural practices, making duty-bearers accountable, and taking responsibility of own development. In her conclusion summarising NGO practice of RBAs, using different examples, Olivia Ball (2005) writes that a rights-based approaches have moved from being mere rhetoric and repackaging to adding value. It does so by using a rights-based language to frame problems, identifying specific duty-bearers, putting strategies in place to address specific problems, and ensuring that

human rights as moral imperatives propels duty-bearers to act and respond to claims. In their study on RBAs, Molyneux and Lazar (2003) found that a RBA challenges charity mentalities of the duty-bearers as well as the rights-holders. Akerkar (2005) argues that engaging with rights can be a "transforming experience" for the rights-holders. Moser and Norton (2001) contend that using a RBA challenges existing hierarchical power relationships, which is also a finding stressed by Molyneux and Lazar (2003) in their study. Jonsson (2005) provides detailed examples of how use of a RBA empowers and enables by giving 'voice' to the rights-holder. Giving voice to an individual is more than an adversarial approach of claiming rights because it takes into cognizance the interrelationship between culture, individual well-being and rights (Ensor 2005: 272). More specifically, Ensor argues for a cultural theory of rights where individual interests framed by cultural contexts must be protected and promoted by a RBA to development.

Linking development activities to rights, Kabeer contends that a RBA has the potential to strengthen the status of citizens from that of beneficiaries of development to its rightful and legitimate claimants (2005: xii). Gready and Ensor (2005) argue that a RBA empowers ordinary people by providing information, bringing sharp focus to an institution of its own understanding of rights' principles, makes participation inclusive and democratic, and problematizes policy trade-offs that make poor people more vulnerable. In their defence of the use of rights-based approaches to slum dwellers claims on adequate housing, Mitlin and Patel (2005) argue that using a RBA, with its legal associations, takes the poor firmly into the terrain of the elites which influences the solutions and its characteristics. In the context of development, Nyamu-Musembi asserts that "this new discourse on rights", integrates concerns of sustenance (i.e., economic and social rights) and freedom (i.e., political and civil rights), and while these have long been developmental concerns, "a rights-based approach adds an element of accountability and culpability, and an ethical and moral dimension" (2005: 18).

The 'right to development' agenda was a key moment in making visible the importance of rights-based approaches to development activities. Uvin's (2004) observation that a rights-based approach "permeates all we do when we 'do' development" directs attention to the reality that although states continue to be the true

policy makers, international organisations have become key actors in the development of global public policies. International non-government organisations had begun the use of RBAs in their development activities with varied sets of indicators and definitions of what a rights-based approach meant. Some of the key elements of rights-based approaches to development activities were being increasingly used by state governments in their development schemes as well.

2.9   Conclusion

A survey of the literature on rights-based approaches to development throws light on three existing streams of studies on the subject. The first stream of studies (Rand and Watson 2008; Gready and Ensor 2005) is a compilation of case studies from various parts of the world where non-governmental organisations have experimented with a rights-based approach to development practice. The authors (Rand and Watson 2008) argue that although the indicators are case specific, certain aspects of the selected indicators makes them essential to a rights-based practice. Gready and Ensor (2005) have compiled case studies of NGO rights-based development practice. The compilation briefly alludes to the different trajectories of the concepts of rights and development, their merger under the declaration of the right to development, and the emergence of the idea of a rights-based approach to development. Ball concludes that a RBA are potentially more effective than other approaches to development because it tackles structural inequalities, demands accountability from duty-bearers, and uses a rights' language in identifying problems. The second stream of studies on rights-based approaches to development consists mainly of the work of Peter Uvin (2004) where he describes the broad vision and the process involved in a rights-based approach to development. Uvin focuses on how various indicators can be developed which may aid the use of RBA to development activities. An in-depth analysis of the determining factors of rights-based approaches, lends Sengupta, in a third stream, the understanding that duty-bearers are guided by constraints as well as instrumental approaches in policy-making. Other key philosophers (Sen 2004; Nussbaum 2005; Pogge 2007) have discussed constraints and instrumental approaches from the point of view of negative and positive rights which States formulate to enhance freedoms and capabilities of people. The interesting aspect of Sengupta's analysis is the comfort which one can take from the understanding that rights are progressively realised, and

if not immediately realised, one must know that at least steps towards realising it in a near future are in progress.

In the execution of rights, scholars caution that it is not always possible to realise rights immediately due to various reasons. However, it does not mean that rights do not exist in such a political context, nor should such progressive realisation be devalued by society. The task of the duty-bearer is to continuously apply human rights at all stages of the process instead of focusing on achieving a specific target.

While the State as the primary duty-bearer must focus on legislation, and progressive realisation of rights, non-State duty-bearers (especially NGOs) must engage in advocacy activities which empower the poor to claim rights. Certain rights-based activities of the State and NGOs overlap. For instance, both the State and NGOs invest in developing capabilities of the poor through training programs, participatory processes and information dissemination. Studies (Gready and Ensor 2005; Rand and Watson 2008) show that NGOs begin their rights-based activities by scoping out the root causes of poverty through participatory exercises; whereas, how the state would perform such a task is elusive in the absence of research to guide on the same. While most elements of a rights-based approach to development would be common to the state and NGOs, the responsibility of the state to legislate human rights is extraordinary, and forms the bedrock of justiciability of a human right. Many scholars (Sen 2009; Dreze 2004), however, remind us that political will is shaped by public action, individual duty-bearers and the political regime, and therefore advocacy through information dissemination, participatory exercises, other support activities is crucial to rights-based approaches to development. Such a process, in turn, will enable and empower the poor.

I have used Nussbaum's query on what it is really to secure a right to someone to examine the different concepts that inform the idea of a rights-based approach to development. The primary goal of rights-based approaches is to identify the real causes (root causes, or structural causes) of poverty, as defined by the right-holder, and then initiate processes that will address them in order to eradicate poverty while respecting the human rights of the right-holder. I delineated the discussions on moral and legal rights wherein key scholars agree that rights are primarily moral and ethical claims to basic necessities which one needs as a human being, to start with. These

rights, then, can inspire law, if violated or denied, through claims by the right-holder, and thereby be upheld by law. Where necessary, institutional reforms such as welfare policies for vulnerable groups or constitutional amendments must be introduced. It also follows that the language of rights, in law and its use by duty-bearers, is integral to a rights-based approach. A rights' language has the potential of looking at problems as violations following which claims can be made which must be addressed by duty-bearers. The task of the duty-bearer is to know its specific duties and obligations, and although the state is, undisputedly, the primary duty-bearer, scholars urge that anyone who is in a position to secure a right to someone must do so. It is therefore important that international bodies such as the United Nations, and other civil society organisations must be engaged in informing people, and in advocacy activities, so that rights can be claimed. Faith must be placed in the reasoning abilities of the general population, and this must be encouraged through a public discourse which is possible in a democratic context. In its task of setting out a rights-based approach, the duty-bearer must take into consideration that in some cases, it can play an instrumental role such as plan welfare measures, while in other cases, it must ensure what one cannot do to infringe upon rights of others. Duties of the duty-bearer can take the form of direct duties, indirect duties, or contingent duties.

In my review of literature, I have brought attention to the right to respect which has not yet been linked to the discourse on rights-based approaches to development previously. The desire for respect leads to discontent, and sometimes giving voice to such discontent may be a choice between loyalty and exit from a group.

Key insights into the conversations on rights and development across history emerged. One is that in poverty eradication, human rights and human development have found a common goal, and this goal must be pursued through strategic governance mechanisms. Second is that although the pursuit of human rights was always present in governance, and development interventions, in some form or the other, it became imperative for international development organisations to give human rights a clear focus at all levels. This was undertaken through international declarations such as the 1986 Right to Development Declaration, and followed by many other international documents asserting human rights-based approaches to development. Third is that although discussions on human rights and human development clearly indicated the

significant role of the State in rights-based practice, researchers have focused on NGO practice of RBAs. State practice of rights-based approaches to development has not been adequately researched by scholars. If philosophers agree that the state is the primary duty-bearer, then it becomes imperative to analyse its development activities from a rights-based approach. A fourth lacuna in the studies reviewed in this chapter shows that the insights, experiences of grassroots development practitioners of NGOs have not been discussed. The fifth concern is an absence of in-depth studies of state and NGOs interactions.

Through my examination of concepts of human rights and human development, I have teased out the various threads of a theoretical basis which inform a rights-based approach to development. I have then linked it to the ultimate goal of rights and development which is to eradicate poverty in all its forms. The different threads of theory lead the serious researcher on RBA to ask directly what are the root causes of poverty and its various manifestations, what types of rights fall within the ambit of a RBA, what are the obligations and duties of the duty-bearers, what concerns guide the duty-bearers while making policies, and how are duties secured.

Chapter 3: Methodology[1]

3.1   Introduction

This chapter sets out and discusses the methodology adopted to fulfil the study objective of how rights-based approaches (RBA) are operationalised by the state and non-state duty-bearers in Odisha.

The chapter begins with examples of studies undertaken on rights-based approaches to development with a discussion on their objectives and methods adopted to situate the significance of my study within the discourse. This study emphasises on the experiences and perspectives of grassroots duty-bearers, using a mixed-method approach that draws upon ethnography and feminist methodologies. Following this, I discuss the field site of the study, the reasons behind the selection of the sites, and the key respondents drawn from state and non-state duty-bearers. I describe the data collection process and the tools used for the study in some detail, especially observations, and group discussions. This is followed by a discussion of the process of data analysis keeping in view the core concern, as discussed in the Chapter Two, i.e., what is it really to secure a right to someone? The strengths and limitations of the methodology are discussed at the end of the chapter.

3.1.1   Methods used in recent studies on RBA

Recent studies in the field of rights-based approaches to development have tended to focus on the practices of non-state duty-bearers. For example, Rand and Watson (2005) compare the use of RBA with traditional approaches to development and its impact on rights-holders, based on a workshop organised for the purpose. This was followed by ten months of writing, from experience, with 26 staff from CARE and Oxfam America in 2005. The "workshop method" was used to enable participants to discuss, brainstorm and learn from comparisons of eight different projects chosen for the study. Eyben (2005) examines the internal attitudinal, and administrative, challenges of a donor (the UK's Department for International Development) as a result

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[1] Ontology-epistemology-methoodology references: http://www.aquad.de/nexus/cqp-nexus-08.pdf http://salmapatel.co.uk/academia/the-research-paradigm-methodology-epistemology-and-ontology-explained-in-simple-language

o moving from declarations of intentions to use a rights' approach to the challenges that emerge in the actual implementation of RBA (in Peru). Tools used for the study were semi-structured interviews with staff members in the recipient country. In the interviews, Eyben probes their understanding and challenges in practicing rights-based approaches in the country context. Other studies focus on inward-looking strategies with an aim to evaluate rights'-based attitudes and actions of their programs and their staff. For instance, Gready (2013) explores the interlinkages between organisational change and operational change within Action Aid (AA) by investigating the practices and learnings from the use of a RBA through semi-structured interviews with the staff and partner organisations.

Gready and Ensor (2005) have compiled case studies of non-government organisations which are engaged in rights-based projects. These range from challenges to their practice of RBA arising from specific cultural contexts to adapting rights-based needs in the aftermath of natural disasters, and re-defining the concept. Ensor links cultural contexts to rights, and emphasises that what is needed is a "good programming practice" based on cultural specificities rather than an understanding of rights in many instances (2005: 272). Using a case study approach, Akerkar (2005: 144-155) examines rights-based operations undertaken by Action Aid to tackle vulnerability of people as a result of homelessness following the 2001 earthquake and the communal violence of 2002 in the State of Gujarat (India). In Gujarat, Action Aid undertook to form community groups after a careful analysis of the causes of homelessness, supported the homeless (rights-holders) in their demand for State entitlements, trained the rights-holders on how to lodge protests against forcible shut-down of relief camps by the state, and on how to file a First Information Report in police stations. Action Aid also organised inter-faith community meetings in many parts of the state. In drought-hit Bolangir (Odisha State) Action Aid conducted a study to find out the root causes of drought through a participatory evaluation exercise in 1998 leading to the conclusion that failure of entitlements to food, and a lack of other social welfare measures led to heavy indebtedness and landlessness of the poor (Akerkar 2005). Thus, methods adopted to understand rights-based approaches to development ranged from use of case-studies, workshop methods, program-based internal evaluations, to examining attitudes and actions of duty-bearers.

The chief proponent of a RBA to development, i.e., the United Nations (UN), has made it obligatory for various UN bodies to use RBAs under the Common Understanding to Development Cooperation (UN 2003). According to the UN, the state remains the primary duty-bearer under international law, and therefore, cannot abrogate its duty to set in place and enforce an appropriate regulatory environment for private sector activities and responsibilities (OHCHR 2006). However, in spite of declaring the state (and its government) to be primary duty-bearers, there is a paucity of 'good-practice' country examples on how states operationalise a rights'-based approach to development. This study, further, compares and complements state rights-based activities by examining the experiences and insights of duty-bearers at all levels, and therefore is critical to a holistic understanding of RBA to development. Following Mosse's (2005) objective of ethnographic research which was not to produce best practice or to evaluate any program but ask how development works, this research aimed towards understanding how RBAs work in the real world.

3.1.2 *"Lived Experience"*

The methodology used in this study is directed towards capturing the experience, insights and perceptions of duty bearers. It uses an interpretive perspective which identifies different definitions of situations, different assumptions held by various stakeholders, and provides an opportunity for the facilitation of appropriate interventions. It "provides meaningful descriptions and interpretations of social process. It explains how certain conditions came into existence and persist. It furnishes the basis of realistic proposals to improve or remove certain events or problems" (Stringer 2007: 95-96). Elsewhere, Denzin and Lincoln wrote, "qualitative researchers study things in their natural settings, attempting to make sense of, or interpret, phenomena in terms of the meanings people bring to them" (2005:3).

The emphasis is on what Denzin and Lincoln (1994) describe as "lived experience" of actors, i.e., middle level and grassroots level duty-bearers who work directly with poor communities in this study. The challenges encountered, and the learnings as a result of being engaged in rights-based processes at community level, the lived experience of duty-bearer at these levels has been largely overlooked by researchers and policy-makers. My research further lends focus to their role in securing rights for others, and on their own agency.

Highlighting the significance of analysing daily lived experience of rural communities, Lazar argues that although power relations between women and men are similar to that between the subordinated and the dominant classes or ethnic groups, "the day to day context in which these power relations are played out is quite different" because one has to live with it "for life" as dictated by cultural norms (2005: 3). Therefore, the exploration of "lived experience" of grassroots duty-bearers supported by an analysis of their perspectives in securing rights, and how they link it to notions of rights and obligations, capabilities and freedoms, public reason, and claiming rights in democratic contexts is an important contribution to the study of RBAs. Additionally, because state policies impact on women directly at household level, Lister (2000) argues, women's voices must be engaged in policy-making.

3.1.3   Mixed Methodologies

This study uses qualitative mixed methods, especially those used by feminist scholars, and in ethnographic studies. According to Byrne and Lentin (2000), feminist methodologies privilege participation, representation, interpretation and reflexivity. It further aims to deconstruct power relationships between the researcher and the researched, and has an underlying political commitment to the emancipation of women. Reflexivity, according to Lazar (2005), means being mindful in institutional practices that have implications for change in the social practices of individuals. Lister (2000) argues that feminist methodologies are useful in establishing linkages between the household and the state because the underlying assumption is that the state regulates access to the resources that women need in order to change gendered relations of power at the household level.

Feminist research, therefore need not be about gender relations or women alone. Ackerly and True further contend that feminist-informed research constantly situates the researcher in subjectivity and the situation itself ('situatedness'), and enables the researcher to "see" the people and processes lost in gaps, silences, margins and peripheries (2010: 22), and this "seeing" is the strength of the mixed methodology used here. Having an underlying awareness of feminist methodologies was especially useful in contexts where rights-holders were discussing their rights and responsibilities, and where grassroots duty-bearers were in conflict with their position as rights-holders themselves.

My study draws upon queries that have plagued other feminist researchers such as Lal: "how does she know what she knows, how do respondents assert their agency, and how and where could she effect change?" (1999: 105). Lal (1999) has persuasively argued that during (ethnographically) detailed open-ended interviews, the dichotomy between the researcher and the research subjects gets merged, and the interviews take their own shape and logic. In cases where this in-depth conversation occurs, the time-period in terms of number of days of conversations and observations is less important ethnographically than the information and insight gained from the conversation. This is possible through the lens of feminist methodologies, and the process builds on feminist knowledge which, argues Hesse-Biber, has been "traditionally marginalised by mainstream research methods accounts" (2010: 170). I decided to let the sites determine my methodology as "methods in the hands of feminist researchers begin to take on a new context of practice" contends Hesse-Biber (2010: 171).

Intersectionality of the researcher and of the research subject becomes a methodological concern in cases such as ours, and this is consciously addressed while using feminist research methodologies. Furthermore, "in the micro-dynamics of the interview (these) hierarchies are easily displaced although we may often fail to see that this has occurred. How one reads into a conversation can just as easily replace the research subject back into her location as object, even though she actively claims the space of subject" (Lal 1999: 105-106). One of the supervisors encountered in the field (INF 107) provided me with invaluable data through her behaviour, her avoidance, her office activities, and minimal responses to my queries although she wished to be present in group interviews. On the last evening, coincidentally, we (INF 107 and I) were in the same buggy of the train to Bhubaneswar on a five hour train ride back to the city. This incident is significant because we encountered sexual harassment on the train which brought us together on the same side and we disembarked from the train in search of safe spaces and the police. The incident changed our relationship. Thus, the "situatedness", geographical location, peer pressure, and (dis)trust, and specific incidents shape and determine responses and relationships between the researcher and her respondents.

This study, although not a purely ethnographic study, draws upon ethnographic research methods, especially through the use of participant observation. Bryman

(2008) writes that it is sometimes difficult to distinguish between ethnography and participant observation as both entail immersion in the research site and the social life of the research subject. In the case of ethnography, it would require an extended involvement, and Bryman argues that for many scholars pure ethnography would mean no reference to other documents or to conduct formal interviews. In this, however, my research differs, and participant observation is combined with interviews – both formal and informal as well as the collection of documents, while the immersion in the field was for a continuous long period of time. I visited the sites more than once, and in the case of Banapur, multiple visits were made because of the uniqueness of the case for the study. The Banapur case also illustrates how the operation of a RBA is challenged by the grassroots duty-bearers themselves. Three key informants in Banapur block were interviewed in three different visits to the field between December 2012 and January 2014.

3.2   Field Study

The research questions guiding this field study have been set out in Chapter 1. The study is based in Odisha State, in India, and fieldwork was conducted during the period November 2012 to February 2015. A preliminary field trip in November 2012-February 2013 was undertaken to scope the study, identify food entitlement schemes, government departments, duty-bearers, non-State development practitioners, villages and administrative districts for primary data collection. Correspondence with respondents continued during time back in Ireland. A more intensive phase of data collection followed in November 2013-February 2014 whereby the consolidation, verification, and last-minute details of data were finalised. Permission from specific authorities was obtained for data-collection, and photographs were taken with due verbal permissions.

3.2.1   The field sites

Odisha state was selected because poverty levels are high compared to other states in India. Chaudhuri and Gupta (2009) estimate Odisha's rural poverty at 46.9% and urban poverty as 44.7% based on 2004-2005 NSS figures, which listed Odisha as the poorest state in India in that year. In 2011-12, GOO (2015) notes a growth in poverty reduction by 25.11% over the 2004-2005 NSSO figures. A total of 64 villages across 23 blocks and four districts were visited for the study, in the districts of Koraput,

Khorda, Puri and Cuttack. The main focus of my field study is in two districts, namely Koraput and Khorda because there is a sharp difference in poverty levels between the two districts as noted below. I visited and studied rights-based practices in some villages from the neighbouring districts of Puri and Cuttack districts because they offer comparisons and significant insights to rights-based approaches to development. Poverty figures for Puri and Cuttack are also noted below to provide a quick comparison, and were not very different from figures for Khorda district. I have, therefore, focused on using qualitative data from Koraput and Khorda districts for the study as the two districts includes people living in poverty under very different circumstances. It is important to point out that these districts are based on administrative boundaries, and sometimes villagers are not aware of which district or block their village belongs to, as there are no clear physical demarcations to identify districts.

The blocks, selected for field study in Koraput district are Lamtaput, Nandapur, Pottangi, Dasmanthpur, and for Khorda, the blocks selected for field study were Bhubaneswar, Tangi, Banapur, Balianta, and Balipatna. The blocks were purposively selected based on people's poverty levels, type of population, access in terms of remoteness and easy access, and livelihood patterns. Poverty is also spatial and is determined by the geography of the region (GOO 2015; Chaudhuri and Gupta 2009). On a macro-scale, the state is divided into two regions, namely, the coastal region (Khorda) which has fertile soils and rich paddy cultivation, and the highland region (Koraput). The highlands have a rugged and undulating topography with forests, lateritic soil which is poor in nutrients and therefore unsuitable for agriculture. According Chaudhuri and Gupta (2009: 106), poverty levels in Koraput was estimated at 74.01%, and it was ranked fifth in the list for highest level of rural poverty out of the 30 districts in Odisha. Poverty levels for Khorda was 27.8 %, Puri 27%, and Cuttack at 14% in 2004-2005. Khorda is the 24th in the list which means that Khorda is one of the least poor districts. The urban poor percentages are as follows—61% for Koraput, 50.2% for Khorda, 51.3% for Puri, and 25.9% for Cuttack. Urban poverty levels are high for both Koraput and Khorda districts. The Scheduled Tribe (ST) population of Khorda is 97,186 which is lower compared to 697,583 ST population in Koraput district, according to the 2011 Census (GOI 2011).

In Koraput district, state development efforts are aimed at drought-proofing, and poverty alleviation for which it receives special assistance from the GOO and the central government under the Long Term Action Plan (LTAP). In 1998, a Revised Long Term Action Plan (RLTAP) was submitted to Government of India for an integrated approach by synergizing different development schemes, especially the RLTAP, BRGF (Backward Region Grant Fund), IAP (Integrated Action Plan) and Biju KBK, to bridge gaps in development efforts, and use limited resources. The southern parts of Koraput has a strong people's movement (Maoist) with demands for people's right to land which has led to special development plans by the government with a focus on infrastructural projects and social security programs as under the Left-Wing Extremism plan (GOO 2015).

Khorda is a coastal district, and livelihoods are primarily agriculture and industrial based, and compared to Koraput, transport and other infrastructural facilities are well provided by the state. However, rapid urbanisation has led to emergence of urban slums which are categorised as villages sometimes, or as neighbourhoods or *sahis*'. The blocks studied in this district were rural, and livelihoods were largely agriculture based. Balianta block faced floods, crop destruction and deforestation at a massive scale following the 1999 cyclone. In Gop block, the landless face hunger and poverty due to annual flooding and recent impact of climate change (including recent super-cyclones).

Occasionally, opportunities presented themselves to interview development practitioners (state and non-state) from other districts, such as at state level demonstrations by grassroots duty-bearers (December 2013), State level Conventions on Child right to food (December 2012, and January 2014), Public Hearing (January 2013), and NGO workshops in various locations. This was useful to the research because it- (a) provided deeper insights into the issues of implementing rights to food entitlements, (b) provided documentary evidence of challenges faced by local duty bearers, and (c) provides opportunity to feed into policy making to make a RBA more responsive to all stakeholders locally.

3.2.2 Respondents

The selection of duty-bearers for interview was based on purposive sampling. Although I chose to engage with duty-bearers at all levels, i.e., higher, middle and

grassroots, the study focuses on grassroots level duty-bearers deliberately because it best describes "lived experiences" which the research aims to capture. I interviewed 88 grassroots level women duty-bearers engaged in development practice. Duty-bearers interviewed at higher levels were nine in number, and 21 at the middle level. Table 3.1 provides an overview of respondents interviewed.

Data collection was at three levels, namely, village (grassroots), block (middle level), and state levels (higher level). The state level duty-bearers are higher level officials and are in the positions of secretary-cum-commissioners, and the block level duty-bearers are at the middle level and in positions of Block Development Officer (BDO), Child Development Project Officer (CDPO), and project officers for the program on TRUPTI (PR department) and Mission Shakti (WCD). At the village level, data collected on the narratives of grassroots development workers recruited by the State as *swecchha* or voluntary workers were significant because of their special role in furthering rights-based approaches to development.

Primary data collection from state duty-bearers began by contacting officials in the State Institute of Rural Development (SIRD), WCD, FCSW, PR, SME, and RD (especially the office of the Rural Water Supply and Sanitation Works) departments through personal connections. This was followed by semi-structured interviews with the higher level officers, viz., the Secretary of the WCD department, and with the Secretary of the Panchayat Raj (PR) department in the premises of the Odisha Secretariat offices. At the middle level, interviews with the Child Development Programme Officers (CDPO) and the Block Development Officers (BDO) were conducted in their offices in Banapur town and in Balianta village. The Banapur CDPO was interviewed at the site of a public event, namely, the BBSA annual day celebrations. The two Block Development Officials were interviewed in their offices which provided opportunity for observation on power dynamics within administrative structures. The open-ended interviews with the Supervisor in Banapur CDPO office gave insights into the depth of their knowledge base, learnings from experience and personal motivations. Duty bearers at the village level were very open, and provided the study with in-depth narratives of their engagement with rights holders. This openness, however, was absent during the final stages of data collection because

AWWs were getting increasingly involved in staging protest marches including political rallies and demonstrations at the State level.

Unplanned meetings with officials of RWWS of RD department, and the FCSW department were also documented at different sites such as in workshops and conferences, which enriched the data on different factors that influence access to food entitlements of vulnerable groups. Twelve schools, including both primary and secondary schools, were visited, and 10 teachers were interviewed. Data was collected from development practitioners of seven non-government organisations (NGOs) and four international organisations (INGOs). The INGOs were Practical Action (PA), Action Aid (AA), Concern Worldwide (CW), and Trocaire. The NGOs are Peoples Cultural Centre (PECUC), Right to Food Campaign (RtFC), Society for Women Action and Development (SWAD), Vasundhara, RSSO (Ruchika Social Services Organisation), Adivasi Ekta Sangh (AES), Society for Promoting Rural Education and Development (Spread), and Centre for Action Research and Documentation (CARD). Of these NGOs, AES (partnership with AA), and Spread (DANIDA funded) are based in Koraput district, and the study interviewed development practitioners, duty-bearers and communities through field visits to 25 villages in Koraput. Ruchika works with urban slum-dwellers (also termed as villages of Salia Sahi, and Dumduma) in partnership with PA. Vasundhara is based in Bhubaneswar but works with forest based communities across the State. The rights-based activities of CARD (Trocaire and AA partner) in Tangi block of Khorda district and SWAD (PA partner) in Gop block have a direct relevance to the study, and therefore it was important to include it in the study although it was not initially planned. The selection of PECUC was final because their intervention was directly relevant to the study.

Initially, contacts were made with Irish international non-government organisations in Odisha, especially the program staff of Trócaire and Concern Worldwide. Meetings with local partner NGOs resulted in a field visit to Tangi Block, with Trócaire partner CARD, in February 2013 to participate in a local event on rights of women. Contacts were made with INGO Practical Action (PA) because of their investment in technical solutions to ensure food security in flood prone regions around Khorda district. Although the partner NGO, SWAD, has offices in Puri district, its work extends beyond its administrative boundaries to villages in Khorda district. Meetings and

interviews with middle level development practitioners provided valuable insights into their understanding of a rights-based approach and how they practice it. The Action Aid programme officer in Koraput was a key respondent, both as a representative of an international NGO, and as a local expert, given her 15 years of practicing rights-based approaches in Koraput and nearby tribal districts.

Table: 3.1   List of Respondents

Respondents/ Duty-Bearers	State	Non-governmental Organisations
Higher level (total)	3 officials	7 (including 3 men)
	3 officials (2 men)	
Middle level (total)	9 officials	10 (including 8 men)
	2 BDOs (men)	
	4 Project Officers (2 men)	
	3 CDPOs (women)	
Local (Grassroots) level		10 (5 men)
Field coordinators	-	5
Supervisors	25 (women)	
Anganwadi Workers	44 (women)	
Anganwadi Helpers	18 (women)	
ASHA	1 (woman)	
Others	-	5 experts
Elected representatives/ panchayat members	13	
Self Help Groups	41(includes NGO-led (SHGs)	
School Teachers	10	

Data includes interviews and group discussions with a total of 150 women respondents who are either duty-bearers or development practitioners at the grassroots level. Supervisors, anganwadi Workers (AWW), anganwadi helpers (AWH), Accredited Social Health Practitioners (ASHA), Panchayat Ward members, Self Help Group (SHG) members, and teachers. The study focused on women duty bearers for the following reasons. The ICDS welfare schemes focus on poor women and children at grassroots level. The ICDS program recruits women, as CDPOs, as workers (AWW, AWH) at the grassroots level, and the village health workers (ASHA, LHV, Jasoda) recruited through the Health and Family Welfare Department are also women. The selection of respondents was aimed to focus "lived experience" of duty-bearers at

grassroots level who were mostly women. A gender disaggregation of key respondents shows that there was one woman respondent at higher levels of the state administration, i.e. the WCD Secretary, and two PR department middle level officers responsible for the TRIPTI program. Key male respondents at the higher levels were two Secretary level officers of the PR department, three key middle level officials including two Block Development Officers (BDO), one Ward member, a Public Distribution Services (PDS) Dealer, and three male teachers at grassroots level. The key male experts on food rights interviewed were the Odisha Right to Information Commissioner, the National Advisory Council (NAC) chief, an advocate, and the female experts were primarily a Health and Nutrition Adviser, and a key Right to Food Campaign Secretariat member. The respondents were selected to represent all stakeholders involved in the development practice of ensuring rights to food and related entitlements.

In the case of the non-State development practitioners, interviews were held with female heads of Practical Action (PA), People's Cultural Centre (PECUC), Society for Women Action Development (SWAD), Centre for Action Research and Documentation (CARD), women at program levels in Trocaire and Action Aid (AA), and female field investigators of PECUC, CARD and AES (three in number). The key male respondents at grassroots level were two field investigators of Spread, two of AES, and one of SWAD, at program level there were male members from Ruchika, PA, Vasundhara, Concern Worldwide, and Right to Food Campaign, and the heads of Right to Food Campaign, AES, and Spread. The key male experts on food rights interviewed were the Odisha Right to Information Commissioner, the National Advisory Council (NAC) chief, an advocate, and the female experts were primarily a Health and Nutrition Adviser, and a key Right to Food Campaign Secretariat member. The respondents were selected to represent all stakeholders involved in the development practice of ensuring rights to food and related entitlements.

Table: 3.2   Key Respondents by Sex and Work levels

Key state Duty-Bearers	Grassroots level	Middle level	Higher level	Experts
Male	4	3	2	5
Female	88	3	1	3
Key non-state Duty-Bearers				
Male	5	8	3	3
Female	5	2	4	2

*Includes 25 Supervisors, 44AWWs, 18AWHs, 1 ASHA

3.2.3   Ethical Concerns

In his excellent work on Social Research, Sarantakos (2013: 16-23) summed up that primary ethical concerns were mainly linked to the treatment of animals in research, the researcher-researcher relationship, professional standards and ethical conduct, and the researcher-respondent relationship. The first concern was not part of this study. The researcher-researcher relationship was not a primary concern because this is an individual research study. I collaborated with the Rajiv Gandhi Institute for Contemporary Studies (RGICS) on a RBA project in India for three months and was given written permission to use part of the data for my thesis, as well as publish it. Thirdly, professional standards have been followed by way of ensuring acknowledgement of all stakeholders in the research study. I have consciously used all types of data gathered in the final analysis, stating wherever needed, why I followed or did not follow a certain path, query or leads given by a respondent. Other scholars such as Walliman (2001) argues that many times researchers are tempted to be selective about their data analysis, and silently reject or ignore evidence contrary to one's belief. This study has been conducted with field data collected from respondents keeping all ethical concerns of objectivity, responsibility, and accurate data reportage. Many a times, my understanding of the concept was challenged during the field study, but I have reported all shades of the concept as quotes, and in arguments posed by the respondents. There is no fabricated information in the final analysis, and I have adhered to all norms regarding fairness, objectivity and impartiality in my data collection methods, and its final analysis.

The researcher-respondent relationship was of primary concern for me because I was working with very poor people, especially poor women, and migrants. At the

beginning of all interviews, group discussions, and observations, respondents were informed of the reason for the study, the research objectives, and its primary questions. According to Robson (2002: 65), "participants in real world studies may sometimes be involved without their knowledge", and the balance between the researcher's right to know with the participants' right to privacy, dignity and self-determination, may conflict. To avoid such situations as Robson describes, during direct observations, I was careful to not jot down personal activities, or those actions that were not significant for the research in my considered opinion. In my participatory observations, I informed willing respondents that I was interested in participating in whatever they were doing so that I would not waste their time, and yet chat informally on how activities related to their duties and obligations were discharged. In my considered opinion, wasting people's time for my own research was a very important ethical consideration, especially because there is a fuzzy line differentiating women's household obligations with their voluntary duty-bearing activities in the villages. Laws et al (2013) have discussed this aspect of wasting time in their responsibilities towards respondents, and in many instances I have been a participant observer to save time. In my in-depth interviews, I constantly asked the respondent if s/he did not wish me to document any specific information s/he revealed to me. During the group discussions, respondents were more at ease, and I was trying to note down the discussion points rather than focus on any particular respondent.

There were a few difficulties encountered. One was the difficulty of obtaining written consent from respondents because the participants were wary of signing any documents. After trying to do so, in a few places, I decided against it, also because it would ward people off me. It is also not a common practice in India to do so. Respondents were more at ease with introducing me to each other as "*aama gaon ra jhiye*" (she is a daughter of our village, or our daughter), and trusted me with their stories. I informed my participants and respondents of my study at all stages, and explained what to expect. During the group discussions with women's self-help groups, I described my intentions, and where I came from, and asked to be questioned by them. Most participants were very interested in knowing about my personal history. My study highlights the contention of some scholars as discussed by Sarantakos (2013) that it is not possible to fully adhere to ethics just for the sake of professionalism. As seen above, it was not always possible to expect respondents to

hand in signed consent forms discusses, but in other cases such as getting verbal consent for interviews lends me to situate my study under Sarantakos's relative adherence to ethics (2013: 21). Where grassroots duty-bearers (especially women) were not willing to be interviewed, as in some cases of anganwadi workers in Banapur, I moved on to others who gave consent to speak on their activities. In some cases, women assumed I was working with the media or was a government consultant, and wanted to know what the outcome of my study be. After a good laugh, I informed them that I was not sure if it will have any direct impact on their everyday lives, but that my aim was to share their concerns and insights, on the practice of rights-based approaches to development.

The researcher-respondent relationship went through difficult phases where the women of two villages expressed their wish for me to stand for political elections when I explained to them of my inability to change their situation. Raising their expectations was not the aim of the research, and yet it was an opportune moment, as a feminist researcher, to discuss various options of political empowerment for the village women. Laws et al (2013) have described facilitation as a way of describing such great expectations of respondents. After many discussions, they decided that if a girl from one of their villages can go as far as Ireland, then their daughters can stand for local elections! Keeping in mind the possibility of unforeseen deceptions, and any other harm which my study may bring, I constantly brainstormed with my respondents about various possibilities which may bring in desired change for them. "The important thing here, however, is not to promise what you cannot deliver. There should be some kind of 'contract' between researcher and informants- not necessarily a written document, but a series of implicit and/or explicit agreements by which the researcher is bound" (Le Voi 2002: 161).

Bell (2010), argues that confidentiality and anonymity are full of broken promises and imprecisions, and the researcher has to be careful of implicating any unintended harm to any respondent. In a couple of cases at middle level state offices, respondents did not wish to be quoted for their comments, but wanted their views to be included in the study. I have done so because they provide invaluable insights into the practice of RBAs. Confidentiality of their names was respected. In another instance, an

anganwadi worker did not wish to give her name, or be interviewed, but did not hesitate to guide me to others who were willing participants of my study.

Finally, my research is sensitive to a wider accountability to the communities (Laws et al 2013) which hosted me, trusted, and shared in-depth information of their lived experiences. Since part of my study was conducted in regions where people may have Maoist sympathies or maybe in fear of them, I have been careful in translating their concerns and experiences into my study by way of discussing ad verbatim. In many cases, moral obligations (Robson 2002: 66) to the communities preceded sharing information on sensitive information. In my considered opinion, there has been no negative comments by any respondent about any organisation or individual during the field study.

3.3   Data Collection

Two types of data were collected, namely secondary and primary data, but the study rests mainly on analysis of primary data. The use of secondary data has been valuable in terms of understanding concepts, elaborating theoretical linkages between practice and theory, and understanding the history of the processes observed in the field.

3.3.1   Secondary data

Secondary data refers to all the material related to the subject of research which the researcher can access without going to the field herself. It is data that someone else has collected, and made available for others to examine or use for further study. In collecting secondary data on government entitlement schemes the first step was to scan the websites of the various government departments, and get an idea of the various reports, such as the annual reports, program specific, and special reports. In most cases, it was difficult to retrieve it from the website because there was not enough information published in it. Following this I noted down the phone numbers and emails to get in touch with the officers in charge. I received no replies to any of the emails sent. The next step was to inquire from various NGOs about the required government reports – whether they had a copy of the report, or knew how to access one. This yielded quicker results, and one of the important documents received for the study was the AWW manual, and other documents. The meetings with the higher officials of the PR department led to getting access to documents on the panchayat system to enable

a clearer understanding of the devolution process (of administrative and financial authority). The WCD preferred to direct interested researchers to download documents from the department website, and as noted above, this was a challenge. However, in many cases, the Anganwadi Centres which are the local centres of the WCD, provided access to their registers, the Mamatha forms as well as the cards that were filled up by rights-holders. Photographs of a few entitlements forms have been taken in order to have a better understanding of the details of entitlement forms, and the challenges faced by the poor, and sometimes illiterate, women. At the middle level of state development practice, the two Block Development Officers (BDOs) provided statistics and figures of beneficiaries of different entitlement schemes in Balianta block, and in Banapur block.

Secondary data on NGO development practice was mostly collected at the site, and during conversations with their staff. The library at the Right to Food Campaign (RtFC) office had documents and reports related to food issues in Odisha and these were helpful in understanding the context of food rights in the State. Most material was in the vernacular and, wherever necessary, was translated from Odia to English for the study. Printouts of annual reports of Spread and PECUC were provided by the NGOs. Interventions of INGO in partnerships with local NGOs such as those between PA with Ruchika and with SWAD, AA with AES, and AA (and Trócaire) with CARD, amongst others provided in-depth information mostly through participant observations, site visits and narratives.

3.3.2   Primary Data Collection

My research is based on primary data collected at field sites in Odisha State, and tools used were open-ended interviews, semi-structured interviews, group discussions, and observation. In some cases, I used a voice recorder and notebook to record interviews, especially with the WCD Secretary, RtFC Head, SIRD Director, Woman Councillor in Banapur, a SHG song on empowering sung by village women, and two group discussions (Muslim Sahi in Banapur, and in Balianta). Transect walks were undertaken in all villages, yielding much useful observational data. The following paragraphs describe in detail the data collection tools used in the field study.

Open-ended interviews with local development practitioners were conducted to be able to hear their narratives based on experience and practice of rights-based activities,

especially in the case of the tribal youth. Structured interviews or other forms of data collection would have been inappropriate and inadequate in collecting information on tribal youth empowerment processes because the focus in these interviews was on listening to individual stories situated in their wider social and cultural context. Open-ended interviews with a key informant, elsewhere was done over a period of time in five field trips to Balianta block when she accompanied me. During these trips, people came up to my key informant while we walked through the villages, and narratives linked to NGO activities, self-help group members, and problems associated with implementation actions were captured and dealt with as I observed and noted down details. This strategy of combining different methods of data collection in the field when the opportunity arose has enriched the study, and given evidence that cannot be observed and gleaned through a single method of data collection.

Three in-depth interviews with the Right to Food Campaign advisor (INF 703) in Bhubaneswar were conducted to assess the emerging political scenario in the State which had potential impacts on the right to food entitlements. In-depth interviews with the Commissioner of Right to Information Odisha (INF 706), a single in-depth interview with the national level expert (INF 709) and official of the Right to Food Campaign Secretariat in New Delhi, provided me with valuable insights into the campaign process, personal stories, challenges to the campaign, and also linkages with the campaign. Semi-structured interviews were conducted with State officials at higher and middle levels in the departments of WCD and PR, which provided me with information on how State perceives and expresses a rights-based approach to food entitlements, and secures rights to poor people in Odisha. This method was important in the case of state officials because of a time constraint on their part, and the semi-structured questionnaire gave enough room to allow the respondent to share learnings and stories without getting into details.

Group discussions were used in situations where more multiple respondents were available to discuss their experiences. Group discussions at AWCs in Pahala AWC, Balianta AWC, Macchkund AWCs involved all duty-bearers engaged in the AWC activities. This meant that the AWW, AWH, ASHA worker, and the Lady Health Visitor were all present, and these were very insightful discussions because power dynamics between these grassroots women duty-bearers, their aspirations, and

silences revealed how an entitlement program was impacted upon at grassroots levels. As a feminist researcher, I was conscious of the language, and silences, of the women participating in group discussions where some were eager to talk and others were silent. In Enugo village, for example, group discussion with village activists who engaged in the struggle for land rights to their forests gave invaluable insights into the complex reality of food security issues where landownership is a primary claim to the right to food. Women panchayat leaders raised the lack of sanitary and toilet facilities as one of the reasons behind low participation of women in local governance and development issues. The group discussions were characterised by open-ended questions, and discussions ranged from impact on enrolment of girls as a result of midday meal scheme in primary schools to corruption within the Public Distribution Services.

Transect walks were done across villages as a preparatory step to understand who lived where and why, to understand the caste and gender dynamics of community life, and to immerse in the everyday village life. For example in Macchkund block, I realised that the *Prathmik* schools and the Anganwadi Centres were three kilometres away from the nearest village with little or no public transport. During my transect walk in Martalaba village, I came across a small white church newly built atop the village hill. In later interviews I was able to examine the role of the church in my open-ended. Transect walks also revealed that women and men used the local ponds for all their water related needs at different hours of the day. Observing and talking with local villagers in Odisha gave a glimpse of how people lived in certain areas according to their caste and religion. In Banapur block, transect walks gave a clearer view of how different ethnic and caste groups have built their own hamlets within the villages. For instance, the Madrasa Islamia school was located within the Muslim *sahi*, and only Muslim children were enrolled in this primary school. Another neighbourhood on the outskirts of the village was that of the *panikhiya* caste, a designated backward caste. These simple observations led to discussions, and gave an opportunity to participate in ongoing village events such as festivals, and for chatting with curious onlookers which widened the scope of my respondents.

An important tool of data collection was the use of participatory observations in all field sites because it enabled the research to gain access and in-depth information on

how duty-bearers secured rights to people in their own settings and words. Gold (1958 in Matthews and Ross 2010) has drawn a scale of participant observation (see figure 3.1 below), ranging from the complete participant, the participant as observer, the observer as participant, and the complete observer. A complete participant becomes a complete member of the group being researched, and a complete observer is totally detached from the group being research. The participant as observer "reveals her presence and her research role to the group", and in the observer as participant mode, "the researcher is moving away from the idea of participating" and data collection becomes more formal and structured (Matthews and Ross 2010: 258).

Figure 3.1: Observer styles

complete participant   observer as participant

participant as observer   complete observer
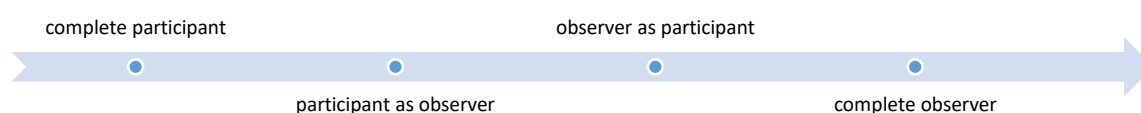
Source: Gold 1958 in Mathews and Ross 2010: 258)

In my field study, at any given point of time, I was on this continuum more as 'participant-observer' and 'observer-participant' which I have referred to while analysing data. In the meetings with SHGs in Balianta, and with the women harvesting paddy crops in the fields of Banapur, I was a 'participant-observer'. I had informed the women of my research plans and the fact that I would be taking personal notes which I may or may not use in my research writing based on their permission. Another event where I was a 'participant-observer' was at the public event of the One Billion Rising in Tangi village. As a speaker, I shared my views and experiences of being a girl-child and a woman constantly searching for safe spaces. As a researcher, I jotted down notes of all that was happening around me, analysed them, drew inferences from them, and used in my data analysis. Participating in the event provided me first-hand experience and insights into the best possible way to break the silence around gender based violence in the local community. This was a rare opportunity to observe, listen and share information. Participant observation at the public demonstrations of grassroots ICDS duty-bearers against the state demanding their own rights in December 2013 provided insights into the challenges and missing links of operationalising a rights' approach.

I was an 'observer-participant' during my field visit to Bhitargaon village in Koraput in order to document the ways in which the middle-level duty-bearers (PR department)

teach, inform, and explain the different aspects involved in access to entitlements. Participatory observation has led to the recognition and acknowledgement of newer indicators of rights'-based development, such as the role of religion in Martalaba village. For example, I was an 'observer-participant' in the act of attending and participating in the conversations at a three-day state level convention on rights of women and children to food in Dec 2012 gave me a first-hand insight into what was happening in Odisha in terms of food rights and the various stakeholders involved, including communities from different districts, duty-bearers at policy making levels, non-state development practitioners at all levels, experts, and others. I participated in small workshops, shared experiences, and interacted with other participants.

In the late evening meetings with the rights-holders who had gathered for three days at the AES office premises from different parts of Koraput district to participate in the public hearing process, I was a 'complete-participant' as I engaged with all visitors, had meals with them, cleaned the place, and had conversations over many coffees.

I have thus used the context to refine my tools of data collection, especially when interacting with people at the village level.

3.4   Data Analysis

The data collected in the field was mainly in the form of handwritten field notes, transcripts of in-depth interviews and group discussions, voice recordings and photographs. This section describes how my field data was organised, interpreted and analysed. I have used different sets of indicators to analyse my data. One of my primary concerns was to avoid over-generalisation for the whole state of Odisha, because my study was based in villages within four districts (out of a total of 30 districts) of Odisha. However, as Bell points out, one should not worry about the absence of a generalised analysis: "Well-prepared, small-scale studies may inform, illuminate and provide a basis for policy decisions within the institution" (2010: 210).

Upon returning from the field to my desk in Dublin, I found myself surrounded by A4 notebooks with field notes, brochures, pamphlets, organisational reports, pictures, recorded interviews and women's poetry on empowering themselves. Well-meaning colleagues gave advice on using specific computer software to let data sort itself out through key words and concepts. I did what I do best—write, re-write, manually sort

my data, use post-its, coloured pens, and asterisks! On my desk I had two sets of notes—(i) what does it mean to secure rights to someone? (ii) is securing rights to someone the primary task of development?

Since my research objective was to understand how RBA is operationalised by duty-bearers, I decided to sort out different categories of duty-bearers from my list of respondents, and coded them accordingly. Miles and Huberman state that codes are tags or labels given to descriptive data collected from the field- "codes are usually attached to chinks of varying size- words, phrases, sentences or whole paragraphs, connected or unconnected to specific setting" (1994: 56). Following coding respondents, for example, for the NGO respondents, I clustered their responses under the various elements of rights-based approaches identified in the literature review. I had eight files for eight indicators of RBA, and five were filling up with responses. A general pattern was emerging, and in the final analysis, I used five elements of RBA because most rights-based activities of duty-bearers fell under five categories.

My respondents were all coded numerically. First I sorted out all the respondents according to state and non-state duty-bearers, and then categorised them in more detail as Anganwadi Worker, Self Help Groups, etc. All government officials are coded in the '100' series from 101-135 which means 35 officials were interviewed. Panchayat members are coded in the '200' series, the NGO workers are coded in the '700' series and so on. I have a mixed list in the '800' series which refers to interviews with significant respondents from different categories that do not form a core respondent category for my study but are nevertheless key to my findings. See Table 3.2 below.

Table 3.2:   Respondents by Numbers

Government of Odisha (GOO)	Panchayat Member	Anganwadi Worker (AWW)	Anganwadi Helper (AWH)	Accredited Social Health Activist (ASHA)	Self Help Group (SHG)	Non-Government Organisation members	Other respondents
35	17	42	18	1	46	39	46
101-135	201-217	301-342	401-418	501	601-646	701-739	801-846

In Table 3.3 (List of Codes for Respondents), a brief extract is shown to give an idea of how respondents were tabulated and coded to provide a clear picture on collected

data (the full table is given in Appendix C). The columns show duty-bearer, name, organisation/ department, date of meeting, data collection tool (interview etc.), and 'other'. Each row provides a summary of the information gathered with the help of that particular respondent. The column on 'other' contains important information that was not common to all respondents, such as two or three interviews with a single respondent, or a particularly interesting in-depth interview. I have further classified and codified the methods as follows: ISS for semi-structured Interviews, II for In-depth Interviews, IO for Open-ended, GD for Group Discussions, PO for Participant Observations, FGD for Focus Group Discussions, TW for Transect Walk, and KI for Key Informants. This process facilitated a quick overview of the data collected at primary level. Following the listing and enumerating of respondents, I coded the blocks for ease of interpretation while analysing. For instance, the information in Table 3.3 reads as follows – Subhadra Ratha, a panchayat Ward member in Khorda district was interviewed in-depth on January 18th; she also was an ASHA worker and worked with the NRHM.

Table 3.3:   List of Codes for Respondents

Code of Respondent	Name	Organisation /Department	Date	Method/Tool
Panchayats				
201	Subhadra Ratha	Number 15 Ward member, Bhingarpur P, Balianta Blk	18/1/13	In-depth interview (II)

Field notes filled in the gaps in primary data analysis. The daily journal provided useful support material for data analysis. I had extensively noted down details and descriptions of the people, places, and the situated context of all participatory observation field sites including what activities some of the respondents were engaged in during the chats. The other method which I used, to fill in the gaps, was taking pictures with due verbal permissions. I have a list of the photographs with details of each picture on where and why I have taken, and what was significant in the picture. Although the pictures are not part of the thesis writing, they were very important during data analysis as support material for the analysis. An important aspect of data analysis was to highlight key anecdotes from respondents to facilitate their "lived experience", and support findings.

Coding of primary data was done for the four research questions separately. I separated interviews conducted with state level respondents for the first research question under the categories of higher level, middle level and grassroots level duty-bearers. Upon scanning the data collected, clearly three different types of responses were emerging. The three high level duty-bearers were interested in discussing government policies, the NFSA Bill (Act 2013), the initiatives taken by the state government to introduce new entitlement schemes, their understanding of rights-based approach to development. At the middle level, duty-bearers provided the data with critical insights into the shortcomings of rights-based governance strategies, and the implementation process. Responses of grassroots duty-bearers were geared towards difficulties faced in operationalising entitlements locally, and challenges towards the realisation of their own rights as poor women rights-holders.

Data is mainly in the form of interviews, and simple observation from this group of higher duty bearers, and is analysed using the three indicators as stated below. I have examined the legal frameworks such as constitutional provisions, Supreme Court directives, and policies and programmes such as the ICDS and MDMS within the National Food Security Act. By investigating the legal provisions, and the policies and programmes, it becomes possible to examine political will and commitment through the minute details of the operationalisation of rights-based approaches to food entitlements. At the middle and lower levels of state officials, in-depth interviews guided the analysis.

In the analysis of data for the second research question, i.e., what are the key governance strategies used by the Government of Odisha to operationalise rights to entitlements, three key governance strategies were discerned, based on interviews with officials. The three strategies were convergence of welfare entitlements, information dissemination and creating awareness, and community participation and empowerment. The chapter then focuses on self-help groups of women which reflects upon the manifestation of the three governance strategies.

Research question three asks if rights-based approaches were easily translated into practice at the grassroots level, and what is the "lived experience" of grassroots state duty-bearers, and how does it impact rights-based approaches to development. I have used my interviews, group discussions and participatory observations with one

specific group of grassroots workers, namely, the anganwadi workers and helpers to analyse this data. Findings from the field study revealed that the AWWs and helpers were faced with a different set of problems compared to the higher and middle level duty-bearers. Different respondents described the same issue differently. In many instances, the grassroots duty-bearer broke down into tears describing her own personal reasons for engaging as a duty-bearer. With the reading and re-reading of primary field data, the interviews, and the participatory observation field notes, I decided to quote the anganwadi workers and helpers because it best described their experience and insights to operationalising rights-based approaches to development.

The fourth research question was on the type of development activities different non-government organisations (NGOs) focus on, and what strategies and actions they use in order to enable poor communities to claim their rights. I divided the responses to this question into two, i.e., Chapters 7, and 8. The first analysed the why and how, selected NGOs in Koraput district identified the root causes of vulnerabilities, and the specific capability-building exercises chosen to address the issues. The second focuses on two key strategies, i.e., engaging duty-bearers in rights-based activities, and alliance-building and networking at multiple levels by Khorda and Puri district NGOs in their rights-based activities.

In the final analysis, common themes emerge from all levels of duty-bearers, chief amongst them being the importance of capacity-building of the poor, empowerment processes as core to rights-approach, and the strength in engaging in participatory processes and sharing information across all stakeholders.

3.5   Strengths and weaknesses of the field methodology

This section reflects upon the challenges faced, strengths and weaknesses in the use of a mixed methodology while conducting the field study.

The overall research design covered twelve blocks across four districts in one Indian state (Odisha), and this was perhaps very wide because the issues emerging from different blocks were quite different, and my task was to cluster them under a few headings without losing their contextual meanings. For instance, empowerment of women through creation of self-help groups, and making them financially sustainable, was the chief motive of some NGOs like PECUC, and was also one of the chief

governance strategies of the state. Another example is of the ICDS entitlements which were inaccessible to poor people in Koraput due to factors linked to geography of the region. In Khorda district poor people were not receiving their entitlements due to an alleged nexus between different levels of duty-bearers, and local businesses. A different way of doing the research would have been to select one block, and focus on all ICDS duty-bearers at the block level, and examine all AWCs and their records in detail. An additional step would have been to interview rights-holders specifically, for examining their experience with the duty-bearers in accessing and availing of the specific entitlement. It was however not possible to do so in my study because I was interested in the specific question of how a state operationalises rights-based approaches to development.

One of the strengths of the study is in the selection of the districts for the study as the four districts represent different ends of the spectrum on socio-economic-cultural and political background of the people of Odisha. Koraput has a high concentration of Scheduled Tribes, and is labelled as a "backward region" with special funds being invested for development activities by the Centre as well as the State government. Khorda has some of the richest towns of the state within its region, easily networked by transport and other infrastructural facilities, and is situated on the rich alluvial soils of the coastal plains of the state.

A strength of my study also lies in the fact that while Balianta block and Koraput blocks had active non-governmental organisations in the region working with poor people advocating rights, Banapur block had no NGOs. A comparison between blocks reveals that the presence of an NGO working with RBA to entitlements has a positive impact on poor people's lives compared to its absence. The selection of field study sites were therefore representative, and provided insights into the complex nature of operationalising RBA to development.

The methods of analysis could have been more systematic. For instance, I could have added a content analysis of state policy documents, especially the ICDS, to my research study.

In terms of time available for my study, the task of getting appointments with higher level state duty-bearers was difficult as they had busy schedules, and last minute

cancellations were interrupting my field plans. At the middle level, it was easier to approach the state duty-bearers because their offices were not gated behind security barriers, and were open to the public.

One difficulty arose when semi-structured questionnaires were shared with state level respondents for data gathering. The questionnaires were not filled by officials as planned except by the Banapur CDPO. State level respondents were not interested in filling up questionnaires because of time constraints and said that they were overworked. It was also not easy to get time with the same official a second time. For instance, although the WCD Secretary (INF 133) invited me a second time to complete the interview, she was preoccupied during the meeting, and other officials were in and out of the office during the interview meeting. Security norms for entry into the Secretariat were very stringent, and getting an appointment was difficult if one already did not have personal contacts within the Secretariat.

A second difficulty I faced a few times was in Banapur while interviewing the AWH and AWWs in group discussions. As discussed in detail in chapter five, the current political distrust between AWC and the community, the higher ICDS officials and the AWC, most respondents decided to be silent.

In my last visit to Odisha, in 2015, there were violent incidents between the villagers and the AWWs which has been widely reported by the media. My position became that of a mediator in Banapur between the AWWs and the village women as I was trusted by both sides. It had taken me a few years to build this trust amongst the community members, and it was a tough task to convince both sides that I was an objective participant and impartial. This reflects upon my position as a feminist researcher and the blurring boundaries between objective research and becoming involved politically. Uvin (2004) has argued that a rights-based approach is a political activity, and must be undertaken as such. There are moments when it is difficult to be an impartial researcher as one becomes engaged with the lives of the women over a period of time. This is both a strength and a weakness of the research.

For a woman, commuting by public transport between the towns and villages of Odisha was not a very safe plan especially with news of rape published in newspapers

on a daily basis. However, it had to be done, and sometimes I called friends to bale me out of potentially difficult situations.

The issue of language in fieldwork is significant. It did not arise in Khorda district where Odia is the dominant language, and I am well-versed with it. Reading official documents in Odia language was difficult but with some help I could tackle that. However, in the villages of Koraput, it became a problem as all tribes have their own language and dialect. The field coordinators of AES and Spread NGOs became my interpreters where necessary.

The challenge of caste became an issue in Banapur block once respondents heard my complete name as the caste is easily identifiable in the surname. Most respondents would offer a chair while they sat on the ground in the SHG meetings, or in the verandas of homes. I decided to share stories only if I was allowed to sit with them on the floor as equals. Caste barrier was evident in the behaviour amongst the AWWs and other groups. In one instance, a Brahmin AWW invited me over for a meal, "Our food is *shuddha* (pure) like yours must be, so you can come and eat with us".

Banapur block did not have any NGOs working on rights in 2012-2014, and the last one allegedly had Maoists links, and was therefore banned by the State government. This proved to be a difficulty because the initial plan was to compare the non-State activities with the State rights-based activity in one block. The problems of Banapur were also different from other blocks because the selection of AWWs of Banapur NAC were suspended since 2011 (and during the fieldwork period) because of charges of irregularities in the selection process. The CDPO was also suspended in 2011 as she was caught red-handed taking bribes in exchange for a contract for AWW recruitment. A new CDPO was appointed in 2013 who is one of my key middle level respondents. Suspicion for 'outsiders' was therefore very high, and in places where women duty-bearers labelled me as a media person hunting for 'a masala story' (a juicy/ spicy story). Upon reflection, interviews with the new CDPO (INF 125) was a positive outcome because she provided detailed information on her previous postings in Keonjhar district, and enriched the data collection. Her narratives filled in gaps in the data collected from the Keonjhar district AWWs at the rally in Dec 2013. In quite a contrast, communities in Koraput villages were very welcoming because I was introduced the first time by an NGO field coordinator (INF 728) which reflects upon

the trust built between the development practitioners and the communities. Trust becomes very significant in the context of the Koraput blocks also because these villages are Maoist recruiting areas.

An important issue that arose while identifying duty-bearers was whether or not to categorise Self-Help Groups as duty-bearers or not. SHGs are either created by the WCD, PR departments or by local NGOs. The State government under the Mission Shakti and TRIPTI programs creates SHGs through a participatory process, and provides seed money to start some cottage industry. Local NGOs also created SHGs as observed in Balianta block where PECUC has been actively working to empower women, but SHG women are unable to remember if they were created through the support of the government or an NGO. In Banapur, three of the five SHGs were created by the local Public Distribution System (PDS) kerosene dealer. Another factor that creates fuzziness in their minds is that almost all duty-bearers in villages, especially AWW, AWHs and the ASHA workers are members of one or more SHGs. The SHGs therefore fall in the grey area between voluntary state duty-bearers and non-state development practitioners, and this ambiguous position is highlighted in this study.

3.6   Conclusion

This chapter has described the methodological approach and the tools used in my research study. The core question of "what is it really to secure a right to someone" was explored using a variety of qualitative research methods commonly used in ethnographic and feminist studies, through a focus on the lived experiences of duty-bearers.

Chapter 4: Political Will and Commitment of Duty-bearers in Odisha

4.1 Introduction

"So what is it really to secure a right to someone?" (Nussbaum 2003: 323)

In this chapter, I have analysed political will and commitment of duty-bearers, at policy-making levels, to rights-based approaches to food entitlements. I have used secondary sources such as the national legal frameworks within which duty-bearers operate and policies are enacted, and primary field data based on interviews with government officials. The objective is to understand how the state in Odisha defines, and expresses rights to entitlements of vulnerable groups.

In my analysis I have used (i) secondary sources to indicate existing legal frameworks and policies, and (ii) primary data in terms of field observations and interviews with government officials and development practitioners. I have examined (a) national legal frameworks, (b) adherence of Odisha state to Supreme Court directives, and (c) new and innovative policies introduced by the Government of Odisha (GOO) especially, the Mamata Yojana and the Bhimabhoi Bhinnakshamata Samarthya Abhijan (BBSA). I have discussed the Odisha Right to Public Services Act of 2012 to indicate the broad direction the state has taken in terms of its definition of rights-based approach to development. The legal frameworks at the national level refer to constitutional Fundamental Rights (FR), and a discussion on the shift of socio-economic rights mentioned under the Directive Principles of State Policy (DPSP) to the section on Fundamental Rights making all such rights justiciable. Essentially, FR are framed in a rights-based perspective while the DPSP are desirable goals, and meant to guide the officials in the conduct of their official affairs. I have used the national food security act of 2013 as a case to show how laws in India have been shaped by rights-based approaches to development. An important indicator of state government political will and commitment is its adherence to the Supreme Court orders regarding implementation of food entitlements for the poor, and I have used secondary sources to argue that the state, to a large extent, has adhered to the orders. In the section on overview of new schemes, I have discussed the underlying philosophy of the GOO

commitment to a life-cycle, and a one-family, approach towards the poor women. I have used interviews with high-level officials to reflect upon the political will and commitment of the government towards rights-based development initiatives. Using primary sources, I have then moved on to analysing political will and commitment as it was practised by the government officials at the block level. In this section, I have discussed how budgetary allocations can shape policies, determine entitlements, and therefore impact upon the lives of the poor. I have also examined, using primary data, the preparedness of the state in terms of its readiness in executing well-intentioned rights-based schemes. The role of committed officials in making a difference to policy implementation has been discussed. Primary data shows that certain steps taken by specific officials made a positive difference to policy implementation, and led to the initiation of more community-friendly policies.

4.2   Legal frameworks

The Indian Constitution in Part III of the Constitution declared that certain rights were fundamental to citizens. These fundamental rights of people were inalienable and the state (both the centre and the regional states) as the primary duty bearer was under obligation to fulfil them (Basu 2003). If fundamental rights are denied, any citizen can challenge its denial in the courts which means that such a right is a claim.

A second list of socio-economic rights is under the Directive Principles of State Policy (DPSP), listed in Chapter IV of the Constitution, delineating obligations and instructions for good governance. According to the Indian Constitution, "the provisions contained in this Part (chapter IV) shall not be enforceable by any court, but the principles therein laid down are nevertheless fundamental in the governance of the country and it shall be the duty of the state to apply these principles in making laws" (Article 37 of the Indian Constitution). According to Basu (1965), the Indian Supreme Court held that "Directive Principles should serve the Courts as a code of interpretation" rather than as enforceable, justiciable rights. Elsewhere, McQuigg (2010) argued that "human rights in India are to be found largely in the Indian Constitution", and many of the social and economic rights contained in the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR) of 1966 can be identified in the provisions of the Directive Principles of State Policy. Interpreting the DPSP, McQuigg (2010) further contended

that Article 37 required the state to be duty-bound to apply these principles when legislating to "promote prosperity and the general welfare of the people" (2010: 346). In other words, the core concern of the authors of the constitution was the welfare of the people through the provisions made under FR and DPSP.

The presence of political will and commitment, in terms of legal frameworks at the national level, can be seen in the legislation of laws in response to public action. For example, the Right to Information Act (RTI) 2002, according to Mander (2012), was legislated in response to popular pressure through public interest litigation (PIL) cases filed by the People's Union for Civil Liberties (PUCL). This Act obliges the state to provide for any information relating to state or non-state action affecting people's lives, if demanded by any citizen of India. Mander (2012) argued that the RTI Act paved the way for other socio-economic entitlements to become fundamental rights through constitutional amendments. A second fundamental right which was enacted as a result of public action is related to livelihood opportunities for people living under the Below Poverty Line (BPL). Under the Mahatma Gandhi National Rural Employment Guarantee Act 2005 (MGNREGA), the state government is obliged to provide 100 days of paid work for the poor by creating employment opportunities locally (Datta and Sharma 2010). The third fundamental right is the Right to Education which was enshrined under the Right of Children to Free and Compulsory Education Act, 2010, wherein the state is responsible to provide free education to children between ages 6-14 years. Legislation of rights ensured that if a person was denied this right, s/he could go to the courts, both to claim the denied rights, as well as to ensure that specific duty-bearers responsible for the denial of the specified right were given due punishment (Mander 2012). In 2013, the Indian government enacted the National Food Security Act (NFSA) which made the right to food fundamental for all citizens. This Act encompassed all previous food entitlement programs under different ministries, and has clarified duties and responsibilities of the governments to the citizens. I have discussed the National Food Security Act, and focused on one of the NFSA entitlement schemes, namely, the food entitlement schemes for poor women and children under the ICDS services at the national and the Odisha state level.

Incidences of hunger related deaths brought all food entitlements schemes into the realm of public debate in the late 1990s. The Constitution of India stipulated direct and indirect food entitlements to vulnerable groups under different food security schemes, especially ICDS, Targeted Public Distribution Scheme (TPDS), Antyodaya Anna Yojana (AAY), Mid-day Meal Scheme (MDMS), and the Emergency Feeding Program (EFP). On the 10th of September 2013, the Indian Parliament legislated the National Food Security Act (NFSA) which made the right to food a fundamental right for citizens of India. Since then, the above-mentioned welfare programs on food entitlements have fallen under the purview of the NFSA. The Ministry of Law and Justice defines the NFSA as follows:

> "an Act to provide for food and nutritional security in human life cycle approach, by ensuring access to adequate quantity of quality food at affordable prices to people to live a life with dignity and for matters connected therewith or incidental thereto" (2013: 1).

The Act includes special provisions and rights to food security for poor households, nutritional support to pregnant and lactating women, and rights to receive food security allowance in certain cases amongst other provisions. According to Mishra (INF 703), all 30 states have to review, and make a new list of priority households to ensure that the "poor left out" in the previous (BPL list) were covered in the new list.

Although the NFSA does not use the term rights-based approach, it can be argued that the Act is rights-based for the following reasons. Prior to the enactment of the NFSA in 2013, the right to food was one of the "desirable" directive principles guiding the law and governmental policies of the country under Article 47 of the Indian Constitution, but was not judicially enforceable (Basu 1965). In the absence of constitutional guarantee, as Dreze (2004) argued, rights were no more than aspirations to be attained at some indefinite future date. By making the right to food a fundamental right, the Indian state moved beyond mere aspirations of political will and commitment to making rights justiciable in practice. Secondly, a lifecycle approach to food security focuses on realising the human right to food at every stage of human life through policies and entitlements such as provisions for children, adolescent girls, pregnant women and the elderly. The use of the phrase "live a life with dignity" (NFSA 2013:

2) lends the Act the idea of well-being, dignity, and self-respect that scholars such as Sen (2009), Nussbaum (2003) and Honneth (2001) have argued for in a rights' discourse. Thirdly, the Act identifies priority households such as those of the disabled, older people, poor single women and children, and further specifies that there is a "right to receive food security allowance in certain cases" (2013: 2-4). The Act has special provisions to tackle hunger by raising capacities of the poor, prevent malnutrition, provide nutritional support to pregnant women and lactating mothers, and food security of vulnerable groups in remote areas.

Fourthly, the NFSA has initiated a new pathway that challenges traditional gender norms in Indian society by declaring that women above 18 years of age will be the "head of the household for the purpose of issue of ration cards" (NFSA 2013: 5). Furthermore, in cases where women are not yet 18 years of age, there can be a male head of the household until such time as she reaches 18. This is an important step towards women's empowerment, and a landmark decision in the Indian context where previous policies have unquestioningly taken men as head of households, based on prevailing cultural norms.

Sixthly, the Act uses a rights-based language, and entrusts the government at all levels (central, state and local) with primary duty-bearing obligations (NFSA 2013: 8-10) to ensure food and nutritional security, describing responsibilities at each level. This is different from the past whereby government saw its role as a provider of services, with little accountability to the recipients.

The fifth rights-based aspect of the NFSA is the directions given in the act for setting up of grievance redressal mechanisms such as helplines for people, and appointing nodal officers at panchayat levels to link people with their specific duty-bearers. In addition to the appointment of the District Grievance Redressal Officer (DGRO), the NFSA has provisions for periodic social audit procedures to be conducted by independent agencies. As a step towards ensuring accountability and transparency at the district level, the Act delineates punitive measures for duty-bearers such as a fine of Rs.5000 if a public servant or authority was found guilty of failing to provide suitable relief recommended by the DGRO on any complaint (NFSA 2013: 11). The NFSA (2013) also recommends, in section 32 of Chapter XIII (pp 11) that "the state Government may" introduce additional entitlement schemes, if and where necessary,

to alleviate hunger and poverty. This is in addition to the obligations of the state government under the NFSA. The general framework of the NFSA, as discussed above, uses a rights-based language.

4.2.2   The Integrated Child Development Services

There are many food entitlement programs under the NFSA. Of these, the Integrated Child Development Services (ICDS) is of particular interest to my study, for a number of reasons as outlined below. Firstly, the ICDS targets vulnerable groups, especially poor women and children; secondly, the ICDS (initiated in 1975) reflects a shift from a needs-based approach to a rights-based approach in four decades; thirdly, the Odisha government has introduced special schemes, such as the Mamata scheme, in addition to the existing entitlements under the ICDS; and, finally, although there are many studies on the ICDS, there are none focusing on the 'voice' of the block-level officials, and grassroots workers.

The Integrated Child Development Services is recognised, by the National Food Security Act 2013 as one of the primary services through which food security and basic healthcare of vulnerable sections of society can be addressed. It provides nutritious food provisions (e.g., Take Home Rations, cash transfers, and hot cooked meals) for pregnant women, adolescent girls, children below six years of age, older aged people, and disabled groups through a set of packaged schemes. According to the WCD Secretary, although the ICDS was originally introduced in 1975 at the national level, with an aim to reduce child mortality rates, in recent years the focus has been to make available its health services and nutritious food for the targeted vulnerable groups through a "mission mode" (INF 133). In recent years, through the ICDS scheme, the Department of Women and Child Development (WCD) announced its aim to "redeem the pledge of Universalisation and Rededicating for Improved services through a Mission Mode" in its official website. According to the Ministry of WCD, the ICDS objectives are as follows-

> i. to improve the nutritional and health status of children below the age of six years,
>
> ii to lay the foundation for the proper psychological, physical and social development of the child,

iii. to reduce the incidence of mortality, morbidity, malnutrition and school dropout,

iv. to achieve effective coordination of policy and implementation among various departments to promote child development,

v. to enhance the capability of mother to look after the normal health, nutritional and developmental needs of the child through proper community education, and

vi. to provide referral services.

Towards the achievement of these goals, the ICDS provides a range of services for children below six years of age, namely, supplementary nutrition; immunization; pre-school non-formal education; referral services; nutrition and health counseling; and regular health check- ups for mothers and children. These ICDS services are delivered through a local centre which is referred to as the Anganwadi Centre (AWC). The word anganwadi means courtyard, which has a special place in traditional housing structures in India. It refers to the open space within the four walls of the family home wherein the women and children spend most of their time while attending to household chores and other activities. The AWC is managed and run by an Anganwadi Worker (AWW) along with the Anganwadi Helper (AWH). In the line of management, the AWH is subordinate to the AWW who in turn reports to a Supervisor; the Supervisor in turn reports to the Child Development Program Officer at the Block level. The Anganwadi Helper cooks the hot meal daily and cleans the Centre. The Anganwadi Worker is required to go to the homes of her local community to bring in children (below six years of age) to the AWC on a daily basis. Where there is no AW Worker, as observed as part of this study in parts of Banapur Block, the AW Helper brings the children to the AW Centre. The AWW maintains the registers, engages the children in educational activities, identifies beneficiaries from the community for various entitlement schemes, has financial responsibilities, maintains accounts, and is contacted by various stakeholders for any information related to the community.

As of March 2014, the Department of WCD had sanctioned over a millions (1,374,935) AW Centres nationally, of which the great majority (1,342,146) were operational, along with over a millions (1,283,672) AW Workers and a million (1,172,213) AW Helpers. The stated norm is to have one AWC for a population of

400 in rural area, and to have an AWC for a population of 800 in urban locations. In some regions, a mini-AWC can be set up if a remote population is between 150 and 400, and on demand from communities in the region. For tribal, riverine, desert and hilly regions, a Mini-AWC is provided for a population between 150 and 300, and an AWC for populations between 300 and 800 persons.

It is important to provide a brief overview of the functioning of the ICDS in order to comprehend its complexity, and the various government departments engaged in its operation. Although the ICDS provisions and budgets are planned by the Ministry of Women and Child Development (WCD) at the central government level, these are implemented at the state level by the department of WCD, in coordination with other departments such as Rural Development, and the Panchayat Raj. Budgets for expenditure on the programs are shared between the centre and state governments, and the welfare schemes under the scheme can be modified by the state government if necessary. The state plans are operationalised through the district level offices. At the local administrative level, all social welfare schemes, including food entitlement schemes, are implemented by the block offices at the gram panchayat level (SIRD 2008: 9). In other words, all government schemes have multiple departments and stakeholders engaged in their implementation, at multiple levels. For instance, the MDMS is a program under the School and Mass Education department (SME), but the Women and Child Development department is the coordinating agency for the program in Odisha. The WCD also works with the Panchayat Raj (PR) department at various levels, especially in the creation and maintenance of the Self Help Groups, and has joint responsibility (between the AWW and the panchayat ward member) for withdrawing AWC related funds from the local bank. The Targeted Public Distribution Scheme (TPDS) is managed by the Departments of Food Supplies and Consumer Welfare (FSCW) and the PR at the village level.

In studies on the ICDS, Kapil (2002) has argued that the ICDS program reflects the intention of the Government of India to effectively improve the nutrition and health status of underprivileged section of the population through direct intervention mechanism. Kapil (2002) reports that the ICDS program had covered 27.6 million beneficiaries with supplementary nutrition since its inception. The distribution of iron and folic acid tablets and a megadose of vitamin A by the ICDS have been successful

(Kapil and Pradhan 1999), and led to (a) a reduction of the prevalence of severe grades of malnutrition, (b) better utilization of services of national nutritional anaemia prophylaxis program, and (c) better utilization of the national program for prevention of nutritional blindness due to vitamin A deficiency by ICDS beneficiaries. Kapil (2002) further adds that although program services and beneficiaries essentially remained the same since 1975, a recent review of the scheme in 2002 suggested modifications in the health and nutrition component of ICDS scheme to improve its implementation and efficiency.

In their analysis of hunger related issues, Dreze and Sen argued that one has to take note of the fact that the ICDS, until recently, had been "starved of resources, attention and political support" until the Supreme Court of India "compelled the government to reframe the ICDS in a rights' perspective" (2013: 164). Various other studies (Deaton and Dreze 2009; Dreze 2004; Citizen's Initiative 2006; Kandpal 2011 and others) have noted that there have been many shortcomings in the functioning of ICDS centres. However, Dreze and Sen (2013) contend that although the standards of implementation of the ICDS have been low in many states, it does not mean that the low implementation standards are universal and unchangeable. In other words, the importance of the continuity of the ICDS services was emphasised by the scholars albeit with modifications and from a rights-based perspective.

4.2.3   ICDS in Odisha state

In the state of Odisha, the first ICDS programme was launched in 1975, in Subdega block of Sundergarh district, and it was gradually extended to all 314 blocks of the state, including the 12 urban local bodies. As per Government of Odisha records, there were 60,918 anganwadi centres and 10,216 mini-anganwadi centres operating in the state of Odisha by 2012 (GOO, 2012). The anganwadi centres are spread across 326 projects out of which 196 are located in rural areas, 118 in tribal regions, and 12 in urban projects. The AWCs included in this study are located across these distinct geographical areas, and encompass different ethnic communities. Koraput District is categorised as a backward region and has special status at policy levels with specific programs for its indigenous and forest based tribal communities (Kar 2015). Cuttack is on the plains and is on fertile lands with two rivers feeding it. Khorda District encompasses the plains as well as the mountainous regions in some sections. Puri is a coastal district with fertile flood plains. On the plains, mostly caste-based communities

reside, and in the mountainous regions a number of different tribal communities with distinctive cultural practices reside. Together, they represent the diversity of conditions that exist with Odisha, and a wide range of challenges to the operationalisation of rights-based approaches.

In Odisha, the AW Centre has increasingly (discussed in detail in Chapter Six) become the primary focal point for all state-led developmental activities, including the collecting of census data, which was not previously in the mandate of the six services of the department of WCD. Centres have been given the additional task of house visits to identify potential beneficiaries of other schemes such as disability entitlements, old age pension beneficiaries' list, and the voters' list (INF 329-342). Field study shows that following the super cyclones of 2012 and 2013 in Odisha, a few AWCs in Cuttack (Jagannathpur sahi) and Khorda Districts (e.g., Bhimpur AWC and Achyutrajpur AWC) were given the additional task of identifying affected households "to enable speedy delivery of state relief operations" (INF 125). The AWC also acts as the local centre for distributing emergency food supplies and other immediate basic needs for shelter such as tarpaulin and plastic sheets to protect the roofs of kuccha mud houses. These responsibilities are in addition to the initial six services, and tasks related to entitlements of children, women, and persons with disabilities and old persons (GOO 2012: 1). These additional duties of the AWCs are discussed in detail in chapter six.

> *The AWC is becoming a hub of developmental activities in Odisha and, increasingly, the delivery centre for convergence programs of various departments. (INF 133)*

According to the Odisha WCD Secretary (INF 133) further argued that the state approach to entitlements is holistic because it covers all aspects of a poor family's needs. For instance, the state attempts to cover the food and health needs of an unborn child by ensuring poor women have adequate nutritious food through hot-cooked meals, Take Home Rations (THR), and conditional cash transfers to enable them to rest during pregnancy. Children under the age of six years are provided a nutritious meal and snacks in AWCs, pre-school education, health care, and a hot-cooked lunch in primary schools which is the major attraction for school attendance. Elsewhere, studies by Paul and Mondal (2012) and Laxmaiah (1999) show that a combination of food entitlement schemes such as the Midday Meal Scheme (MDMS) in primary

schools has led to a decrease in school dropout rates. Adult years, in the welfare schemes, are addressed through employment guarantee schemes under MGNREGA, special needs schemes, specific programs in remote areas and, for older people, various pension schemes. According to the SIRD Director (INF 134), these steps have been taken by the state to ensure that poor people are enabled through entitlements to food, healthcare and employment to live a life of dignity at every stage.

> *The state approach ensures that poor beneficiaries are accessing the entitlement at some stage of their lives because it is a life-cycle approach, and the entitlement programs target all aspects of an individual's life, from conception to old age, through a variety of different entitlement schemes. (INF 134)*

4.3   State government adherence to Supreme Court Directives

In this section, I have discussed how judicial probing into hunger related deaths in Odisha in 1996 influenced political will and commitment of not only the higher courts at the national level but of policy-makers, and eventually resulted in the enactment of the NFSA in 2013.

The Supreme Court of India laid out detailed measures to ensure food related schemes such as the ICDS, became legal entitlements, largely in response to public litigations filed by ordinary citizens requesting judicial inquiry into starvation-related deaths of poor people (Wadhera 2009, Banik 2007, Mander 2012). On the 3rd of December, 1996, a petition against starvation-related deaths was filed in the district of Bolangir (Odisha). This was followed by a writ petition (Civil No.42/97) filed by the Indian Council of Legal Aid and Advice (ICLAA) and others on 23rd December, 1996, before the Supreme Court of India under Article 32 of the Constitution which alleged that deaths by starvation continued to occur in some districts of Odisha. This writ petition came before the Supreme Court of India on 26th July, 1997, and the Court directed as follows-

> "in view of the fact that the National Human Rights Commission (NHRC) is seized of the matter and is expected to give its report after an enquiry made at the spot, it would be appropriate to await the report. Learned Counsel for the petitioner submitted that some interim directions are required to be given in

the meantime. If that be so, the petitioner is permitted to approach the NHRC with its suggestion" (SC 1997).

In response to the Supreme Court direction, the ICLAA filed a petition on 1st September, 1997 with suggestions on how to make food available to the affected population as an interim relief. The Commission, on February 17, 1998, decided that these interim measures should be undertaken for an overall period of two years, and also requested the Government of Odisha to constitute a committee to re-examine land reforms in the Kalahandi-Bolangir-Koraput (KBK) districts. In its regular monitoring activities, since then, the NHRC, with the assistance of a Special Rapporteur, has been regularly monitoring the progress of implementation of its directions, and it concluded that starvation deaths were caused by mis-governance on the part of a public servant. The NHRC also notes that these were of direct concern to the Commission under the provisions of the Protection of Human Rights Act, 1993 because to be free from hunger is a Fundamental Right of the people of the country. Starvation, therefore, constitutes a gross denial and violation of this right. Following this, the Commission felt the need to formulate a programme of action for making Right to Food a reality in the country. With this in view, a meeting was organized, with leading experts on the subject, in January, 2004 to discuss issues relating to 'Right to Food'. Following the meeting, the NHRC approved the constitution of a Core Group on the Right to Food to act as an advisory group, and suggest appropriate programmes which can be undertaken by the Commission.

In other words, judicial activism by the People's Union for Civil Liberties (PUCL) in matters related to infringement of the fundamental right to life as a result of denial of the right to food led to a series of Court hearings and interim orders since 2001 (Mander 2012, McDermott 2012). Most important Supreme Court orders were based on judgements of the 28th November 2001, the 7th October 2004, and the 13th December 2006 landmark judgement. These three judgements were related to the ICDS services wherein the Supreme Court ordered the Central government to ensure "universalisation with quality" in a time-bound manner (Mander 2012). The SC Directives, discussed below, linked hunger and poverty to other social and economic deprivations such as food provisions, health care, nutrition, and homelessness.

Since the Supreme Court Directives, especially of 2006, the department of Women and Child Development in Odisha has introduced additional entitlement schemes such as the Mamata scheme for poor pregnant women. The key directions from the Supreme Court orders (2006) that frame the above-mentioned initiative are as follows:

- The universalisation of ICDS, and this involves extending all ICDS services (supplementary nutrition, growth monitoring, nutrition and health education, immunization, referral and preschool education) to every child under the age of 6, all pregnant women and lactating mothers and all adolescent girls.

- Every ICDS disbursing centre in the country shall provide as under:

- Each child up to 6 years of age to get 300 calories and 8-10 grams of protein

- Each adolescent girl to get 500 calories and 20-25 grams of protein

- Each pregnant woman and each nursing mother to get 500 calories and 20-25 grams of protein

- Each malnourished child to get 600 calories and 16-20 grams of protein.

- Contractors shall not be used for supply of nutrition in Anganwadis, and ICDS funds shall be spent on making use of village communities, Self-Help Groups and Mahila Mandals for buying of grains and preparation of meals. Local women's Self-Help Groups and Mahila Mandals should be encouraged to supply the supplementary food distributed in Anganwadi Centers. They can make purchases, prepare the food locally, and supervise the distribution.

With the above-mentioned directives of the Supreme Court, the services of the ICDS became legal entitlements for all children under six, all pregnant and lactating mothers, and all adolescent girls. The National Food Security Act in September 2013 reaffirmed that these services were mandatory for those listed under "priority households", and all 30 state governments were then required to put procedures in place to operationalise these entitlements. State governments, under the NFSA, were required to make a new list of people living under the poverty threshold within a stipulated timeframe, and this list, it is envisioned, will redress the anomalies that had crept into in the earlier list of people living under the Below Poverty Line. Under the NFSA 2013, the Departments of Health and Family Welfare, WCD, School and Mass Education, Drinking Water and Sanitation, and Panchayat Raj have been mandated to link up at local levels to ensure accessibility of food claims to vulnerable groups.

Odisha is one of the first Indian states to have responded to the Supreme Court directives on various orders related to the ICDS programs by putting into place mechanisms to ensure effective implementation. In 2004, in response to the Supreme Court Order of April 29, 2004, to involve local women's groups in food procurement, the Odisha WCD Department initiated the formation of women's Self-Help Groups (SHGs) and granted them contracts to provide for food rations under the Supplementary Nutrition scheme to AWCs. The School and Mass Education Department employed SHGs to prepare hot-cooked meal in schools under the Midday Meal Scheme. Different departments took an in-principle decision to implement decentralized procurement of food items with effect from April 2011 under Supplementary Nutrition Programme and the Emergency Feeding Programme in response to the Supreme Court orders to streamline and strengthen ICDS. These actions engage local community groups in growing, packaging and supplying food such as lentils to the Anganwadi Centres, and schools. According to the WCD Secretary (INF 133), the Self-Help Groups were now trained to prepare the Take Home Rations (THR) for pregnant women beneficiaries.

> *We provide training to the SHG women with clear guidelines about the nutrition component and recipe, and this process builds capabilities of, and empowers, the women not only with advice on nutrition, but also as responsible duty-bearers at grassroots level.* (INF 133)

In a letter to the WCD Secretary dated 7th February 2011, the Commissioners of the Supreme Court note that Odisha was one of only three Indian states that has given procurement contracts to Self-Help Groups to produce Take Home Rations at panchayat, cluster and block levels, unlike other states that have given the contract to private contractors or procure through state Food/Agro corporations. The Commissioners suggested that the Odisha model be one of the models for production of THRs to be studied independently by the National Institute for Nutrition "to be able to evolve the most appropriate model for decentralised procurement of THRs for children from six months to three years of age". By adhering to the Supreme Court's directions to involve SHGs in food procurement locally, the GOO has shown a political willingness and commitment to tackle problems of hunger and poverty at the village level. Local procurement is culturally appropriate, and encourages local farmers and others involved in the marketing process. According to SIRD director,

procuring food items locally follows the Supreme Court directive to encourage decentralisation. Additionally, it is has also led to checking accountability of local duty-bearers, reduced leakages and irregularity thereby putting an end to long distances travelled by trucks from food storages in other states.

> *The problem of trucks with food supplies travelling between states, and being stopped on national highways by thieves has been addressed to by the state by this simple strategy. Tracking by use of mobile phones and tracking devices on trucks also ensure regularity and keeps the local administration as well as the state offices informed on the whereabouts of the food provisions in its journey to the local AWC or the Panchayat office.* (INF 134)

4.4   Introduction of new schemes at the state government level

The Government of Odisha (GOO) has introduced a number of innovative schemes that have expanded the scope of vulnerable groups to access food related entitlements in terms of conditional cash transfers. These include the Mamata scheme for poor women listed in the beneficiary list, the Mother and Child Protection Card, the Madhubabu pension scheme for the older people, Pustikar Diwas, Mo Kudia scheme for the homeless and the BBSA for the disabled and the Right to Public Services Act 2012, amongst others. Such innovative schemes to facilitate food entitlements reflect the strong political commitment of the state. This section discusses the schemes that the Women and Child Development department is directly responsible for – mainly the Mamata and the BBSA schemes - through an examination of its operations at the village level. This is followed by a discussion of the life-cycle approach and the one-family approach which the state government has adopted. The chapter ends with an examination of the broad political will and commitment of the state through the perceptions and experiences of duty-bearers at the middle levels, especially the Block level.

4.4.1   The Mamata Yojana

The *Mamata Yojana* (or Scheme) was introduced in 2011 by the Odisha government to address the nutritional need of poor pregnant and lactating mothers, and the health of their unborn babies. The scheme addresses maternal and infant under-nutrition by providing conditional cash transfers under a maternity benefit scheme to enable them

to seek improved diet and promote health seeking behaviour. Stressing the significance of conditional cash transfers under the *Mamata Yojana*, the Secretary (INF 133) argues that timeliness of the cash transfer makes it reliable, and direct cash transfers make official cash transactions transparent. Although there are challenges to the scheme, such as struggles to train illiterate women to learn simple banking procedures, and to maintain a consistent signature, according to the Secretary (INF 133), the introduction of the *Mamata* scheme indicates a political will to address nutritious food and intra-uterine health care of poor.

> *By ensuring that there is a direct cash transfer to the bank accounts of pregnant women, the WCD ensures that there are no middlemen between the beneficiary and the state entitlement.* (INF 133)

The policy of conditional cash transfers to women's accounts has had mixed responses from women as well as civil society actors. One of the main criticisms has been that rural illiterate women shy away from using bank services because many haven't learnt to sign their name, and are unable to read the forms. Group discussions with women in Macchkund (INF 607, INF 608, INF 609) revealed that they were sometimes unable to withdraw the entitlement amount because their signatures did not match exactly. Another challenge in remote hamlets of Koraput, according to Lata Parida (INF 403), was that women had to walk 5-10kms, or hitch-hike with truckers, in order to access banks in the town, due to lack of adequate transport. Such problems are compounded when women are pregnant. Usually they combine a trip to the bank with other town related activities such as selling vegetables or *mandiya* millet. However, all AWWs interviewed in the study agreed that in the case of pregnant poor women, cash transfers have been a positive step towards providing them with a basic financial support. Field interviews with AWWs revealed that the Mamata Yojana was a very popular entitlement scheme, and poor women benefit from this in spite of challenges of illiteracy, unfamiliar banking procedures, and long distances to the nearest bank.

> *All in all it is good to have a bank account. But I am illiterate, and have just learnt to sign. I cannot go to bank often. Today we are all going to town. We will sell mandiya in the haata after we do the bank work. Thank you for the lift. You saved us another hour of walking to Macchkund town.* (INF 401)

During field observations in AWCs in Koraput town and Balianta block, many women came into the centres to enquire about their eligibility for the Mamata Yojana. In most cases, the AW Worker was able to explain the requirements clearly, and guided the women in filling up the requisite application forms. Sometimes, the women took the forms home to share the contents with their literate family members, and later bring it back to the AWW. In group discussions (INF 625, INF 627), women said that this process of learning and accessing entitlements under the Mamata scheme is itself an empowering process.

> *Why should I lie? Some help comes through with the Mamata cash.* (INF 626)

4.4.2   The Bhimabhoi Bhinnakshyamata Samarthya Abhijan

The Odisha state Government, in 2011, started an innovative scheme called Samarthya Sibir (Enabling Camps) under the BBSA wherein it identifies beneficiaries, provides them with certificates and assistive devices according to the need of the individual in an annually held camp in each block of the state. The campaign has three broad activities, namely, (i) the provision of certificates and assistive devices to all persons with disability through organization of Samarthya Sibirs, i.e. single window camps, (ii) the supply of uniforms to disabled school children and scholarships for the children of persons with disabilities pursuing higher education, and (iii) opening, or strengthening of existing, voluntary training centres.

The BBSA translates as 'Differing Abilities Enabling Campaign', which describes disability as possession of "different abilities", and not as a 'disability' in an individual. The term itself reflects the use of affirmative language on the part of the state. At the national level, the BBSA is an entitlement scheme under the 'Persons with Disabilities (Equal opportunities, Protection of Rights and Full participation) Act, 1995' which provides various kinds of rights to persons with disabilities. Although, the 1995 Act has been around for twenty years, conversations with key informants at the Sibir revealed that rural communities have recently become aware of the entitlements under this Act because of the campaign approach of the GOO. What is particularly innovative about this scheme is that it provides an avenue for linking up different government departments including the Health department, WCD, Panchayati Raj (PR), and School and Mass Education (SME) to coordinate the scheme for effective implementation. According to the CDPO (INF 125), the WCD is directly

involved in this Campaign through its local AWCs as the AWWs enlist and bring the potential beneficiaries of the BBSA scheme from their local communities, and the presence of the CDPO at the annual Sibir is mandatory.

> *We have taken specific initiatives to address existing systemic inequalities such as disabilities in people, and through conscious policy decision-making, we aim to engage them in mainstream social activities.* (INF 133)

The Samarthya Sibir is a one-day annual camp where hundreds of potential beneficiaries come for various health tests, and to be physically examined by medical doctors in order to be eligible for entitlements under the BBSA scheme. A field visit to the Banapur block Samarthya Sibir revealed its impact amongst the villagers as it was well-attended by rights-holders, duty-bearers, and community members. Interviews with a GOO official (INF 107), Ward member (INF 212), and CDPO (INF 125) at the campaign site reveals that the Sibir was well attended by all grassroots duty-bearers including AWWs, AWHs, and ASHA workers. These grassroots workers had brought together the names of possible BBSA beneficiaries, and raised awareness of the scheme. The participation of middle level officials of the SME department, the Rural Water and Sanitation Scheme (RWSS) department, the WCD reflected inter-departmental coordination as well as political will and commitment of duty-bearers. There were stalls with picture-charts and hand-out leaflets for information dissemination on various entitlement programs. The images in the picture-charts were used for sharing knowledge with those who were illiterate, and it also had an immediate impact on people. The local Member of Legislative Assembly (MLA) inaugurated the Sibir which reflected upon the significance as well as political interest in this local event.

> *This Sibir is of equal importance to the annual Banapur Cultural Revival festival which I have initiated in the last two years.* (INF 105)

The BBSA thus facilitates empowerment processes wherein an individual gains access to increased life options and choices, and therefore gains control over her life. According to an AWH (INF 409), although gaps remain between policy and practice impacting upon political will and commitment, these can be bridged by adequate budget allocations and a more comprehensive outlook. Interviews with the community

members (INF 212, INF 311) at the Sibir, shows that people with disabilities other than those on wheelchairs have been using the free bus pass.

> *Bus pass aau daily train paas ru taanke laabha hauchi [they gain from the daily train and bus pass]. Tike suvidha hai jaauchi [Little support is granted].*
> (INF 311)

4.4.3   The Right to Public Services Act 2012

In 2012, the Government of Odisha introduced the Odisha Right to Public Services Act (ORTPS) which includes 324 services from 23 government departments. Under the Act, citizens can demand services as an entitlement, and initiate penal actions against officials failing to provide them within stipulated time frames. Odisha is the third Indian state, following Madhya Pradesh and Bihar to enact the right to public services act (ORTPS Act. Striking billboards in public places such as stations, market places, and highways, across the state, are among the methods adopted by the state to widely disseminate the information on the Act to the ordinary citizen. On the billboards, the 12 government departments are listed, while photographs of the Chief Minister and some of his ministers are prominent, which reflects a need felt by the government to announce to the public that it recognised this duty, and fully intended to implement it. This has created awareness of people's rights and has given courage to ordinary citizens to demand basic services from the departments enlisted in the Act, if denied by the state.

This Act reflects a rights-based approach to political will and commitment, which can be seen from a number of key examples. Firstly, the Act uses a rights-based language. For instance, it states "the law enables the citizens to demand public services as a right… and to provide citizens with a platform for getting their grievances redressed in a time bound manner" (ORTPS 2012). The use of the term 'right' reflects upon a change in attitude towards state services to its citizens. It recognises that there are injustices or "grievances" which ordinary citizens have not been able to "redress" through state mechanisms, and the therefore there was a need to "provide citizens with a platform" to enable them to seek "time bound" justice. This step is taken in response to one of the most critiqued aspects of real political commitment which has been the absence of mechanisms whereby people can make complaints about duty-bearers through government structures.

> *The Act is a clear message to ordinary people that the government was keen to have accountability and transparency on its rights' agenda.* (INF 134)

Secondly, the Act transfers state duties from being just an "administrative guarantee" in the Citizens Charter into the realm of a legal right that is "justiciable under the provisions of ORPTS Act". By doing so, the GOO gives an indication that it recognises the difference between a "just intention", as prescribed by administrative guarantees, and "just action" which refers to providing for legal remedies if rights are infringed upon or denied.

> *The ORTPS Act is a milestone and a first step for facilitating a rights based approach to people's demands for their entitlements. We have many complaints registered here, especially by one Advocate, in connection with the MGNREGA employment creation issues in the tribal parts of Banapur Block. This would not be so common if this Act were not in place.* (INF 121)

Thirdly, during the period of the study, ten government departments (now 23 departments fall under its purview) were directly liable under this Act to provide services on demand, including the National Family Benefit Schemes (NFBS) under the Department of WCD. The listing of departments on the billboards was later followed by meetings of all (now 23 departments) department Secretaries in September 2015. According to key officials interviewed, as cited below, the significance of the RTPS Act was tremendous because it set forth a precedent where ordinary people could petition the government if rights were delayed, denied or violated.

> *This Act has been path breaking in many ways because it brings transparency of public services into public discourse.* (INF 135)

Many active citizens such as Advocate Ram (INF 820) in Banapur, have used the RtPS act persistently along with the right to information to beget information on social schemes, and on violation of rights of forest-based communities. Such actions indicated active citizenship as well as direct attention to the various mechanisms that the state has facilitated wherein people can demand accountability of specific officials to particular situations.

> *My desire if to keep the administration accountable to its actions and inactions by filing petitions and making demands for poor people's access to*

entitlements, especially of the forest dwellers in the Niladri panchayat in Banapur block. (INF 820)

The BDO of Balianta (INF 121), however, cautions people against the widespread use of this Act for two reasons. One is that he feels it is sometimes very difficult to know the authenticity of a complaint, and secondly he finds it very time-consuming and has to prioritise his time to act accordingly. The BDO (INF 121) said that, in reality, the continuous demands by people to check on inactive state services meant that he ended up spending a lot of his time to reply to such complaints. However, in spite of his reservations on the genuineness of a complaint, the BDO said that the state administration addressed the complaints registered under the Act.

> *A lot of my administrative hours are spent in replying and checking the authenticity of the complaint or demand for information rather on daily administrative work which is my primary responsibility. The Act is being used without much thought for anything and everything.* (INF 121)

4.4.4 An overview of new schemes

In this section, I have used the voice of key government officials to provide an overview of the background to the new entitlement schemes introduced by the GOO to indicate its broad political will and commitment. The objective is to highlight the intention of the state government, and not to debate on the schemes. Higher level officials of the GOO reported that they were happy with the direction development related policies are taking. For example, reflecting upon political will and commitment, some officials (INF 117, and INF 125), in separate interviews, discussed the PEEP Survey (2013) which ranks the Indian States (as leaders, learners and laggards) on their overall performance of delivery of entitlements (food and livelihood) services. According to the PEEP survey, Odisha, along with Maharashtra and Rajasthan, is grouped under 'learner' States which means that its overall performance is a positive step forward in the direction of delivery of entitlements to rights-holders. The PR Secretary (INF 135), for instance, said that the finding that Odisha is a "learner state" is evident that the state's political will and commitment is pushing for a rights-based agenda for development activities.

The WCD Secretary (INF 133) reported that the department focuses on a life cycle approach to tackle poor women's food insecurities. Elements of a life cycle approach

include services provided under the institutional care of the AWCs, through the Janani Surakhskya Yojana (JSY) and Auxiliary Nurse Maternal (ANM) care provided at birth, the conditional cash transfers under the Mamata scheme, Take Home Rations for pregnant mothers, the referral health services and the focus on the adolescent girl on a specific day of the week, free health care for children between 2- 6 years of age in the Centre, pre-school educational support at the AWC, as well as special services to disabled individuals. During health check-ups, home visits and growth monitoring, sick or malnourished children, at risk pregnant women and neonates in need of prompt medical attention are provided referral services through ICDS.

> *The basic duty of the government is to give social security to all, and to ensure that no right-holder is left-out, we are using concepts of a life-cycle approach, and a one-family approach, to tackle livelihood and food security needs of poor people. This means that policy packages have been developed with reference to the different life stages of a poor woman's life, for instance taking into account the nutrition needs of the foetus, the pregnant mother, adolescent girl child, and then the older aged woman through different policies.* (INF 133)

The government approach, as can be gleaned from the provisions in the welfare schemes, is towards building capabilities of vulnerable groups, in order to tackle poverty and hunger. The AWWs are also oriented to detect disabilities in young children and all such cases are referred to the Medical Officers. The Kishori Shakti Yojana, an ICDS scheme, aims to empower adolescent girls by creating opportunities for realizing their full potential through Balika Mandals. The scheme primarily aims at breaking the intergenerational life cycle of nutritional & gender disadvantage and providing a supportive environment for self-development. The SABLA scheme aims at covering all out-of-school Adolescent Girls in the age group of 11 to 18 years who would assemble at the Anganwadi Centre on a fixed day at regular interval. Other school-going girls meet at the AWC at least twice a month, and more frequently (once a week) during holidays. Here they receive life skills education, nutrition and health education, awareness about socio-legal issues, etc. The referral services refer to the provision of prompt medical attention needed for some rights-holders during health check-ups, home visits and growth monitoring, sick or malnourished children, at risk pregnant women and neonates. All the above-mentioned services are provided for in the AWC, and food charts, menus and health information charts were visible on the

walls during field visits to the AWCs. Pictorial representation is an important strategy to attract the attention of villagers as illiteracy is high. Pictures also attract the attention of the children attending AWC educational activities. Officials such as Sahoo babu (INF 120) describe the life-cycle approach as directed towards building capabilities of poor women.

> *The overall aim was to build women's capabilities by making all programs inclusive and rights-based through a life-cycle approach. Additionally, by making available livelihood opportunities to at least one earning member in each poor family, the one-family approach combs through different existing schemes across departments.* (INF 120).

Other schemes that are brought within the ambit of capability-building of vulnerable groups are the Madhubabu Yojana (MBY), and the National Old Age Pension (NOAP). Under these pension schemes, those aged above 80 years of age receive Rs.500 per month, and those between 60 years and 80 years receive Rs.300. In both categories, the beneficiaries also receive the food entitlements under the Targeted Public Distribution System. The two Extension Officers (EO) interviewed (INF 210, INF 211) in the Banapur block office said that there were 381 pension beneficiaries in the 80+ category, and according to Shukla (INF 210), the government was widening its net to not leave anyone behind.

> *The GOO is stepping in through MBY to support the poor who have slipped through the gaps in the NOAP policies.* (INF 210)

These policy initiatives focus on building capacities of people living under the BPL to enable them to realise their individual capabilities. Through the provision of pensions, older people are enabled to make themselves food secure. Introduction of livelihood programs like the TRIPTI, in 2009, aims at strengthening economic organisations of the rural poor, and financial capability-building of women by linking them with markets and sustainable financial services. The Bhimabhoi Bhinnakshyamata Samasthya Abhijan (BBSA) aims at making special provisions acknowledging the differential abilities of individuals to enable and widen their livelihood options. The Mamata scheme for poor pregnant women acknowledges the intra-uterine food impact on the foetus and the women's need to rest during pregnancy, allowing her to stop hard labour work and still be food-secure. The ORTPS Act gives voice to people's

needs by granting them a legal entitlement to claim their rights. For example, complaints under the National Family Benefit Scheme can be filed under the Right to Public Services Act if the beneficiary hasn't received the entitlements due to him/her. In addition, financial assistance under the NFB Scheme is granted to the primary breadwinner of the family living under BPL, aged between 18 and 59 years. On the demise of a claimant, a family member is entitled to the one-time assistance of Rs 20,000 for the family.

According to the WCD Secretary (INF 133), political will and commitment was evident in WCD planning through its focus on context-based activities, and evidence-based initiatives.

> *For example, district level planning is based on analysis of data of that particular district. There is evidence that such specific planning has led to reduction in infant mortality rates, and has led to the success of policies on conditional cash transfers such as the Mamata scheme.* (INF 133)

Political will and commitment was also evident in its aim to strengthen the system to reduce inequalities through specific initiatives such as the BBSA, Mamata scheme, and the Jaanch Committees, for example. A third attribute signifying political will and commitment was evident in policy initiatives which included third party responses, evaluations and social audits (discussed in chapter six) which shows that the state was open to having its entitlement programs being critiqued and evaluated by civil society. Different government departments work in partnerships with the non-government sector, and with civil society which encourages public participation. A fourth indicator of political will and commitment to rights-based approach was that it introduced changes at the community level through new policies to create a solid foundation instead of filling in gaps. By doing so, according to the WCD Secretary, it tackled root causes of hunger, instead of plugging into the gaps in the process of delivering entitlements.

Stressing the introduction of direct cash transfers to women's accounts, through the Mamata scheme, in order to give the woman control over her food intake, Sujata (INF 101) said that the Reserve Bank of India initiated a financial inclusion program which endorses one account per family at the national level, and this was used by the department to transfer entitlement funds directly to the rights-holders. In addition, the

department has created a dynamic database of pregnant women. Women data entry officers and program assistants were recruited and trained by the government. Capacity building activities, such as computer literacy and data entry programs, of government officials, especially the CDPO, were also initiated by the WCD department, according to Sujata (INF 101).

The WCD Director (INF 101) asserted that the underlying motive of the various social security acts were strategies to reach vulnerable sections of society.

> *The ICDS, the Mamata scheme, and the different pension schemes are conceived to ensure access to social security entitlements of the vulnerable first and foremost*. (INF 101)

4.5   Political will and commitment in practice

Two types of challenges to political will and commitment emerge from an analysis of both, secondary data, and field data. One is at the level of budget allocation at various levels, such as from the Centre to the state governments, and its impacts on state government budgetary allocations to different schemes in different departments within its jurisdiction. I have used secondary data (Budget speech of GOO Finance Minister, and media reports) to provide a brief summary to argue that budgetary allocations to states are guided by political agenda of the government and the nature of relationship between the ruling political parties of the Centre and the state. The second type of challenge emerges upon a close examination of the processes involved in the practice of rights-based approaches, and is based on primary data collected in the field.

4.5.1   Budgetary allocations
State governments continually request the Central government for release of funds in order to be able to implement ICDS services. According to budget analysts, one of the reasons for the delay in implementing ICDS services for the current year has been the loss of adequate funds (estimated at Rs.800 crore) from the Centre, leading to a 45% cut in the Union Budget (2015-16) allocation for ICDS programme (Business Standard: 2016). Since the 2014 general elections, which brought a change of government at the Centre, budgetary allocations to the ICDS program have been impacted upon. Using government data, the CPR (2016: 1) analysis states that there has been a 10% decrease in allocation of funds to ICDS for the year 2016-17 compared

to the 2015-16 budget, and it also finds that compared to previous years, the release of funds by the Centre for the ICDS programs has been slow and there have also been shortfalls and delays in the provision of both grains and cash.

How this works in particular states depends on the political party in power at the Centre and the state. If, for example, the ruling party at the Centre is also in power at the state level, fund allocation is easier and faster. In the case of Odisha, the ruling party in the state, i.e., the Biju Janata Dal (BJD), is not in power at the centre (Bharatiya Janata Party or the BJP) and, according to budget analysts, "when compared with the recommendations of the 14th Finance Commission, it is seen that the share of Odisha is less by about Rs.3500 crore in 2015-16 and Rs. 4600 crore in 2016-17 from the recommended level" (ENS 2016). In other words, since 2014 when the BJP formed government at the centre, Odisha has been receiving lesser central assistance in financial terms, and this in turn impacts upon the different programs such as the ICDS budget. According to the state Finance Minister, "there has also been considerable reduction in Central Assistance for state Plan. Similarly, the share in central taxes for Odisha in terms of the revised estimates of Union Budget is much lower … All these factors have affected the central transfer during 2015-16 which constitute more than fifty per cent of our total Revenue Receipt… Tax devolution has increased and plan grants have declined. It is a net loss to the state. We have been pursuing with the Central Government to compensate the state on this account" (GOO 2016: 7). The concern over the state of finances was also discussed by the Chief Minister of Odisha who announced that "the finances of our state will be stretched on account of less than anticipated transfer of resources from the Centre. While looking back, the state government has taken the right decision to place its budget after presentation of Union Budget, otherwise it would have been an impractical guess work," (BS Reporter, February 29, 2016). In its budget proposals for 2016-17, the GOO has proposed to provide Rs.1400.05 crore (1crore=10^7) for ICDS which includes Rs.140 crore towards construction of AWC buildings (GOO 2016: 17-18).

In my interviews, the Odisha WCD Secretary (INF 133) had asserted that the political climate was supportive of the administration, and there was no pressure on the latter which implied that the state government was in support of the entitlements for poor women and children.

We do not face negative pressures in our daily administrative work environment because of the positive political administrative climate that makes a rights' approach possible. (INF 133)

However, it remains to be seen if it is feasible to follow the budget proposals of AWC constructions given the reduction in financial support from the centre.

4.5.2 Entitlement amounts

Interviews with duty-bearers direct attention towards the entitlement amounts under various schemes. Many duty-bearers agree with rights-holders that the amount of cash given under the different entitlement schemes, especially the Conditional Cash transfers, are inadequate for a decent living unless the beneficiary has additional sources of income as well, according to the Extension Officer, Shukla (INF 210).

Rs.300 per month for older people in the category of less than 80 years is not enough, and for the 80+ it should be increased to Rs.800-1000. (INF 210)

Under the Madhusudan babu pension scheme (2008-2012), there are three categories of beneficiaries, namely, old age, widows, and disabled persons, who receive Rs.300 per month. It is the responsibility of the AW Worker to identify these beneficiaries in each village, and forward the list to the CDPO, who then hands it on to the office of the BDO. In Banapur block, according to official statistics provided by the BDO (INF 104), there were 4,629 beneficiaries, all identified from a BDO survey of the 2011 voters' list. The 1,580 beneficiaries of the Indira Gandhi National Old Age Pension Scheme for people over 60+ years in the Below Poverty List (BPL) also received Rs.300 per month. Under the Indira Gandhi Widow pension scheme, there are 1,518 beneficiaries who also receive Rs.300 per month. This provides BPL people over 18+ years with a grant of Rs.300 every month, argued RtF Campaigner Jena (INF 729).

A comparison with prices for 2012 shows that Rs.300 per month for the age group of 60-80 years, for instance, is very meagre. In 2012 December, potatoes were Rs.60 a kg, rice was Rs.35per Kg (under PDS), sugar was Rs20 per kg, and kerosene was Rs.20per litre. To be meaningful, well-intentioned policy initiatives must have adequate budget provisions (INF 729).

These instances indicate that political will and commitment towards hunger and poverty alleviation is perhaps inadequately supported by the budget allocated for the same.

The claiming of entitlements in the case of the death of a beneficiary is a complex process. For instance, when the BPL wage earner in the family dies, the benefits are either withdrawn from the family, or given to the father of the deceased, and if the father already has a BPL card then no card is given because only one BPL card per family is allowed. This means that the widow of the deceased becomes either destitute or dependent on her in-laws because she is not entitled to her deceased husband's ration card and the benefits therefrom. Interviews with two Anganwadi Helpers (INF 405, 408) in Banapur Block, revealed that upon the death of their husbands, they had been ousted from their husbands' family homes, and ended up in makeshift living arrangements before they were selected to work as AWHs. In Chinmayi's (INF 408) case, she and her five-year-old daughter took shelter at the local orphanage before she fought for her right to her share of her deceased husband's home. For unemployed poor widows, the situation can be worse, according to Shukla (INF 210).

> *The norm of one BPL card per family then becomes an issue of power within the family, where the wife always loses out to her in-laws.* (INF 210)

In other words, when entitlement amounts are inadequate, and do not cover all household members, it can reinforce existing socio-cultural inequalities based on gender or age. This can pose difficulties to the execution of political goodwill and commitment at higher levels of administration as it does not take into account social realities at grassroots level.

4.5.3 Exclusions

Discussing the shortcomings in government entitlement schemes, Right to Food activist Sinha (INF 709) directed attention towards the central government maternity leave schemes for government employees as well as the commendable Mamata scheme of the Odisha government for poor women for their first two pregnancies. However, Sinha was concerned about the women who did not fall in either category.

If we are all equal under the Indian constitution then why this discrimination? And why is food security provided to poor women with two children and not others? Why is food security linked to family planning issues? (INF 709)

Participatory observation in the three day state Convention on Child Right to Food (December 2012) brought to light the plight of groups of potential ICDS beneficiaries who seasonally migrate to places far away from their native villages, and thereby are unable to access their entitlements leading to continuous hunger. The ICDS had not, previously, taken into account the hardships and losses faced by these seasonally migrating communities, and the handbook on the ICDS scheme (see Appendix 2) also makes no mention of the procedures to follow for households that migrate annually. In many districts, food scarcity in the months between October to June leads them to neighbouring districts within the state of Odisha, and sometimes to other States, in search of wage labour in brick kilns or construction sites. Upon investigating and interviewing respondents at the Convention, my study found that migrants were typically landless, and had no other means of livelihood. Their names were not in the Below Poverty Line list because of innumerable reasons such as their absence during the enumeration period, frequent migration from native village with no forward address, or even corruption on the part of the duty-bearers, which affects their entitlement to the government scheme of 100 days of employment, as well as other food related entitlements under the ICDS scheme.

4.5.4   Decentralised governance

The Panchayati Raj Extension Services Act (PESA) of 1996 provides for decentralisation of administrative responsibilities, making the panchayat the primary unit of administration. This means that all administrative responsibilities are carried out by or implemented through the panchayat office bearers at the local village. According to NGO worker, Sricharan (INF 730), one of the key indicators of decentralised governance is financial devolution, and yet the PESA does not grant the panchayat the authority to disburse finances. Sricharan further directs attention to the fact that although the Panchayat Extension Services Act (1996) confers responsibilities to the Gram Sabha (Village Council) for all village development activities, and to self-govern its natural resources, it does not provide either decision-making authority nor does it give it financial responsibilities to the panchayat at the

village level. For example, according to the Extension Officer (INF 210) in Galua panchayat, the sarpanch is the executive head and initiated the work of pond restoration, cleaning the ponds of its collected debris, and allowing fishing in it. The Block Development Officer (BDO), appointed by the state administration, and not by the local panchayat, however, is the head of all development activities undertaken at the block level. The BDO has the responsibilities of finances and budgeting, which means that the panchayat can only make a request to use funds for any activity but has no authority to disburse any finances related to the development of its villages. Critiquing the decentralisation process, the SIRD director (INF 134) argued that the devolution of powers was ineffective because it did not translate into political or administrative authority at the panchayat level.

> *By not giving financial powers to the Gram Sabha, the PESA has no teeth, and reflects the absence of genuine political will and commitment. In many cases decisions regarding panchayat plans have often been changed at the Block office level without informing the panchayat itself, which reflects on where real power lies. When the village panchayat has not been invested with real powers, the creation of other panchayat level grievance or accountability committees such as Jaanch committees, or Mothers' Committee, in schools is merely an act of goodwill…. this contradiction between intention and actual functioning of the Act, government intention on RBA can be seen as meaningless. (INF 134)*

Questioning the creation of different bodies at the local level by the state in its attempt to decentralise governance, a Balianta Ward member (INF 201) asked about the purpose of having multiple sources of government administration at the village level.

> *If the panchayat is the primary unit of administration for all development activity at village level, then where does the AWW fit in? Why are AWCs becoming the focal point of development activities?* (INF 201)

Giving responsibilities to the AWCs, and to other local bodies answerable to different government departments (e.g. SME, WCD), challenges the authority of the Panchayat at village levels and creates confusion as to which is the centre of local decision-making authority. In other words, the creation of parallel centres of authority at local levels is causing disharmony and distrust amongst community members.

NGO workers such as PECUC director, recounted instances from their work in Balianta and Keonjhar districts where, according to the director, the sanction process took precedence over immediate work under MGNREGA. Giving examples, Anuradha said that, for instance, PECUC created Self-Help Groups in Balianta Block (Khorda district) to facilitate a context whereby women can raise their voice, but in recent times SHGs have become more engaged in striving for government funds which takes away the potential of community mobilization. The support of banks and the state was considered as an outside support by PECUC, and the focus was on self-realization through collective action against gendered inequalities such as domestic violence. Community ownership will be possible if real powers such as taking action on social issues raised in addition to monitoring of AWC, the SMC, and the Jaanch Committees should be vested with the panchayats, and not with different government departments, if decentralization has to be meaningful.

> *Why cannot there be a system in place wherein the beneficiary doesn't have to waste time, and grievances be addressed immediately, and why cannot the state activate the decentralized system under the PESA which we already have in the Constitution? For example, although the state has established a School Management Committee (SMC), it doesn't have the required qualifications or the autonomy to take decisions. The School and Mass Education Department of the state has kept all responsibility on decision making on any incident as its prerogative. The selection of members on the SMC suggested that it is not participatory, nor transparent, and most were not actively engaged with schools where PECUC works. Some SMCs raise funds and have used it for building boundary walls to demarcate school grounds. A need for leadership in the community is felt because although there are committees and constitutional requirements to facilitate a right to development, there is a gap which communities have not been able to seize it. This gap can be filled, and has to be filled by the community, and its panchayat for which collective public action is needed.* (INF 714)

4.5.5   Preparedness of the state

In spite of many initiatives undertaken in the last few years, the state of Odisha was unprepared in terms of its resources (finances, infrastructural and human resources) and actions required to take forward the provisions of the NFSA 2013. For example,

the NFSA (2013: 4-5) has specific instructions for state governments to undertake, within 365 days, the preparation of guidelines to identify priority households, and to update and make public the list of households eligible for food security allowance. Informal phone interviews with key informants in April 2015, however, revealed that the Odisha government had not yet begun implementation of the new provisions under the NFSA 2013, although entitlements to previous beneficiaries listed under the Below Poverty Line were ongoing. GOO has not been able to complete the process of listing all new (and old) beneficiaries ("priority households") under the NFSA 2013 guidelines within stipulated timeframe of 365 days. According to Mishra (INF 703), the GOO, in Dec 2014, requested additional time to be able to make the list before the deadline of April, 2015. This request was made officially to the Food and Consumer Welfare Minister, unlike other States which have chosen to remain silent on the issue. Making public an official request to extend the deadline of 365 days shows that the state is aware of its obligations under the NFSA, and is in the process of identifying priority households. I have discussed the problems associated with the process of identifying the priority households in chapter six.

Discussing the newly enacted National Food Security Act of 2013, the Secretary of the Right to Food Campaign argued that many attributes of the old system of policy making such as targeting, identification and selection of beneficiaries, are still present in the NFSA 2013, and therefore, the most marginalised will still be left out (INF 703). Mishra (INF 703) referred to child-headed households in migrant families which have still not been addressed by the Act which meant that just because there is an Act, it doesn't mean hunger and starvation will disappear. For example, although there are other rights-based Acts, the judicial space inherent through the acts is not being used by the poor to air grievances because they cannot afford it nor do they understand the system. Distance, fear, the cost factor, and local power relations determine poor people's responses to problems. Continuous civil society engagement and public action is required to make officials accountable and responsive to people's complaints.

For rights to be able to enable poor people, it should be in the form of trainings and capacity building of existing skills, facilitate different opportunities of skill building, and plan exposure training trips to learn from others. Provision of cash benefits is temporary and only satisfies an immediate need for many families as noted in the

examples given above. Translating rights in practice is a challenging task. For instance, in the NFSA, the earlier system of targeting, identifying and selection of beneficiaries remain which implies that the marginalised groups such as bonded labours, migrants, and others with no identity card will be outside the purview of the basic food security system. The problems of starvation, and destitution of child-headed households of migrant families has also not been addressed by the Act.

RK Mishra (INF 703) points out that the last national (UPA) government brought the debate on hunger to the national level with the support of the media through continuous reporting on poor people's right to food to avoid starvation deaths. However, the implementation of the Acts (MGNREGA, RtI, RtE, FRA) according to the spirit of the Constitution was not very encouraging because of the lack of participation of civil society including donors and NGOs.

> *NGOs, earlier, were not interested in implementation activities but spend all efforts towards funding applications and following funding instructions. The gap in implementation is observed at the lower administrative levels as well. For example, the judicial space provided at the lower courts such as the District Courts has not been used by local communities to demand employment opportunities, or petition complaints. People have not used the state Legal Aid Cell in the last 7 years of MGNREG Act* (INF 703)

The BMS union leader Sahoo (INF 736) directed attention to what he described as serious short-sightedness on the part of the government. Sahoo argued that political will is motivated by individual interests at higher levels, and sometimes it can be detrimental to duty-bearers at the lower end of the administration who were duty-bound to follow orders from above without being able to voice their concerns within the administrative set-up. In the absence of mechanisms wherein grassroots duty-bearers can voice difficulties in implementing entitlement related provisions, the operationalisation of rights-based approaches to development becomes problematic.

> *Has the Secretary of WCD realised that it will take at least a year for SHGs in remote areas such as Malkangiri district to set up an egg production unit, unlike chatua mix, and only when once such a unit has been established, then only can eggs be supplied to the local anganwadi centres. Until then, should the Secretary not send directives to the District Social Welfare Office (DSWO),*

the Child Development Project Office (CDPO), and the Collectorate to cover the extra cost as per local prices (which differ) so that anganwadi centres can function without the workers investing in eggs from own pockets? Schemes come out of some officer's head, and the worker bears the brunt of it. (INF 736)

Elsewhere, discussing the BBSA, the SIRD director (INF 134) points out that the task of the state in following a rights-based path is challenging because of a lack of infrastructural facilities for the differently-abled, especially for access to public spaces such as market places or even to be able to board local buses.

Footpaths, transport vehicles, as well as public buildings including state offices, currently, are not wheelchair friendly. It is interesting to note the gap between intention and implementation on the part of the government. For example, on the one hand, while the state is distributing free bus passes, on the other hand, the bus itself is not wheelchair friendly. (INF 134)

4.5.6 Grievance redressal mechanisms

The inability to use available redressal mechanisms to assert rights shows that people were still unaware of their entitlements, and the processes through which they can access and demand their right to employment. According to Mishra, one of the chief reasons for this lacunae is that the district and state level initiatives in Odisha have not been very active as in other States such as Andhra Pradesh and Tamil Nadu. A second reason is that if someone is struggling for 5 kg of rice, can s/he afford to go to the Courts? For the poor, the judicial process is the last resort, as it is laced with fear of the process, distance to Courts in towns and cities, and the cost factor. The local socio-political power relations impinging upon a poor person's complaint also matter.

Theoretically, rights are justiciable but at grassroots level, in real life situation, it is far from being a reality. There needs to be more public action, and more active involvement of non-state actors in addressing the root cause of all inequalities to be able to ensure that rights are justiciable and implemented in the spirit of the Constitution. One of the ways to do so is to activate the legal Aid Cell before the NFSA 2013 is rolled out in the state, and this would mean that local issues are reflected in policy choices. (INF 703)

In my interviews with the Balianta block development officer (INF 121), the official referred to the functioning of the district level grievance mechanisms, and further informed me that according to the law, the BDO and designated officials had to respond to grievances within a given timeframe. (INF 121)

4.5.7 Attitudes of officials

According to Anuradha, PECUC Director, (INF 714), ensuring an attitude of responsibility and accountability of duty bearers to poor citizens is quite a challenge at local levels especially because the officials still had a superior attitude towards the poor. Citing the case of Indira Awaas Yojana, Anuradha said that people go from one desk officer to another before they finally receive entitlements.

> *Government attitude and approach is still on the welfare mode, and welfare programs are still based on a delivery system because the mindset of the duty bearers has not changed. If welfare schemes were rights based and the mindset of duty bearers was rights' based, 60-70% of villages would have been empowered. For instance, if a woman files a First Information Report (FIR) at the police station, the attitude of the police is let her wait, we will attend to her when we are free. There is no immediate relief, no emotional support or help, and she gets victimized yet again. This is a mindset which is against inclusiveness of all people, and we need to change this.* (INF 714).

An analysis of the interviews of respondents in Koraput district, shows that rights-holders allege that the duty-bearers of misappropriating entitlement funds, and that there is a general dissatisfaction with the attitudes of most duty bearers towards them. Their high level of illiteracy and basic living conditions renders their social position as 'under-developed' and more often than not, the local duty bearers have "a disrespectful and brazen attitude" (INF 732) towards them. Interviews with non-state development practitioners reinforces this perceived attitude of local duty-bearers. On the other hand, the rights-holders develop a deferential attitude towards the duty bearers as the latter are in possession of the authority to grant them access to various entitlements, and possess all knowledge of the state (Testimony *), and therefore are referred to as "mai-baap" (mother-father). This perceived unequal social status poses a challenge to the general atmosphere of well-being and dignity of tribals and for the policy-making, it is a challenge to overcome this feeling of unequal social status to be able to introduce any rights-based change at grassroots level through policies alone.

In cases where duty bearers' attitudes to poor people are disrespectful, it further reinforces inequalities and creates a culture of silence, because, as a legal expert (INF 822) points out, how will a poor person who is struggling to have two meals a day find the courage or the means to go to register complaints against duty bearers?

> *The state usurps the language of rights such as the slogan of Your Right is Our Duty without any real change in the attitudes of its officials responsible for operationalising its entitlement schemes*. (INF 822)

Development practitioner Nalini, like many others, was sceptical about whether the Food Security Act will be able to address vulnerable people's hunger needs without a change in the attitude of the duty bearers from being masters to service deliverers or facilitators. If the people are not comfortable demanding rights from unhelpful duty bearers, it would be challenging to implement any entitlement scheme.

> *Policy is great. Intention of the duty bearer is also okay. The NFSA modifies all other older Acts, and one such instance is that it brings the Primary Health Care Centre under the purview of public-private partnership for better implementation. However, the people are the same.* (INF 737)

In other words, attitudes and personalities of duty bearers were critical for translating constitutional rights into practice.

4.5.8 Third party social audits

Political will and commitment of duty-bearers at higher levels is evident in inviting "third party" groups to conduct social audits of the entitlement schemes. For example, the Right to Food social audit (2012), according to Jena (INF 729) found out that the jaanch committee members were unaware of their responsibilities as duty-bearers at the panchayat level, and the report recommended the need to train the jaanch committee members on the same. In other words, the WCD is actively taking support of, and works in partnership with civil society organisations that have a grassroots base, and provide a third party observation of any given situation. What is evident is a relationship of mutual trust between duty-bearers of the state and civil society, and which needs to be highlighted and perhaps used as a model at grassroots level for effective use of a rights-based approach.

> *The WCD department, spent Rs. 48 lakhs on training and capacity building of the jaanch committee members which included a two page training manual*

prepared by us. We collect complaints from rights-holders at village level, try and understand why an AWC is not functioning and what could possibly hinder the AWW's active role, and then draft letters on behalf of the department which is sent to the department for a final edit and approval. We have been able to establish a relationship of mutual trust, credibility and faith because we check our facts three to four times at least (INF 729).

4.5.9 Take-Home Rations

On the protocol for take-home rations (THRs), Right to Food Campaigner Mishra (INF 703) said that the Campaign office drafted the covering letter focusing on arguments on practical matters such as busting a few myths.

The first myth was that SHGs produce chatua for profit making especially at a time when the cost of production has gone up. The whole process of producing, packing and delivering the chatua is not profit making. Second myth is the contention by many that an unhealthy competition for departmental funds (seed money, incentives etc) has begun at local levels between different groups of women. This is not true everywhere in the state because for example, in Kalahandi district there are six self-help groups which provide THR to anganwadi centres. (INF 703)

The ideal scenario would be to have one SHG per anganwadi centre, according to Mishra, and the women must be trained on accounting procedures, and marketing techniques. According to Mishra (INF 703), decentralised procurement of food produce was a step in the right direction because apart from giving the power to the communities, it also was a way to erode corruption.

Earlier decentralised procurement was a Rs.800 crore business for a few people. If 30gms of dal is used per child in each AWC, in Koraput, for example, it means at least 12 kgs will be consumed in one panchayat and one quintal of dal will be required per month. If the panchayat produces 12 quintals, processes and feeds its own children, will it not be sustainable? Same arguments can be made for eggs and other food items. (INF 703)

4.5.10 Individual commitment of duty-bearers

Arguing that the personality of the duty-bearer at high levels of decision-making and policy initiatives is crucial to the role it can play, Mishra (INF 703) gives the example

of WCD Secretary (INF 133) as a path-breaking duty-bearer who has taken a personal interest and innovative initiatives in introducing changes in the anganwadi system. According to Mishra (INF 703), Ahuja introduced the Supreme Court directives on decentralised procurement in April 2011 through creating and training women's self-help groups. The role of Ahuja as a duty-bearer is significant because she took initiatives, and clearly demarcated the role of each duty-bearer at grassroots level. For example, the duties of an anganwadi worker were made public, and announced in panchayat offices so that the villagers would be kept informed. Another important intervention was the creation of Mother's Committees and Jaanch Committees from within the communities to ensure community participation in the development process. Secretary Ahuja introduced quality checks of the supplementary nutrition program (SNP), and ensured that there will be regular supply of SNP to the anganwadi centres. Unlike other state, Secretary Ahuja introduced protocols on Take Home Ration, and made public all written rules on all matters pertaining to rules and regulations on ICDS at the district level.

> *Secretary Ahuja had been able to dismantle centralised cartel of dealers of food items in 2011 when the corrupt minister was exposed by the media and had to resign. She acted upon SC directives and made food procurement decentralised by giving it to the SHGs. Another path-breaking action was a simple step, namely listing duties of the AWW and AWH in panchayat offices and AWCs, and this action had a major impact in the villagers in terms of their awareness of the ICDS provisions. What Ahuja madam did was to implement provisions which have been in the policies at the central level, and this reflects her political will and commitment.* (INF 703)

In my interviews with the Secretary of Schedule Caste and Schedule Tribe department, Sarangi (INF 132), pointed out that his department had begun using rights-based terminologies, which can be observed in the use of the term "Particularly Vulnerable Tribal Group" instead of the earlier word "primitive" for tribes. The latter described the tribes as backward. Sarangi further adds that his personal strategy to identify vulnerability and gaps in the work of the department is by touring the region and having direct interactions with the people in their villages where he advises vulnerable groups to put political pressure on their local political representatives as therein lies the key to influencing policy making levels. According to the local development

practitioners such as staff of Spread (INF 725), Action Aid (INF 724), and the Right to Food Campaign (INF 703), Sarangi's contribution to tribal rights to land and forests has been outstanding, especially during his posting in Koraput.

The Block Development Officer (INF 104) of Balianta Block shared his experiences on how he was transferred every few months because of his attempt to 'honestly' discharge his responsibilities. This implied that there were difficulties in implementing duties because of expectations and demands of duty-bearers at higher posts, and in the context of ever changing demands from different stakeholders (especially, ministers, businessmen, NGOs and communities). However, focusing on individual commitments, the BDO said that individual officials had the option to decide how to function, and if people actively participated in the development process, it made it easier for the official to work.

> *The implementation of the Right to Public Services 2013, depends on the officer in charge, his reaction to people and to his own duty, and to the environment. Does he react actively or does he freeze? Our honest duty is to activate and implement any law, but people should be conscious of what should be 'our right, our duty' to be able to exploit existing laws and claims.* (INF 104)

Duty-bearers such as political representatives at the block level, sometimes, have an agenda which is separate from a development agenda. Rights-based development, according to the Member of Legislative Assembly (MLA) of Banapur (INF 105) was the development of the region by way of infrastructural development of highways, water supplies, and raising awareness on health issues.

> *Constructing the overbridge and bypass route to the capital, bringing electricity to 65 households in December2012, building a fire station, finding solution to the Balugaon water supply issues, creating jana chetna (public awareness) on containing malaria, sanitation and cleanliness in public spaces, and focusing on farmers rights through organising the annual Banapur Mahotsava.* (INF 105)

Arguably, organising the Mahotsava (festival) is an affirmative action because it facilitates community interaction, provides a space for local business, generates income-earning opportunities for the villagers, and creates mutual goodwill. Interview

with the MLA shows that the concerns of the individual complaints against officials, role of the panchayats in governance of panchayat finances, and grievances of villagers against corrupt anganwadi centres were not public demands, and therefore not on his agenda.

In this section, I have provided a critique of important provisions related to the food security act from different perspectives using the voices of people from my field study. Most prominent voices are of a workers' union leader, rights' activists, NGO workers, and a political representative. Interestingly, a few government officials discussed some of the activities they were engaged in, and therefore were in a position to provide critical reflection on shortcomings of certain schemes and policies. From the perspective of the rights' activist, the state has initiated rights-based approaches through inclusive measures such creating jaanch committees at village level, and initiating new programs. By inviting civil society groups to conduct social audits of its welfare schemes, the political will and commitment of higher level duty-bearers towards transparency, and accountability, of its actions was evident. However, others argued that people were still being treated as receivers, and their agency was rendered invisible by the entitlement schemes. Problems at village level especially around the sharing of responsibility of finances between the anganwadi worker and the ward member at grassroots level was the main concern of the union activist. On the one hand, policy makers argue that it is a rights-based approach to have co-signatories as it checks corruption, whereas on the other hand, the union activists and the anganwadi workers argue that such a step has led to more corruption and harassment of the worker. From the discussions with the elected representative, it follows that political will and commitment is often shaped by demands of the constituency which in turn has been shaped by dominant groups within the community. In such a scenario, what often stays unexpressed in policies are potential voices of those grassroots duty-bearers who have direct experience working with the most vulnerable.

4.6   Political will and commitment: Conclusion

This chapter provided insights into political will and commitment of the state government in Odisha by examining legal frameworks at the national level, by exploring Odisha state government's adherence to Supreme Court Directives, and critically engaging with the innovative entitlement schemes introduced by the GOO

for vulnerable sections of society. The listing of fundamental rights, and the provision for DPSP, in the constitution, directs attentions to overall political will and commitment of the state in India. The shift of many socio-economic rights enlisted in the DPSP towards becoming fundamental provides evidence that a rights-based approach to development is in practice at policy levels. Scholars have argued that such a shift towards making socio-economic rights fundamental is evident of an active public action. Equally important has been the attitude of the GOO towards realising people's FR to food entitlements locally which is evident in its adherence to SC directives on the same. An independent survey reports of the ICDS functioning in the state has placed the state in the learner category which meant that the GOO showed political will and commitment in alleviating hunger and poverty in the state. In a separate review, the Supreme Court Commissioners for food have commended the state government for its efforts in implementing the ICDS provisions according to the SC directives. For example, the decentralised procurement of food grains for the ICDS program has successfully engaged women's SHGs in the food production and distribution system. Challenges remain in terms of competition from private contractors, and distances to remotely accessible villages. The introduction of the right to public services act in 2012 was a progressive action reflecting political will and commitment towards ensuring rights-based practices as a government policy. Officials argued that the act was a path-breaking law as it moved the terrain of rights of people from administrative procedures to be followed to the legal sphere. Others cautioned the misuse of this law which had the potential to misdirect government attention and resources from the real issues at grassroots level.

I have examined perspectives of duty bearers and analysed it in the light of field-based evidence on actual practice and challenges to the implementation of food entitlements. The findings show that there is, often, a mismatch between political will, and the implementation processes. I have provided details, based on interviews and observations, of how the entitlement schemes are implemented at the village level and argued that although constitutional framework and policies are rights-based, the lack of attention given to the practice and experience of middle and local duty-bearers in policy making is one of the chief reasons behind the difficulties in translating political intention into implementation of rights in practice. I have analysed political will and commitment using a critical approach by bringing in detailed observation of field sites,

and insights of duty-bearers engaged in operationalising rights-based practices at many levels. Some development practitioners lament the attitude of officials as being high-handed. Others have praised commitment of individual officials which have made a difference to policy implementation and initiated people-friendly schemes. I have discussed in detail, the main difficulties faced by duty-bearers, in operationalising entitlement schemes, such as being unprepared to execute the NFSA objectives, unable to make the priority-households list for beneficiaries, unable to secure adequate budget allocation for ICDS services, and the inability of officials to grasp the complexities of context.

Citing examples, I have argued that some plans were far from reality. Commenting on the unpreparedness of the state to implement affirmative policies such as the BBSA, an official said that the provision of wheelchairs and bus passes had limited value in the absence of wheel-chair friendly streets, buildings and busses. Other officials discussed the entitlement amounts under various entitlement schemes as being a meagre amount compared to the living expenses incurred by poor people. In many ways, the state was unprepared to hand over financial powers to the panchayats in spite of constitutional rulings which reflects upon two immediate concerns, namely, either the state doesn't have faith in the public reasoning of ordinary people at the panchayat levels when it comes to dealing with finances for own development, or it is unwilling to give up control over finances.

In conclusion, the words of Nalini (INF 737) sums up the problems as well as the importance of political will and commitment, and it reflects upon the significance of highlighting local voices.

> "*The GOO has the administrative capacity to make food entitlements a reality, but does it utilise this capacity to its fullest? Perhaps not yet, and this could also be due to behavioural reasons, personality, work ethics, and attitudes of duty bearers at many levels. And that is why political leadership is crucial. Political will is the thread that can connect all the disparate ends of policy making and its effective implementation. The rest of us are like puppets in this process while the final impact is felt at the village level" (*INF 737).

Chapter 5: Governance Strategies used by the State in Odisha

5.1   Introduction

In this chapter, I identify three important governance strategies, used by the government of Odisha, to operationalise its rights-based programs at the block level. The three governance strategies are the convergence of welfare programs, information dissemination and creation of awareness, and the facilitation of participatory processes, to enable and empower the poor. The selection of the three strategies is based on the importance accorded to the strategies by key government officials in my field study, and the analysis includes the difficulties and successes of its actual operation through the voice of the officials and other development practitioners.

The three strategies identified in the field study are important elements of rights-based approaches to development, and provide insights into Nussbaum's question on 'what it is to really secure a right to someone'. According to Nussbaum, one of the important ways to secure a right to someone required more than the absence of negative state action (2003: 38), which meant that there was a critical need for states to adopt affirmative actions through devising new and appropriate measures to ensure that rights were secured to those who felt the need for it. Convergence of entitlement programs, of different state departments, was one such measure through which Odisha government planned to address obstacles arising in the process of securing rights to the poor. Access to information and creating awareness on entitlement programs is a second significant strategy. Evidence from the study shows that the success of any government scheme lay in its demand by the people. Therefore, people needed to be informed of what the   state can do, and what it offers, and to do so, it became imperative for the government to increase awareness and disseminate information amongst the poor. The state is, therefore, obliged to put a person in a position of capability to function in that area, especially in terms of enabling one to claim a right, if denied or violated. As the primary duty-bearer, the state is, therefore, obliged to devise means to share and disseminate information to further a rights agenda. Through the third strategy of facilitating participatory processes, the state creates a space wherein participation of the poor at grassroots level becomes possible through avenues such as self-help-groups (SHG). The process of participation of all stakeholders,

especially the poor and vulnerable, holds the possibility of making the discourse on hunger and poverty public.

In the following sections, I analyse the three governance strategies individually, based on my primary field data. I have used the case study of women's self-help groups to illustrate how the first two strategies of convergence, and information-dissemination and awareness creation, have strengthened women's participation in the development process. I have used the voice and lived experiences of the women to highlight what according to them were important aspects of empowerment. I have then discussed a critique drawing from my interviews with development practitioners, and government officials.

5.2   Convergence of different departmental programs

Convergence is a concept which emerged in discussions and interviews with many State officials during the field study. According to the Finance Minister of GOO, Convergence refers "to bringing together multi-sectoral and multi-departmental welfare programs at the level of implementation to be able to have better coordination of programs" (GOO 2016: 7.1.6). The 2016-2017 budget of the Odisha government makes convergence an integral part of the process of budget preparation and it has changed the name of the "Planning and Co-ordination Department" to "Planning and Convergence Department". This department aims to create a Convergence Cell to pursue the mapping of "convergence of extra-budgetary resources to budgetary resources and between budgetary resources to ensure productive output through effective utilization of resources" (GOO 2016: 7.1.6). I have examined the meanings attached to the concept of convergence by using my interviews with key government officials.

According to the Women and Child Development Secretary (INF 133), convergence will ensure that all parallel welfare entitlements will merge into one large scheme for optimum utilisation of available funds, and therefore be able to check the creation of different power centres at grassroots level. It would use the expertise of all stakeholders involved in various partnership projects in different government departments at different levels of administration.

Getting all stakeholders to work on one specific agenda to ensure continuous and smooth operation of programs at the community level was the aim of convergence, and to my belief, is a holistic step towards a rights-based approach. (INF 133)

In its annual report, the Steering Committee of the Planning Commission of India (GOI 2011) recommended that the need for convergence and coordination of programmes and schemes implemented by different Ministries for gender equality and for the effectiveness of the participation of women in panchayati raj institutions (PRIs), was imperative to enhance women's agency. The case of converging different schemes for poor women is a good example. For instance, according to the Commissioner-cum-Secretary of the Panchayati Raj (PR) department of GOO (INF 124), the department was engaged in restructuring and strengthening existing self-help groups (SHGs), created under the WCD Mission Shakti plans by providing financial assistance, under the National Rural Livelihoods Mission (NRLM) program. The PR Secretary further added that since most of the SHGs were already created by the WCD, the PR responsibility was to carry the work forward through the use of the earlier personnel, and other investments. This means that apart from continuing with its previous work, prior to 2011, the existing SHGs and the WCD department personnel, are also funded through the NRLM program.

By increasingly making funds available to long-term poorly funded programs at the panchayat level, to avoid discontinuity of ongoing projects, is an example of conscious rights-based decision of the State. (INF 124)

All trainings to set up enterprises and capacity building exercises, as a result, were now held under the National Rural Livelihoods Mission (NRLM) scheme of the PR department.

Earlier the WCD was involved in training the women, and in social mobilisation, but the economic angle missing. With convergence, the responsibility has shifted to PR department, and ultimately we realised that we have to focus on how to make it economically feasible. (INF 124)

Convergence activities, under the panchayati raj department brought in specific expertise of officials, and gave increased attention to training of the SHG members. For example, grading of products made by the SHGs was done according to World

Bank standards, and the communities were further supported through the TRIPTI scheme of the NRLM. SHG members are given capacity-building training to set up an enterprise and on how to request for credit through the National Rural Livelihoods Missions (NRLM) programme of the panchayati raj department. In addition to training, the NRLM provides capacity-building to poor rural youth in the campuses of the rural self-employment training institutes. This means that all trainings for youth under the Below Poverty Line are conducted by the Rural Self Employment Training Institute which has a hostel, and facilitates credit linkages with the wider market outside of the immediate panchayat and block. In most cases, priority was given to single women who were abandoned or widowed.

All SHGs have a block level federation (mahasangha) and a president of the federation, who reports to the Block Development Officer. Mohanty (INF 119) said that all 314 blocks of the State have SHG networks or Mahasanghas which throws light on the widespread active participation of women in pursuing sustainable livelihood options, local governance and related community engagements. Every SHG has a membership with the block level federation (Mahasangha) of self-help groups with two members to represent it in the Mahasangha. Although some SHGs had become defunct, and many dispersed, findings show increasing participation of women in SHGs promoted by the state. Most women respondents in the study, including 30 anganwadi workers and 10 anganwadi helpers, were members of various local SHGs in their respective panchayats. Most AW Workers and AW Helpers have been involved in the creation of local SHGs to encourage women's active participation.

According to the director of Social Audit Policy (INF 103), other programs were also in the process of converging, for example, the Integrated Rural Development Program (IRDP) was now Swarnajayanti Gram Swarozgar Yojana (SGSY), the national rural employment guarantee (NREGA) was very similar to the NRLM, and the Odisha Livelihoods Mission is an initiative parallel to the Mission Shakti scheme of the WCD department. The need for strengthening existing schemes through convergence is emphasised by the WCD Secretary (INF 133) as a strategy to maximise efficient use of state resources to ensure that people claim and receive their due entitlements.

> *We do not wish to declare policies as being redundant, and instead examine the gaps, inequalities and challenges within existing policies in order to address them.* (INF 133)

Different examples from the field study show that convergence plans and programs can be very complex. For instance, according to the Mission Shakti Coordinator (INF 118), the Mission Shakti scheme of the WCD department coordinates a Drudgery Reduction Scheme with the PR department which is very complicated at the level of implementation.

We transfer finance to the block office after selecting the SHGs for the scheme, following which the block development officer (BDO), an employee of the PR department, has the responsibility of disbursing the funds locally after consulting with the child development project officer (CDPO who is an official of the WCD department), and the department of Health and Family Welfare (HFW). (INF 118)

The Mamata scheme is another point of convergence between the departments of HFW and the WCD. The Mamata application form has a section on health status of the applicant which includes testing for HIV positive for which the Medical Officer is required. The child delivery process under the Mamata scheme is also a process where the WCD and the department of HFW converge in order to make it convenient for the rights-holder. Convergence is also observed when the Accredited Social Health Activist (ASHA) worker is mandated to work with the anganwadi worker (AWW) through the anganwadi centre. During my field visit to Balianta block villages, I was a direct observer where ASHA workers were reporting and discussing activities with the AWW and AWH at the Pahala AWC (INF 506, 507), and at the Bhingarpur AWC (INF 501). My interviews with the three ASHA workers (INF 501, 506, 507) revealed that the workers were not clear why the anganwadi workers and helpers were central to their activities locally.

> *The AWW seems to be my immediate senior at work, and I report to her. I am not clear about the seniority of the different duty-bearers at the village level, but I do wonder why our work seems to be overlapping. I also wonder why the AWW, AWH and ASHA belonged to different government departments.* (INF 507)

A second example of complex convergence plans is observed from the field study of the Mid-Day Meal Scheme (MDMS). The MDMS was earlier the responsibility of the District Social Welfare Office (DSWO), and is now managed by the School and Mass Education (SME) department. However, the MDMS-related finances are still coordinated by the DSWO. The convergence plan becomes more complex because the cooks and helpers for cooking the hot meal under the MDMS are chosen from the SHGs recommended by the department of WCD. For example, in an Achyutrajpur village school, interviews with the teachers reveals that the buying of food stock, and maintaining registers, has become an ordeal (INF 822) because of the different government departments (SME, DSWO, WCD) one has to keep informed. The whole process takes away their time from the task of teaching. If there is mismanagement, the department concerned has to be informed, and the responsibility to address mismanagement shifts from one government department to the other, according to teachers (INF 823, 826). Additional problems of health and sanitation issues arise when meals are taken in open areas because of a lack of infrastructure. In the interview with the principal (INF 838) of a school in Chilika block, the issue of absence of dining halls for students, especially during the monsoons, was raised, but the absence of infrastructural facilities was not considered as an impediment to the implementation of the MDMS. The teacher in charge of food for the current month said that supervising the preparation of the cooked meal in the school was a very difficult task.

> *On a daily basis, I have to ensure that the Cook has come in, the food stock and firewood is available, hygiene is maintained, food quantity matches the number of students, and then after the meal hours, I have to ensure that the cooking shed as well as the school grounds are cleaned.* (INF 823)

All government primary schools have been mandated to house anganwadi centres where possible, such as in the AWC in Ward Number 6 of Banapur block, and the Jagannathsahi slum AWC (in the Leper colony) in Cuttack. Supervision of schools is done by the department of School and Mass Education, whereas AWCs are under the department of Women and Child Development. The underlying motive of convergence of different departmental units at local levels (as different from the level of planning) is to effectively implement the ICDS entitlements of health care and nutritious food, and yet field-study shows that convergence planning has not taken cognizance the varied complex realities at grassroots level. The use of school

classrooms poses a problem for effective discharge of duties by the anganwadi centre. The example of Jagannathsahi AWC, and its activities within the span of three hours, illustrates how the quality of anganwadi activities may be affected due to the possible problem of clash with primary school timings. The AWC functions from 7am to 10am, so that they can leave the classroom before the school opens at 10am for its primary students. Direct observation in the three hours, showed that the AWH cleaned, cooked and helped the children to wash up by the hand-pump in the school grounds. While the AWH was cooking, the AWW had the children sitting in the classroom with their bag which had a steel plate for the food. There were no other activities done. On a second visit, the Lady Health Visitor (department of Health and Family Welfare) had come in and a young woman patient was being examined in the corner of the same classroom where the anganwadi children were seated. The AWW was coordinating multiple activities, in this case as evidence from field visit clearly shows, in the same one room. Thus field evidence shows that convergence plans had not taken into consideration the multiple activities the anganwadi worker became associated with in her everyday discharge of duties, and the practical difficulties that emerged as a result, at implementation levels.

Convergence activities of different departments can be complex, but if proper coordination is managed, the outcome can contribute to good governance practice. Evidence of convergence as good practice was seen in the field visit to the Bhirnabhoi Bhinnakshamata Samarthya Abhijan (BBSA) annual camp in Banapur. Group interviews with duty bearers at the Samarthya Sibir showed the active engagement of different government departments (Rural Water and Sanitation, Health, School and Mass Education, WCD), with their physical presence in different stalls for information dissemination on current entitlement schemes. This is an annual event, and held in all Blocks in Odisha on the same day. The Banapur Samarthya Sibir created an image of active community engagement and interest in the one-day event (see picture). At the entrance of the Camp, there were three desks manned by officials of the department of Welfare, and the registration desk was managed by an official of the HFW who was in charge of which category of special needs was required by an applicant. According to the block Assistant Education Officer, Ratha (INF 135), they are supported here by the Gram Rozgar Saathi (village livelihoods agent), AWW, and the ASHA workers. The AWW and the ASHA workers have coordinated and brought all possible

candidates to the camp. The School and Mass Education department and the Rural Water and Sanitation department also coordinate with the Sibir. The Health department sends its doctors, ASHA and ANM workers to the Camp, and this annual Camp is coordinated and planned by the CDPO and the District Medical Officer.

The integration of multi-departmental welfare and health related programs can be observed at Community Health Centres. Every panchayat with a population of 5,000 people has a Community Health Centre or a Sub-centre where health workers, namely, ASHA, Jashoda, and Multipurpose Health Workers (MPHW), work together coordinating day-to-day activities. According to an MPH worker (INF 123), as a result of all grassroots duty-bearers working together, in the Balikata Village Health Centre they had less malaria, decreased child mortality, and no unsafe home deliveries. All these factors indicate active local government initiatives along with active community engagement. This was an instance where grassroots duty-bearers were well-informed of their specific duties and coordinated with each other.

> *We work together with the AWW, and ASHA workers. The Mamata beneficiaries are given their immunisation injections by us in this Health Centre, and we finalise the health status of each Mamata beneficiary. We are currently providing meals for Mamata beneficiaries and other poor pregnant women.* (INF 123)

The WCD Mission Shakti Coordinator, Satpathy (INF 118), discussed the concept of a livelihood convergence approach which was an ongoing pilot project in Narasinghpur Block. Under the livelihood convergence approach, officials of the Targeted Rural Initiatives for Poverty Termination and Infrastructure (TRIPTI) program, the Watershed program, and the PR department work together to identify the gaps within existing programs in their respective departments in order to coordinate government efforts for further employment generation. The aim was to reduce confusion in the minds of rights-holders through the presence of parallel programs, and streamline government budgets and expenses related to all existing schemes.

> *The starting point (of a convergence plan) is to review what already exists in terms of programmatic infrastructure and resources, what gaps exist in the different parallel interventions, what new can be undertaken, and in what ways can we converge all the different programs?* (INF 118)

My field study directs attention to the emergence of tensions at two levels, at the block level, on the amount of tasks and responsibilities compared to the official benefits provided by different departments for their officers at the same position. For example, according to the block development officer (INF 121), the BDO supervises and coordinates 29 departments, compared to the activities of the child development project officer (CDPO) whose only responsibility was to supervise integrated child development services (ICDS) related work. Enumerating his tasks, the BDO stated that he undertakes multi-sectoral coordination of all activities on a daily basis, including actions on Anganwadi Centres, the midday meal schemes, scholarships for the scheduled castes and tribes students, and many of these schemes have numerous files such as budget files for umbrella purchases and blankets for the elderly under the national old age pension act. Drawing attention to the post of the CDPO, the Balianta BDO argued that the ICDS should be managed by officers through competitive exams like other government services instead of promoting Supervisors to the post of a CDPO especially since the CDPO seems to have more freedom in her activities than the BDO although the latter has more responsibilities at the block level.

> *5-10% of the ICDS work at the block is supervised by us, although a CDPO exists at the block level. As BDO, I am in charge of all welfare schemes, social security programs, and all developmental work except electricity-related activities. Why is the CDPO given an independent office, a government vehicle to use, and has other perks equivalent to the BDO if I am coordinating and supervising all the work in the block?* (INF 121)

A second emerging tension impacting upon the effective implementation of all programs, under different convergence plans, is the over-burdening of the workload of the Anganwadi Worker. According to the Banapur CDPO (INF 125), the AWW was increasingly becoming the focal point of delivery of all welfare services, and this was affecting the quality of their work.

> *Convergence is great, but what it means is that all grassroots work, including all surveys, is conducted by the Anganwadi Worker. Success is there even though all levels are overburdened, especially the AWW.* (INF 125)

In shown, at higher levels, political will and commitment of officials is reflected in the enactment of policies with the intention to make implementation of different welfare entitlement schemes accessible to rights-holders. As observed in my interviews with higher level officials, convergence was highly praised as a solution to all panacea related to obstacles to programs at implementation levels. However, at the block level and grassroots level, operationalising the new strategies as a result of convergence was difficult because problems experienced by the middle-level and lower level duty-bearers were not taken into account in the policies on convergence. Drawing from the evidence, based on my fieldwork, therefore, my argument is that for policy-making to be rights-based, the lived-experience especially experiential knowledge of duty-bearers at the block-level has to be taken into account.

5.3 Information dissemination, and raising awareness

Strategies on information sharing and dissemination are central to a rights-based planning of the state. How information is delivered, what information is disseminated, the language, pictures and cultural contexts, all have a bearing on whether it is truly available, affordable, accessible, understood and claimed by the right-holder. Focusing on the importance of raising awareness on women's agency and child rights through information dissemination, the Steering Committee recommendations for the 12th Five Year Plan cycle advocated as below-

A comprehensive advocacy and awareness generation policy and plan of action was needed to be developed that would ensure awareness generation and public education of existing policies and programmes for children at all levels. In addition, there is a need to develop and launch a national communication campaign to build awareness and sensitise the public on the rights of the child. "A communication strategy should work towards generating awareness and knowledge on child rights, while adopting different mediums. Content should be appropriately sensitive to local traditions, practices and needs. The strategy should include use of print materials, inter personal communication, mass media - print and electronic media as well as traditional forms of communication (2011: 110).

Interviews with block level officials such as the block development officer (BDO) of Balianta (INF 121) revealed that the duty-bearers were conscious of the importance of

information dissemination and awareness in facilitating participatory processes and empowerment. Citing the example of the pension scheme for the elderly, the BDO said that they disburse pension amounts through the panchayat offices sometimes in order to ensure the right-holder receives the amount, especially for those who cannot walk to the BDO office to claim an entitlement. By disbursing the amount to the panchayat office, block office has gone a step further in ensuring rights are claimed by the right-holder.

> *But what can the block office do if the [uninformed] aged people do not claim their entitlements from the panchayat offices? Our honest duty is to activate and implement any law, but the people have to be conscious of --what should our right be, and our duty-- to be able to exploit any existing law.* (INF 121)

The BDO re-emphasised the importance of public cooperation. Although the government has mandated that information on all entitlement schemes have to be published in local languages and posted on office walls to inform communities, there was still a need for active engagement of other civil society actors.

> *Public cooperation is essential, and for this to occur, the mind-set of the general public has to change towards taking the onus of responsibility. People need to change their attitudes from being passive recipients of services delivered by the State to actively claiming entitlements. If people do not inform themselves, are not aware, how can we implement an entitlement scheme?* (INF 121)

In the case of Odisha state, the facilitation of spaces for community engagement is increasingly moving towards projects that are demand –driven apropos to earlier times when the state had a service delivery approach, according to DSWO official Mohanty (INF 119). Creating a demand for the entitlement programs and services was possible by making information widely available to people, according to the Secretary of the WCD department.

> *There is a 'system reform' within the government. We aim to create demand for our services, and create such conditions wherein communities demand entitlements as rights.* (INF 133)

A recent initiative of the WCD department is the Drudgery Reduction Scheme, which according to Mohanty (INF 119), DSWO officer, is planned to be a demand driven project. Under this program the Government will provide Rs.10,000 as seed money to SHGs that have a saving of Rs.5000, as well as provide the SHG with the opportunity to start a business. Earnings will feed into the SHG revolving fund which would be used to purchase technical equipment to enhance productivity and reduce women's daily workload. The idea behind this was to restructure earlier target-driven programs such as the Swarnajayanti Gram Swarozgar Yojana under the National Rural Livelihoods Mission (NRLM) which aims to cover all households, ensure there is demand for the services, and empower communities by enabling them to own these SHGs. Capability-building of vulnerable groups is the underlying objective of the scheme, according to Mohanty (INF 119), and giving an example of the initiative, she said that in Mayurbhanj district 12,000 SHGs have been given a cheque of Rs.10,000 each under this Scheme. Furthermore, demand-driven projects emerge from the sustenance of existing entitlement schemes, and setting up new initiatives.

Examples of demand-driven projects can be gleaned from CDPO narratives on the determination levels of some SHG members. Discussing the determination levels of many SHGs, the Cuttack-II CDPO, Gauri Dei (INF 115), narrated the story of Ma Santoshi SHG which competed against private companies and won the bid for supplying the lentils needed for the THR Chatua mix. At the stage of quality-testing of their Bengal gram produce, the SHG produce was far better than the private company's produce. This led to an income of Rupees 5-6lakh for the SHG, and also reflected upon its levels of coordination, leadership and entrepreneurship.

> *Such stories merge individual entrepreneurship, participation and community empowerment, and are therefore examples of a rights-based approach of the state.* (INF 115)

The importance of people taking responsibility to sustain their development initiatives was equally crucial in the long-term.

> *Some groups do better than others because they take the initiative, and were not waiting for Sarkar kana deba (what can the government give us). Our duty is to provide a service, but the responsibility of the state in making available*

such services is only eighty percent. The rest has to come from the public. (INF 118)

Therefore, creating a demand for the service meant engaging other government departments and linking to their welfare programs at the grassroots level. The BBSA Samarthya Sibir is an example of such a Campaign approach taken by the State to inform, engage and disburse entitlements to disabled individuals and their families. The Banapur Child Development Project Officer (INF 125) described the annual camp as "a step forward" as the program actively seeks to inform communities about policies (new and existing) created by the State, for vulnerable groups, so that people would come forward and claim their rights to the entitlements. Through State sponsored schemes and one-day sibirs, the State has facilitated the creation of open spaces, for the first time, wherein public dialogue about the status of a vulnerable section of Indian society was being openly discussed.

The women and child development department (WCD) uses different methods to spread information on ICDS services. In regions where illiteracy rates are high, such as in Koraput district, animated posters, picture posters on walls of public offices, and hoardings at bus stops were a common sight during field study. The posters illustrated women engaged in different activities to illustrate the different AWC activities to local communities. Picture posters on the ICDS services conveyed the ICDS information directly, and encouraged inquiries on the services from potential beneficiaries. Field visits to 30 AWCs in the three districts shows that food charts, menus', health charts, were displayed on the walls of the centre where it had an independent building. The food menu for different days of the week is usually written on a chart, or a blackboard, and hung on the wall of the AWC. It clearly showed the menu for each day, and interestingly, the numbers of children in centres depended on what was being served on the day.

> *Many times children come to the AWC only on the days when eggs are on the chart menu.* (INF 308)

The state publishes ICDS primers in English, Hindi, and Odia, as well as AWC fliers and other readable information brochures for those who can read, and stocks them at the Gram Panchayat offices in the villages. According to the Secretary of the Women and Child Development department, (INF 133), in addition to the above, trainings to

anganwadi workers included showing video presentations of an ideal anganwadi centre. In my field visit to the Cuttack Sadar anganwadi centre, I was a direct observer of one such training on the Arunima scheme where AWWs were being shown videos of good practice in different. The videos had pictures of an ideal AWC, what it should look like, what its duties were meant to be, pre-school activities of the children and how to keep them engaged, and how AWWs can generate interest amongst community members in their services in order to increase the reach of the centre.

> *We are publishing information on entitlements in an easily decipherable manner taking into cognizance that literacy level of targeted population is low. We use pictorial representations, cut CDs and DVDs in Odia language as we have done for the Arunima project, and showed it around in AWCs on fixed days around the districts.* (INF 133)

An important strategy of the state to encourage community engagement initiatives is through partnerships with local civil society groups. For instance, a DSWO personnel (INF 120) explained how community based organisation, namely, the Bhaarat Nirmaan youth workers have joined hands with the duty-bearers in Kantapada Block to support the panchayati raj and WCD departments in disseminating information and educating poor illiterate people on different government schemes and how to avail them.

> *They educate people on all government schemes, and help beneficiaries fill up forms, and apply for schemes and claims. These are young men and women in their early twenties, and while a State employee like the CRP gets Rs. 1500-2500 per month for the same activity, and other allowances such as TA/DA, the Bharat Nirmaan youth are working free.* (INF 120)

In another case, the Balianta Block BDO (INF 121) described his engagement with local NGO (PECUC) representative as mutually supportive.

> *We join the NGO programs. Upma (INF 718) is a one-woman army here. She provides us with information where we have not any. And that is very crucial for us to be effective.* (INF 121)

In a circular (No.M-13015/2/2012-MGNREGA-VII), the GOI directed a few State governments to appoint master trainers from activists, academia and others from civil society with impeccable records and having experience of working on rights and

entitlements of the people for social audits of the MGNREGA. According to Secretary-cum-Commissioner of the Panchayati Raj department (INF 124), their SHG training partners were development practitioners from the NGO, Jan Vikas of Berhampur while their SHG trainings were conducted on the premises of the State Institute of Rural Development (SIRD). In another example, according to NGO worker Dwivedi (INF 707), Ruchika NGO works in partnership with many departments of the government of Odisha in providing various outreach services for women and children. The rural employment guarantee scheme under the MNREG Act partners with many local NGOs in identifying beneficiaries, creating employment opportunities as well as in disbursement of cash payment to the job holders. By inviting civil society groups such as the Right to Food Campaign adviser to conduct social audits of government welfare programs, the WCD, according to the Secretary (INF 133), had fulfilled its task of engaging NGOs. Its report has been widely published and recommendations have been taken seriously by the WCD by way of implementing and initiating changes in the anganwadi centres, stated the adviser of the right to food campaign (INF 703). Partnerships between the State and non-government organisations directs attention to a relationship of cooperation and trust, as discussed earlier, and makes possible public action as the basis of active participation and empowerment.

> *We do not aim to criticise the government efforts, but support its efforts in making entitlements available to all vulnerable groups by bringing to attention the gaps in implementation and policies from the field*. (INF 703)

Training is imparted by the state to AW Workers on how to create interest amongst community members to avail of various schemes such as the BBSA, Mamata, food entitlements for children and the poor elderly (in Koraput) amongst others. For example, the AWW in Koraput town AW Centre said, her responsibility was to engage with the women of the locality directly to build a rapport.

> *We do not just display information on entitlements, we have been trained to 'tell' the women about it, explain the processes, and the benefits.* (INF 325)

In another instance, during a visit to Koraput AWC-3, a mother of a pregnant young lady came to inquire about the possibility of her daughter's chances of benefitting from the Mamata scheme. The AWW (INF 325) explained that since her daughter's family

is not listed in the BPL list, and her husband is a school teacher with enough income, she was not entitled to Mamata. The mother argued that the daughter needed financial support as she had to quit paid work, and the AWW explained to her patiently how there were other women whose poverty warranted the kind of support the ICDS had envisaged. This incident reflects upon how the anganwadi worker has to employ a humane factor in information sharing and dissemination. Elsewhere, at the Bhubaneswar CDPO office, AWW (INF 329) explained that it was tough to say no to some women. In some cases, some details of schemes are difficult to explain. For example, if a pregnant 'below poverty line' (BPL) woman is getting maternity leave from work, then she cannot be given the cash under Mamata. However, her poverty renders her equally vulnerable. (INF 329)

An example of awareness-raising at grassroots level was observed under the Targeted Rural Initiatives for Poverty Termination and Infrastructure (TRIPTI program), initiated in 2012. The District Social Welfare Officer (DSWO) who is also in charge of the Mission Shakti scheme (INF 119), said that through its programs on livelihood generation under the TRIPT scheme, the State is trying to focus on one family by engaging at least one member of each family in a village. TRIPTI is a new PR scheme initiated in 2012 which grants funds to SHGs on a competitive basis through the formation of a Cluster Investment Fund. In the case of Koraput, said the Mission Shakti Coordinator, Satpathy (INF 118), this cash is credited to women's State Bank of India accounts, which has already been done in 80 percent of cases. In Balianta village, the newly appointed TRIPTI Coordinator (INF 131) was a recent college graduate from a BPL household and was pleased to have found this job locally.

> *Most college graduates do not find work locally, and it is not safe to commute to nearby towns or cities for jobs -therefore we end up as housewives and very frustrated with life.* (INF 131)

Describing the process of identifying potential TRIPTI awardees as a transparent and democratic process, the Mission Shakti Coordinator, Satpathy (INF 118), explained the process as below. The role of anganwadi workers in encouraging local community members to participate in these Bank Fairs was important as they are in direct contact with villagers on a daily basis.

The AWW informs and raises the subject matter of the TRIPTI program in the Anganwadi Center. It is brought up for discussions in various village community gatherings such as the Palli Sabha, the Gram Kalyan Sabha, or at the Panchayat meeting by the Ward member or any villager. These are some of the ways we raise awareness or disseminate information on new schemes at grassroots levels. It is difficult to measure awareness, but then unless people were aware of the schemes we initiate, how could we continue with any development activity or how can people make claims to the schemes the State is announcing. (INF 118)

Identified TRIPTI blocks have a Bank Mitra (Bank Friend) who has a desk at the bank to help poor women with banking procedures. They also encourage women and men to attend Bank Melas (Bank Fairs) where competing bank services, and credit and debit procedures are explained in a user-friendly and festive manner.

Informal processes of communication, interaction and trust between duty bearers and rights' holders at village level were crucial for the success of any given scheme. Direct observation in the field shows that one of the official requirements of applying for an anganwadi post, i.e., the applicant must belong to the village, is an example of good governance. During an after-hours' field visit to the home of the Achyutrajpur AW Helper (INF 404), a woman came to the AWH with a filled-in Mamata application form, a photograph, and a sum of Rs.50, and handed it all to the Helper. They checked the application form together, and the AWH added her name and details in the register which she had in her cloth bag while I observed the whole process. This incident reflects upon the fuzziness of the concept of working hours for the anganwadi staff. It reinforces the underlying motive of the ICDS services of recruiting a volunteer from the community itself as she is best positioned to know what the community members need, and share the information with higher duty-bearers to influence policy-making.

How can I say no to a woman when she comes to me with a request or an application form at any time of the day? Women, here, often have time in the late afternoons or on their way to someplace such as the market or the fields. I know every woman personally also. (INF 404)

5.3.1 Shortcomings

In spite of efforts by the state, there are many places where rights-holders are unaware of their entitlements under the ICDS program. One of the reasons for the unawareness of rights-holders of their entitlements can be attributed to the absence of posters and other ICDS materials in the anganwadi centres, especially the centres which were housed in the homes of anganwadi helpers (AWHs), and in community buildings, such as municipal schools in Cuttack and Banapur. In cases where the AWC is housed on school premises, one AWH (INF 407) reported they used the space for a few hours in the morning for anganwadi purposes, and from 10am, the regular school classes take back their classrooms. According to AWH Sundari (INF 405), who housed the anganwadi activities in her own hut, spatial constraints andsharing the small hut was a challenge.

> *There is not enough light in my hut, nor is there space on my mud walls.* (INF 405)

A second significant finding is that no disabled children were present in the AWCs which meant, either, there were no disabled children in the community, or if there were disabled children locally, they were not attending the AWC although it was mandatory for anganwadi workers to encourage the disabled to engage with the centre's activities. However, interviews with AWWs suggests that according to the AWC records, the disability survey had not been undertaken in 25% of the anganwadi centers, and that most AWWs were not aware of the need to do a survey disability in their communities. According to the anganwadi helper (INF 404) of Achyutrajpur village, the first time she had undertaken a survey of disabled beneficiaries, was for the Bhirnabhoi Bhinnakshamata Campaign Sibir of December 2013. Group discussions with anganwadi workers reveals that AWWs had previously not seriously taken their duties to engage vulnerable groups of disabled people in the centre's activities.

> *No one asked me if I had done it. Nor did I think of conducting a disability survey*. (INF 309)

Field interviews with rights-holders show that a third lacuna is the absence of special processes and provisions for migrant groups who travel seasonally across the state borders in search of work, and this was discussed at length in the three day workshop on child right to food in Bhubaneswar. Information on migrants' pattern of travel to

and fro from native villages is not available to the state, and is being currently worked upon by its officials, according to right to food campaigner, NGO worker Fakir Mohan (INF 726). Absence of data about migrants either at the source level or the destination level affects migrants' access and availability of social security schemes. These migrant specific provisions can include making information available to migrants about having their names on the lists of beneficiaries, processes of accessing entitlements in case of physical absence from their residence, and alternative arrangements for availing of the claims. According to one NGO duty-bearer (INF 724), many migrant labour women from various districts lament that their lack of knowledge of their entitlements provided by the sarkar (government) feeds into their loss. For instance, the migrant women claim that they were not aware of their claims under the Mamata Yojana or the mahatma Gandhi national rural employment guarantee act (MGNREGA) during their temporary migration jaunts between districts or States, and therefore never claimed it. According to the decision taken by the migrants and the local non-government organisation (NGO) duty-bearers at the convention on child right to food (December 2013), it was decided that information could be provided to migrants on a monthly basis by way of announcing and posting lists of Mamata/PDS or beneficiaries of other schemes on the walls of the Panchayat Office.

> *We have not been informed nor did we find out from the sarkari babus' what were our chances of getting benefits from the ICDS when we are in another district. It would be very helpful to be know who can get what and when, and we will figure out the why collectively.* (INF 810)

Migrants were viewed as separate from the host communities, and this is observed in an interview in Andilo village of Balianta block where counting the number of people living in the village, panchayat ward member, Archana Sahoo (INF 122), gave different figures.

> *We have a total of 57 households in Ward No 4, but if you count the migrants who have been living here, the total becomes 80 households.* (INF 122)

In other words, three kinds of actions were needed with regard to policies related to tackle hunger and poverty of migrant families. One is that the state has to inform itself on migrants' movements, and plan to respond to their claims. The second is to

facilitate the integration of migrant families with the host community, and the third is that migrants have to take initiative to know their rights to entitlements in their native villages as well as the host village.

A fourth difficulty emerges when the local duty-bearers are unaware of newer developments within government departments, especially the details involved in the convergence processes, or the locus of responsibility in their line departments. According to the coordinator of Mission Shakti (INF 118), the anganwadi worker is perhaps being burdened with expectations which she may not be trained to take responsibility of.

> *The AWW is overburdened. All levels are overburdened. Convergence is an excellent effort to coordinate all services such as health, and livelihoods thus ensuring that the services are all there. But the nitty-gritty details of the process have become more complex and will take numerous trainings for the AWWs to be able to grasp which department to report to for which activity at the Anganwadi centre. If the AWW is unable to understand, how will she be able to disseminate information to the wider community?* (INF 118)

The experience of the Cuttack Child Development Program Officer (INF 117) summarises the experiences, difficulties, and successes in the implementation of information dissemination and awareness creation of entitlements under the ICDS.

> *I was a Supervisor in 1986 in Keonjhar district, and I remember that the tribals would hide their children if they saw me or the AWW coming. And if they saw the approaching ICDS jeep into the village along with the immunisation Health officials, they would run away into the forests for hiding for the day. We have come a long way from then. Now the parents in these communities are demanding for these services, and that is what makes it rights' based. Villagers know about their entitlements under the ICDS, and they know that today is Wednesday and egg should be served to the children at the AWC. We have ensured that all information is made available in public official buildings, bus stops, stations, and market places. Pictorial entitlement charts related to ICDS services are hung at the Block Office, panchayat ghar, AWC, and other places. These are all evidence of rights-based approaches, result of*

information dissemination practices, participation of local communities and empowerment thereby. (INF 117)

As depicted in the narrative of the CDPO, the process of information sharing and dissemination of entitlements under the ICDS may take time, but with continuous efforts of officials, it was possible to enable poor people to be able to demand their entitlements and rights.

5.4   Encouraging community participation and empowering processes

An important element of a rights-based approach to development is continuous community engagement to ensure grassroots participation. There are various affirmative actions through which the state in Odisha seeks to ensure participation of communities in its rights-based activities, such as making special provisions for vulnerable groups in employment, education and political representations. Nussbaum (2003: 323) argues that the reservation of a certain percentage of seats for backward communities and women in government jobs is an affirmative state action, and therefore desirable. By doing so, the state facilitates the opening of spaces through incentives and entitlements which enables vulnerable groups to join mainstream socio-political process. In this section, drawing upon my field visit, I have described the BBSA samarthya sibir to illustrate the nitty-gritty details of participatory processes at the community level. I have then focused on self-help groups, arguing that the presence of SHGs is evidence of the success of political will and commitment of the government efforts in encouraging community participation through dissemination of information on government schemes.

An important scheme for enabling and ensuring participation of vulnerable groups, as discussed earlier, is the BBSA. The Samarthya Sibir, according to Education Officer Ratha (INF 135), is a "Single Window approach Camp" which means that on the same day, at the sibir (camp), a potential beneficiary will be identified and granted the entitlement. At the sibir, the beneficiary is first identified, given the Certificate of disability, followed by a thorough check-up by a medical doctor for the identified disability, and is then provided with all the benefits specific to the disability on the same day. This could be in the form of wheelchairs, tricycles, artificial limbs or cash transfers. Special passes for travel by bus or train are also allocated to the beneficiaries.

The benefits and entitlements in the form of an aid, or travel support schemes, arguably, are aimed towards capability-building of the disabled sections of the community, and are hence rights-based. Unlike other conditional cash transfers which are routed through banks, BBSA cash entitlements are disbursed through the panchayat directing attention to the important fact that higher level policy makers have ensured active engagement of grassroots duty-bearers (i.e., the panchayat members) in the BBSA scheme.

Active participation of duty-bearers at all levels, especially at grassroots level, is one of the chief elements of a rights-based approach to development. The BBSA application for Disabled Pension goes to the Sub-Collector for consideration through the panchayat, and eventually, the District Medical Officer hands out the Certificate. Field observation at the sibir, in Banapur, showed that people with different categories of disability, such as, orthopaedic, visually impaired, hearing impaired, and mental health patients, were present to make use of these services. The doctor present at the sibir, identifies the percentage of disability, certifies, and then informs the patient of the type of support available at the Block level. Direct observation at the sibir shows that there was a clear coordination between state departments and duty bearers carried out their respective functions in different sections of the sibir. To encourage participation, food packets and water pouches were distributed by the state government to the potential beneficiaries, and lunch was provided to all attendants of the disabled and the duty-bearers at the sibir. Other local state duty-bearers involved include the AWW and the ASHA who are responsible to bring the annual camp to the notice of the community, and enlist potential beneficiaries for the BBSA scheme. The objective of the state was to initiate a process of empowerment of the disabled through capability building initiatives which it has been able to do so through the BBSA.

5.4.1   *Lived-experiences of women in self-help groups*

I have devoted this section to SHGs to illustrate the importance of narratives of lived experience in women's empowerment processes. In the last two decades, the state has facilitated the creation of women's self-help-groups (SHGs) through different government schemes (both Central and State government). According to the Secretary of the Women and Child development department, Ahuja (INF 133), SHGs are created by the government (the WCD, PR, and semi-government banks) through a grant of a

one-time revolving seed fund of Rs.5000- Rs10,000 (depending on the type of activity) designed to kick-start their own cottage enterprises.

> *There is a strong SHG movement in Odisha, with over 5 lakh SHGs currently, and although those who opposed our investment in the creation of self-help groups insisted that these village women will not be able to function through the SHGs, the groups have proven otherwise.* (INF 133)

According to the DSWO officer, Mohanty (INF 119), the SHGs are graded and defined based on a 'panchasutra' (five-point) scale, namely, inter-loaning (within the project requirements), repayment of loans, savings, enterprise, and book keeping. Based on these five grades, SHGs are encouraged to apply for competitive funds and job contracts in state programs through different schemes, such as preparation of hot meals (as Cooks or as Helpers) in the government schools under the Midday Meal Scheme (MDMS).

One of the chief reasons for engaging local women in the ICDS programs, was in adherence to the Supreme Court orders for decentralised procurement of food items by producing grains locally to use in the Take Home Ration, i.e., the Chatua mix, in the packaging and selling of Chatua to the ICDS, in dissemination of information related to schemes, and in the overall supervision of the process. For example, the Bandisahi AWC in Koraput procures Chatua from Jai Ganesh SHG in Kolab village, and another SHG created by the AWW (INF 325), Shri Ganesh SHG, has the dealership for distributing PDS kerosene in their panchayat. In Baliaguda AWC, the AWW (INF 326) said that the SHG from Pukali village supplied eggs for their centr, and two other local SHGs were engaged in discussions with the worker to apply for the PDS kerosene dealership which was held by another SHG from a different hamlet. The president of Banapur block Mahasangha, Vanaja (INF 610), gave the example of one of the more active SHGs in Khorda Block which not only grows the take home ration (THR) lentil mix, but also packages it and sells it to the women and child development department (WCD) under the ICDS scheme. Such examples of participation and empowerment, according to the Secretary of WCD (INF133), are one of the ways in which the State endorses a rights' approach to poverty alleviation.

The WCD provides enterprise training courses on the 'Take Home Ration' (THR) product, including packaging and marketing of the THR. The THR is used in Mamata

entitlements, and for the lighter snack for the anganwadi children. The WCD Secretary said that the department consulted with the SHGs on the contents of the chatua focusing on locally available and appropriate food, and made the chatua recipe which was used as the Take Home Ration for the ICDS beneficiaries.

> *We colour-coded the packets meant for different sets of beneficiaries (Mamata, elderly, children), and designed the charts with the information on them for angnawadis. Good hygiene practices such as wearing of gloves, masks, and cleanliness were stressed.* (INF 133)

In a three day workshop with rights-holders, Dipa Sinha (INF 709)) had emphasised that Odisha was doing well in terms of its *mahila mandals* (SHGs) taking over responsibilities locally for food procurement as recommended by the Supreme Court.

> *In other states, such as Maharashtra, the state government has tied up with private companies to provide food items such as plumpy nuts, imported from France, as THR for women and children at anganwadi centres. However, in Odisha, mahila mandals were in charge of THRs.* (INF 709)

For example, Nagajhara Mangala (INF 646-SHG) has been cooking a midday meal for the school children of KGUV school at Tangi village for the last seven years. Stree Thakura group (INF 621A-SHG) of Daliamba village in Bhitargad panchayat had recently taken over the contract for chatua supplies for adolescence girls under the ICDS Kishori Shakti program from the UNICEF which had been supplying for over a decade earlier for all anganwadi programs at the centre. Discussions between the SHG and UNICEF on the quality of chatua were encouraged by the CDPO. Eggs for the children were sourced from a different SHG (Ma Santoshi SHG) in Lakhimpur block, according to one informant (INF 621A-SHG). According to Sinha, the trend was set, and what was needed improvements in terms of using more locally sourced food to make the process sustainable, and to check malnutrition amongst children.

5.4.2   Reasons for forming SHGs

In this section, I have discussed the reasons behind the formation of self-help groups by using the voices of the women through my interviews, and group discussions in the three districts. According to the Mission Shakti Coordinator (INF 113), by facilitating the participation through forming and encouraging existing SHGs, the state has

indicated a commitment to women's empowerment through a rights-based approach to livelihood opportunities.

> *The creation of SHG has had a positive effect on women's lives leading to greater participation and empowerment in other sectors of community life even where it has been a 'top-down' approach. It has led to improvement in different spheres of women's lives. Women are stepping out of purdah and attending meetings. Psychologically they feel empowered, and this is social development at one level although it has been initiated through pressure from higher authorities*. (INF 113)

Women formed, or joined an SHG for personal reasons which ranged from breaking purdah, income-generation, savings, to joining politics. Savings was a main attraction for most women to join the SHGs. According to SHG member Bhui (INF 626-SHG), a few years back, the anganwadi worker coaxed them to form a group with savings as its main aim.

> *Now retrospectively, I think if it were not for the sahajya (help) and sanchay (savings) through the membership with this SHG created by our AWW, I would be a mulyapari (daily wage labourer).* (INF 626-SHG)

Women from other groups emphasised on the independence an income brought into their lives. Furthermore, borrowing has become easier. Sakibhui borrowed Rs.1500 one summer to tide over daily familial expense which consists of her husband, three children and in laws. Mamata Bhui, farm labourer, borrowed from the SHG for hospital expenses of her husband, and borrowed from another group a second time when the Indira Awaas Yojana scheme ran short for her house construction. Others such as Shantilata Behera have never borrowed from the group because she never has enough money to return, and no income. Mililata Behera (INF 637-SHG) borrowed money (Rs.10,000) to tide over her joint family expenses. Citing an example where they had to borrow for a friend's funeral overnight, Pradhan (INF 644-SHG) said that there was not much time, and the SHG collection was the easiest and fastest way of borrowing.

> *No going to the Mahajan (money lender), no depending on husband or in-laws, but getting immediate help from our SHG was an empowering phenomenon*. (INF 644-SHG)

Many poor women such as daily waged construction workers, with no fixed income, and no savings benefitted from SHGs by way of having a choice to their life-options to start local businesses such as open a paan shop in order to secure a future for their children. Other women in different groups said that they were seldom paid their daily wages by the construction contractors, and were desperate to try something new to sustain their families. Savitri Hembrum (INF 622-SHG) wanted to repair her roof which lets in the scorching sunlight in summer and incessant rain in monsoons. In Balianta block, Manorama Behera of Maa Tarini Nari Shakti Swasahajya Goshti (INF 627-SHG) said that joining the SHG gave her hope to alleviate her poverty.

> *Asuvidha re chaluchu, kichhi sanchay karibu" (we live without much help, we will save something now).* (INF 627-SHG)

Reasons for joining SHGs were manifold. Women in the Sri Jagannath Swayam Sahayak Goshti (INF 622-SHG) in Cuttack's urban slum of Jagannathpur sahi are hoping for opportunities to go out together to weekly fairs and meet people. In another instance, Samjukta (INF 644-SHG), used to be an anganwadi helper but her ill-health made her quit the job, and because she wanted to be active in her village affairs, she joined a SHG. In group discussions, Manjulata Behera (INF 638-SHG), said that the chief reason for joining an SHG was to help swami (husband) as her daily wage labour at different sites such as the panchayat office, or farm work did not bring sustainable income to the family which has a monthly expense of Rs.7000.

Self-help groups are also formed by locally active community leaders such as Lipina, a voluntary teacher for the children at Jagaanathpur basti in Cuttack. The SHG also hopes that the next time a cyclone hits, they will be self-sustainable and not have to wait for support from the government or outsiders by preparing themselves beforehand. In the aftermath of the Phailin cyclone in 2013, the 110 households (2000 individuals in total) of Jagannathpur basti had to wait for provision of facilities such as dry rations, (biscuits and chuda) for 8 days, with no toilet facilities, and people with fever, coughs and cold in the wet in the anganwadi centre. Narrating the incidents in the aftermath of the Phailin cyclone, Lipina (INF 622-SHG), said that the aftermath of the cyclone taught them to be self-reliant, and not depend on the state or the local officials to help them.

> *The ASHA didi came and cooked rice and dal for 50 people instead of the 500 names which were on the list of beneficiaries. We were happy to have enough food for 500 and share amongst the 2000, but food for 50 people was too less. We informed the AWW of the discrepancy but she feigned ignorance, and the CDPO came in a van to distribute food to the 50 people. No one took the matter any further because we all have to live here.* (INF 622)

The information that the relief and the money did not reach the intended beneficiaries during the Phailin cyclone was referred to by BMS leader Sahoo (INF 736) as well. But Sahoo lay the blame on higher authorities arguing that the anganwadi workers and the ASHA worker distributed the relief material which were given to them by higher officials.

The process of creating the SHG has been long and arduous, according to Lipina (INF 622-SHG), because the women did not trust each other, the anganwadi worker or depend upon her for more information. The women were not used to going to government offices because there was a psychological fear around it.

> *We will not go to the bank or any other office. However, as literacy grew due to the efforts of different civil society groups such as the Mahanadi Vihar Rotary club, our retired teacher, Padma didi and others, we became more aware of organising and our rights, and this culminated in forming an SHG. We hope to construct toilets in the basti someday in the near future so that we don't have to wait until nightfall to go to the riverside for defecation.* (INF 622-SHG)

One of the chief reasons behind the formation of the Parvati Nari Shakti SHG (INF 623-SHG), immediately after the 1999 super-cyclone, was to be able to find means to spend on 'unaccounted for expenses' according to Indramani Sethi (INF1- 623SHG), in the aftermath of the resultant widespread devastation in Balianta block.

> *Unaccounted for expenses meant rebuilding homes, placing sacks of sand on the banks of the canal used for irrigation to prevent flooding in the future, and planting saplings of fruit trees such as banana and mangoes in the village to ensure food security.* (INF1-623SHG)

Emphasising the importance of capacity-building in the aftermath of the 1999 super-cyclone, Pramila Bhui (INF2-630SHG) said that the village women decided to form a self-help group with the relief money from both the state and other groups.

> *Our fertile lands were destroyed, paala (hay) for the cows was gone, and we didn't have money even to even buy seeds. And therefore, we had to step out, break purdah. Society is going that way, we want to continue to do so too. Sasu-sasura pratirodh karuchanti, swami nahin (in-laws protested but not our husbands). Upma didi trained us to be self-reliant through trainings on how to maintain a cash register, a bank passbook, and how to save.* (INF2-630SHG)

Post-cyclone, some women decided to open local grocery shops, and vegetable shops with the relief money. Although Pramila Bhui had failed her matric exams, the women decided she would be the secretary of the SHG, and maintain its cash and meeting registers. Dhangilata Bhui (INF3-630SHG), a scheduled caste woman, was the president of the group, as well as of the SHG mahasangha. In the immediate aftermath of the cyclone, one of the main activities of the SHG was to collect the village children, and bring them to Pramila Bhui's house to keep them busy in educational and play activities. This initiative of the women was named Shraddha Bhawan.

Many women found the monthly membership fee of Rs.20-Rs.100 difficult to spare, but decided to continue with it because of the benefits attached to it. Savita Bhui of Rupali Nari Shakti SHG (INF 631-SHG) joined the SHG to build friendly relationships with others in the village as she felt that familial relationships were not enough. The members of the Ma Tarini SHG have been saving Rs.50 compulsorily since the formation of the SHG in 2000 even though it was tough to spare the money at times, said Urmila Behera (INF 639-SHG).

> *I wanted to increase my connections in the village, and although it was difficult to part with the Rs.20 membership fee per month, it was worth my effort.* (INF 631-SHG)

5.4.3   Empowerment experiences

Group discussions with women in Bhitargad block in Koraput, Jagannathpur sahi in Cuttack, and various SHGs in Balianta block revealed that women in SHGs have had different experiences of empowerment. In this section, I have analysed how participation and capability-building led to women being empowered which

manifested in different ways, especially in discarding the veil, joining politics, combating gender-based violence, increasing livelihood options locally, learning to sign names, overcoming the fear of banking processes, and building communitarian feelings. In many cases, the role of non-government organisations was deemed crucial for initiating the formation of SHGS in the block by the women.

Members of the Parvati Nari Shakti explained how they have stepped outside home and village for the first time to go for meetings in the neighbouring villages. Responding to questions on gender relations at home, Sashirekha (INF2-623SHG) said that she measured her success as not having the veil now.

> *Aame tanke adhina re, kintumunda upare kaani aau nahin (we are under their rule but I do not have the veil on my head now.* (INF2-623SHG)

Archana Sahu of Andilo village in Balianta panchayat (INF 122) was elected as a panchayat ward member in 2012. Sahu attributes her success to her membership of the Saheli Srishti SHG for six years through which she gained confidence to be able to compete in elections. As an SHG member she and her fellow members have been engaged in social services, raising funds for marriages, paddy cultivation, encouraging bank savings, demanding NREGA road works in their villages, fighting for regular water supply to the village, sanitation issues, and have been active in the Gram Kalyan Sabha. Active involvement with community issues through the SHG was her launch pad into politics. In the one and half years of being Ward member, she has raised issues of electricity for households living under BPL, and has managed to connect the electric wires into people's houses although the government had not yet supplied electricity. She arranged trainings for SHGs on pickle-making and marketing, on dowry and divorce rights, liaising with civil society groups, and has been active in the AWC Pushtikar Diwas (Nutrition Day) activities.

Many SHG members such as the women of Ma Tarini SHG (INF 646-SHG) in Jaripada (Chilika) were involved with non-government organisation CARD focusing on issues of gender-based violence, voting during elections, and political empowerment by participating in elections locally. There were two panchayats with women sarpanches. In 2011, the group (INF 626-SHG) tied up one of the husband of a member to a tree because he used to drink and beat his wife. The women of Ma Adishakti Nari Shakti SHG (INF 635) of Balianta block came together to burn down

an arrack shop in October 2013 because a child was killed by one of its drunk clients. In other panchayats such as Jaripada gram panchayat, SHG member Mina Behera (INF 646-SHG) stood for elections and is now a sarpanch of her panchayat.

> *I learnt to be courageous through my 10-12 years in the SHG.* (INF 646–SHG)

The women of Ma Tarini SHG (INF 646-SHG) in Jaripada (Chilika) used to collect a handful of rice earlier from all members and used it in times of need by either selling it or by using it during hungry times, but since the last few years they have been collecting money and tried different businesses such as tailoring and preparing food to sell. As member of an SHG (INF 618-SHG) with 10 members in Jkpur village in Koraput, the ASHA worker has been engaged in different income generating activities such as making bamboo baskets, soaps, dry fish (sukhua), and buy and sell from the local weekly haata. All 13 members of SHG Pragati (INF 619-SHG) of Charada village, Bhitarguda panchayat, work mostly as daily waged farm labourers, and they borrow and rent farm produce to sell in the local haata. According to Premila Behera (INF 635-SHG), their SHG has also taken a loan of 50,000 from the mahasangha, and was repaying back with Rs.2 interest which also reflected upon their financial capability as a group. Kanak Behera of Ma Nageshwari SHG (INF 636-SHG) borrowed money from the SHG to start bamboo products business, and also bought a cow on loan to sell milk. Becoming members of self-help groups increased women's livelihood options. Nirmala Behera (INF 638-SHG) of Biswa Ma Mangala Mahila SHG has a bachelor's degree in Political Science and History, and decided to borrow from her SHG to open a broiler chicken farm. According to Nirmala Behera (INF 638-SHG), joining an SHG has had a ripple effect on her life, and made her independent.

> *Kebe aagaku paada kaadhi na thilu (had never before taken a step ahead before). Now why should we depend on men only? Let us bring the women together.* (INF 638)

Many women such as Nandita Behera (INF 636-SHG) of Balianta block, Nayina Samal (INF2-625SHG), and Samjukta Behera (INF 644-SHG), found that learning to sign their names was very empowering.

> *I am an illiterate, and was too shy (lajja made) to learn to sign my signature from the anganwadi worker, because the children laughed. However, it's the women in my group who taught me how to sign my name and maintain*

registers, and it was easier because most of us couldn't sign anyway. (INF 636)

Being able to sign my own name was my most empowering moment. I had tears. I am an illiterate but the group persisted and made me practice my signature on a slate with chalk as they do in primary schools. (INF2-625SHG)

Many others were discussing the amount of loan they should borrow from the bank, and in which business to invest that money. Ma Sarala SHG was formed in April 2012, and according to Pradhan (INF 644-SHG), the members were waiting to see if the government was going to announce any new schemes from which they could benefit. These instances show that savings was one of the chief driving force behind the membership. Others such as Mayamati (INF 621-SHG) of the Mahila Mandal SHG in Puticilli village of Lakhimpur block in Koraput narrated how the women used to hide from the bank people when they came to the village but with awareness through SHGs, they decided to learn the Odia language and save money in the bank.

Now once a month, on the 15th, we go to the bank to save money. We walk the first three kilometres, and then hire a Commander jeep to commute to the bank in Kakriguma village which is a one hour drive from our village for Rs40. The fear of being robbed of our money on the way is also there, so we have to be very clever. Aame nija goda re nije thiya helu (we stood on our feet ourselves, and sukkha-dukkha re saathi helu" (we were mates in happy and sad times). (INF 621-SHG)

Earlier, women were wary of the banks and banking procedures. Reasons were varied. Koili Behera (INF 615-SHG), said that they did not keep money in the bank, and instead re-invested it continuously. There was a general apathy towards banks amongst many women in rural communities because they felt that they will not be able to handle bank accounts because of their literacy levels, and they have also realised that bank loan interest rates are higher than borrowing from own group. Many others, such as SHG Pragati (INF 619-SHG) recently went through problems because the member who handled the bank passbooks died, and the rest of them were not well-versed with bank work.

> *We have a collection of Rs2 and a half lakhs, but we do not save it in the banks. Instead we use it in business by lending that money as loans to others.* (INF 615-SHG)

Many other women, however, overcame the fear of banks, and also felt empowered, because they now they possessed bank passbooks, and were enabled to borrow from their own account with less interest to pay. The Parvati Nari Shakti SHG has received funds from the Bhubaneswar Municipal Corporation, and from the government's Mission Shakti program, and according to Chand (INF3-623SHG), this ability to attract funds shows that their group is recognised as sustainable by the state authorities.

> *We can borrow for marriages of children, repair houses, open a grocery shop, buy cattle, and also open an egg business. The SHG meets at the veranda of the club ghara on the 25th of every month, has a loan register, a cash book, and a savings passbook.* (INF3-623SHG)

Non-government organisations such as PECUC have been actively involved in creating self-help groups of women to make women self-reliant, and not wait for the government to help them in times of acute need. The Bhimapur Nari Shakti self-help group (INF 625-SHG) was formed in 1996 with 21 members initially of which 7 members have passed away since, and it is one of the earliest SHGs in the Balianta block. The SHG is in charge of the local anganwadi centre snacks which is delivered before 10am for the 22 children in the centre, according to Priyatamali (INF1-625SHG). Priyatamali is one of the founding members of the group, and was encouraged by an NGO to form a group.

> *Rosy madam (INF 714), and by amara gaon ra jhiya (our village girl), Upma (both members of PECUC NGO), to form a group. We took a loan of Rs.2.5lakhs, and bought a music band machine which we lend to people for marriages, festivals, specific ceremonies such as bratas', pujas', amongst others where a band party is required. We have already recovered the loan money, and have saved an amount of Rs.75000 per year for our village by helping them not hiring the band party and their machine from outsiders when needed for an occasion.* (INF1- 625SHG)

The Nari Shakti Mahila Samiti was formed in 2005, and is one of the five SHGs in the urban slum of Gandhipalli in Cuttack. According to the president of the Samiti, Mani

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Das (INF 640), they were encouraged with funds, and legal help by different non-government organisations (NGOs) such as the Lutheran World Service. At the Samiti centre they store SHG supplies, tents, music instruments etc. which they give on a rental basis to generate income for the group. Most families are migrants who work on daily wages as cement workers, sand lifters, cycle rickshaw pullers, carpenters, and some beg for a living. They make agarbattis, grind haldi sticks for haldi (turmeric) powder, and sell phenyl at cheaper rates than the market. One of the main objectives of the Samiti is to ensure that all inhabitants possess birth certificates and land deeds, and towards that aim, it is engaged with the government. The women organise celebrations of all festivals of all inhabitants, and observe national holidays. What started as a collective effort to generate additional income for mere survival led to organising for collective rights to homestead land, tackling social problems such as alcohol and associated gender based violence, and engaging the youth to organise health related camps. Thus economic rights led to the unfolding of political, social and cultural rights and created trust amongst the people of this urban slum.

> *The Samiti has been involved in getting land pattas (deeds) for the residents of the slum so that the families cannot be evicted any longer. Fighting for the homestead pattas has been a three year long process, and 60 families have gotten the pattas, but 120 are still waiting. In 1984, sarkar had given parchas for the homestead land, but people did not know that they had to go to the tehsildaar to get the patta by showing the parcha. They thought the parcha was the patta till an NGO helped them understand the difference and enabled them to go through the process.* (INF 640)

Describing the process of sachetna (awareness), Mani drew a diagram as below-
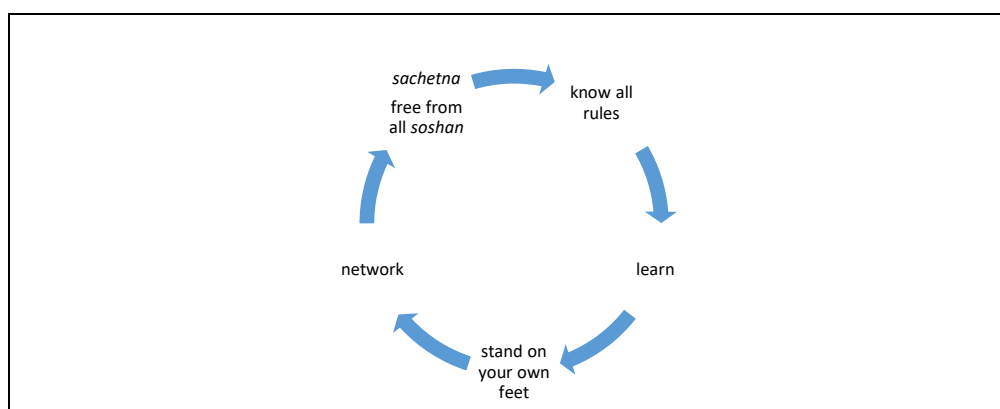
Figure 5.1 The Process of Awareness (Sachetna)
Source—Mani Das (INF 640), Gandhipalli slum, Cuttack

My field study points out although income-generation was an important reason to join an SHG, some of the narratives on empowering moments were not about economic benefits. Empowering moments identified, by the women in the group discussion with the SHG, included the habit of saving money, collective action, vishwaas (trust), paraspar nirbhar (interdependence), manovriti (mental well-being), sammaan (mutual respect), and an ability to collectively act upon village issues. In discourses on empowerment and enabling women's groups, these values of trust, interdependence, communitarian feelings, mutual respect and collective action are rarely emphasised. Nayana Pradhan (INF2-625SHG) thinks that one of the ways in which the SHG keeps its members together is by going for a picnic once a year.

> *Last year we all hired a bus and went to Ladubabu thakura in Nayagarh for a day trip picnic*. (INF2-625SHG)

Many women were suspicious of the real intentions of SHGs initially, but overcame all hesitations as they got involved. Hena Bhui (INF4-630SHG), joined in three years after the formation of the SHG.

I struggled between trust and suspicion of the group, and was also influenced by my mother-in-law who did not want me to join it until the need to raise funds for hospital kharcha for my brother-in-law arose. (INF4-630SHG)

Prashanti Sahu joined much later because she could not trust the group with her money.

> *I used to think no I can't join you, you will eat my money. However, I had already sold my gold earrings to open my paan (betel nut) shop, and now needed money to construct a pucca roof over my hut. I joined the SHG, and borrowed Rs.2000, and finally built an asbestos roof". (*INF 631-SHG)

The effectiveness of empowerment processes was evident when a self-help group, in remotely accessible village of Badamguda in Pottangi block, demanded a mini-anganwadi centre for their hamlet of 40 households in January 2014. The women said that the panchayati raj department had visited their panchayat, and encouraged them to form a self-help group following which they formed the Demsarangani SHG of 12 women. Training for the members was imparted in Koraput town for six days which included learning simple banking procedures such as opening accounts with the

Panchakuti Bank in Pottangi. Becoming member of a SHG gave the villagers the courage to raise other local issues such as the continuous absence of the teacher of the government primary school which was built in 2012, and the problems faced by a voluntary teacher who commuted to the hamlet on most days from a distance of 30 kms.

> *We discussed in our group, and decided that we will insist on anganwadi didi karibu (deamand anganwadi worker).* (INF 417SHG)

.5.4.4 Problems faced by SHGs

Self-help groups face different types of challenges from their inception to sustaining the group through difficult times such as financial crises or break down of trust amongst members. In this section, I have analysed the problems faced by the women in self-help groups, and in a few cases I have discussed the ways in which the women overcame the problems.

The fear that groups may break remains. Ananya of (INF 621-SHG) said that there are problems when they take loans from the government because the interest rates goes up continuously and they are unable to return the principal amount. And such situations lead to the break-up of groups around them. Sunei Bhoi and Chinmayi Bhanj in Balianta block have been members of self-help groups that have broken up earlier. In one case the person who posed as a government authority absconded with the money collected from the women to form an SHG. The women could not provide evidence of having given any money to form a group to the authorities when they complained. Sanjukta Behera of Ma Tarini SHG (INF 639-SHG) said that she had been a member of two erstwhile groups which were broken into two because of the increasing numbers (80) of women joining it. In another incident, Kumkum Patra (INF 629–SHG) of Ma Mangala Nari Shakti of Jagannathpur village narrated how a man had come to them promising raw materials to make agarbatti sticks (incense sticks), and disappeared with the Rs.750 deposit money they entrusted him with. As a result, the group had broken because of distrust amongst members, but they rebuilt it. These stories underlie the need for correct information dissemination, and capacity building of groups to maintain registers and proof of cash transfers. Sometimes women cannot return a loan taken from the SHG, and therefore they withdraw their membership. For example, KCBhui, left the group when she fell ill, and knew she couldn't return the interest amount on her loan of Rs.1790 although she hopes to return it in the near

future. Once the Ma Tarini SHG (INF 646-SHG) in Jaripada (Chilika) took a loan to rear goats but all the goats died and they faced losses which was difficult to cover for the poor women.

In many cases, as in Banapur, according to SHG members (INF 613, 614, 615), the SHGs created through the initiative of the AWW/ AWH had broken down after being established on paper. Members complained that after disbursal of seed money, the SHG members were no longer consulted on any issue by the AWW, and promises to provide the groups with official contract to grow lentils, or market it, were not honoured, according to the women. Seed money was also not given to the three groups, according to Nibasi Naik and Chanchala Pradhan (INF 614-SHG) and this has led to distrust amongst the community members about government schemes. Corruption was a primary issue in the case of Banapur block. In contrast, in Balianta block, women's groups were vibrant and had full knowledge of schemes and programs floated by the GOO through the AWCs, and training was given to enable the SHGs to engage in marketing and other related services.

SHG narratives in Banapur were mixed between despair and hope. The Gacchabalingeswar SHG (INF 613-SHG) and the Balukeswar SHG (INF 614-SHG) were encouraged by the block office to form groups, but were still waiting to get some funds to start farming. According to Chanchala Pradhan, the two groups had decided to rent a two acre land, to plant rabi (winter) crop of vegetables, and sell it in the local markets. However, without the initial seed amount from the state, their plans hadn't taken off. One of the reasons, they think their plans to start winter crop farming has not yet been registered by the local duty-bearers is because they have their own preferred dealers. Narrating the developments within the self-help group, Sashi Bhui (INF 614) said that the local anganwadi helper had taken the details of the SHG, and Rs200 as travel allowance from the women to go to the block office to register the group. Even the local councillor was informed on the formation of the group," complained Nibasi Naik (INF 614-SHG). The women in the groups were illiterate, and had not been given any training on how to maintain registers. Taking initiative, the Gacchabalingeswar SHG started a business in making and selling papad, and dantagulu, but there was no profit, says Pratima Naik (INF 613-SHG). A third self-help group is the Ma Uttarani SHG (INF 616-SHG) formed in 2013 has 12 members

"of the Odia caste", according to Pratima Dalei, and till now "there has been no training, although the president of the Mahasangha, Vanaja Mishra (INF 610-SHG) has expressed interest in the group, and the CDPO had proposed to train" them and provide them with an account number.

> *But nothing came of it. They have a nexus with the already established network of producers and dealers and do not want competition. It would have adversely impacted upon the AWW's husband's business who had the dealership to market outside the village, and therefore we had not been able to find a foothold in its marketing.* (INF 614-SHG)

The women of the JSS goshti were encouraged by a speaker from a different SHG to form their group. Initially 30 women agreed, but finally 15 joined to form the group and deposit Rs100 every month in the local State Bank of India branch. Cash could be withdrawn only with the signature of the president and the secretary of JSS. The women in the group gave passport photos to the CDPO, filled out the SHG application form and signed it individually, and waited for the six months period which made the SHG eligible to receive Rs.10,000 as seed money from the CDPO to start some enterprise. However, the women said that it had been over a year, and they still had not received the seed money. After consulting amongst themselves, the JSS women decided to take action collectively, and as a result decided to not let their children attend the anganwadi centre. The goshti women, according to Lipina (INF 622), also took the help of a retired teacher who they trusted, for legal advice, and were still waiting for response from the CDPO.

> *Since we hadn't received the seed money, we told the anganwadi worker that we will not send our children to your centre. We also went to our retired teacher, who we all respect, for advice. The teacher called didi, and finally the letter to the CDPO to open a bank account with the seed money is coming through.* (INF 622)

Stories of SHGs breaking and re-forming were not uncommon. Members of the Jenamuhi SHG (INF 615-SHG), in Banapur, informed that their group was seven years old, and that they had broken up after four years of formation, and then again regrouped. The women are all Harijans (scheduled caste), informed the president of the SHG, Sethi (INF 615), and were also members of a chit-fund group of 16 members

(mixed caste) wherein they deposit Rs110 per month. The first time, the women had multiple memberships in other SHGs, and later realised that they were unable to commit to any one group as a result of which they were all breaking up. The second time they were supported by the Revenue Inspector and the Executive Officer of Banapur Notified Council (NAC), and were provided support by the government to produce groundnuts by way of covering expenses for training in producing and marketing the crops which was a source of support for the group.

> *Even the anganwadi worker and supervisor Kanaka didi were present in the big meeting we had in Pattan padia eight months back.* (INF 615)

Whether the self-help-group breaks down or continues to function according to its initial goals, or changes its objectives over the years, is a secondary matter because the primary aim of the duty-bearer (the state and non-state organisations) was to provide policy incentives to engage vulnerable groups in state-created participatory processes of livelihood options. Thus, the breaking down of a self-help group, for example, can be overlooked, albeit significant, in the larger picture because "the important thing is the desire to pursue certain goals with an aim to reduce poverty in the long run, even if short term goals have not been achieved" (Sengupta 2007: 324). In the case of self-help groups, therefore, the short-term goal of the strategy (through policy incentives) was to create the need to form a group which takes responsibility for broadening its livelihood options locally, and the long-term goal was an empowering process which opened up other avenues for the women such as applying for anganwadi posts, community health-workers, community resource persons, panchayat elected positions, amongst other locally significant opportunities. My argument is that being engaged in the process of creating SHGs was not only economically empowering, as evident from the field shows, but it unveiled other opportunities leading to the women claiming political, social and cultural spaces which were inaccessible earlier.

We have seen that the women forming the self-help groups are either illiterate or have low levels of education but that does not impact upon the formation of a group and its sustainability. There is a realisation within communities that the state has not been able to fulfil its obligations towards the emerging needs of the poor in urban slums, and perhaps it will not be able to do so without engaging the communities. In some

cases, the state has made provisions of seed money (INF 621-624-SHGs) to start small enterprises in order to encourage active participation of poor women. The creation of self-help groups of women is one such process—either through top-down or bottoms up process. *Sanchay* (savings) was one of the discoveries of poor women. An important learning is the demystification of the banking procedures which many women found daunting earlier. Many SHGs have been able to get WCD contracts for producing and supplying take home rations for the anganwadis, and to cook the midday meals for the government schools. As evident from the field study, in the long run, women feel empowered even when SHGs break down because an awareness was created which was empowering as was evident in Mani Das's (INF 640) description of the "*sachetna* process" (awareness process) in figure 5.1. The SHG women in Gandhipalli became torch-bearers of their community which has a mixed group of migrant inhabitants, and were engaged in activities ranging from celebrating all festivals, to tree planting, striving for patta for homestead land, and getting the unemployed youth engaged in organising health camps. Other SHGs expressed empowerment in their ability to tackle gender-based violence issues such as the anti-arrack attacks.

Many SHGs (INF 624-SHG) prioritise the daily needs of the community such as tackling water accessibility issues while others (INF 625-SHG) discovered that learning to sign their names on paper was an incredibly empowering for them. An important motivating factor of creating self-help groups (INF 622-SHG) was the 1999 super-cyclone which led to the realisation that the state response to natural disaster and emergency situations will be delayed or be susceptible to corrupt practices which will ultimately never benefit the poor. And therefore, the self-help groups of women decided to take responsibilities of planting trees on the banks of the canal, as well as creating sustainable banks by placing sand sacks on the banks to construct bundhs to avoid flooding of villages. An interesting finding was that the women decided to invest their savings in articles and equipment required for weddings and other festivities, such as musical band boxes and instruments, to check "unaccounted for expenses". Investing in the possession of musical instruments led to a saving of Rs75000 per year for the community as a whole which meant that people in their village instead of borrowing musical bands from outsiders for festivities could rent from the SHG at a much lower rate. Most women (INF 630-SHG, INF 623-SHG) felt empowered

because they had the support of their swamis' (husbands), even though the in-laws had reservations of them stepping out of homes.

In conclusion, evidence from the field study shows that women were crossing the threshold which has led to an expansion of freedoms, options and choices that women can make to a large extent. Through the voices and lived experience of the members of SHGs, I have analysed the often intangible, empowerment processes, women have been part of, making it rights-based.

5.5   Emerging Issues

In this section, I examine problems that emerge in the operation of the three governance strategies, using the voices and perspectives of officials, and people impacted by the strategies, at different levels. The problems ranged from personal challenges faced by officials to issues on local governance, and to poor villagers feeling cheated of their entitlements.

There are difficulties in facilitating convergence processes. Interviews with block level officials in the field study, revealed that there was a feeling of being burdened with more tasks than they were recruited for due to shortage of personnel. The DSWO officer Mohanty (INF 119) acknowledged that there is a problem of proper monitoring due to lack of staff which leads to the overburdening of a single duty-bearer which created obstacles to development processes.

> *One person is dealing with several schemes, and therefore unable to give it full justice. The overburdening creates obstacles, and although the department and its partners were here to coordinate and facilitate but sometimes the beneficiaries do not feel empowered.* (INF 119)

A second problem, according to the BDO of Balianta block (INF 121), was that sometimes the problems of officials is not taken into account while formulating welfare entitlements which in turn impacts upon political will and commitment at the block level. For example, the block office has the responsibility of constructing Anganwadi Centres for which the BDO has to identify a local plot of land, identify the land-owner, and negotiate the price of land. Land prices are high in Balianta block because its lands are fertile and used for agriculture, and this poses a challenge for land purchases by the government due to limited budget. At the end of the construction

of an anganwadi centre, the BDO feels that it is the duty of the CDPO or the Supervisors or the AWWs to check and inform the block office of the state of the constructed building and other issue related to the building. However, this is not the case, and it becomes the duty of the BDO to check the constructed building which adds to the emerging conflict on workload situation between the BDO and the CDPO (discussed earlier).

> *It is not an easy task, and can take longer than you think to construct an AWC. Coordinating with officials of other departments can be very difficult. Policies do not take into account the difficulties faced by duty-bearers at the implementation level.* (INF 121)

A third issue was the problem of dalaals or middlemen, adept in exploiting laws in favour of personal gains, and against honest officers, which was brought up by the Balianta BDO (INF 121). The Balianta BDO gave a recent example where a building contractor filed a right to information petition against the BDO because he lost the official bid for a contract. According to the RtI act, the BDO was ordered by the courts to furnish details on a building site of which the files were destroyed in the year 1960 in a fire. Pointing out the loopholes in the right to information (RTI) process, he further adds that the RTI Commissioner will label the block office as a defaulter.

> *The interesting thing is that everyone including the contractor, the officials, and the communities knew that the files were all destroyed in that fire at the BDO office, and I was not even born. But now I am labelled as a defaulter, and a lot of valuable time and resources will be wasted because a certain dalaal did not win a contract to build*. (INF 121)

According to the BDO, such incidences can be possibly curbed by an informed local community to enable it to intervene in such incidents to curb misuse of time and resources of the state. The community has the potential to empower itself through information, and create a demand for transparency in contractual dealings between the block office, and private contractors so that at difficult times, the block office can also request for community support in fraudulent cases.

A fourth problem which was discussed in different contexts was the lack of effective devolution of powers to the grassroots level. Consultative democracy, according to the PR official (INF Y), begins with providing authority for funds, functions and

functionaries at the village level to the sarpanch (head of panchayat) who is an elected member, unlike the Zilla Parishad president or anyone else in the entire panchayat. However, this is not so in Odisha, where the panchayat has been allowed only convening and administrative authority which is against the spirit of the 73rd constitutional amendment (the Panchayat Extension Services Act). Other states such as Kerala and Andhra Pradesh have backed up the decision-making powers of the panchayats with bureaucratic set-up unlike the Odisha government, and this impacts the extent of effectiveness of any rights-based approach to development.

> *This makes the panchayat in Odisha a mere 'agent' of the government or an extended arm of all departments wherein other government departments such as the WCD can assign functions to it instead of looking at the PRI as an autonomous institution with elected representatives at the village level which has been given 29 functions under the PESA to execute.* (Anonymous)

Critiquing government welfare entitlements as necessary but not an empowering process, NGO worker Nayak (INF 724) argued that these entitlements were meant to keep the family economy at subsistence level, and ensures state control by making families servile and dependent. Empowerment would have meant that both, the delivery as well as the production of services or entitlements would be in the hands of people. On a continuum between production and delivery of products, one sees that the rights-holders do not control the production nor do they control the delivery of any entitlement or product. Nayak further directs attention to the drifting of local economies towards being dependent on entitlements for survival, thereby externalising and damaging the functioning of the local village economy.

> *None of these entitlement programs ensure full citizenship, empowerment or a life with full dignity, people are just about surviving. At all levels, the right-holder is a receiver, and completely dependent on the government's political will and commitment for delivery of services and entitlements. Now is this a rights-based approach to development? What has changed is the language, but the claims in entitlements' language are still populist. The entitlements model looks something like this – welfare scheme comes in to ->tribal villages->land and forest resource goes out of the village-> state and corporates.* (INF 724)

Nayak insisted that it was time that this model, of bringing in welfare schemes and taking away resources, was substituted with real rights, right to land for instance. Drawing attention to the denial of people to rights to their lands, Nayak argued that rights were recognised at the state and district levels whereas her work at grassroots level showed that at the village level, there was only denial of real rights of people. However, drawing attention to the gram sabha at the panchayat level, Nayak said that all was not lost if all matters pertaining to rights and entitlements were discussed within the PR institutions. The locus of initiative must rest with the palli sabha, and decisions made therewith be informed to higher authorities for implementation.

> *If the panchayat is the authority to procure grains, and look at complaints of unfair distribution locally, then why does the Civil Supplies department have the authority to disburse the entitled amount? These processes confuse the ordinary tribal. Why is there not a single window approach where the panchayat is at the core of the entitlement system? In Odisha, however, the panchayat system has not been effectively used as in other states, and by design it disempowers people.* (INF 724)

In-depth discussions with community members such as Samara Pujari (INF 844), a farmer in Baliaguda village of Sambai panchayat, Pottangi block, revealed a different dimension of the enforcement of the three governance strategies of the state.

> *A year ago we were told that we will all get jungle-zameen patta under the new Forest Rights Act. We made a list of rights-holders, and gave it to the Revenue Inspector on a designated date, i.e., 2nd January, who came here with his peon, and a truck. We were told by all local duty-bearers (including anganwadi workers and panchayat members) to get into the truck to drive to Kundili High school which is 23 kms from here where we will be given our pattas. The truck was already full with other SHG members, anganwadi workers and helpers, and other people. We arrived at the place, which was packed with people from other panchayats. It was a big mela, and we realised we were brought here to add to the numbers because Nabeen babu (chief minister) was coming for a pre-election speech! We were let down by our own people. 20 individuals received the patta, while 45 of us are still waiting, and now they tell us we will receive it in Pottangi! The SHGs had been promised the Rs10,000 seed money at the Kundili High School site, and they were told to come to the block office*

for that amount. The whole incident was an electoral hoax, and it took away 2 days of our time in the fields and other work. (INF 844)

The above-mentioned Baliaguda incident shows that sometimes higher and middle level state officials use popular methods to ensure the presence of poor people at politically motivated gatherings with Assembly elections as an objective. For instance, promises of land deeds were made by the officials, but the real motive was different. Such actions creates distrust between the communities and the officials at grassroots level, and has the potential of posing hurdles for a rights-based approach to development.

The three governance strategies have invited criticisms from all stakeholders, including officials at the block level on grounds of lack of adequate personnel, and the failure of the government to tackle issues of corruption outside the ambit of the block officials. There was a discussion on how the right to information has been manipulated to suit individual interests of middlemen, and situations of maligning of honest officials. One of the ways to check such cases was to create an informed and vigilant community. Findings from the study stress on the importance of activating provisions of the panchayat extension services act, in order to let communities take onus of responsibility of their own affairs. Consultative democracy, and effective devolution of powers under the PESA, was then possible.

5.6   Governance Strategies: Conclusions

In this chapter, my analysis draws upon the experiential knowledge of the officials based on their engagement in the processes of awareness creation and empowerment through convergence programs for instance. I have used the case of women's self-help groups to show the complex reality of empowerment processes, and the positive outcome of convergence of two entitlement programs in two different government departments to facilitate the continuity of funds for rural women's groups.

My findings highlight the importance accorded to the idea of convergence, by higher level policy-makers, as a panacea for problems encountered in operationalising people's entitlements. Interviews with officials directs attention to the steps taken by the WCD and PR department to coordinate on a few welfare programs through optimum fund utilisation to ensure continuation of schemes such as the self-help

groups. The complexity of convergence plans has been discussed based on problems faced by officials at the field site, especially since it made it easier to shift responsibility when problems arose, and difficult to identify where the problem lay in case of mismanagement. My study reveals that duty-bearers at the block level felt that their problems have not been taken into account by policy-makers at higher levels, and their over-burdening often leads to conflicts between officials' on sharing responsibilities and related official perks. The over-burdening of the lowest level of worker in the administrative hierarchy, namely, the anganwadi worker, was also discussed by the block level officials.

In the section on information dissemination and awareness raising, the significant finding was that officials emphasised that the people had to be informed, and be able to demand their rights from the state. Towards this objective, the officials said that the attitudes and mind-set of the people had to change, and public cooperation from different stakeholders such as NGOs was necessary to make development processes workable in the long run. In many blocks, partnerships with non-government organisations was an important strategy, and can therefore be termed as a devised measure (Nussbaum 2003) of the state to achieve its objectives. Such partnerships facilitated active community engagement and were significant strategies to disseminate information, empower communities, and revealed the important fact that the state alone cannot fulfil human rights. Examples of partnerships between the state and various NGOs were given by the respondents, and in one case, the block development officer was very grateful of the support of the grassroots NGO worker.

My field study further shows the importance of informal processes of communication between grassroots duty-bearers and people which was crucial for entitlement schemes to survive. Such informal processes of communication and relationship was possible where the grassroots duty-bearer such as the AWW or helper was a resident of the village and knew everyone. Challenges remained in the form of absence of information on migrants and their movements which led to an absence of awareness on the part of the migrants on their entitlements to food provisions either in the host state or the native village. Migrant workers were also not integrated into their host villages.

An important finding of the field study was the critique by a higher level official on the lack of political will and commitment evident in ignoring the provisions of the

panchayati raj extension services act, especially in devolving financial authority to the panchayats. Officer Y points to the conflicting situation created by policies that led to formation of parallel bodies of power at the village level such as the AWC, instead of focusing on strengthening panchayati raj institutions which was constitutionally desirable.

I have used the voice of development practitioners to show the gaps in the three governance strategies. In one instance, it has been said that through the three governance strategies, the state aims to make people service-receivers, and not actually empower the poor. For instance, a careful examination of the empowerment processes will show that the SHG women, for instance, were still not owners of either the means of production such as land or have control over the market where they sell their products. Through the narration of the Baliaguda instance, I have reflected upon the pressure on the block level officials to sometimes pressurise poor communities to participate by using unfair means. In such cased, the poor lose trust in the government intentions. A lack of empathy, and a lack of trust was evident, within communities when the state attempts to "force" communities to attend political electoral events with the promise of disbursing entitlements as was evident in the farmer's narrative in Koraput.

The emergence and consolidation of self-help-groups of women provides evidence of the successes of awareness-raising as well as of encouraging participation of communities in empowering processes. The continuation of most SHGs created under the WCD was possible because of a key decision taken by the PR department to support the groups once the funds under the Mission Shakti program (WCD) were over. I have used the voices of the women of SHGs to examine the reasons they form and join a group, and how they have gained from being associated with a group. Narratives ranged from the learning to sign their names, to a habit of savings, and ease of borrowing from the group. Women also gave importance to the creation of mutual interdependence and trust as a result of working together for common objectives of livelihood options. In many cases, SHG membership provided a platform to join local politics, and get involved in social welfare activities. In another case, a member explained the process of awareness as cyclical, starting from knowing rules to learning to being independent, networking, and then being able to free from exploitation. In

conclusion, I draw attention to the fact that SHG formation and continuation, is a manifestation of mixed successes of all three key governance strategies of the government. In spite of criticisms from civil society that the governance strategies were merely service-oriented, and ignored the real need of the people such as land rights, evidence from the field shows that many vulnerable groups admitted that government strategies aimed at creating awareness and encouraging participation empowered them with information and opportunities to participate in their development process.

Chapter 6: The Anganwadi Workers and Helpers: Duty-Bearers or Rights-Holders?

6.1   Background: Grassroots duty-bearers

This chapter examines the lived experience of grassroots duty-bearers, namely anganwadi workers (AWW) and anganwadi helpers (AWH), in their duty-bearing roles with the Integrated Child Development Services (ICDS). It provides an understanding of the complex and competing interests of grassroots duty-bearers as rights-holders and as duty-bearers, and its resultant impact on the operationalisation of rights-based approaches to development.

The importance of the role of the AWW has been adequately emphasised by higher level policy makers, such as Chowdhury, the Minister of Women and Child Development.

> "The AWW is one of the most important frontline workers, who owns major responsibility for delivering an integrated package of services to children and women, and building the capacity of community…" (NIPCCD 2006: 3).

The significance of the duties of the AWW has been further emphasised by Nayyar, WCD Secretary to the Government of India, in her foreword of the Handbook for AWWs.

> "An AWW is an agent of social change. She runs the AWC in the community, which is the first point of contact with mothers and other community members for providing health, nutrition, education and related services to children below 6 years of age, expectant mothers and nursing mothers, and other women", (NIPCCD 2006: 5).

In my field interviews, the Child Development Project Officer of Cuttack Sadar, said that the ICDS and its services, through enabling local village women to volunteer as anganwadi workers and helpers has managed to enable women to step out of homes, if they needed to.

> *The ICDS scheme currently has been able to engage the largest scale of women from poor communities, in its services, with the health services coming to a close second. The anganwadi worker (AWW) and the helper (AWH) are a*

model for women's empowerment, and form a direct link between the government and the community. This is in sharp contrast to earlier times when women used to be confined within the four walls of home, reared children and rarely left the confines of the family home. Whereas now as AWWs and AWHs, the women are agents of development in the same communities where many still hesitate to step out of homes. (INF 115)

It was, therefore, clear that the anganwadi worker was integral to the implementation of the rights-based services provided by the ICDS since 1975. It, then follows that, the AWW may potentially have inputs into the working of the ICDS services which includes challenges, difficulties, what works and what doesn't work, what could be done better, amongst other things, based on four decades of experience. It also implies that studies on the ICDS are incomplete without the involvement and the voice of its grassroots duty-bearers, namely the worker (AWW) and the helper (AWH). By not taking into account the practical and experiential knowledge including insights and voices of the AWWs, therefore, development practitioners and policy makers are ignoring a significant dimension to the story of the rights-based approach to food and health entitlements.

My study, therefore, is a timely intervention into understanding how rights-based approaches to delivering services to vulnerable groups can be, and are, impacted by the lived experiences of grassroots duty-bearers, especially, of anganwadi workers and helpers. An AWW is perhaps, best positioned, at the grassroots level, to respond to Nussbaum's query on what it is really to secure a right to someone. This chapter, based on primary field data, examines the lived experience of anganwadi workers and anganwadi helpers, by giving it 'voice' and 'agency' in the analysis.

6.2   Reasons for joining the anganwadi centre

An anganwadi worker, and helper, is chosen from amongst the village community where the anganwadi centre is situated. Potential candidates with suitable age and educational qualifications, fill in an application form and submit it at the CDPO office. The minimum qualifications have changed over the past four decades, and the lowest educational degree was a class XII certificate for AWWs, and class VIII certificate for AWHs with an upper age limit of 45 years for both. Qualifications for the posts differ

in different states, and is continuously challenged in response to the type of work and workload of the AWWs and helpers. Studies have noted that there was an urgent need to have a fixed selection process, and qualifications. The Planning Commission Steering Committee report (Planning Commission, Report of the Steering Committee on Women's agency and child rights for the Twelfth Five Year Plan (2012-2017) for women's agency noted that there were ambiguities in the selection process of AWWs and helpers, and recommended that there was a need to fix a minimum age and educational qualifications to check irregularities in the selection process. More recently, a Parliamentary Standing Committee on Empowerment of Women (Deccan Herald: 2016) has suggested fixing class X and class VIII as minimum qualifications for the job of anganwadi workers and helpers respectively, for all States. According to the WCD Secretary (INF 131), the anganwadi recruitment process gives priority to widowed or abandoned women with the aim to enable, empower, and provide them with a sustainable livelihood.

The job for an AWW is announced as a *sweccha* job meaning 'voluntary and from one's own wish' with the sole aim of providing the community with a duty-bearer who they know, and who knows the community. The Child Development Project Officer (CDPO), in consultation with the Supervisor, panchayat and other grassroots duty-bearers selects the anganwadi worker at the project level. The decision to let the community choose its AWW and AWH is a rights-based decision because the alternative would be to appoint someone from outside the village who may not have the same relationship of trust with the community. Most of the AWWs and helpers in my study applied for the job at the local gram panchayat when announcements by ICDS were made through the BDO and the panchayat offices.

> *The Supervisor chose me after interviewing me along with other applicants. I have been on the job for two years. Currently, Banapur NAC has no AWWs, only Helpers because two years back the CDPO was suspended on allegations of accepting bribes in exchange for selection of AWWs, and the case was still under investigation. Therefore, the post of the helper was needed and filled quickly.* (INF 404)

Evidence from the field shows that in many cases, AWWs and helpers are selected from neighbouring or distant villages for various reasons. According to farmer Pujari

(INF 844), the AWW did not live in their village [Pukali in Pottangi block], but the anganwadi helper did, and they were very content with her services.

> *Although we had a local candidate for the AWW post, a lady who lives 45 kms away in village Kundri, was selected by the department, and our village woman did not get the post.* (INF 844)

In my interviews with AWWs and AWHs, most said that they did not remember when they were recruited as it had been a long time, and many had been on the job for two decades or more. Interviews with AWWs and AWHs showed a range of reasons behind the application for the post. In most cases, poor single women (divorced, abandoned and widowed) with the requisite qualifications, are encouraged to apply as a policy matter in order to provide them with an income. The primary reason that propels other women to apply is the fact that it is a government job, and there are no alternatives locally for educated women to be employed gainfully. Sometimes, highly qualified women also applied for the job although the minimum qualification level required (until 2014) was Class XII certificate. For instance, Satyabhama (INF 305), an AWW, with a Masters' degree in Oriya language was looking for work locally when the opportunity to apply for AWW came up.

> *Although I am well educated, the fear of leaving home made me apply for the post, and I stuck to this job as I am not ambitious. Also there are not many government jobs in a village that one can apply for anyway. (*INF 305)

Sulata (INF 306), an AWW, was a first class student and pursuing a Masters in Science in Berhampur University, and yet applied to the post of an AWW because of a dearth of suitable employment opportunities.

> *There are not many jobs that an educated woman can apply for here.* (INF 306)

Rukmini (INF 325) has a BA Honours degree in History, and is from nearby village, Landiguda, and although the salary of Rs.3500 comes once in 3-4 months to her, she is committed to her job. The worker was very positive about the support the higher authorities provided her in terms of resources, and trainings. She had recently completed the one-day training for the Arunima program which was conducted in Semiliguda. Rama Dei (INF 331) has been the anganwadi worker at Anantpur AWC, of Balianta block, since 1998. She is a graduate in Home Science, and used to take

tuition classes for children, but when the post of worker was announced, Rama decided to apply and got the job because it assured her of an income. Rama was a single mother, and aimed to be a supervisor in ten years. Compared to being a self-employed tutor, working with the WCD was an attractive proposition, and sustainable in the long run, according to Rama. Khunkhar AWW, Sangita Das (INF 330) is a college graduate in Political Science, and was a Sanskrit teacher in a private school, but left it to become an AWW because the latter was a government job. Das also felt that this job gave her more respect from the community.

> *I feel more respected. Maybe it has to do with the potential of collective action, or the training on women and children's health and education imparted at the Health-education training centre for anganwadi workers.* (INF 330)

Evidence from the field suggests that the primary reason for applying for the post was to secure employment to combat their own poverty. Mohanty (INF 320) of Nakhara AWC needed the job because she lives below the poverty line, and although delayed, she was content with the assurance that the worker is entitled to a monthly wage. Anganwadi helper, Kuni Maharana (INF 412) of Khunkar hamlet was chosen out of seven applicants following a voting procedure in her village which was attended by all self-help group members. Earlier she was unemployed, and now that her children were grown up, Kuni wanted to earn some income and keep herself busy with anganwadi work. The added income is welcomed by her husband who is a welding mistry, especially because they do not have a BPL card.

> *BPL card has been given to government employees also but not to the real poor like us. So having this job is better than nothing.* (INF 412)

In the group discussion at Nakhara village, anganwadi helper Laxmipriya Ojha (INF 411), a participant said that before she became an anganwadi helper, she worked in various capacities as a maid. She lived near the sewage canal with her adopted son. Ojha had studied till she was 8 years old.

> *I live on the delta near the canal area. My jhuggi (hut) was under a plastic sheet tied to the sewage canal pipes on one side, and bamboo pipes on the other with cloth sheets covering the entrance. This basti is my home now, and I am very grateful for having been chosen as the AWH by the basti people.* (INF 411)

According to anganwadi helper, Basanti (INF 404), having a government job and a fixed salary per month was an attraction. Mantri (INF 331), anganwadi worker in Anugul municipality was an NGO worker for five years and worked on various projects such as *swadhar*, violence against women, and SHG creation. When an anganwadi centre opened in her village, she applied for the post because it was closer to home, but recently she has rethinking her decision because her workload had increased without an equal increase in pay.

Anganwadi worker Mohanta of Angikala AWC (INF 340) in Keonjhar, said that she found it satisfying to see her anganwadi children enrolling in primary school after the age of six years. Manjari Sethi (INF 335), of Ankura AWC of Keonjhar district said that she has always had a *sewa re manovriti* (a service temperament), and wanted to work for the betterment of the 129 Bhuiyaan tribal households in her village because when she was orphaned at a very young age, they looked after her. In more recent times, the displacement cause by mining activities, on the Gandhamardan hills had displaced the tribals from their lands, and led them to extreme poverty.

> *It is my turn to look after their [Bhuiyan tribe] children.* (INF 335)

There were other duty-bearers who were service-oriented, and felt a satisfying urge to work for their communities such as AWW Smritishri Sarangi (INF 337) of Toraniya AWC who was a Science graduate and had completed a computer course as well. The livelihood of Toraniya villagers is forest-based primarily with many migrating seasonally for work, and others farming on small landholdings. There are 25 children attending the centre which is housed in the primary school (7am to 11am) based on the BDO's directive, and they have a mixed caste background. Many workers and helpers found it satisfying.

> *I became an AWW in 1999 because I felt compelled to join as a daughter of the village when the previous anganwadi worker committed suicide.* (INF 337)

Others such as AWW Savita Padhi (INF 329A), found satisfaction as a worker because they wanted to work with children.

> *It was desh seva (nation service) and gareeb seva (being of service to the poor) for all, and above all I joined for the children. We all have children, we do it*

for other children because our children have to grow up in the same society.
(INF 329A)

For anganwadi worker Neha (INF 301), being able to provide shelter to the poor orphaned Anant, during the day, gives her the satisfaction of a job well done. Anant lost his father to excessive drinking, and his mother had abandoned him at birth. Anant gets his hot cooked meals, clothes and other needs met through the anganwadi centre in the leper's colony. AWH, Sasmita Das (INF 410) said that supporting the anganwadi worker in creating self-help groups (SHGs) was one of the satisfying activities even though it meant maintaining more files, giving accounts to the CDPO on a monthly basis. Although the focus on target-oriented SHGs had become more demanding because it took time away from her regular AWC activities, Das was content with the added responsibility.

At the time of fieldwork (2012-2014), the AWWs and AWHs were entitled to a small honorarium and no other benefits such as pensions or annual bonuses like other government employees did. The monthly honorarium, according to my field group discussions with AWWs (INF 333-341), was never paid on a regular basis every month.

> *Sometimes, we have to wait for 4 months, and live on small debts to run our household as well as anganwadi expenses.* (INF 337)

Indirect benefits were more attractive for the grassroots duty-bearers, and motivated them as well as others to apply for the posts. Although the direct benefits of the post were low, group discussions (INF 333-341-GD) reveals that the indirect benefits were attractive enough for the women to apply for the post, and I have discussed these in the following paragraphs. As grassroots duty-bearers, the women had information on various schemes, entitlements and the available stock of food and other resources which is very helpful for their family.

> *Being a Helper one gets information on entitlements before anyone else does and then we can decide who in the community can benefit from a particular scheme, including ourselves. We do benefit by way of getting information on quantity of stock and in terms of preference, compared to others, in cases when there is a shortage of the food items in the Public Distribution System which is distributed through the dealers.* (INF 333)

Indirect benefits for women is thus observed in terms of feelings of empowerment through an income-earning opportunity, begetting information on available government food stock, familial respect, decision-making on household purchases, and the authority to create self-help groups in their villages. Satyabhama's musing, below, shows that although the anganwadi worker has the knowledge of how things work at the village level, their knowledge and their experience of working at grassroots level has never been taken into account at any level of policy making.

> *How much goes into the pockets of the food grain dealers and others is also known to us. We can voice our opinions but it has no impact. Everyone above us has a 'cut' from holding back the food from the poor. We get to know about it but we cannot do much with the information.* (INF 305)

Becoming an earning member and part of a group of working women was an empowering feeling, especially in contexts where there was a dearth of livelihood opportunities for educated women, as discussed above. 41 year old Satyabhama (INF 305), who has been an AWW for 13 years in *Galua Panchayat* feels her two teenage children look at her with pride compared to that of other housewives in the village school.

> *Bringing an income to the family has brought in respect, especially in relation to in-laws.* (INF 305)

Chinmayi Panigrahi (INF 408) is a widow, and has had to struggle to retain her stay in her husband's house with her nine-year-old daughter.

> *Being a Helper has enabled me to fight back my in-laws from taking over my right to sections of this house where we can live. My husband's family had thrown me out of the house when he died, but with the help of other women who work in AWCs or SHGs or other similar groups, I have found support, earn an income, and been able to claim my right to this house.* (INF 408)

Basanti Naik (INF 404) said that receiving a salary gives her a free hand in deciding on spending for household expenses, and being part of a government employment (*sarkaari chaakiri*) was very empowering for her. For many others, becoming a Helper opens up other avenues in community life such as memberships of SHGs and the Gram Kalyan Samiti.

As discussed above, the reasons behind applying for the post of anganwadi worker and helper ranged from unemployment, government posting, a desire to serve the community, care for poor children, and to feed orphans. Interviews with the AWWs and AWHs suggest that poverty was the primary reason which motivated them to apply for the posts. Most workers and helpers belonged to extremely low-income families, and in some cases were single, poor, abandoned women. Many others were highly educated but were willing to work as anganwadi workers for very low wages because of a lack of opportunities locally.

6.3   Responsibilities of the angawadi worker

In this section, I use the narratives of the anganwadi workers and helpers to describe their daily activities across the districts. By using their voices based on my interviews with the workers and helpers, I have highlighted the importance AWWs and AWHs accord to specific tasks based on their experiential knowledge. In addition to the six primary ICDS services, as discussed in Chapter Four, different centres were accorded additional tasks in varying degrees. All activities included the maintenance of records of compliance, and reports of various financial and feeding norms.

Anganwadi workers insisted that their activities were crucial for the well-being of poor rural women. For instance, AWW Padhi (INF 329A) said that their work covers the life-cycle of a poor woman from conception to death.

> *We look after a poor woman's health from the date of her first menstruation period by registering her for different schemes to her death certificate, we cover her life-cycle with our care, and we solve the health-risks she takes with her health.* (INF 329A)

Discussing activities she has been involved with, the anganwadi worker of Bandisahi AWC (INF 325) in Koraput said that she conducted the BPL census survey in 2010 of her ward which had 800 households with a population of 4000 people, and other surveys on pregnant women, child birth, health, and death surveys. Discussing details of the program for teenage girls, AWW (INF 325) said that she initiates discussions on the use of sanitary napkins, AIDS, menstruation related queries, and education for girls. The immunisation of children for the Bandisahi population is done at the District Hospital medical every Wednesday for which she shuts the AWC at 12pm and goes

to the DHH with the register which has the names of the patients. In Koraput NAC area, as in Banapur NAC, there is no provision for ASHA workers, and therefore, all health related activities are attended to by the worker. According to Rukmini (INF 333) who has been an AWW since 1998, they were involved in doing most of the village level work including identity cards, and hospital related activities.

> *I have teenage girls coming to me for information on girl related health problems, and on marriage also. And so far as children are concerned, most local children of the ward go to English medium schools, and only the poor children come here. But the families should realise that we have the facilities similar to any good primary school in the locality including text books such as the Saraga Sishu. Currently, there are 16 children from all castes attending the centre.* (INF 325)

The children in Cuttack's Jagannathpur *basti* are left behind in the hutments/ *jhuggis* to fend for themselves or by older siblings who are not out at work themselves. Most women work as house maids, cooks, or as daily wage labourers at construction sites. The inception of the AWC on the secondary school premises changed the scenario. There is an alternative for the *basti* children wherein food and some basic play-education-health facilities are provided for through State mechanism. A member of the Shri Jagannath Swayamsevak SHG member (INF 622-GD) said that the helper comes to their homes and brings the children to the AWC. Others such as members from the Rupali Nari Shakti from Jagannathpur sahi (INF 631-GD) said that it gives them the morning time to go and earn a living as house-maids as a result. In the rural areas, women find the anganwadi centre as a useful centre as well, where the children can spend some time while they were out in the fields from 5am in the morning, and what is helpful is that the helper visits the homes and urges the children to come to the centre.

> *During the harvest season, months of December-February, we find the AWC very useful. While we are out in the fields as day labourers, our children get fed at the local AWC.* (INF2 615GD)

Knowledge of region and locale specific issues, which facilitates workers in their activities, is evident in Sethi's discussion on the reasons for hunger and poverty of the tribals in her region of Keonjhar. According to Sethi (INF 335), mining has brought

in a lot of crimes locally, and the anganwadi centre is seen as a safe space by the miners for their children. Sethi also adds that with the loss of *mandiya, kangu, jaali,* rice, *guluti*, maize and *gangai*, poverty has taken a new form in terms of loss of locally grown nutritious food, and this loss has impacted upon the food habits, and food security, of poor tribes more than others.

Food entitlements through anganwadi centres was the main attraction for the poor families. The AWC serves snacks which includes mainly lentils (*gaja muga*) and rice cakes (*moodhi ladu*), while lunch consists of eggs three days a week, and soyabean potatoes and *dalama* (rice-lentil-mixed vegetables) on the other two days.

> *These small children come from families that would normally eat rice twice a day with salt, or some vegetable if the family can afford it. Here at the centre they get eggs and soya twice a week. It is a very healthy and nutritious meal which they would usually not get to eat at home*. (INF 406)

AWWs and helpers had to keep in mind the dietary requirements of children form different religious backgrounds. In the Leper's colony Jagannathpur AWC, Cuttack, the children were made to sit on the coir mats in the large classroom. When food was ready in the small kitchen shed outside, the helper (INF 418) called the 15 children, washed their hands, and made them to sit in a line in the verandah. The children took out steel plates from their school bags on which food was served. On the day of my field visit, rice and egg curry was served, although a few were not served eggs because they belonged to a different community.

> *They are Jains, and therefore vegetarians. Only plain rice for them today.* (INF 418)

In other places, such as in Ichinda, AWW Sushmarani Mohapatra of Keonjhar district (INF 334) who has been on the job since 1982, said that because of the attraction of pre-school activities in her anganwadi centre, the numbers of children attending the centre had increased to 40. Another notable development in Ichinda village was that the community was informed on various entitlements (of eggs and immunisations) under the ICDS scheme.

> *Earlier people were scared of immunisation, now the mothers demand it, and earlier the mothers did not bother what we fed the children, now they demand eggs on egg days*. (INF 334)

According to AWW Sushmarani Mohapatra (INF 334) of Ichinda AWC, Keonjhar, the role of the individual anganwadi worker determined the work ethos to a large extent.

> *What we do varies from centre to centre and from AWW to AWW. What we do depends on our individual style of doing things, and depends on how we react to situations that present themselves. What we do depends on our levels of empathy and interaction with the community we live in.* (INF 334)

What an anganwadi does is shaped by the commitment of the individual as a duty-bearer at the grassroots level. This is evident in the following narratives of lived experience which reflects upon good practice. Basanti Mohapatra (INF 309), an AWW for 26 years at the Rajabagriha Sarvadayapur AWC which has 20 children attending the centre currently narrated her story of empowerment which cuts across gender and caste barriers. The center is housed in the community *Club Ghara*, and the community comprises chiefly of Scheduled Caste families, mostly Harijans (Untouchables), who are daily wage labourers and sweepers by vocation. Basanti herself is an upper caste Brahmin Hindu, but she suggested that at her AWC there were no caste-biased feelings. She was herself an abandoned wife, and as a single woman with a daughter. In the beginning when she arrived at the village, she opened a betel nut (areca) shop, and conducted tuition for primary classes in her hut. Someone told her about the opening of the AWC in the area and she went in for the interviews for AWH. She got selected and currently she is the Joint Secretary of the local Mahila Samiti in her village. Basanti's (INF 409) experience is arguably, an instance of a combination of her commitment to her local community, the creation of opportunities by the State in duty-bearing positions such as anganwadis and facilitating formation of self-help groups (SHGs), as well as her own personal perseverance. Basanti's story also reflects upon the precedence of communitarian values over divisive attitudes of caste and class in her locality.

> *No matter what and where I live, I am alive because of them (the community). Years back they shared their meagre bread with us, and you my child have lived because of that half-bread they shared with us.* (INF 309)

Linking her own self-empowerment empowerment experiences to community empowerment, CDPO Gauri Dei (INF 115) of Cuttack Sadar, narrated one of her

favourite stories when a poor female-headed household brought itself back from the brink of starvation through access to ICDS food entitlements. In 2005, in Jagatsinghpur village, of Tirtal block, as an anganwadi worker, Dei identified a case of a severely malnourished boy in a very poor scheduled caste family. The father had abandoned his young family of three, which included his wife and two boys. The two-year-old boy was almost dead when she, as AWW, visited their home the first time. She checked his weight, dewormed him, and began feeding him at the center twice during the day. The mother and the brother were also fed and looked after by the AWC. She also educated the mother on nutritious food habits, reasons for indigestion, cleanliness, pre-school activities, and other related subjects. In 2011, Gauri Dei was in the Kanakpur AWC when she was informed that this boy was now an ace sprinter and had been winning races in inter-school sports competitions. In a similar story, Dei (INF 115) narrated the story of another boy at Joda urban in Keonjhar district in 1997-98 who she had to be admitted into TISCO hospital for treatment. This boy was severely malnourished and couldn't use his legs as a result, and the mother was pregnant with another child. But since then whenever she visited this AWC, the boy, following timely treatment, would 'walk' to her and wish her. Targeting at specific needs of poor families shows that political will and commitment of duty-bearers gives consideration to specific needs of different groups of people in policy initiatives.

> *This is termed as a 'positive deviance approach' towards community feeding practices, and it is one of the strategies which the AWWs of Kalahandi-Bolangir-Koraput (KBK) districts are trained to focus on. It is useful here because due to heavy mining, extreme poverty and alcoholism are common. In most poor families, children are left at home when both parents go into the mines all day. In such a context, the anganwadi centre can be a source of nutritious food for children, and as a daytime (safe) crèche it offers a life line for these poor families.* (INF 115)

In interviews, a few AWWs discussed their activities in terms of how much they had achieved, compared to other workers. It is important to highlight their narratives in the study to show the varied nature of their activities, the significance of the context, and individual commitments to their duties. I have used boxes to highlight two individual narrations, and then compared to the other narrations from a rights-based perspective. Box 6.1, below, describes the activities of anganwadi worker Das (INF 330) at

Khunkar AWC. AWW Das takes her responsibilities seriously, and is aware of accountability issues associated with egg disbursement.

In a different block, field data reveals that the opening hours vary from the Khunkar AWC, and AWW Parija (INF 323) gives more attention to accessing entitlement benefits to various vulnerable groups in the community. Parija (INF 323) of the Jagannathpur AWC which caters to 256 households, opens her centre from 9am to 12 pm. Between 12 pm to 1pm, Parija completes updating various registers, and after 1pm, conducts home visits making lists of people who may be potential beneficiaries of different entitlement schemes. In two years, her centre has had the highest number of Mamata beneficiaries at 67 number in the block. Parija has enabled 22 disabled persons to receive their entitlement certificates under the BBSA as well. Parija has been involved in forming SHGs under the TRIPTI program, and before that, in response to the 1999 super-cyclone. In total, Parija (INF 323) has formed 15 SHGs, and is herself a member of the Parija sahi Swasahajya SHG (INF 632-SHG) in Jagannathpur which she describes as being regular, less conflictual, with a focus on returning debts taken by the members for various familial reasons.

Primary data reveals that anganwadi centres respond to immediate community needs even if it were not part of the six ICDS services, and act accordingly. In Box 6.2, I have highlighted an incident based on direct observation at the AWC in the leper's colony in Jagannathpur basti of Cuttack city. This incident illustrates although the anganwadi centre was not initially started as a space where abused women found refuge, it was being perceived, and used, by local communities as such.

Opening hours of anganwadi centres varied, as observed above. For example, AWC-1, in Satyabadi block was open from 9am to 1pm, and had 18 children. According to the helper, Barik (INF 415), the Satyabadi AWC was one of the centres which had long working hours, and this was possible because it had its own centre. Although it was a 60 year old building, the structure was strong and housed the AWC. In the same block, the Jeypore AWC is open from 9.30am to 1pm with lunchtime at 12.30pm. According to the helper, Soudamani Samat (INF 414), they had 32 children, from all castes, attending the centre. Samat, who has been a helper for 13 years, further said that the children were served *gaja muga* as snacks followed by the lunch according to the ICDS weekly menu, stressing that the children loved the food at the centre.

Box 6.1: AWC activities at Janmajajpur

The main task, according to Das, was to check the quality of the distributed food, look into complaints on quality of chatua, and the prices of eggs locally.

> *I give raw eggs to the children to take home, because it is too expensive to cook it. The government gives Rs. 4 to buy an egg, whereas it is Rs.5.10 in the market, and then I have to buy fuelwood to be able cook as well, The Jaanch Committee and the CDPO are not interested in this discrepancy of prices, so I get the children and women to sign for the eggs that they have been given at the AWC. (INF 330)*

The centre is housed in the Janmajajpur primary school, and is open from 7am to 11am. It has 10 children attending it. The snack time is 8am, and at 9.30am the hot meal is served to the children. Since the announcement of the Mamata scheme, I have helped 12 women to benefit from it. One woman birthed a dead foetus. The AWC organises Pustikar diwas (Nutrition day) every 15th of the month, where we organised quiz competitions, slogan competitions, and a recipe competition for the women of the village. Prizes for these contests were normally soaps and pens. Such competitions are a great way to disseminate information. In the 7th month of a new-born baby, the AWC also celebrates an Annaprasanna diwas (tasting solid food day) where a special kheer (pudding) is made for the baby with a mix of ghee-honey-curd-rice, and fed to the baby with a new spoon and bowl. This event is used to disseminate information on best feeding practices to the mother, in order to tackle potential malnutrition issues in the future. The Supervisor is notified of the celebration prior to the event. The other event to celebrate is the Mamata diwas, which is done on the second Friday of every month, they commute to the main AWC in Janmajajpur village which is one and a half kilometres away. It is compulsory for all Mamata beneficiaries to attend the diwas wherein the women are informed of various procedures and given advice on health issues. This day is co-organised with the help of the village Auxiliary Nurse Midwife (ANM) and the ASHA worker, and is one of the examples of convergence of government activities (NIPCCID 2006: 23). The fourth Wednesday of every month is the immunisation day, and this is also celebrated at the Janmajajpur main AWC.

> *On this day [immunisation day], we have all beneficiaries including pregnant women, new-born babies, children of 2-6years age, attending the centre for tika on polio, BCG, diphtheria, millimela, thakurani, other boosters. Recently we announced the selected members of the mothers' committee which consisted of two pregnant women, two women who had recently delivered babies, one pre-school mother, and the village ward member.*

Replying to questions about her future, Das was very emphatic-

> *No baba, I don't want to be a Supervisor, who will travel around so much. (INF 330)*

Box 6.2: AWC at Lepers' Colony, Cuttack

A frail young woman wrapped in dusty torn sheets outside the doors was invited into the classroom. On one end of the large room sat the young children trying to keep quiet, arguing, and quarrelling to keep busy. And on the other end, the Helper spreads a cotton *durrie* on the floor and the ANM asked the young girl to lie on it. Hesitantly, she lies down as all three, AWW, AWH and ANM gently urged her to do so. The dusty sheet around her is unwrapped to reveal a fresh blood stained bandage around the side of her abdomen, and the ANM examined her wounds, changed the bandage, and lifted her up while the other two women shielded her from being visible to the children. According to the AWW (INF 301), she was a regular there, and this was the third time her laproscopy operated part has been damaged by her drunk rickshaw puller husband who was a violent man. She was 18 years old, had three children, and numerous miscarriages.

The focus of activities in an anganwadi centre depended on the AWW, and the resources at her disposal to carry out her responsibilities. In a few anganwadi centres, children were engaged in play activity outside the classroom, such as in Bhimpur AWC of Banapur block, and in Leper's colony AWC of Jaganathpur sahi in Cuttack, whereas in the Jeypore AWC of Satyabadi block, and in Nuasahi AWC, children were engaged in pre-school related study activities in the centre. In the Achyutrajpur AWC, Srinivaspuri AWC, Galua centre, and a few others the focus of the centre's activities was on feeding the children assembled in the centre. Many anganwadi workers described their duties as more than the prescribed six services. In Tonkarupada AWC of Bolangir district, the AWW is in charge of adult education scheme (podoshikhya karmi) where older people are given a conditional cash transfer of Rs.700 in exchange to learning to read and write. This shows that the AWC is increasingly being targeted as the centre for all development activities by the state government. According to the Bandisahi AWW (INF 325), in the three years that she has been a worker, she has undertaken a survey of the villages in ward number 1, has enrolled 73women under the Mamata scheme, 4 individuals under the BBSA entitlements, and has initiated three self-help groups which are involved in different businesses such as a sari shop, kerosene dealership, and other small businesses. The number of beneficiaries of the Mamata scheme had increased, according to AWWs interviewed for the study. Although the Mamata scheme is applicable to the first two pregnancies and is critiqued for that limitation, but women beneficiaries have given positive feedback on the benefits of the scheme. The entitlement of Rs. 1500 under the scheme is very useful

for poor women, and allows them some rest period during pregnancy. According to Neha (INF 301), the limitations in the scheme was a good way to remind the men that two pregnancies were enough.

> *On the 25th of every month we have a meeting for all Mamata beneficiaries, current and future beneficiaries, and these are very well attended. Most beneficiaries are content with the scheme because they get some money of their own during the pregnant months which was very helpful, and gave them rest from going out working as maid for that money. They had a choice now.* (INF 301)

Anganwadi worker Urmila Premkanta, (INF 326) of Baliaguda village, Pottangi Block in Koraput, has been a worker for 20 years.

> *I applied for the AWW post at a time when children used to come naked to the centre, women wore no blouses, and the men used only a loin cloth.* (INF 326)

Urmila had applied for the AWW post, was interviewed, appointed and sent for training. Urmila belongs to the general caste whereas Baliguda village consists mostly of scheduled castes, Paraja and Kondha tribe people. Currently she has 20-25 children attending the AWC, and later they get enrolled in the Pukali Ashram school. The roof of the AWC had collapsed in 2010, and even now there was water seepage and the floor is also cracked although the centre is quite large compared to many others. Referring to her work, she said that she had opened 20 Mamata passbooks since 2011 when the scheme was introduced, opened four SHGs, and encourage pregnant women to go to Pottangi medical to deliver babies. However, she admits that women prefer to birth at home because of the distance to Pottangi town, the costs involved, and the inconvenience it caused the family. Urmila said that although Pottangi town is 25kms away from Baliaguda, with no roads till recently, she had to walk to Pottangi to buy eggs and other food supplies for the AWC. Eggs, according to Urmila, were central to the food menu at her AWC, and were distributed to the elderly (KBK special provisions for the elderly), to the adolescent girls (Kishori Balika scheme), pregnant women (Mamata) and the children attending the centre.

In other anganwadi centres, interviews with workers and helpers revealed that many were informed by their immediate superiors that their main work was to clean the place, and cook for the children. Since many workers and helpers were illiterate, such

as INF 416 and INF 328, they did not question, and were content to do as told once they got the job. For example, the Nuaguda anaganwadi helper (INF 328) walks to Pukali village which is nine kms away from Nuaguda to buy eggs for the centre, cooks and cleans the centre, but has no idea about the anganwadi handbook and the prescribed duties and responsibilities. According to her, the anganwadi centre is open twice a week when she is able to buy the eggs from Pukali. The AWH was illiterate, and knew only the local language, and a villager,

Field visit shows that anganwadi centres had different opening and closing hours across the three districts, and these were primarily determined by the location of the AWC, the time constraints of the AWW, and the number of children attending the centre for the specific day. In Banapur, one parent, Krushna (INF 845), an auto rickshaw driver, said that the centre had irregular opening hours.

> *The AWC is open for maybe twice a week. The children are just fed, but no other activity such as teaching, play, is conducted. Even egg is not served although it is mandatory twice a week.* (INF 845)

In defence, of their role and activities, anganwadi workers and helpers, however, argued that all jobs have problems, and the solution must include a recognition of the limitations imposed on their activities by geographical location, and social and economic situation.

> *Which job is not criticised? Even if we manage to open the AWC for three days and provide the children with some food in those days, and look into identifying beneficiaries for other government schemes like Mamata, villagers should be happy. Because it is not that we don't have our own work. We have other responsibilities, and who will do that? At least there is a system in place, and this is better than getting nothing from the government.* (INF 305)

There are three ways of analysing Behera's arguments. One is that it reflects upon the situation which the duty-bearer finds herself in, that is as a poor woman herself who has to perform her household chores in the same socio-cultural context as other rights-holders. Secondly, it shows that sometimes duty-bearers are in a position of power, and perform duties according to their convenience. Thirdly, it also directs attention to the fact that this level of grassroots duty-bearers is unable to perform all the duties she has been employed to discharge. In many cases, as my field study shows, the socio-

cultural context is gender-biased, caste-biased, and poverty imbued, and has a definite impact on the work ethics of the workers and helpers.

Individual duty bearers at local levels, however, also have immense capacity to influence the implementation of schemes. An example would be the AWWs at Gop Block and Balianta Block Centres where delivery of ICDS services as per the government directions was observed because of the individual commitment of the AWW to deliver entitlement services. Interviews with the Self-Help Group members (INF 641, 642) revealed that the local AWW (INF 414) was one of the central figures around which the women of the villages flock for information and advice on various matters. Her friendly attitude, and individual commitment to ensure that women and children receive their due entitlements, has encouraged rural women to get-together on different issues such as creating SHGs, and protesting in anti-arrack campaigns. According to a community leader (INF 643), *didi* regularly checked her activities, and motivated others such as the ASHA worker to keep the village drains clean, and ensure that the necessary insecticides are sprinkled on them to prevent malaria. In the Pujariput village of Koraput town, the AWC is a newly built structure and is managed by an AWW (INF 325) who is a college graduate, well versed with her duties and responsibilities. In contrast to most AWWs interviewed in my study, she was more educated (Bachelor's degree) and informed than other workers interviewed.

> *If I presented myself as someone who had the knowledge and skills to enable and empower others, people would then look up to me for information, and trust my commitment* (INF 325)

Iinterviews with AWWs and AWHs reveal that in spite of social and cultural divisions within communities, the AWCs in urban slums were sometimes used as a 'safe space' where health-care was provided to abused women during the weekly visit of the ANM. Many workers had more than two decades of experience, and were repositories of local knowledge, and on what works and what doesn't. Narratives indicate that anganwadi worker felt empowered during their role as a worker, and this self-empowerment influenced community empowerment in many cases. For example, individual anagwnadi workers used their authority to extend ICDS services to the real needy such as abused women and those affected by extreme cases of poverty. Political will and commitment of anganwadi workers and helpers differs from village to village,

and was sometimes shaped by distance to the centre, especially in parts of Koraput. In a few cases, the villagers were sympathetic to the situation of the poor anganwadi helpers. In other instances, ignorance of the ICDS services maintained the status quo where no one challenged the inadequate services provided by the anganwadi centre.

6.4   Makeshift Anganwadi Centres

In my field study, I came across many makeshift anganwadi structures which were housed in village community centres, the drama storehouse (*pathaghar*), anganwadi helpers' homes, open temple halls, primary school classrooms, independent structures, and small huts. I have described a few such anganwadi centres through the words of the anganwadi workers and helpers as below to illustrate the magnitude of challenges faced by the worker, and the ways in which they overcome or negotiate such difficulties. Many workers conduct anganwadi activities under the shade of large tree. Others keep changing venues of the centre depending on availability of communal space. For instance, AWW Vijaylakshmi Pradhan (INF 332) of Kantapada block moved between club *ghara*, to veranda of primary school, to under the tree, and back to the club *ghara*. There are 20 children attending her AWC, and Pradhan was committed to keep them engaged for 4 hours (9am to 1pm). Damayanti Mohanty has been an AWW for 18 years at Kendua AWC of Keonjhar district, and keeps it open from 9am to 2 pm on the veranda of the local primary school. Anganwadi worker, Helen Mohanty (INF 320) has been a worker since 1986 at the Nakhara AWC which is held on the veranda of the Jaguloi school between 9am to 1pm. Pointing at the damaged roof of the school building, Mohanty said that they carry on with their usual duties with the 16 children who attend the centre. Safety of the occupants of the school building was a problem, but not regarded as big enough for either the duty-bearers or the parents of the children, and therefore it has not been addressed. Satyabhama of Galua AWC, uses community common spaces for anganwadi activities.

> *I use the community pathaghar which houses all the costumes and stage material related to Gupteswar god, and it is also the natyaghar of the village. The sarpanch granted this space to be used as a centre 13 years back. The masks you see in that corner, the stilts, the wheels, the rathas' lie here in between the festive seasons. As you see, there is one bulb here, not enough*

lighting or ventilation to do anything with the children. So we use the narrow verandah to seat and feed the children. (INF 305)

AWW, Pratima Sahu (INF 321) is in charge of AWC-II (Nuasahi AWC) of Nakhara village which is attended by18 children, and caters to the needs of 100 households with a population of 600 people. Since the Mamata Yojana was introduced in 2011, she has had 16 beneficiaries under the scheme, and eight had been fully covered by the scheme. Sahu said that currently she conducts anganwadi activities in her family home although earlier she used any community space available. Sahu hopes to have her own centre soon.

> *I used to conduct the centre's activities under the Chakunda tree, and if it rained, we ran for shelter. I cooked food on fire made of gobar gas (cow-dung gas) because the fuelwood expenses were more than what the department gave us. That way I did not have to spend my own money nor deny the children of food which they were entitled to.* (INF 321)

It was always not very feasible to use family homes as centres. Ward No. 3 of Banapur block has its AWC in the helper's house. The AWH, Sundari (INF 405) herself lives in her mother's house which is owned by her brother and his family. The stress it caused her can be best revealed in her own words, as below.

> *I was abandoned by my husband, and live with my mother who is blind. My brother and his family treat me and my daughters badly but they let me live here because I have some income as the anganwadi helper. It is however difficult to bring anganwadi children to the house and cook for them but we all make it happen.* (INF 405)

Basanti Naik, Helper (INF 404), in charge of the Achyutrajpur AWC in the absence of an AWW, thought the community was very supportive of the centre. The Galua AWC was housed in the village community centre (pathaghara) as well which was mainly used to store stage drama related equipment such as large wheels, lighting, costumes, and other materials. Field visit to the AWC revealed layers of dust on the equipments, and no lighting inside the pathaghara, and the AWW preferred to use the verandah for her activities including serving food.

*Dhuli re niswaas neyi hauni. Kemiti padhibu, ki .kemiti khaayibu (The dust doesn't allow us to breath. How to read and how to eat in there)? (*INF 305)

There were daily logistical issues pertaining to shifting centres. Discussing the problems associated with not having their own centre, Das (INF 330) said that sometimes they kept changing venues. Instruments, registers, pre-school material and other materials related to the anganwadi centre are kept in different houses wherever possible, and carried around to the shifting centres.

> *We use different spaces such as the veranda of a big house on Saturdays because on Saturdays, the primary school is also held in the morning as well and therefore needs its premises. The weighing scale is kept in my house. It is a Salter machine which we hang from the ceiling with the aid of a rope, and the child (2-6 years of age) is made to hang inside the loop to be weighed.* (INF 330)

In communities where the anganwadi centre used the premises of school classrooms, the difficulties of conducting anganwadi duties before the school hours began was discussed.

> *We have to conduct our AWC work between 8am to 10am each morning before primary school begins at 10am. How can we collect children, cook, feed, and clean before 10am on a daily basis? However, shifting to the temple precincts, alternatively, in the next few months is not going to be very helpful either. How can we feed the children on the temple verandah and steps?* (INF 406)

There were demands for the construction of independent structures for anganwadi centres, especially after a mishap in one of the anganwadi centres at Ranapur village. According to union leader Sahoo (INF 736), the suspension of two AWWs as a result of the collapsing wall showed that the duty-bearers at higher levels as well as the community members regarded the anganwadi worker as having primary responsibility of the safety of the children even in cases where the authority to decide upon the housing of the anganwadi in any village lay with higher officials.

> *The responsibility of providing a space for anganwadi activities lies with higher level officials, and therefore putting the blame on the lowest level of duty-bearer is not good practice. In cases where the workers thought they had a responsibility for a certain mishap, they have resigned such as in*

Tonkarupada anganwadi centre (Bolangir district) where a few children got burns due to the spilling of hot water, in March 2013. (INF 736)

In the cases discussed here, the lack of an independent anganwadi structure did not limit the commitment of most anganwadi workers and helpers. All efforts were made by the WCD department, as well as the anganwadi workers, to ensure that the centre was opened and entitlements reached the poor, in spite of lack of financial resources to build separate centres in each village. The political will and commitment of duty-bearers at the village level thus has the potential to determine the implementation, or non-implementation, of rights-based policies.

6.5   Waiting to be heard by the state

Anganwadi workers and helpers, as discussed below, felt a sense of neglect by the state. While many anganwadi workers and helpers felt overwhelmed by constant change of venues for their centres, others felt helpless under corruption charges by the communities, and unable to defend themselves because of the involvement of higher authorities. Many workers complained about the discrepancy between fixed costs given in the state budget for anganwadi expenses, and the fluctuating market prices of essential commodities such as eggs and fuelwood for instance. Resultantly, the worker had a few choices such as provide no food, provide food on two or three days of the week, buy no eggs, give dry rations, or in extreme cases spend from their own pocket. The quality of the THR was also challenged by villagers in some cases where the worker was held responsible. In a few cases, anganwadi workers wondered why they were held responsible if families did not want to send their children to centres on a daily basis. However, the most important issue was that although the workload was increasing, there was no parallel increase in their salaries, nor were there other benefits such as pensions. The untimely payment of salaries was also a bone of contention. In this section, I have deliberated upon the complaints of the workers and helpers.

Dilapidated buildings used as AWCs is an issue of concern for AWWs. The Suam A anganwadi centre has its own centre for over a decade. However, there are cracks in the wall and the fear of collapse of the building was imminent, and in spite of numerous complaints filed by the AWW (INF 336), and assured of quick action by relevant authorities, nothing had been done to repair the walls.

Spending one's own meagre cash to run anganwadi activities to match the difference between AWC budget and the market prices of materials used for cooking hot meals is a problem for the workers. As discussed below, it becomes expensive, and leads to disharmony within the worker's household as well.

If you calculate the cost of fuel wood, it is more than the government stipulated 20 paise per day per child. I have 20 children coming to the AWC, and the cost of fuel wood or cooking gas for cooking varies between Rs.10-15 per day. (INF 404)

The cost of egg in the market is more than the amount we are provided for. This leads to us cooking eggs once a week instead of 2 days. If we cook twice, we have to spend from our own pockets. (INF 408)

The critique that we do not buy egg twice a week needs to be seen in this context of market rate of the eggs versus the amount per day per child the AWC is given to spend. (INF 406)

AWWs were unable to deal with allegations of corrupt practices by the villagers. Complaints made by villagers on the poor quality of *chatua*, and siphoning of *chatua* to sell it in the local markets, according to Mishra (INF 610), were high on the list of allegations against the anganwadi workers. Many workers were accused of not distributing the mandated amount of 3 kilograms of *chatua* per month as well. In my group discussions with self-help groups (INF 613, 614, 615), women informed me that pregnant women do not get the stipulated packets of *Chatua,* and when they asked the AWC Helpers of Banapur NAC (INF 406, 407,409), they were informed that that the government had not sent in the packets. However, the SHG women said that the *Chatua* packets can be seen for sale in the local markets. According to Kunti (INF 842), the AWC sold the packets for extra cash for themselves. The quality of the Chatua mix as being particularly bad in Achyutrajpur was also discussed by the women in the SHGs, especially the Gacchabalingeswar group (INF 613-SHG). However, describing their role as passing on the Chatua which the department handed them, the Achyutrajpur AWH (INF 404) said that they had no role in determining the quality of the THR.

The Chatua packets that the government provides us with are sometimes outdated, and we have to bin them as it is full of worms. We take the flak from

the villagers although the issue is actually not with us but with the suppliers who either take a long time to deliver or hand us old stock which we are unable to distribute to the beneficiary. (INF 404)

An important activity of the anganwadi centres is to attract the village children to its centre, and according to the ICDS stipulations, this demand for the centre has to be created by the worker and the helper. However, it was not an easy task for many anganwadi workers. The numbers of children attending the anganwadi centre fluctuated with region, and the season. For example, during the harvest season, children were either working in the fields, or were minding very young siblings at home and preparing the food. However, the helper was under pressure to encourage and bring in as many children as she can every morning. In Kapileshwar village, 15 children were having their meal in the helper's hutment. In Jagannathpur village, although the helper had called in sick, 6 children had turned up outside her house and her family served the food cooked for the children. In Bisaripatna village AWC, the helper had brought in 23 children to feed on the morning of my unplanned visit which provides evidence to the fact that the communities do find the anganwadi centre useful for their children, especially for the right to a free hot-cooked meal. During my interview with AWW Satyabhama Pradhan (INF 305) of Galua anganwadi centre, the helper, Lata Parida (INF 403), had cooked rice in a large aluminium vessel, and soyabean lentils in a wok. The food cooked was meant for 5-6 children, and not for more. On the morning of the interview, there were four children who had been collected by the helper, and they were made to sit on the *verandah* floors with their plates, and were served food at 11am.

> *Some days we are unable to bring in all the village children. Some are unwell, some still sleeping, some run away*. (INF 403)

In another remote village, in Macchhkund block, during my field visit, there was only one child attending the AWC for the cooked meal at 12pm. The doors of the centre was locked, but the helper was out with this child who had arrived to eat the free entitled meal. According to Kamala Das, AWH (INF 401), it was difficult to commute daily in those parts of the block.

> *It is very difficult to call the children in these parts as this AWC serves two villages and both are at least 2-3 kms away from this AWC. How can such*

small children walk so far even if it is for a free meal? I am hoping for a few elderly people to come and eat as well as we serve food for the needy in this AWC. (INF 401)

An issue of discontent for the anganwadi workers was the ambiguity over their official position as *sweccha* (voluntary) government employees which denied them entitlements which other government employees enjoy. According to the workers, as quoted below, their workload had increased from the initial six ICDS services to a wider range of development activities without an increase in pay.

We were recruited to work in six services, but now we have 600. (INF 329A)

Are we swecchha (voluntary) workers or are we samaj sevikas (social workers)? (INF 336)

The government says it chose us from the community on the basis of our willingness to voluntarily serve our community, and we do not dispute that. However, we are no longer delivering only the prescribed six ICDS services of the central government for which we had taken up the post initially. We have been given responsibilities by the state government as well. Therefore our official positions, and salaries, must reflect these changes. (INF 333-341-GD)

While agreeing that the vagueness around the status of the AWW as a voluntary worker demanded the need for clear eligibility criteria for all AWWs, PECUC director, Mohanty (INF 714), said that it did not, however, ensure that the AWWs were more qualified or child friendly. According to Mohanty, if children's lives, health, education and emotional development, were considered important, there was an urgent need to have qualified AWWs with a degree equivalent to Bachelors in Education at district level. Workers should then be certified through an eligibility test, provided training, and long term capacity- building courses.

It should be clear whether an AWW is just a member of the ICDS scheme, or is she a government employee. Although newly appointed AWWs have to have a minimum educational qualification, the AWWs who have been serving for 2 decades and more are still not well suited to care for young children between 2-6 years. A minimum qualification should cover an educational qualification in Early Childcare amongst other professional skills, for instance. (INF 714)

The issue of qualifications of the worker and helper, and its influence over anganwadi activities, including supervision, was an important concern for other development practitioners. Tensions were emerging on the issue of the level of education of the anganwadi worker and the supervisor versus a local community-based woman who was trusted by the people.

> *But then, is it possible to expect effective supervision from duty-bearers who have been promoted as Supervisors, and then as Child Development Project Officers without the equivalent education, knowledge, and training of supervision skills. The supervisor has a small salary of Rs. 9,500 which is less than minimum wage, mostly on a contract basis, and no other benefits. Was it fair to burden her with such responsibilities? The important thing, however, was the service ethos of the appointee. And yet, if supervision is treated as a nine to five job, it defeats the very purpose of the rationale behind the post of supervision.* (INF 703)

An important issue of discontent amongst the anganwadi workers was of being co-signatories of bank accounts for the ICDS funds with the panchayat ward member. The joint responsibility is between the anganwadi worker and the village panchayat ward member, for withdrawing cash from the bank for anganwadi centre related expenses such as the purchase of food items, fuelwood and so on. According to the Banapur Child Development Program Officer (INF 125), the availability of funds in bank accounts can now be checked to ensure transparency and accountability because there are two signatories.

> *In making joint signatures mandatory, the state encourages transparency and empowerment by localising and sharing responsibilities. Furthermore, this gives equal and joint financial responsibility to duty-bearers from different departments as the AWW is a voluntary employee of the women and child development (WCD), and the ward member works under the PR department.* (INF 125)

However, joint responsibility between the AWW and the ward member has created tensions at the village level in operational terms. Opposing the argument that co-signatures with the ward member was a mechanism for accountability, Union activist Sahoo (INF 736), argued that the ward member was a political worker, and in most

cases demanded a bribe from the AWW in return for co-signing. In my interviews, and participatory observations of the state-wide political demonstrations (December 2013-January 2014) organised by the AWW Association outside the Odisha state Legislature, I recorded AWW demands which included sole authority over ICDS bank accounts amongst other demands.

> *Joint signatures gave the ward member the license to hold up the payments in return for a sum of bribery money.* (INF 305)

Others development practitioners agreed that by introducing joint responsibility of bank accounts for AWC expenses will check charges of corruption, and ensure accountability of duty-bearers. According to NGO worker Jena (INF 729), co-signing checked corrupt practices that went unnoticed by higher officials earlier, and highlighted cases where AWWs have stated to communities that they were unable to provide for ration in the AWC because of a lack of funds.

> *It has put a hold on their unaccountable ways of using the amount that is designed as entitlements for beneficiaries in their villages.* (INF 729)

Right to Food Campaigner, Mishra (INF 703), further argued that joint responsibility has a very rights-based approach because it acts as an accountability mechanism, enables participation of local communities, and facilitates sharing of responsibilities in local governance structures.

> *By appointing panchayat ward members to be co-signatories of the bank account where anganwadi expenses are accounted for, the department of WCD has put checks and balances to corrupt practices at the village level. Earlier there was no hisaab, no accountability on what amount was unspent, whereas now the sarpanch asks, the ward member questions, and the poor in villages are discussing their entitlements. All are questioning, and that is why the anganwadi workers are up in arms. This unrest, referring to the recent spate of strikes and demonstrations by anganwadi workers unions, is a manifestation of affirmative actions taken by the department of WCD.* (INF 703)

The AWWs union, however, did not perceive of the co-signatures as above. Instead, their complaint was as follows.

The AWW is exploited. To procure wheat for chatua mix (where the AWW has to organise procurement), the WCD gives Rs.500 to do so, of which the mill owner takes Rs 450, and the rest goes in commuting. How can the worker be blamed for using that Rs.500 for anything else? Look at the costs involved. There is a lack of political will and commitment on problems faced by anganwadi workers and other grassroots workers as can be observed in the comment made by the erstwhile minister Samant [I am a four day minister, what can I do?]. The current minister is not even listening. There is no empathy for the plight of the grassroots duty-bearers. (INF 736)

In this section, I have deliberated on the reasons how the anganwadi workers were increasingly becoming dissatisfied with the ways in which their concerns were being ignored by the state. Ranging from being held responsible for matters beyond their control such as weak anganwadi centres, low salaries which were paid irregularly, to being exploited by immediate superiors at work, and the inability to defend themselves, the problems of anganwadi workers and helpers led them to collectivise.

6.6   The need to collectivise

Increasing dissatisfaction with their inability to be heard by the higher authorities, as illustrated above, and as the following paragraphs reveal, led to the unionisation of the anganwadi workers and helpers. I have provided narratives, in this section, to help understand the depth of disillusionment experienced by the workers. Ranging from feelings of discrimination over pay-scales compared to other government employees, to being victims of abuse of higher officials, the workers expressed their anguish in group discussions and interviews. Some of the slogans in the political rallies of organised by the AWW union in December 2013 captured the essence of their dissatisfaction.

If demands are not met, the lock on the doors of the AWC will not open

We do not need the increase in salary or work for the state government

We will work only for the central government (referring to the six initial ICDS services). (Slogans at political rally, December 2013).

> *We work as social and medical workers for the village. We organise project and sector level meetings every month where all documents, reports of centre activities, numbers of beneficiaries, etc are discussed with the supervisors and the CDPO. Then why do government employees such as the class III employees, get paid much more than us? Aamara kichi mulya nahin (have we no worth).* (INF 320)

AWW Gitarani Mohanty (INF 342) of Salehpur AWC, Cuttack district, became an AWW in 1985, and used to work 3 hours a day earlier for a salary of Rs. 125 per month. There were no unions then. Referring to the wall collapse incident of Ranapur AWC, which led to the suspension of the AWW, Mohanty asks why does the department get *sakriya* (active) only after an incident has happened?

> *We were not informed nor were we conscious of our rights. 10 percent of my salary went to the Treasury for making my salary available to me! In another instance, a sub-Collector of Maniguda was not happy with an AWW, so he got her transferred, and nobody could question his authority in doing so. Elsewhere, in Kendrapada, the District Collector arrested an AWW, and this couldn't be questioned because of ignorance of rules related to the same. There are rape cases by AWWs implicating higher officials which are uncontested. The anganwadi workers are cash poor (80%of AWWs are in the below poverty line).* (INF 342)

Violence against the anganwadi workers and helpers was often a motivating force to join the anganwadi union. As the problems of anagwanwadi workers and helper became more complex, the need for collectivising became greater. Damayanti (INF 338) was beaten up by the sarpanch of her village for marking his house-door for the polio drops while on duty to identify homes for polio drops by mistake, following which she lodged a case in the high court five years back with the support of the Bharatiya Mazdoor Sangathan. Incidents such as that of the ASHA worker, and Damayanti's case, show that grassroots duty-bearers, especially women, are vulnerable and find the need to collectivise in order to empower themselves. Other cases discussed above suggest that policies focusing on rights-based approaches for the poor were ignoring the needs and rights of a different set of the vulnerable poor, that is, the poor grassroots duty-bearer. By doing so, firstly, the state-led strategy

creates gaps in its rights-based approach, because if grassroots duty-bearers are engaged in rallies and demonstrations for own rights, how will the anganwadi centres, for instance, function? Secondly, the collectivisation of this level of grassroots duty-bearers demanding own rights, directs attention to the processes of empowerment of this group of vulnerable women. Thirdly, attention is directed to the underlying political will and commitment of the duty-bearers at policy making levels which reveals that policies labelled as rights-based have to be revisited in response to duty-bearers demands in the field which clearly indicate that some groups of poor women have been left-out.

Summarising the historical evolution of the anganwadi workers' position, Bharatiya Mazdoor Sangathan (BMS) Union leader, Sahoo (INF 736) reported, (see Box 6.3) that a quick look at the status of the workers will reveal that they were always treated unfairly.

> *We gheraoed the offices of the superintendent of police, and others*. (INF 338)

Retirement and pensions were important issues which led to workers and helpers collectivise to demand related entitlements for survival. Many anganwadi workers have been in the post for 25 years and demanded old-age pensions in their petition submitted to the GOO, before agreeing to retire. According to Ahalya Sahu (INF 406), there were no usual benefits such as bonuses or pensions on retirement. Various AWW unions in other states are demanding pensions in many states, and many have refused to retire from the posts. Comparing salaries and other benefits of supervisors and CDPOs, 55 year old AWW Ketaki Parida of Kantapada block, wanted to know how will they survive after retiring. On the subject of retirement, Mamina Mantri (INF 331), a widowed anganwadi worker of Anugul municipality also wondered how she was going to live if there was no pension upon retirement.

> *If we work as swechha sevikas all our lives, how can we retire, and why will we retire, therefore many of us do not retire*. (INF 330)

Vijayalakshmi Pradhan, an anganwadi worker for 24 years is 42 years old with two young daughters, and a widow was equally perturbed about retiring.

> *How will I support my girls if my present and my future is not secure*? (INF 332)

Box: 6.3: Bhartiya Mazdoor Sangh, Sahoo on the history of problems of AWWs

In 1975, the AWW had to study till matric (10th) class, pass or fail, for a salary of Rs.100, and dearness allowance of Rs.10. The AWH received Rs.50 as pay. After five years, there was Rs.25 increment, and the salary was paid once every six months, in addition to 50kg of rice per year. However, they could be suspended without notice, and their jobs terminated anytime. In August 1988, we organised for the first time, a block level meeting of all AWWs and AWHs at Salehpur, Cuttack district followed by a demonstration in December outside the Vidhan Sabha in which we gave a memorandum to the government. There was no response from the government which reflects on a lack of political will to investigate into the problems of this level of duty-bearers. In the 1990 protests many were arrested in Khandagiri thana, and in 1992, there was a Rs.100 increment in salaries of AWWs. In 1997, there was police lathi charge in the AWW rally, and 10,000 were arrested and jailed in Jharipada for 8 days. When I.K.Gujral was prime minister, there were 12 lakh AWWs, and there was a 25% increment in the AWW salary, and 30 % for AWH. In 2004, when Vajpayee was prime minister, he increased salary to Rs.500 from Rs.1000 for AWWs and from Rs.200 to Rs.500 for AWHs. Prime Minister Vajpayee regularised the anganwadi workers by creating the post of Supervisors for which an AWW could apply if she had 10 years of service, and a matriculate degree, and/ or 5 years of experience as AWW with a graduate degree. This led to 3000 AWWs becoming regulars, and another 3000 were provided contracts to be supervisors. In 1990, a 7-day hunger strike to reinstate AWW Satyabhama Swain in Khoparakhol block back in her job was successful. Earlier the AWW had no holidays, but now they have 8 days, and a casual leave of 20 days. After 30-35 years of work, an AWW has not pensions and other employee benefits. A Karnataka State tribunal in 2010 ordered the government that the AWW is a State government employee, and has a master-servant relationship with the State, and in 2010, the Nagpur branch of the Bombay High Court covered anganwadi workers under the industrial dispute act. In Odisha, the High Court, in 2013, has given a stay order for anganwadi workers who are above 60 years of age, and were asked to be disengaged from their services by the department. Other related issues such as entitlements to pensions under different government schemes such as the Madhubabu pension yojana were not discussed. Disengagement rules entitle an AWW for one month's notice since the last two years. There was no social security for AWWs such as the Kalahandi district AWW who lost her legs under a truck in 2007, because there was no insurance for them till 2011, nor were workers aware of insurance plans. In Phulbani district, an ASHA worker was cut and thrown on the roadside by Maoists as a result of misinformation for which the Maoists leader Sabhyasachi Panda apologised but the State could not protect an innocent government worker. The workers did not have maternity leave till 2008, and now following demands, they have 4 and a half months of maternity leave, and only 3 months for 5 years before

Urmila Mohanta (INF 340) is 60 years old and has been a worker since 1991. She was served a notice in November 2013 to retire, and went to the AWW union office where

she was advised to go to the high court. Mohanta does not want to retire because she has no other income to survive on, and at the time of the interview, the AWWs were not eligible for pensions.

> *The court sent a stay order which had not reached the CDPO office, and if it does not come by 30th December, I will have to quit.* (INF 340)

Expressing dissatisfaction with the state response to their demands, AWW Savita Padhi (INF 329A) raised the question of educational levels and pay differences between the Shiksha Sahayak of the department of mass education and welfare (Rs5000-Rs7000) at the village level, and the anganwadi workers who were graduates and post graduates (Rs1500-Rs3000). Padhi, a post graduate in Odia subject, further brought into notice that the headmaster of the primary school in Jajpur block was only "matric pass".

> *Why can we not get more salary according to our educational levels? Why cannot we be paid equivalent to others such as the Shiksha Sahayak, and instead of being commended for being on duty for 24 hours, we were told, no work, no pay, and if you have not done the work, write it down and let us know.* (INF 329A)

Threats by higher officials were common. Pradhan (INF 332) said that the CDPO and supervisors tell them quit their work if they cannot deliver. A graduate, Vijayalakshmi Pradhan (INF 332) of Kantapada block has been an anganwadi worker for 24 years, and was promised the post of supervisor but was still waiting for it. In group interviews, AWW Savita (INF 329A) insisted that workers were willing to work if there was a merit based service perks, and pay was commensurate with the work.

> *The CDPO does not understand that we have been give jabardast (too much) work, but the salary is delivered once in four months.* (INF 332)

The anganwadi workers and helpers were also vulnerable to political party propaganda at the village. During the pre-election phase, according to Mishra (INF 703), the anganwadi becomes one of the centres for vote negotiations, and it was not uncommon practice by politicians to use anganwadi workers to disburse food and cash entitlements to 'favoured' claimants in return for personal favours. This information that they were susceptible to political influence because of their socio-economic background, poverty levels, and of their key responsibilities at the anganwadi centre

was referred to by many anganwadi workers but none of them wished to be named for the comment. The anganwadi workers felt that they were used as pawns by higher level duty-bearers for political gains, especially when schemes were fuzzy and plans were not well drawn out. The example of the recently enacted NFSA is one such case where the anganwadi workers were given the task of making lists of "priority households" eligible for food entitlements under the public distribution system by the block development office. The AWW were given a list of eight criteria to determine which household can be deemed priority for claiming entitlements, and when the list became public upon completion of the task, the households that were left out became violent. After a series of incidents, the state had to withdraw the list, and announce additional indicators to include the poor left out of the list.

> *We are not informed about the schemes, but given the responsibility to enact it, it is only when we enter the domain, we realise the problems associated with it, but by then the villagers have already begun to mistrust us.* (INF X)

Discussing the pressure to create women's self-help groups, AWW Savita (INF 329A) said that they were threatened with a salary cut if they were unable to form groups, and when the SHGs broke up after a few months of being formed, they were made responsible for the break.

> *If an SHG breaks up, why should I be responsible? I was under pressure to form one, and somehow I brought together a ten women to form a group. It is difficult to predict if the SHG will continue or not. Three of my friends quit because of this pressure. Discrepancies such as this made her want to commit suicide.* (INF 329A)

Newer responsibilities such as conducting surveys on number of homes with laterines, or making reports on cyclone affected household damage, are being increasingly given to them although they are already complaining of being unable to cope with existing work pressures. The worker is under pressure from the family which is still traditional and bound with local customs such as living in joint family systems and the woman as the main household worker as well. On the outside, social pressures, pressure at work are combined with a lack of resources, both financial and space availability to run an anganwadi centre (including cooking a meal, pre-school activities and maintain registers). Anganwadi worker (INF311) of Ankulapadar village AWC in Banapur, has

been a worker for 13 years, and said that she had not been paid in the last four months. Discussing the salary increases over the last two decades during different governments, she said that she still has not received the five year arrears in her salary.

> *I end up listening to gaali-galluchu (abuses) of people when their demands are not met in the centre. One of the women from an SHG fought with me recently. Added to the constant critique by the villagers, is the fact of low and delayed wages. If we worked on a daily wage rate, our salaries would be much more than what the state gives us currently.* Daramaku chaahinle, kaam bahut *(compared to the salary, the work is too much). (*INF 311)

Discussing the workload, AWW Neha (INF 301) said that for three months, she went door to door for a census survey, after her AWC hours, and was paid Rs12000 after a whole year of the work done, and the rest of the money is still to come. Neha needed the extra income because her husband was unemployed, and she does not have a BPL card for subsidised food items. Problems at the anganawadi centre ranged from not getting salaries on time, spending own money to buy eggs for the children at the centre because the market prices were higher than the amount given to them by the department. Neha's case indicates that the duty-bearers at this level were willing to do the extra work for the extra income associated with it, but it also directs attention to the fact that getting involved in tiring work such as census survey took her time away from the anganwadi centre. Direct observation showed her angry behaviour with the children, and no pre-school activities on two accounts.

> *I used to leave the centre at 11.30am, go home and finish cooking before 2pm, and walk to Link Road to conduct door to door census. On some days I could do only 3 to 5 households. It is a very tiring job for someone with a family, especially when wages are so low.* (INF 301)

In this section, I have used evidence from the field to show a general dissatisfaction of anganwadi workers and helpers, and a need to collectivise as a result of perceived state apathy to their immediate needs. Workers felt that they were increasingly adjusting to the demands of their work responsibilities, and yet were not given due recognition either by communities or by the state.

6.8 Anganwadi Workers: Conclusion

This chapter focused on the issues that the ICDS grassroots duty-bearers, namely the anganwadi workers and helpers, decided to discuss based on their experiential knowledge. Field study reveals instances of affirmative and empathetic initiatives undertaken by AWWs against all odds to conduct activities. Following are some of the important findings of my study.

This chapter has described in detail how and why the anganwadi workers and helpers joined the anganwadi centre, what they do as part of the ICDS activities, and how those services are conducted, drawing heavily on their own voices. Most anganwadi workers and helpers do not remember when they joined and how they joined the anganwadi. However, the reasons for joining the anganwadi centre had a common thread, namely, not enough work opportunities locally, and the need to earn a livelihood. In some cases highly qualified women preferred to work as anganwadi workers because it was a government job with assured pay.

AWC workers were generally very positive about the effectiveness of the ICDS programme in meeting one of its key objective, that is, of providing children with a nutritious meal. A further benefit of the programme highlighted by informants was the functioning of the AWC as a daytime crèche or a safe space for the children of poor working mothers. Although it was not an objective of the ICDS to have anganwadis as shelter homes for the very poor and abused, findings from the field indicates that in some cases, the anganwadi centre was used as a refuge for victims of domestic violence in urban slums. The stories of anganwadi workers and helpers revealed that the services they rendered were beyond the ambit of the ICDS demands, and how individual anganwadi workers have been able to adapt to the needs and demands of the community.

The response of anganwadi workers to community-needs ranged from arranging for basic nutritious food for households suffering from acute hunger, to bringing back extremely malnourished children on to their feet. In some cases, the worker's service ethos was evident where, through her services, she wanted to give back to the community from where she received her basic survival needs. Anganwadi activities occurred under the Chakunda tree and in a centre which was collapsing. The dilemma

for the anganwadi worker was clear—to not continue the anganwadi activities meant no pay and criticism from the villagers, and to continue meant taking the risk of possible building collapse. The latter also meant losing her job because safety of the children was her responsibility. If anganwadi workers complained about the problems they faced, they were sometimes threatened by their higher officials to either continue or quit as there was no dearth of potential candidates for the job.

In many cases, the grassroots duty-bearers had taken initiatives to ensure the smooth functioning of anganwadi activities even it meant running the centre under a tree or a leaking roof. It also shows how helpers walk long distances to secure eggs for the centre, or coax children on early wintery mornings to come and attend the centre. In most cases, the women were very enthusiastic to conduct anganwadi activities in spite of physical challenges such as distance or lack of funds. Thus, the findings suggest that the role of the individual anganwadi worker was crucial to the direction the activities in a given centre took.

However, effectiveness and the delivery of services by grassroots duty-bearers is impacted by problems they face in terms of delayed payment of salaries, low wages, discrepancies between the given fixed budget and market prices of food items and fuelwood, pressures to form self-help groups and threats if and when they break up. Such issues led to pressures on the worker with no avenue to express their grievances to higher officials, and impacted their well-being. Extra responsibilities given by the state government to conduct all types of surveys (census, cyclone relief, toilet surveys), in addition to the execution of the primary six ICDS services, was burdening the anganwadi workers in terms of their time and energy levels. The convergence of activities of different government departments, as discussed in chapter five, at the anganwadi centre also led to the increase in her daily work.

The general suspicion of villagers related to the listing of the priority households as stipulated under the NFSA was a recent case of dissent between the villagers and the anganwadi workers and helpers. In some cases, the latter were treated with violence, leading to mistrust between the communities and the workers. I have used the voices of the anganwadi workers and helpers to demonstrate the growing dissatisfaction amongst them about their increasing workload, irregular and less pay, and a realisation amongst the women that they were not being heard by the state. The women said that

they were mere pawns in the bigger picture where the state used them to showcase rights-based approaches to development activities, but ignored their rights. Hence the unionisations, and the demand to be heard.

> "*Aame nija ra asuvidha dekhibu ki anya ra? Amme nije maada khayi, anya ra kaamkemiti karibu? Aau nahin!* (Should we see our own difficulties or the other's? How can we look after the others' need when we are getting beaten? No more)" (INF 341).

Chapter 7: "We are the Locals". The Operationalisation of rights-based approaches to development by non-governmental organisations in Koraput district

7.1 Introduction

The primary task of a rights-based approach, according to Uvin (2004), was to identify root causes of poverty and vulnerability including inequalities, exclusions and oppressions in the development process. Following its identification, strategies were needed to alleviate poverty, and vulnerability, through progressive realisation of rights of the poor.

In this chapter, I begin with an examination of the root causes of vulnerability of the poor, based on interviews and group discussions with development practitioners at grassroots level. I have then analysed the strategies employed by non-governmental organisations to alleviate vulnerability. The strategies used by NGOs include capability-building activities; advocacy; collective public action; and alliance-building and networking at multiple levels. The identified strategies are amongst the indicators of a rights-based approach to development identified and discussed by scholars (Uvin 2004) and development practitioners (Rand and Watson 2006; Gready and Ensor 2005). In other words, our focus was on "what can development practitioners concretely do differently when they adopt a rights-based approach to development?" (Uvin 2004: 32). Through an analysis of the development activities of the selected NGOs, we have shown how development practitioners use one, or more than one of the listed strategies, to enable and empower vulnerable groups depending on the context.

7.2 Selected non-government organisations

In this chapter, I have examined programs, strategies, and actions adopted by non-governmental organisations in Koraput district of Odisha state. Initial discussions with a wide range of development practitioners led me to select the activities of two non-government organisations, namely, Adivasi Ekta Sangathan (AES), Society for Promoting Rural Education and Development (Spread), and examine it from a rights-based approach to development. I have used insights from development practitioners

from other development organisations such as Vasundhara, Concern Worldwide, and Action Aid, who are actively working with the two selected NGOs. I have focused on the practical and experiential knowledge of development practitioners at grassroots level through anecdotes, and personal reflection on their rights-based activities. By giving voice to this level of development practitioners, I aim to bring their experiences, insights, and concerns, to mainstream discourses on rights-based approaches to development.

7.3   Identifying root causes of vulnerability

In this section, I analyse material drawn from personal interviews and group discussions with development practitioners, looking at the root causes of poverty identified by the NGOs concerned, and the strategies used to tackle the resultant vulnerability. Based on their practical and experiential knowledge, development practitioners decided that the primary cause of vulnerability in the region was land related vulnerability caused by man-made development projects. Such vulnerability was compounded by multiple displacements, ownership issues, lack of understanding of laws related to land rights, lengthy processes of claiming rights, and erosion of customary laws of dispute resolution.

> *We came across large sections of landless people evicted by multipurpose dams, industrial projects, and cash crops over the last four decades. Large scale industrial projects and mining companies created terror amongst the poor in the villages where mining occurs as seen in Niyamagiri, Malkangiri and Koraput. The construction of an aeronautics factory also has taken away fertile land from the local people. A survey of the land showed that vast tracts of land were under the state or with the corporate sector, and this was the root cause of poverty in this region because people's livelihoods were land and forest based.* (INF 725)

According to Spread director Mohanty, the first step in assessing root causes of vulnerability and poverty was to find out how and when people lost their rights to land.

> *We had to first find out since when, and how did land belonged to the state? Why were people just beneficiaries, and why did control lie with the forest department? Why did people not have access rights and control over natural*

resources such as the non-timber forest produce, and why was it important
that people's rights to the forests need to be formally recognised by the state?
(INF 725)

Land related problems in Koraput can be traced to the history of land ownership in the region. The traditional patterns of land ownership and governance were erased in favour of the British land governance settlement, and these were not reassessed after independence in 1947 (Choudhury and Vaswani 2014; Sahoo 2005) leading to a loss of rights of access and use of hill forests. Following the land surveys in independent India, between the years of 1950-1963, all land was declared as government land. Summarising the reasons behind land related issues in the region, Mohanty said that, people faced multiple displacement because of their inability to distinguish different types of government lands where they were resettled.

> *Spread recognised that land laws were very complex, and for poor people to*
> *understand that, was a challenge. For instance, in Boipariguda, the displaced*
> *people were resettled in the Reserve Forest area which is government land,*
> *and this meant that the resettled people still had no right to land, and could be*
> *potentially displaced again.* (INF 725)

Depicting the vulnerable situation the displaced tribal people find themselves in, Sukhram Gadanga, district level coordinator of Spread, said that many families were never rehabilitated, some never received government compensation, while many others left for the urban slums in search of livelihood options.

> *In 1955, the Macchkund dam was completed. Those displaced in 1955 by the*
> *dam went to Dandakaranya in Malkangiri district. In 1977, the Chitrakoota*
> *dam displaced them again, so they came back to Macchkund block where a*
> *few did get fertile land to resettle. However, what strikes us is that in 1955,*
> *2,938 families were displaced, and only 600 were covered under the*
> *Resettlement and Rehabilitation plan of the government. The rest were*
> *undocumented and were lost. Our work with displaced communities has not*
> *been able to locate those lost tribal families. People say they disappeared to*
> *near and far away states of Andhra Pradesh, Assam, and cities of Jagdalpur.*
> (INF 727)

Many poor vulnerable people became victims of complex and ever-changing laws related to land rights and inheritance laws. According to the Action Aid (AA) program officer, Nayak, the Orissa Land Reforms Act of 1960 resulted in the division of large-scale plots of land owned by a single *zamindar*, and to the inability of the erstwhile *zamindars* to retain their labourers and farmers.

> *The inheritance laws led to poor people losing land, and the Land Ceiling Act became a contentious issue because the large scale landowners refused to part with their land, and devised new ways of keeping land within the family. This also meant that large scale landholdings were broken into smaller land holdings which had an impact on seasonal landless agricultural labour families as they begun to lose long term farm work because it became expensive to hire them. This caused confusion on many fronts of land ownership.* (INF 724)

Even though, as compensation, the state granted land deeds on *gochar* land (government-owned land on which the cows graze) to many poor households, many families ended up sharing the same plot of land with other households with no clear demarcation of shared boundaries, responsibilities or ownership. Vasundhara Program Officer (Sricharan) said that the government had created new difficulties.

> *There are real problems that we have identified in families that have been granted* gochar *land. For instance, in one village, 14 families have been given entitlements to share within one acre of land, and another problem is the confusion on governance of* gochar *land.* (INF 730)

The break-down of customary laws of dispute resolution in the villages compounded the confusion of the illiterate landless farmers, and led to increasing vulnerabilities.

> *The erosion of customary laws of dispute resolution was one of the reasons of land dispossession of the vulnerable groups of people. And we realised that well-being, dignity and food security of people was intricately linked to land ownership which also gave one a sense of empowerment.* (INF 724)

7.4   Building capabilities

Claiming a land entitlement is a lengthy process and entails defining the exact plot of land, classifying the land type, measuring it up to scale, and then recommending that

a *patta* (land deed) be issued. It was, therefore, important to build capabilities of the poor to understand how to claim rights to land.

Forest rights activist, Sahu, said that in Koraput district, at the lowest level of administration, the Forest Ranger and the Revenue Inspector (RI) have to jointly verify, and then clear, every land deed, after which it is forwarded to the District Level Coordination Committee (DLCC) which finally issues the land title. AES, and other community-based organisations, train members of the village Forest Rights Committees (FRC) on how to file claims, and what the RI and Forest Ranger (FR) are looking for when verifying claims.

> *We ensure that all right holders receive their individual claims to land titles, the collective village usufruct rights to community forests, and the Goshti Awedan is honoured by the DLCC, and liaisons with the officials to quicken the issuance of land titles to claimants was done. The FRCs have been activated in the last five years with the support of NGOs since the Forest Rights Act was enacted.* (INF 720)

NGO Vasundhara documented the details of dependence of the landless on land for survival through enlisting them, helping them understand and fill up various land rights' claim forms (viz. Form 1), mapping the area under claim, and then following it up by monitoring the progress of listed claims through the village Tehsil offices. To accommodate conflicting interests of claimants, the NGO tried using appropriate procedures involved in accessing the *patta*.

> *For instance, if there is a dakhal or encroachment on government land, then the potential right holder is advised by us to apply for patta for that land, to insist on ensuring the patta application is recorded properly by the government official, and then ensure a hearing date is finalised so that the dispute with the encroacher is settled.* (INF 730)

Most NGOs working with the Forest Rights Act (FRA) organise committees in each village and train them to fill out application forms under the FRA and to understand communal rights of access and use of forests. For instance, Spread formed committees at four levels, namely village, sub-divisional, district and state levels, to keep it water-tight. The committees made surveys to determine who owns what and where, details on individual farming practices, use of non-timber forest produce, and who uses the

forest at what time of the day and for what. This information was submitted to the *palli sabha* (all voters of a Revenue village are members of the *palli sabha*) of each village followed by submissions to the gram sabha after filling up the requisite application forms. At the *palli sabha* and the *gram sabha*, all stakeholders to the land and forest were usually present, and discussions on each application was made, followed by recommendations to the officers at the block office.

> *We do not want to miss anyone who lives in this village and the other villages surrounding the dangar in this list. This includes villagers labelled as thieves, fuel-wood and cattle stealers by the forest ranger. No individual was to be left out in this list.* (INF 730)

Development practitioners stressed that building capabilities of people to understand their rights under land laws with special reference to issues such as mutation, demarcation, and partition of land was a long process. The processes involved in the settlement of Basti Land (*Gram Kantho Parambhok*), settlement of encroached revenue land, participatory processes to demarcate and know the revenue land, and collect the cadastral map were very long and tedious. According to Mohanty, due to illiteracy amongst other problems, each activity was a long-drawn process, difficult to understand, but integral to capability-building of a rights-holder.

The first step towards capability-building of poor vulnerable families, however, must include the provision of one standard acre of land, which is the lowest unit, based on a range of vulnerability criteria such as landlessness, possession of any other homestead or farming land, and a sound occupation, according to Sricharan.

> *When a community owns their communal land, its people will know exactly how to govern, manage, demarcate, regenerate and solve disputes amongst themselves.* (INF 730)

Furthermore, Sricharan argued that all landless families who demand land *pattas* must be granted ownership, and dispute resolution mechanisms must be set up at panchayat level. Such a proposed model of communal land ownership was more participative which included the voices of all stakeholders at grassroots level. In comparison, the government of Odisha's Vasundhara scheme targeted only the legally landless.

> *Our proposal involves the following steps-- land be given to landless, governance of disputes be done through the PESA at village level, community*

specific common land management techniques be used, and diversion of the use of gochar land be based on the felt-need of the community. A strong recommendation by all non-government organisations is that the rights, responsibilities and laws under PESA should be re-examined with a focus on local resource use and governance aspects. This, for example, would mean questioning procedures such as why the Forest Officer reports to the gram sabha separately, and then to the District Office separately where there is no gram sabha representative or participant, and what implications it has on the authority of the gram sabha at the grassroots level. (INF 730)

According to Nayak (INF 724), the revival of indigenous crop seeds that were forgotten by communities as a result of introduction of corporate seeds, and cash crops, was central to building capabilities of the poor for food sovereignty.

A revival of seed conservation practices is a step towards 'taking back' control of agricultural produce from modern agricultural practices, especially the corporatisation of agriculture. In other words, seed control will enable a small land holder to be food secure by ensuring s/he is in charge of her food from the farm to the fork. (INF 724)

One of the ways partner NGOs such as AES conserved seeds, was by seed mapping followed by creating a seed bank within the village. Describing the process, Nayak said that seed mapping involves making a *talika* (list) of available seeds in each panchayat, with the participation of every family, and after identifying each seed and the seed varieties, they conserve them in a common space of the village. Direct observation during field visit showed 53 types of seeds were neatly kept on the mud shelves built on the walls of the seed bank in a village. AES activists reported that the seed bank had three functions. Firstly, it was proof of the different crops local to the region which meant that it was possible to revive mixed cropping in the region as against the system of mono-crops and cash crops. Secondly, the seeds reflected upon the wide variety of food intake and the nutrition value of their local food systems which had been gradually eroded by the mono-crops. The third function of the seed banks was to ensure that the farmers could save their seeds and use them instead of buying them from the market again.

The emphasis of the last two years of AA work is on production for self-consumption first to ensure food security of the farmer, and not for the market. 'Consume first and sell the surplus, not sell first' is the goal for local communities. This process is linked to land use patterns, and to the simple logic that if you grow enough, you will not need to mortgage or sell your land. (INF 724)

Other non-government organisations such as Spread also stressed the importance of saving the seeds. Discussing the immense potential of marketing indigenously saved seeds through women's self-help groups, Spread field coordinator, Naik stressed the enormous impact saving seeds possibly had on making communities sustainable through the activities of self-help groups such as the *Gupteshwari Mahila Mahasangha* (federation) which covered 55 villages. Building and sustaining women's capacities through trainings in savings and marketing seeds was a significant activity.

In the pre-2002 years, seeds were thrown away or sold for throw away prices by the local farmers, but now we have built Sal seed centres. Through the organisation of the women's mahasangha, we have decided on a fixed price for Sal seeds, and the various mahila mandals have taken the responsibility of marketing them. (INF 728)

7.5   Advocacy

In this section, I first examine the different meanings attached to the concept of advocacy by development practitioners in Odisha, and then analyse various advocacy strategies used by NGOs to impact on policy and practice.

Interviews with development practitioners suggest that the techniques of advocacy ranged from lobbying to activism, and the issue identified by development practitioners determined whether it needed lobbying or greater public activism. According to the director of CYSD, Mishra (INF 705), all forms of advocacy were important, including repeated advocacy of an issue in public forums till a right was realised. However, critical issues such as food insecurity and the Forest Rights Act (FRA) impacted people directly had the potential of mobilising a wide range of stakeholders.

While lobbying seeks policy changes as a form of favour, activism is a sign of strong leadership and a mature civil society. Advocacy is also not an individual effort. Advocacy is like a game of snakes and ladders, with many ups and downs until you reach your goal. However, the importance of intermediary advocacy must not be downplayed because it is indicative of our efforts. This is evident in the numerous times the issue of forest rights and food security was raised in the legislature, and in the press as a result of lobbying. (INF 705)

Development practitioners such as Sisir, program officer in Concern Worldwide (CW), shared insights on advocacy on how prior to 2005, civil society was busy lobbying for effective welfare programs. However, the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA 2005), and the Forest Rights Act (FRA 2006) provided a unique opportunity for civil society to step into activism. Additionally, the Panchayati Extension Services Act (PESA) provided the space at village level for people and the state to discuss and debate rights and due entitlements under government welfare programs directly.

The PESA provided a space for direct negotiation between communities and the state. This was a unique opportunity for civil society to step in and figure out how to respond to these challenges, and how to make these constitutional acts functional in order to support realisation of rights by people. A new way of thinking was required, and this was manifest in its changing roles from becoming service deliverers to making communities stronger. One of the strategies of advocacy was to make the panchayati raj institutions stronger, transparent and accountable to be able to deal with problems inherent in the implementation of the entitlement programs under the acts. It was important to bypass the middlemen who monopolised rights to contracts over access to forest produce. (INF 702)

Following the enactment of PESA in 1996-97, SPREAD's advocacy entailed training people on laws, and explaining to them that rights cannot be taken away. Meetings were organised in forests, villages and wherever possible. There was a change in the language people used, from requesting government assistance to demanding rights. It

enabled an environment where advocacy of a political nature was possible, and NGOs used it to organise communities around issue-based politics.

> *Following coaxing, pleading and avedan-nivedan (application-requests), in 2001-2004, a few tribals were given land pattas. In some villages (especially in Enungo), however, the demand was maribu pacche, daribu nahin, paadiya-dangara chhadibu nahin [will die but not leave our backyards and hill-forests], and the resilient and persistent tribals went to the Vidhaan Sabha in 2007 with their demands following which eventually, in 2008, the state announced that 33,000 people under the below poverty line were to be given land pattas. Of this 1264 households have already received their pattas.* (INF 725)

Dangar Adhikar Samiti (DAS) member, Gopal Sisa, asserted that advocacy were of different types.

> *NGOs prefer to maintain a comfortable position. No advocacy. No pressure from the administration. In Lamtaput, the cashew struggle had already begun but local NGOs did not take the issue with the people even when it had spread to the Macchkund area. We were in Nandapur block. People got together in 150 villages under Spread NGO. Although it faced threats, Spread organised gheraos, rallies, dharnas and worked with our communities.* (INF 816)

The difference between other local NGOs and Spread lay in its strategy, according to Sisa. While the former had representatives and teams of workers visiting the villages, Spread worked directly with the villagers, recruited locally, and thus had village members in the organisation which strengthened the local base of the organisation.

> *While NGO Jagruti initiated many activities such as the youth sangathana, these broke down after its demise. Spread invested in those initiatives by way of organising meetings at different levels, walking to Tehsil offices with our youth for solidarity, and strengthened them.* (INF 816)

Thus, many NGOs like Spread decided to focus specifically on issues that were important to the lives of the communities as opposed to being a service-delivery mechanism for welfare programs of the government since the late 1990s. For instance, Spread decided to change its strategy from welfare mode to engaging with

communities in identifying their own problems and then working towards finding solutions for the same.

> *We changed strategy and moved from a welfare approach within two years of the inception of Spread. We sat with people and identified the 'real' problems through village survey exercises. We organise with them, and we facilitate their rights with them. We took an issue-based approach as a means to bring people together, and not just work on program based interventions.* (INF 725)

7.6   Collective public action

Interviews with development practitioners showed that changing attitudes of people towards government officials was possible only through collective mobilisation of poor people. Evidence from the field directs attention to beliefs of right holders as receivers of charity, and an absence of a belief that s/he has a constitutional right to certain basic needs such as food, employment, and education. People did not have the 'courage' to demand such basic claims from officials because they have lived in awe of government officials for long decades. Such an attitude was evident in many cases and can be summed up in the testimony of a 20 year old tribal woman from Dasaringa village on the functioning of anganwadi centres in her village.

> *Tanke dele amme khaayibu [if the government gives, we will eat.* (Anonymous)

Thus, NGOs realised that there was an urgent need of a rights-based language in claiming rights which was crucial to the understanding of claims as rights, and not as charity.

In its annual report, Spread clearly spelled out that one of their chief objectives was to ensure that the tribals realise their right to food, work and land (Spread 2010). This right is linked to its first objective of capacity-building of people's organisations in order to build their planning and advocacy skills with the ultimate goal to enable collective action. The linkages between a language of rights, and achieving targeted goals, was also captured in the document as "collective fight to establish rights" (ibid: 14). The underlying argument was that claiming rights was a political act.

An important aspect of the study was to throw light on rights-based actions undertaken collectively by young development practitioners in the villages which reflects upon agency of young women who have little or no education. According to AES grassroots

development practitioner, Mohanti Harijan, it was crucial to bring back pride in tribal customs in order to imbibe self-respect and self-empowerment. Therefore, AES decided to focus on four rights-based issues to organise tribal women, and these were *adivasi parichay* (tribal identity), *mahila adhikar* (women's rights), *shishu adhikar* (child rights), and *jeevan jeevika* (livelihoods). One of the tasks that 19 year old Harijan was actively engaged in was to tackle drinking water problems in Bhalumohua village. In the instance below, Harijan shows how she has been able to encourage the community to assert their rights, and take responsibility of creating their own infrastructural necessities when all else failed.

> *It took me two months and many meetings at the village to convince people to get together. We hired a vehicle and went to Koraput, stayed overnight and went to the BDO office to put in our complaint of water problems in the village. Two days later we had a water tank come to us for eight days, and then it stopped. We had to find a sustainable solution ourselves. In the meantime, I convinced the community to dig a well which took a month of construction work, and the Pata Deveta mahila sangathan (SHG) cleaned the existing dirty well.* (INF 721)

Harijan narrated a few instances of rights-based best practices which made a difference to the lives of the women involved in it. Although a few cases were still not solved, the women felt that the process of organising themselves and going to the government offices was very empowering. This is illustrated in the narration below.

> *We decided to tackle the electricity problem in their village by going together to the main electrical board office in Koraput town. As a result of collectivising, every house in their village has had electricity for the last 5-6 months. In another instance, the women decided to make the anganwadi centre functional, and ensure that the take home ration was distributed twice a month as stipulated by the government. However, challenges remained. For example, in the case of the anganwadi worker of Sinapadar village against whom 20 of us went to the CDPO office and rallied for two days. Although we were assured that the worker will give what was due to the various rights-holders, we are still waiting. In another instance, the AWW at Jhankargad screamed her rights at us and threatened, but the women are going to petition at the public hearing tomorrow. The problem communities faced is the distance to town, the expense*

of travelling and staying overnight, and therefore we cannot follow up on our
complaints. (INF 721)

In-depth interviews with key respondents demonstrated how local development practitioners have been able to engage media attention, as a strategy to hold immediate government officials accountable, to highlight problems faced by villagers.

In Kenduput, Gulliguda and Pandari maatta villages, we took the water from
the wells, and demonstrated to the BDO on his desk how dirty the water was.
We also had the media with us, and it got printed the next day. The BDO had
to take immediate action, and got the wells cleaned. (INF 723)

In another instance, AES activist Jamuna Khara reminisced how the women confronted the PDS dealer when they discovered that he was using a false weight while giving the subsidised kerosene to the card holders, and selling the stolen amount in the open market. Although collective efforts of women can be time-consuming and frustrating, it however, strengthened their resolve to continue to demand rights to basic needs from local officials.

Three AES members went with 20 women of Panasguha and Tetediguda
village to the BDO demanding extra water supply during the summer months.
The BDO told us to go to the water supply department, the latter sent us back
to the BDO. After 3-4 such trips to and fro, we got a chance to check the office
register only to find that according to official data, they had dug boring wells
in our villages! So we had to contend with that misinformation, and prepare to
fight a long battle. (INF 722)

Evidence from the field indicated that a rights-based language was possible only when people are organised and collectively demand fulfilment of rights to entitlements and other basic human rights. According to Sharanya Nayak, accessing welfare entitlements for basic needs such as food, employment and education is, in reality, a change in the 'condition' of the people.

The kind of support an NGO provides to the community in need is crucial, and
the support must include an explanation of what an NGO can do and what to
expect clearly. What non state development practitioners should be targeting
is not a change in the condition of life but a change in their position. A change
in position refers to challenging structural inequalities of power embedded in

caste, tribe and sex. It also means that a belief in communitarian principles, and the political power of the collective is necessary to assert for collective rights to all entitlements and to resource use and management. (INF 724)

Evidence from the field shows that collective mobilisation was essential to the demand, and fulfilment, of rights to entitlements because the impact of one individual filing a petition was very less compared to the filing of collective petitions.

All, not one, should fight for rights. For example, in Kermiti village of Koraput, women workers at a construction site were paid Rs. 40 per day instead of the Rs. 150 stipulated by law. Individual complaints to higher officials went unheard. Finally, we organised the women workers organised, and were able to win their dues. The strategy was simple. The women did not allow others to work at the site. This delayed the construction work as all other workers agreed to support for the change in the position of poorly paid women workers which had a long term impact on their employment terms and conditions. Other contractors were careful not to indulge in exploitative practices as a result. (INF 723)

7.7   Alliance-building and networking at multiple levels

Alliance building and networking refers to working with all stakeholders who have a similar agenda in empowering poor communities. In this section, I have analysed NGO alliances with other stake-holders, especially government officials, international NGOs, and other groups at the village level. Building alliances with smaller community-based organisations was a strategy used by many NGOs in their rights-based activities because it gave them a foothold in the community, and it made participatory engagement more real. In the case of Spread in Koraput, Gadanga said that initially, he was a community volunteer in one of the villages where Spread worked, and joined the organisation as a field coordinator in 1997. Gadanga has been engaged in the "know our history" project which encompasses organising and training women, children and other adivasis' on their "*jungle-jameen-jal*" (forests-land-water) rights historically and compared it to their socio-economic condition in the current political situation. In one of the first step towards alliance building, Gadanga said that Spread has been to bring together different community-based organizations spread over 35 panchayats, and six blocks in Koraput under one roof because it has a village

presence. The community-based organisations engaged with SPREAD actively are as follows-- the Macchkund Displaced Mahasangh (MDM in Macchkund), Dangar Adhikar Samiti (DAS in lower dam area), Mitr Shakti (Nandapur), Machhakund Basachyut Maha Sangh (MBMS), Shahid Laxman Nayak Shramik Sanghathan (SLSS in Lamtaput), Bhoomi Adhikar Sangathan (BAS in Boipariguda), Mahila Mahasangh (MM in Koraput), Adivasi Janmanch (AM in Dasmantpur), Hindustan Aeronautics Limited Visthapit Sangathan (VS in Sunabeda), and the Deomali Surakhya Sangha (DSS in Deomali hills). These forums met in different settings ranging from quarterly meetings of the alliance, gram panchayat forum meetings, and core committee meetings of women's SHG federations. Through a process of brainstorming to identify on the primary right core to their survival, all the above organisations collectively decided that the right to land was their central concern.

> *Once we have land rights, we have no need for other rights*. (INF 727)

According to Gadanga, prior to 2008-2009, all non-government organisations tried to work together on accessing various welfare schemes but it was the demand for land rights which helped build alliances with each other.

> W*e realised that the demand for right to land brought various community-based organisations together. After 2010, our alliance came down to five member organisations because not all were willing to focus on issue-based alliances, especially land rights.* (INF 727)

AES defines itself as a network of five registered NGOs, three non-registered people's organisations and one tribal activist (AES PD: 3). AES was a member of a project called Adivasi Ekta O Sasaktikaran Sammanwaya (AES), meaning tribal unity, empowerment and solidarity, and which has a presence across nine panchayats and seven blocks in Koraput district. Through such networks of smaller organisations and other activists of civil society community-based NGOs like AES were able to have widespread linkages with the people of the region which was difficult to access most part of the year due to its mountainous terrain.

District level coordinator for SPREAD, Gadanga, contends that a *jan-andolan* (peoples' revolution) was required to stop the tribals from losing their lands. To

achieve such an *andolan*, Gadanga continued, it was important to unite the community-based organisations to focus on tribal self-rule in which the role of tribal history and its various dialects become central. The aim was to instil respect in the youth for their tribal identity, and eventually lead the communities.

> *We select youth leaders, give them responsibilities to administer the sangh, brainstorm on identifying problems and how to solve them, discuss strategies on how to highlight issues in the media, how to lobby with the government, and share experiences of interface with state-officials in order to shun fear of approaching them.* (INF 727)

Alliances with donor agencies, especially individual officials, was an important factor which helped the usual service-delivery programs change into transformatory rights-based actions in subtle ways.

> *The turning point was in 2004-2005 when Concern Worldwide gave fellowships to activists who were already working on rights of communities to their land, and were involved in larger state level people's movements. The fellowships covered travel, boarding, and program related costs which were basic to any activist. Concern also funded tracking of FRA related activities of the state, and printed government orders on the FRA in local dialects making it available to people at the tehsil and gram sabha level.* (INF 730)

Elsewhere, arguing for the involvement of communities in the maintenance and sustenance of village-based state activities, Spread director Mohanty argued that it was imperative for communities to be engaged in the administration of MDMS and ICDS services. Highlighting issues of accountability, Mohanty said that if there is a denial of entitlements such as Take Home Rations (THR) at the AWC or serving of food according to the menu for children under the MDMS, it is the duty of the community to register the complaint in writing, ask for a receipt of the submitted complaint, and identify specific officials instead of blaming the entire department.

> *This is our work, our responsibility. We are the locals. The state government cannot monitor constantly unless we cooperate with it. Are we only verbally complaining? Have we given a written complaint? Did we get a receipt for that registered complaint? Who have we copied that complaint to? Can we give faces to names of authorities responsible for the denial of the entitlement?*

If we take our responsibilities seriously, fifty percent of our problems of rights violation will get solved. (INF 725)

7.8 Difficulties in operationalising rights-based strategies

An important element of rights-based activities, according to Uvin (2004) is its political nature. Activities of some NGOs, deemed political by many, however, generated a wariness on the part of government officials. Such suspicion with regard to advocacy activities, led to imposition of state restrictions on funding for development activities for specific NGOs such as Vasundhara and Spread. For example, development practitioner, Giri reported how the state imposed the Foreign Contribution Regulation Act (FCRA) on Vasundhara because it was sceptical of organised trainings on joint-forest management with communities using foreign donor funds.

> *The impact of our trainings to enable communities to understand and manage the forests is reflected in the fact that the state withdrew funding under the FCRA thrice in the 1990s to curb our rights-based activities. In other words, our funds were stopped so that we wouldn't be able to empower communities with our advocacy activities. Ironically, it reveals the impact of our rights-based activities on the people because people organised themselves, and found the courage to demand their rights.* (INF 704)

A difficulty with advocacy for rights, according to district level coordinator of Spread, was the harassment caused by lower level government officials. When the *land pattas* were announced by the state, the lower level officials harassed the villagers for bribes in exchange for the paper work on *pattas*. In cases where the people did not succumb to harassment, criminal cases were filed against them, especially against NGO workers, in order to curtail their interactions with the villagers. Gadanga said that he was kidnapped by the *kautha* (logging) mafia in 2002 in Lamtaput during the struggle for rights over the cashew forests.

> *My kidnapping was organised by the loggers because the community-based organisations such as the Dangar Adhikar Samiti, the Mahila Maghasangha and the MDM, lobbied with the local authorities as a result of which 18 trucks*

with logs were seized. However, such incidents do not affect me anymore because now I am stronger with more voices to support me. (INF 727)

The political tension between the Maoists and the State, according to Mohanty, has created distrust amongst communities against each other, and led to suspicion between development practitioners and the state.

This tension has led to a situation where both, Maoists and the state, view NGOs suspiciously as supporting the other. In many cases, NGO development practitioners have been political targets for both sides as a few have been picked up by the State police for questioning on Maoist activities, locked up and beaten. The Maoists, on the other hand, shoot whoever is suspected to be an informer. Both are suspicious of our work. We had to re-strategise our plans and enable people to engage with the government directly without bringing our team members in the front line. (INF 725)

Difficulties have also arisen with religious affiliations of communities which posed a problem in the execution of development activities of community-based organisations. Field visits show newly built Churches in remote areas. Interviews and group discussions with many development practitioners revealed their concerns of linking development to churches. Most viewed these as against traditional tribal customs, tribal self-rule, and as a ploy to possess tribal lands. The strategy was simple-- an increasing number of outsiders were trying to gain land ownership through pressurising poor tribals to convert, and then sell their land because religious conversion of a tribal allows a land owner to sell tribal land to outsiders.

We have a few religious groups mushrooming in the region, and these range from Christianity, Alekh Mahima with their gerua vastra (rust colored clothes) which is close to Jainism, the Prasann Patsaani, and the Gayatri Diksha. These groups create distrust at the village level, and are therefore divisive. What is interesting is that once a tribal converts and becomes a Christian, for instance, he ceases to own land in the region because only tribals can own land in the region according to law. Scheduled Tribe becomes Christian; loses land because his land title changes now; companies take over the lands under the guise of the general good and providing jobs. And this is what we want to

stop. The sale of tribal lands to outsiders. Because the newly convert attempts to sell the land, we wish to stop conversions. (INF 727)

Elsewhere, development practitioners such as Sricharan drew attention to the fact that a rights-based language had the potential of becoming an active political protest, such as the political environment of anti-mining protests of people which can lead to a change in donor attitudes because of the desire to avoid being at the centre of conflict of interest between the state and the people.

> *Framing problems as rights of people has made vulnerable groups recognise their basic rights, and thereby, claim it from the state as rights-holders. Unless civil society is community driven, and not target oriented and donor driven, real ground work to change landlessness is not possible. Such an approach has, however, made the state suspicious of foreign funds, and it has come down hard upon civil society activities. This has led to a withdrawal of international development funds in many cases.* (INF 730)

The political nature of advocacy is reflected in the statement made by the AES field coordinator, Harijan in her interviews on how she has been repeatedly approached by Maoists to join them because of her active engagement with the villagers.

> *They would come in the night to the village sometimes to recruit from amongst us. But I have seen how people get killed, and I preferred to work with an NGO.* (INF 721)

7.9   Koraput: Conclusions

In this chapter, I have shown how, as duty-bearers, non-governmental organisations are the driving force behind people's realisation of rights. NGOs were involved in service-delivery activities with the communities in the beginning, but slowly realised that land related issues were the root causes of people's poverty and vulnerabilities. Before the enactments of the right to livelihood, and rights of access and use of forests by the forest-based communities, NGOs found it difficult to engage in activism based advocacy activities.

Analysis of field data shows that in spite of the enactment of laws (FRA, and PESA) which were progressive and people-friendly, it was difficult for the poor to claim their rights without the support of the rights-based strategies adopted by the NGOs.

Legislation of rights was not enough. Laws were complicated, and difficult to understand, especially in regions where the poor were illiterate, and stuck in a cycle of impoverishment. However, development practitioners emphasised that the FRA and PESA, for instance, gave them the courage to move away from petition-based advocacy to activism, and claiming rights. Claiming issue-based rights was more strategic compared to focusing on service-delivery development activities because it brought together disparate community-based organisations through alliances, and networking, around land rights.

Through the voices of young development practitioners, I have reflected upon the strength in collective action, and in the importance of active youth participation in sustaining rights-based activities. In many cases, I have shown the indivisibility of rights where communities decided to act collectively. While right to land and forests was the core demand of communities, the poor found the courage to collectivise, and demand other rights, ranging from creation of infrastructural facilities for drinking water, to naming and shaming corrupt duty-bearers. NGOs linked seed-revival activities to food sovereignty, and a move away from depending on the state and the market for food. Thus, listing, saving and conserving seeds of indigenous crops were used as rights-based strategies in villages. An important strategy was the revival of traditional customs and practices to instil a pride in the youth for their common heritage, as well as to counter the increasing influence of outside religions. The concern with religious conversions emerged from their realisation that conversions led to a sale of tribal lands to outsiders, and there was a need to stop that process.

One of the important findings was that all development practitioners were unanimous in their approach that 'no one must be left behind' when rights to land and forest use are enlisted, documented, and given to the state for endorsement. The list should, therefore, include those labelled as cattle thieves, migrants, and landless by the state. To be able to enlist each and every member of the village in the list for claiming rights, village-based governance structures were best placed, and therefore NGO workers stressed on activating the *palli sabha* and the *gram sabha*.

NGO workers were constantly faced with the dilemma of using activism as a strategy as opposed to *avedan-nivedan* because it led to state officials being suspicious of their activities. When the poor were empowered, they collectively demanded rights from

the state which led to the state withdrawing its funding support to the NGOs, as suggested by narratives in the study.

Through their active involvement in grassroots activities, NGO leaders came to the conclusion that the responsibility of claiming rights, right to land specifically, lay with the 'locals' and not with the state. And that the community-based organisations, the non-government organisations and the communities themselves were the 'locals'.

Chapter 8: Learning from rights-based approaches to development: engaging duty-bearers, and alliance-building at grassroots level

8.1   Introduction

This chapter analyses two strategies employed by non-governmental organisations as key to a rights-based approach to development: ensuring duty-bearers' active engagement; and alliance-building and networking at multiple levels. Findings indicate the importance of ensuring active participation of communities in development activities, and building sustainable alliances with all stakeholders at grassroots level for continuous interactions with government bodies and networking with different groups.

I have examined development activities of six NGOs, namely, Peoples Cultural Centre (PECUC), Right to Food Campaign (RtFC), Society for Women Action and Development (SWAD), Vasundhara, Ruchika, and Centre for Action Research and Documentation (CARD). Ruchika works with urban slum-dwellers (also termed as villages of Salia Sahi, and Dumduma). Vasundhara is based in Bhubaneswar and works on issues related to forest rights with forest-based communities across the state. CARD works with the women in the villages of Tangi block of Khorda district, and SWAD works with communities in Satyabadi and Gop blocks of Puri district. PECUC has been engaged in processes of empowering women for two decades through networking amongst different communities across Khorda district. The Odisha Campaign office was set up by the independent Commissioners appointed by the Supreme Court of India in Bhubaneswar, Khorda district with the aim to review and monitor the implementation of the provisions under the food entitlement programs in the whole state. In addition, interviews with development practitioners working with international NGOs (especially Action Aid and Practical Action) provided significant information on how rights-based activities were operationalised by their partner local NGOs in the selected districts.

NGOs were specifically concerned with those sections of community that were marginalised by dominant groups. Root causes of poverty are contextual, complex and

multi-dimensional. The primary causes of vulnerability differed with the context in which an NGO was working, and it ranged from landlessness, lack of access to basic public services such as potable water, toilets and sewage disposal, child abandonment, an absence of conflict resolution bodies at village level, to social inequalities based on caste and gender. Food poverty, in urban slums, was combined with low levels of living conditions and this makes marginal communities such as migrant labourers more vulnerable to health risks. The vulnerabilities associated with children and women have been identified by other NGOs as more significant in their regions, and in need of long-term rights-based solutions. RUCHIKA focused on child rights to basic needs of food, health, safety and building capabilities to enable abandoned children a chance for a secure future. Evidence from the field points to multiple dimensions of caste related vulnerability of poor people in rural areas and in urban slums as well. In Tangi block, NGOs decided that the root cause of poverty was related to women's subjugation, female foeticide and gender-based violence. During the course of its development activities, the NGO discovered that the intersection of caste, tribe, and gender, complicated the issue of vulnerability. NGOs constantly discovered invisible links between different causes of vulnerabilities of marginal communities.The ultimate aim of the development intervention of the NGOs was to build capabilities of the vulnerable poor so that they would be able to undertake the responsibilities of the tasks themselves in the near future.

8.2   Ensuring active engagement of duty bearers

Keeping duty bearers engaged through continuous interaction and active participation is an important element of a rights-based approach to development. Engaging government actively with issues affecting people can be done by NGOs in different ways, such as inviting officials for inauguration of non-state and state funded projects to announce their inception, sending them information periodically, and engaging them through regular meetings with all stakeholders.

8.2.1   Keeping the local government officials informed

Keeping government officials informed of community needs, and loopholes in welfare schemes, was a strategy used by most NGO workers interviewed in my study. The Right to Food Campaign publishes a monthly newsletter titled 'From the Right to Food Desk' which gives information on all eight schemes on food entitlements, government

orders, policies, independent reports, media reports, pension forms, and a section on 'learn from others'. The newsletters are used as a resource material by all stakeholders, and also give visibility to the campaign activities. According to Mishra, the campaign obtains first-hand information on issues that emerges at grassroots level in the state, and therefore was better placed than the various district collectors, for instance, to inform the state Secretary on food related issues.

To get officials interested and involved, the Right to Food Campaign sends letters to the specific government department seeking information, and sharing their own knowledge, on specific incidents or complaints registered by the poor. The aim was to share and inform, and not name and shame, the officials.

> *We sent letters to the block development officer requesting for information on measures taken by them to prevent starvation related deaths. Instead of blaming the Collector or the Block Development Officer for starvation deaths, we wrote to them to modify food-aid schemes and entitlements, shared lists of the poor-left-out in entitlement schemes, and facilitated discussions on who is the 'poorest of the poor' within government departments as we found out that in many cases the officials themselves were not sure who was poorest.* (INF 703)

Others reported that before sending letters to officials, the task of the NGO was to ensure that it had all the information that the government may require on an issue. At times, a solution is also offered to ensure that immediate solutions are provided to the affected right-holder.

> *For instance, armed with our information data-base, we showed the gaps in the methodology adopted by the government in preparing the below poverty line list (BPL) which had exclusion errors through empirical evidence from the field in our survey of the poorest of the poor list. This was much appreciated by the collectors who deal with around 120 departments daily, and are unable to do an in-depth investigation of issues. And that is where we have made a dent in our efforts to engage with duty-bearers.* (INF 729)

Other NGOs have also adopted the strategy of keeping government officers informed through continuous formal and informal meetings. Citing an instance where the inputs of the NGO field activist (Upma of PECUC) were very timely, the Balianta Block

Development Officer (BDO) described how the vulnerable poor were left out in disaster-relief programs. During disbursements of cyclone relief by local officials, an elderly couple was informed [wrongly] that under the pensions act for the very poor, only one of the elderly couple was entitled to benefits, and so the other was not going to receive the relief provisions. Upma overheard this conversation, and decided to intervene on behalf of the elderly couple, first by informing them of the NOAP provisions, its specificity in case of distribution of relief materials to the elderly, and then encouraging them to demand it from the official as it was their right.

> *Upma is a one-woman army. She gives us information on areas where we have not been able to visit, and fills in the gap in our work. For example, following the 2013 Cyclone, Upma was involved in distribution of relief material for NGO PECUC, and came across many instances of corrupt practices of local officials in villages which denied people their relief material, and she kept me informed of such discrepancies personally.* (INF 121)

8.2.2   Community governance

Strengthening communities through training on using local governance forums has been an important strategy to engage government departments with the communities for NGO SWAD. SWAD created Governance Forums (GF) at panchayat levels which meets once in three months. These forums have 30 members including members of SHGs, Panchayat Raj Institutions, the Sarpanch, Samiti Sabha, a Block level representative, a community leader and others. SWAD initiates discussions on community needs as well as on prevalent social inequalities through the village level government voluntary workers in these governance forums.

> *Under the government program on Dakshyata Training (the capacity building of PRI representative), training is imparted on leadership development, mainstreaming gender equality at cluster levels, lobbying, advocacy and how to file petitions under the right to information.* (INF 733)

Planning regular interactions between the state and communities through planning and implementation of different welfare programs is another strategy used by NGOs to keep open the channels of communication with the state. According to SWAD volunteer promoter, Behera, the Governance Forums (GFs) facilitated discussions within the community on sharing information on proposed government schemes,

community need-based plan with reference to the scheme, and conducting a social audit of existing plans. It is at this level of GF discussions, communities at Satyabadi and Sakhigopal villages articulated their need for lift-irrigation to state officials which led to the laying of the 1200 feet pipe extension with four tanks by the State government, through the OLIC, for a sum of Rs.1.5 lakhs. The local villagers helped prepare the ground work by digging for tanks, and until the year 2014, 1000 sacks of paddy had been harvested on these lands which was made possible by the lift irrigation facilities.

NGOs stress on the importance of reclaiming seeds of locally grown crops to make communities food secure, especially during natural disasters which the region is prone to. According to farmer Apurti Palle of Gop block, saving seeds with government support, will not only increase their self-sustenance, and reduce dependence on the outside market, it will strengthen their rights over their food production systems as well.

> *We need to preserve seeds of paddy, onions and cauliflowers so that we do not end up buying each season. The government must provide us the seeds initially, and then we must create our own Seed Preservation Centre.* (INF 834)

Another way of engaging in community governance was to involve other local government employees such as teachers in village schools. The principals of schools visited during field study stressed the importance of raising awareness on special needs of poor children, for instance. In Ketakipatna school, the school principal stressed the significant role played by NGO SWAD in making the school flood safe through planting Bangeria plants as well as raising awareness and enabling students and teachers on strategies to reduce risk during flash floods. In Kalupada Ghat Ucchha Vidyalaya, Chilika Block of Tangi district, the principal asserted that they worked with CARD NGO to encourage the girl child to excel in sports and studies by giving achievement awards in community based events such as the One Billion Rising. The school provides special attention to the needs of children from families from the Below Poverty Line category in order to raise their capability levels to be able to compete with children from other social backgrounds in the school.

> *We have remedial classes during the after school hours between 4-5pm for low achievers, mostly from BPL families. We also provide them with uniforms",*

and furthermore, "our team work is national work, and our teachers have the responsibility to work hard so that we can reach the needs of the children. (INF 838)

Many NGOs engaged the local administration in co-management of newly built infrastructural facilities. One example is the case of the 'Community Sanitation Block Centre' which was built under the leadership of RUCHIKA, in 2010 in Dumduma slum. RUCHIKA along with support from Water-Aid constructed a 'Community Sanitation Block Centre' with seven toilets for women, seven for men, and one for the disabled. Discussing problems associated with maintenance, Ruchika community mobiliser Bhagirathi, said that the block of toilets was handed over to the local self-help group for maintenance under a 'pay and use' facility scheme. However, problems related to wages arose as the cleaners of the sanitation block found Rs.3 per day extremely low, and therefore stopped their services. This led to the community investing in a Sewage Treatment Plant (STP) with a capacity of 20,000 litres, constructed with the support of Ruchika NGO, which ran into trouble because of its limited capacity. Every flush generated at least 500 litres of waste with water, and on an average the toilets were flushing between 7000 litres and 8000 litres which was way beyond the capacity of the STP. This led to the stopping of the STP use, and finally led to the creation of a Waste Collection Centre. Currently, waste disposal is now the responsibility of the Municipal Corporation of Bhubaneswar.

Thus once the reasons for vulnerability are analysed, and communities are enabled to maintain the infrastructures, the state finds itself in a position to take forward the local initiative. (INF 832)

Eventually, with the help of RUCHIKA, the slum-dwellers lobbied with the state, and claimed the services of the municipal corporation. Thus, in some cases, taking initiatives at the community level followed by persuasion tactics, NGOs were able to involve government officials in co-management of basic infrastructural services such as the toilet waste disposal.

8.2.3   Engaging anganwadi workers

In the field study, narratives of poor people dissatisfied with the village-level Integrated Child Development Service (ICDS) functionary, especially the anganwadi workers, were many. Complaints against anganwadi workers ranged from never

opening the anganwadi centres to corrupt practices of using state funds for own expenses. NGO workers said that there was a need to work with the AWWs instead of blaming them for shortcomings in the ICDS. For instance, the AWWs were members of the same village community, selected by the community through a democratic process, and were often the victims of the process themselves. Many development practitioners argued that an anganwadi worker is already under pressure by higher authorities. According to Spread Director, Mohanty, in villages where anganwadi workers were treated with understanding by the communities, instead of pressurizing them, a change was observed in terms of better cooking and more involvement with the children. Difficulties faced by anganwadi workers can be an inability to buy eggs due to fluctuating market prices or the delay in arrival of food stocks to the AWC, or it may be due to problems arising out of corrupt practices of higher officials. Right to Food Campaigner Mishra stressed on the importance of working with the angawadi workers because the worker is after all like a daughter of the village.

> *Every problem has a different strategy. Some common strategies are however needed. In the case of anganwadi workers, the NGO experience shows that we cannot pressurize the AWW. Instead of finding shortcomings with the anganawadi workers, communities must get involved in activities such as maintaining registers at the anganwadi centres. Getting involved has many benefits including keeping accounts transparent, continuous monitoring, getting trained in register maintenance, raising awareness, and making AWWs accountable to the community.* (INF 703)

8.2.4   Supporting development activities of the State

Many development practitioners contended that it was not possible for the State to oversee the implementation of its welfare schemes without support from civil society. Giving the example, of Bhubaneswar city's Kargil Basti, RUCHIKA official Dwivedi said that the government proposed to construct 60 household toilets, but by the time the project was approved and work commenced, the basti had 200 families. To reinforce the argument that the state alone cannot solve the problem of providing for basic needs without the support of non-state actors, Dwivedi reported that the number of slums in Bhubaneswar had increased from 27 slums in 1985, to 390 slums currently.

Furthermore, although in many cases, the inhabitants were given homestead land to rehabilitate them, they gave it out on rent, and went back to the slums.

> *In Unit 3 of the city, Maali Sahi slum was demolished a few years ago, and the residents were given land at Shikharchandi slum to rehabilitate and resettle their lives. However the people went back to Maali Sahi and resettled, and the land and homes at Shikharchandi slum were given on rent by the same people. These instances have become common following the 1999 cyclone wherein people have become more informed of their rights to R&R and are often misusing it to claim maximum benefit to the loss of other poor families as resources are limited.* (INF 717)

Through various examples from the field study, I have drawn attention to the ways in which NGOs engage the officials in rights-based activities of communities. Underlying the actions of NGOs was the assumption that it was not possible for the state duty-bearers to ensure rights of people without support of non-state actors.

8.3   Alliance-building and networking at multiple levels

Alliance-building and networking refers to working with all stakeholders who have an interest in enabling and empowering poor people's right to a dignified life. In this section, I have analysed NGO alliances with other stake-holders, especially government officials, international NGOs, donors, with community-based organisations, and other groups at the village level. I decided to enlist the various departments and agencies engaged with individual NGOs as cases to highlight the wide network of stakeholders which non-government organizations have to partner with to advance rights-based activities.

8.3.1   All stakeholders

Alliance building and engaging duty bearers can be observed in SWAD's attempts to involve all stakeholders. For example, under the School Safety Audit programme in Sakhigopal village, a collaborative effort by different INGOs such as Concern Worldwide, Humanitarian Aid wing of the European Commission, Practical Action, with local NGO SWAD and the support of the community level organisations, was launched as part of their disaster risk reduction programme. A second collaborative

venture of SWAD with Concern Worldwide was the establishment of a Seed and Grain Store house in 2003-2004. The importance of alliance building and networking is observed in SWAD's resource mobilization efforts. It worked with an international NGO (Practical Action), and the OLIC, and has been able to finalise seven Lift Irrigation projects in Sakhigopal. The earlier target of irrigating 8-10 acres would have benefitted only 10 households, whereas following resource mobilization through community efforts at different levels, has gotten them seven projects which benefits sixty households. This was possible through organizing panchayat level meetings, a well-coordinated planning process beginning with needs assessment of people at *palli sabhas*, consolidating the needs at the *gram sabha*, and then ensuring they were included in the block level plans for the district. These plans were taken and lobbied for with the State government for resources to facilitate their construction. According to Haadi Bandhu, with the help of SWAD, the villagers of Sakhigopal and Gop block were able to identify their needs and participate in the development activities.

> *Communities were engaged in identifying their needs, planning for them, and demanding through lobbying at all stages. This process is different from service delivery as it ensures people's active participation, and believes that people should know, and voice, their needs.* (INF 733)

Other development practitioners such as Mishra, said that the important objective in alliances and networking with other bodies was to remember the main goal of the purpose of creating allies, and not get persuaded by the allies.

> *Donors can be influenced to fund specific objectives if the NGOs focus on issue-based networking, and raise common platforms to share ground experiences and develop a common understanding of issues*. (INF 703)

Alliance-building and networking with individual officials, at all sectors, state, NGOs and donors, is crucial for the cause of a rights-based approach to food security, according to Mishra. It involves working at multiple levels by state and non-state development practitioners. In 2007-2008, the Right to Food campaign created a network of non-government organisations, and a database on their activities, concerns, fears and plans. In 2009-2010, based on the information gathered through this network of NGOs, the campaign began a series of meetings with the government. The approach was simple.

> *We wanted to sort out good practice at the field level and not rely on specific NGO information because much of it is complaint based. We made informal telephone calls to local officials such as the BDO, and even the collector, and sent letters to the secretary at the state level.* (INF 703)

Building alliances with smaller community-based organisations was a strategy used by many NGOs in their rights-based activities because it gave them a foothold in the community, and it made participatory engagement more real.

The Right to Food Campaign is a good example of networking and creating alliances with stakeholders at different levels by offering a common platform to share ground experiences, and common understanding of problems that have arisen in local contexts, according to Mishra. The Campaign networks and creates alliances with all groups working on food entitlements and related government schemes which have an impact on food security of vulnerable groups. The campaign conducts surveys and studies with little or no funding in order to create a database on best practices and shortcomings of food entitlement schemes.

> *Interaction levels and techniques with government and other partners are ever changing and evolve all the time. We are creating a database and documenting evidence based research to facilitate implementation of government programs, but we do not always rely on NGO information or complaints. If we did so, the field picture would always be negative. Instead we conducted the 2009 study to find out the ground realities of the ICDS schemes. We have an edge over the government departments on collecting first-hand information on the same because the Collector of any district has to deal with 120 departmental issues in a day.* (INF 703)

One of the most significant examples of the Campaign's alliance building and networking on specific issues was the state level convention on children's right to food held annually in Bhubaneswar, in which I participated as an observer. In December, 2012, it was attended by 400 participants over a period of three days from 17 districts of Odisha, and 15 networks and alliances worked together to host the event. 50 children participated in this Convention to share their stories. This convention discussed and debated children's food rights from the perspective of constitutional entitlements, policies and schemes of the State to develop a shared understanding on

strategies to ensure children's right to food, and jointly work towards a plan of action for future activities. The uniqueness of the parallel workshops during the three days was that the participants were all stakeholders, rights holders, and beneficiaries. The important issues under debate were the ICDS provisions, food rights of seasonal migrants, the National Food Security Act (NFSA 2013), adolescent girls, cash transfer versus food items, the Universal Identity Card (UID), the role of the media in communicating real stories at ground level related to food security, the functioning of the MDMS, exclusion (disabled, discriminated and tribal), responsibility of Statutory Bodies of civil society members, role of social audit and other mechanisms of accountability, understanding malnutrition and undernutrition, and corporate interests in food distribution schemes such as the MDMS. Reflecting upon the progress made by the NGOs, Khera said that the changes observed in Odisha were a result of the advocacy for food rights.

> *In 2002, 70% of the food in the public distribution system did not reach the targeted population in Odisha, whereas in 2009-2010, the percentage came down to 30%. This is positive and is a result of the role of people's advocacy.* (INF 710)

Building alliances with the villagers through local community mobilisers, and volunteers, was also a strategy used by other NGOs. Nirupama Behera is 27 years old, and is a volunteer from her village and a SWAD promoter. Preparing village level need based development plans based on feedback from the Gram Sabha and linking it to the government plan, preparing a school audit plan with participation from villagers, and advocating for a micro-insurance plan because it is a flood prone area are three of the major activities that Behera is involved in with the community. Creating awareness on insurance plans at the household level is a central concern for Behera.

> *I share information on state schemes in the villages in Gop Block, inform them of the days when the PDS items are brought to the village retail shop, keep a tab on delays, keep a list of quantities of items sold at the village level to the people with the BPL cards, help people file complaints if entitlements to various schemes are denied, walk with them to palli sabha meetings, and inform them rules of the gram sabha. Sometimes I stand at the PDS distribution centres, and other shared community spaces to be able to reach people and continue advocacy.* (INF 735)

Building sustainable communities also entails training local people to take responsibilities for their villages, and one of the NGO strategies was to create positions such as Community Mobilisers at the village level. Haadi Bandhu of Sakhigopal village is one such Community Mobiliser, and before that she was a member of the Banki Aanchalika Adivasi Harijan Kalyan Parishad (Banki Federation of Scheduled Caste and Scheduled Tribes Development Parishad) for 15 years. Working with BAAHKP had given her a good understanding of the different entitlement schemes, as it was an organization through which different government welfare schemes were routed to the beneficiaries at the village level. Bandhu organized day-care centres for children in the three- to five-year age group, and the success of the day-care center can be observed from the fact that one of the centres was converted into an anganwadi centre for the village.

> *I was very proud of my day-care centre especially because the department [WCD] thought it was good enough to be taken up by them and used as an anganwadi.* (INF 733)

Development practitioners argued that in most cases of best practices, the decisions of individuals handling the activity had made all the difference between success of a rights-based activity and its potential failure. Individual commitment and passion for development activities have made a difference to the realisation of people's rights. The impact of the role of PECUC field coordinator Upma emerged as critical to the transformation of the lives of the women in Balianta block. I have described Upma's role through the voices of some of the women I interviewed below to illustrate her role in the empowering processes initiated by PECUC NGO. Elsewhere, I have used the voice of the block development officer to describe Upma's work.

> *Agaru jaani na thilu. Ebe didi jariya jaanilu [We did not know earlier on how to use notebooks, accounting books, bank passbooks or how to save. Now through didi we know].* (INF 625-SHG)

> *Asubidha re chalu thilu, didi sanchay Kariba sikheliya [We used to live with difficulties, didi taught us to save].* (INF 627-SHG)

Donor agencies also have individual officials who have the ability to transform service based programs into transformatory rights-based actions in subtle ways. Attributing the success of advocacy related activities to specific officials, Vasundhara program

officer Giri said that the individuals in charge of funds for a particular program, within donor agencies, were crucial in furthering the cause of a rights-based approach to forestry rights, and the eventual FRA. This was evident in the visionary role that the then program officer at the Ford Foundation played in ensuring the emergence of a strong research-action plan on forestry in Odisha. The financial grants to cover the immediate expenses of activists made it possible for organising people in different parts of the state. Following the FF, HIVOS financial support to NGOs to enable communities to understand issues around revenue land, environmental governance and forest-based livelihoods was unfettered, and based on our deliverables alone.

> *The turning point was in 2004-2005 when Concern Worldwide gave fellowships to activists who were already working on rights of communities to their land, and were involved in larger state level people's movements. The fellowships covered travel, boarding, and program related costs which were basic to any activist. Concern also funded tracking of FRA related activities of the state, and printed government orders on the FRA in local dialects making it available to people at the tehsil and gram sabha level.* (INF 704)

According to the Right to Food campaigner Mishra, however, a strong network of NGOs was crucial to sustain rights-based approaches to development, and this network will then have the potential to give direction to funding possibilities.

> *Donor funds are not always important. If the network of non-government organisations is strong and the mandate to work together is rigorously followed, then we can influence what the donors may fund, and this can be to our advantage in furthering a rights-based cause.* (INF 703)

In Balianta block and in Keonjhar district, NGO PECUC directed its rights-based strategies towards informing panchayats on the Food Bill (now the NFSA 2013) through debates around the issue of right to food that would enable communities to better understand its provisions. These debates were held first in palli sabhas where the villagers met, and then proceeded to *gram-sabha* meetings where participation of all stakeholders was possible. Following these processes, PECUC sent letters based on people's concerns to the Governor of the State, and to the Prime Minister's Office. PECUC, Anuradha Mohanty described the nitty gritty details of working with communities on advocacy on sustainable food rights as follows.

Mobilizing communities at the panchayat level on issues of mid-day meal (MDMS) is a good example. We motivated the Keonjhar DRDA (Department of Rural Development Agency) to combine the MGNREGA with the concept of planting a kitchen garden with seasonal vegetables, papaya, and other fast growing nutritious fruits and vegetables. We are also trying to orient School Management Committees (SMCs) for green fencing schools in addition to sowing a kitchen garden where water availability is not a problem. This is a model for food security, and it can only enhance the midday meal of the students. We have adopted 3 blocks in Keonjhar to work on this model of development, and this has generated an awareness amongst teachers and students on issues of sustainability, nutrition, and food security. Additional training for SMCs, parents and other participants (stakeholders) is being looked into. This is how PECUC defines inclusiveness because it strives to involve all community members in its own development. (INF 725)

Interviews with development practitioners show that changing the power dynamics in a community is a long process that is embedded in the socio-cultural traditions of people. The primary attitude which needs to be challenged is that of poor people towards government officials as benefactors and superiors, as opposed to people being receivers of welfare scheme benefits. People do not have the courage to demand such basic claims from officials because they have lived in awe of government officials for long decades. Evidence from the field study directs attention to beliefs held by the poor as receivers of charity, combined with an absence of a belief that one has a constitutional right to certain basic needs such as food, employment, and education. Such an attitude was evident in many cases and can be summed up in the testimony of a 20-year-old tribal woman from Dasaringa village on the functioning of anganwadi centres in her village.

Tanke dele amme khaayibu [if the government gives, we will eat]. (Anonymous)

However, Mishra asserted that collective mobilisation of people has the potential of influencing public policy through concerted efforts with other groups engaged in public action. The NFSA is one such example of successful public action when right to food became justiciable bringing hunger into public discourse following starvation

deaths in the year 2000. More importantly, collective efforts were needed to keep the private sector out of the food rights movement, asserted Mishra. Warning against the bidding by private contractors with the government for providing tinned food through the government entitlement programs, academic and development practitioner, Khera said that the political economy of people's movement for food attracts the private sector as they see people as a market. This is evident in the advertisements for non-nutritious foods such as noodles and biscuits. However, according to the coordinator of Rozi Roti Abhiyaan, Dipa Sinha, Odisha was better off than other states in terms of facilitating a decentralised model and usage of locally available food resources through engaging Mahila Mandals as food producers and cooks, and without using huge amounts of funds. The shift from locally cooked midday meals to food contractors in towns can be non-beneficial to the school children, and take away potential livelihood opportunities for local communities, especially women.

> *The central government allocates around Rs10,000 crores for food related subsidies, and the private contractors want these contracts using arguments about hygiene using the machine packing versus on-hands cooking politics! For example, in Karnataka, Kurkures' were given to the children, in Nagaland, wai-wai noodles, and in Maharastra, factories were sub-contracted for food provision. The most recent was the import of plumpy nuts for our children from France! A politics of malnutrition has emerged with the involvement of government money.* (INF 709)

Evidence from the field, thus, shows that networking and building alliances with different stakeholders for claiming any right was a crucial strategy of rights-based approaches to development. In some cases, poor women felt empowered with information on entitlements as a spill-over effect from joining self-help groups through NGO support, while in other cases, minimum funding of activities related to training marginal groups on legal entitlements had transformatory potential. Of particular importance was the finding that all the selected NGOs had built alliances with the marginal communities by ensuring their participation in leading positions locally which ensured they had obligations and responsibilities to their fellow villagers, and to the organisation. One of the most important NGO strategy was to create and sustain networks of existing community-based organisations instead of super-imposing own structure and agenda on the latter.

8.4 Engaging Duty-bearers: Conclusions

In this chapter, I have developed an expanded understanding of rights-based approaches to development are used by NGOs to engage duty-bearers with communities, and build alliances by using the voices of NGO workers. The two strategies of ensuring active engagement of duty-bearers, and alliance-building and networking at multiple levels, have been used by all development practitioners in different ways.

I have used the stories of the respondents to illustrate that these incidents were significant turning points in the empowerment processes of communities. By using the voice of the key informant, my analysis reflects upon the insights, experiential and practical knowledge of the local development practitioner, in any given situation of lived experience. The stories reflect upon the ways in which a collective effort and the adoption of a rights-based approach to basic entitlements made a difference in the lives of poor and illiterate communities. Engaging government officials required a range of different strategies amongst the NGOs in Odisha. Moving from complaining about corrupt and inefficient officials, NGO workers decided to work with government officials with an underlying agenda to enable and empower the poor. For instance, some NGO workers recognised the limitations of the state as a facilitator of people's demands due to resource constraints and inability to reach all poor people at village level. As a result, development practitioners decided to create an information base on access and denial of entitlements of individuals at village level, and shared it with the block level officials. Evidence from the field shows that such strategies were appreciated by the block-level officials, and also indicated the commitment of the development practitioners towards reaching a solution to the problems identified.

Chapter 9: The Practice of Rights-Based Approaches to Development in Odisha: key findings of the study

9.1   Introduction

This thesis examines how rights-based approaches to development are operationalised by the State, and non-State, duty-bearers in the state of Odisha, India. The objective is to further understand the concept of rights-based approaches to development through an investigation of its practice by duty-bearers, and how these practices find expression in policy measures for empowering poor communities.

In this final chapter, I first summarise a conceptual framework for a rights-based approach to development based on my study of the discourses on rights and development. I then describe how rights can be secured to someone through discussions on the emerging findings of the four primary research questions. The chapter concludes with elements of a rights-based approach to development which is inclusive of the following: (a) a discussion of the main outcomes of the study which cut across the four research questions, (b) broader insights into the concept, operation, and applicability of rights-based approaches to development in democratic contexts, and (c) contributions to the wider literature on rights and development. Policy recommendations for state duty-bearers have been outlined in the next section. The thesis then ends with a discussion n potential areas of further research.

9.2   Contribution to a conceptual framework

Studies on rights-based approaches to development are still emerging, and there is wide consensus on a broad conceptual framework. Most studies have concentrated on the use of RBAs by non-governmental organisations, and virtually none have investigated rights-based practice by state institutions. This study is a step towards filling the above-mentioned gap in the discourse.

My contention is that the operation of a RBA may manifest in different forms such as mainstreaming rights' programming, legal mobilisation, adherence to international norms and treaties, and rights' talk. Any one of the four forms, or a combination of of all four forms, can be useful in advancing human rights of poor people. Assuming any one of the above four, or a combination of all four, is present in a given democratic

context, the task of the duty-bearer then is outlined below using Nussbaum's query. I have teased out core elements of a rights-based approach to development based on the discourses on human rights and development by adapting Nussbaum's question: 'what it is really to secure a right to someone'. The query further probes into what guides the operation of a rights-based approach to development through five basic questions: (i) whose task is it to secure these rights?; (ii) what are the corresponding obligations and duties of the designated duty-bearer?; (iii) what is the ultimate goal?; (iv) what guides the duty-bearers in their task of securing rights?; and (v) what tasks must the duty-bearer engage in to secure rights? The five questions provide a conceptual framework to the operation of rights-based approaches to development which duty-bearers must ask while formulating rights-based policies for poverty eradication.

It is widely accepted that it is the task of the state, as the primary duty-bearer, to devise measures that protect and promote rights through direct and indirect actions. Other actors, especially NGOs and international bodies, have a moral obligation to secure rights if they are in a position to act. In the formulation of rights-based policies, two different viewpoints may be adopted by the duty-bearer, namely, the constraints view and instrumental view. Under the former, the focus of the duty-bearer is on negative rights such as what an individual may or may not act upon; under the latter, rights are seen as tools to attain different types of freedoms and other desirable rights. Scholars generally agree that rights-based approaches can flourish in a democracy where public reasoning is encouraged through public discussions and action. Linking arguments on the importance of public reasoning in democracies with the acknowledgment of the presence of elements of cooperative-conflicts in communities, my contention is that a RBA must take cognizance of the strength of cooperative elements in a community for the realisation of rights. Partnerships, moral values, trust, and social relationships amongst individuals in any community are elements of cooperation which duty-bearers need to acknowledge, support and encourage in their development policies for the realisation of rights. Therefore, any list of essential elements of rights-based approaches to development must include such cooperative elements. In addition, a focus on capabilities of people provides an opportunity for duty-bearers to investigate the causes of deprivations, and devise policy measures to enable rights-holders.

The central task for duty-bearers is to eradicate poverty through mobilizing activities that reinforce links between human rights and human development strategically. Such development activities must facilitate the agency of individuals, empower through enhancing capabilities, and put in place mechanisms wherein rights can be claimed if denied or violated by others. Furthermore, a rights-based approach must not shy from using a needs- specific approach in cases where necessary, for instance during cyclones and floods as observed in Gop block in this study, as the first step towards enabling and empowering poor people. Furthermore, development tasks of duty-bearers in securing rights for people encompasses strategies of empowerment, enlisting capabilities, encouraging participatory processes, planning welfare programs, and creating awareness through dissemination of information on the programs. A rights-based approach to development thus borrows ideas from the wider discourse on rights and development, and links them through the five key questions, as outlined above.

9.3   Learnings for State Duty-Bearers: rights-based planning versus rights-based implementation

The first research question aims to understand how political will and commitment of the state manifests in defining and expressing rights to entitlements of poor communities, and how it impacts upon the operationalisation of rights-based approaches to development.

Scholars, in common with officials in Odisha, argue that the shift of many socio-economic rights enlisted in Part IV, namely, the Directive Principles of State Policy (DPSP) of the Indian Constitution to Part III of the Constitution, i.e., the section on Fundamental Rights, shows that a rights-based approach to development has been adopted at national level, and this has occurred largely in response to public action. For example, the National Food Security Act is one such enactment in recent years. According to higher level officials, political will and commitment of the government of Odisha (GOO) is also evident in many of its welfare policies. One is the adherence to Supreme Court directives such as the decentralised procurement of food grains for the Integrated Child Development Services (ICDS) program to engage women's SHGs in the food production and distribution system in many parts of the state. Another is through the initiation of new welfare schemes for specific vulnerable groups of people,

especially, the disabled (Bhimabhoi Bhinnakshyama Samarthya Abhijan), and poor pregnant women (Mamata Yojana) in 2011. Citing the increasing numbers of beneficiaries, senior level duty-bearers of the Women and Child Development (WCD) department maintained that their initiatives were based on evidence that the poor were benefitting from the schemes. An important step taken by the State, officials argue, was the introduction of the Odisha Right to Public Services Act of (ORTPS) of 2012 which mandates that people can demand services as entitlements from different government departments. If the duty-bearer neglects to provide such services within stipulated time frames, people can initiate penal actions against officials. The Act enables citizens to demand public services as a right, and furthermore provides citizens with a platform where grievances can be redressed in a time-bound manner. Officials argued that the ORTPS Act was path-breaking because it moved people's rights from administrative procedures to the legal sphere, thereby allowing public servants to be held accountable to the citizens they serve.

Higher level officials in the Department of Women and Child Development further indicated that rights-based practice was evident in its partnership with non-government sector for third party social audits of food related welfare schemes for vulnerable sections. Such audits were conducted by partners in the non-government sector, and highlighted shortcomings of state initiated village level committees, e.g., the jaanch committees, and mothers' committees, which led to training and capacity-building for committee members based on manuals prepared by the social auditors.

Interviews with middle-level duty-bearers (state and NGOs), however, reveals that the claim of higher level officials that policies are rights-based may not match the actual operation at the ground level. For example, budgets for entitlement schemes are low compared to market prices of goods and general living expenses. Having rival political parties in power at national state levels has also brought changes in budget amounts, as well as in transfer of resources from the Centre to the State. This shows that a rights-based language in policies has to be followed by adequate finances for the policies for it to be considered truly rights-based.

Critics argue that there is a lack of political will and commitment evident in the non-enactment of certain provisions of the Panchayats (Extension to Scheduled Areas Act) of 1996 (PESA) by the Government of Odisha, especially the strengthening of

panchayati raj institutions. The amendments to the Constitution, especially the 74th Amendment, has immense possibilities for direct involvement of the people at the village level in the decision-making of development activities. According to respondents in this study, however, under the provisions of the PESA, the panchayat is the primary unit of administration, the BDO, appointed by the state administration, is the designated head of all development activities undertaken at the block level. The BDO also has the responsibilities for finances and budgeting, and the panchayat can only request funds, with no authority to disburse any finances related to the development of its villages. Respondents in this study argued that the State seems to be unprepared to hand over financial powers to the panchayats in spite of constitutional rulings which reflects upon two immediate concerns, namely, either the state doesn't have faith in the public reasoning of ordinary people at the panchayat level when it comes to dealing with finances for own development, or it is unwilling to give up control over finances. Additionally, duty-bearers at the middle level questioned the creation of multiple centres of government activities at the village level, such as anganwadi centres, mothers' committees, and jaanch committees, instead of strengthening existing administrative structures such as the Gram Sabha of the panchayats. Creating parallel centres of development activities creates confusion and distrust amongst villagers, and challenges the authority of the panchayat leadership at the village level. The panchayat has traditionally been the centre of development activities, despite limitations, and strengthening its authority in local administration has created conflicts with the duties vested with the anganwadi worker. For instance, the panchayat ward member and the AWW have been made co-signatories for anganwadi centre bank accounts to make workers accountable and check corrupt practices, but this has caused tensions in the villages because neither is clear about the relationship between the two posts except for a trip to the bank to sign. While the panchayats consist of elected officials, the anganwadi worker is ultimately a government employee. Although rights-based welfare policies become difficult to operate at the village level because of such tensions, a clear demarcation of duties of panchayat and the AWW can solve the problem. For instance, conceding to anganwadi workers' demand to limit their development activities to the initial six ICDS services would dissipate the tension.

Activists in the field asserted that the state was unprepared to execute its desired goals because of its short-sightedness, and inconsideration of region-specific difficulties. For instance, it takes at least a year for self-help groups to set up a poultry farm before they can supply eggs to their local anganwadi centres in remote terrains of Koraput under the decentralised procurement initiatives. In another instance, activists lauded the creation of grievance redressal cells, and pointed out that people were often either unaware of the provisions, or did not have the resources to pursue a complaint.

Interviews with government officials shows the limitations posed on the duty-bearer at implementation levels where individual commitment, and ability to deal with a problem, becomes the determining factor of the activation of a rights-based approach. Many development practitioners lament the attitude of government officials as being high-handed, while others praised commitment of individual officials which have made a difference to policy implementation and initiated people-friendly schemes. Often there is a mismatch between political will at policy-making levels, and the attitude of officials engaged in the implementation processes. The importance of a helpful and empathetic duty-bearer in the realisation of a rights-based approach at the village level was emphasised by both state and non-state duty-bearers. Many respondents reported that the attitude of government officials was of a superior and benevolent duty-bearer, and instances of disrespectful officials were commonplace. In many instances, a lack of empathy is evident in attitudes and actions of state officials, especially when block level officials used the lure of distribution of entitlements (land deeds in this case) to force communities to attend political events. Such instances, group discussions revealed, were common in the region, and one of the reasons behind a culture of silence amongst the illiterate rural poor. Without attitudinal change on the part of officials, a shift from being masters to facilitators of development activities, operation of rights-based policies cannot be deemed using a RBA to development.

This study also highlights the lack of attention given to the practice and experience of middle and grassroots level duty-bearers in the policy-making process. Block level officials reported instances where their honesty and commitment has led to frequent transfers of postings as a result of changing demands of different stakeholders including higher level officials. Such individual challenges are compounded by other wider institutional difficulties which range from a lack of infrastructural arrangements

to execute the NFSA objectives, unfinished tasks of preparing the priority-households list, to inadequate budget allocation for ICDS services, and the inability of officials to grasp the complexities of context.

Overall, this study shows that while the general political will and commitment of the state in Odisha is rights-based, many block level duty-bearers felt that there was still a long way to go before the government can claim to be truly rights-based in its development activities.

9.4   Learnings from State Duty-Bearers: empowerment processes

The second research question focuses on the specific governance strategies that are used by the state of Odisha to operationalise rights-based approaches to development. My field study indicates that the government in Odisha preferred three governance strategies as primary rights-based approaches to development activities. These are convergence of welfare schemes under different departments at the village level, information dissemination, and the facilitation of participatory processes for community engagement. Findings suggest that, taken together, the three governance strategies have created pathways for the progressive realisation of rights of the poor.

At the policy level, higher level officials suggested that convergence was a panacea for problems encountered in operationalising people's entitlements. According to officials, the merging of all welfare entitlements into one large scheme ensures the optimum utilisation of development funds, and also checks the creation of different administrative power centres at grassroots level. Under convergence, the expertise of all stakeholders involved in various partnership projects in different government departments can be used. However, interviews with block level officials show that at implementation levels, tensions were emerging. An important emerging tension was the conflict between officials of different departments around sharing responsibilities and related official perks, especially between Block Development Officers (BDO) and the Child Development Project Officer (CDPO). The former is a Panchayat Raj official, and the latter is a Women and Child Development official. Interviews with officials reveals that, in many cases, discontent over differential treatment by higher officials created problems in the coordination between the two departments in the operation of rights-based activities. Additionally, duty-bearers at the block level, such as the BDO, feel that the problems they face at the implementation level such as from

local landlords and lack of support from the communities, have not been taken into account by policy-makers in the design of policies. At the lowest level of the WCD administration, the anganwadi workers complained of being overburdened with extra responsibilities such as village level surveys on housing types, toilets, and diseases, in addition to their six primary ICDS services.

The second rights-based strategy emphasised by state government officials was raising awareness amongst the poor through the dissemination of information on entitlement programs and the corresponding obligations of the state. Duty-bearers at the block level stressed that it was difficult to disburse welfare entitlements or enact provisions under various Acts if the communities were uninformed and did not demand the entitlements. Findings indicate that informal processes of communication and relationship with communities, through partnerships with NGOs, and through recruiting grassroots duty-bearers such as the AWWs or helpers from the community, were particularly helpful in the process. This can be seen in an increasing demand for eggs in the anganwadi centres, and in people choosing to send their children to AWCs only on the days when eggs were on the menu. However, challenges remained in other areas. In many anganwadi centres, the disabled were conspicuous by their absence, and reasons varied from lack of proper premises to shortage of space at home-based centres, and a lack of dissemination of information charts. Challenges within the government system remained in the form of lack of official information on migrants and their movements, which meant that this group of vulnerable people did not find a place on the Below Poverty Line (BPL) list, and therefore had no access to food provisions either in the host state or the native village.

The third strategy of the state was empowering communities through participatory processes. Findings indicate that the provision of seed funds to create women's self-help groups, and reservation of seats for women in local governing bodies, were common participatory methods used by the GOO. The emergence and consolidation of women's self-help-groups (SHGs) provides evidence of the successes of awareness-raising and participation of communities in empowering processes. Women informants cited values of trust, community spirit and mutual interdependence as important achievements resulting from working together for creating alternate livelihood options. Many women insisted that the SHGs gave them a reason to step

out of the home, meet others and broaden their worldview. Other, illiterate women, reported that the ability to sign their names filled them with a sense of awe, and freedom. The journey to political empowerment, for many women panchayat leaders, began with participating in self-help groups wherein they found the courage to use their voice.

Findings reveal that although women sometimes found it difficult to pay the monthly membership fee, and faced opposition from family members, they found that becoming members of self-help groups empowered and enabled them. Fear of SHGs breaking up, or being cheated of their collected funds by unscrupulous traders were expressed, and yet most women were interested in the earning and savings opportunities offered by the SHGs. Many others wished to be part of a greater community, and found it useful to ask for help, financially or otherwise, from the group. Unexpected, and unaccounted for, household expenses as a result of natural disasters became easy to deal with using the income earned. Poor women discovered that the process of empowerment brought them respect from the family and the community. This process of empowerment was summed up in the five "Ss": sahajya (support), sanjog (opportunity), sanchaya (savings), samman (respect), and sachetana (awareness). This sachetana process for the women begins with their curiosity to know their entitlements, rules or law, followed by learning skills for income-generation, networking with others, and it ends with the feeling of being able to free oneself from exploitation. Any list of essential elements of rights-based approaches to development must, therefore, incorporate such indicators of empowerment in order to guide its operation.

Many development practitioners contended that, through the three governance strategies, the State simply aims to make poor people service-receivers, instead of truly empowering them. The government attitude and behaviour, they argue, is that of the benevolent giver, as it has always been in the past. Women's empowerment is certainly limited by the fact that they do not usually own the means of production such as land nor do they have much control over the market where they sell their products. A rights-based approach clearly has to strengthen the control of resources such as land amongst the poor and give them some independence from changes in government policies that could affect funding of welfare schemes. Critics argue that welfare programs such as

the ICDS, Public Distribution Services (PDS), and cash transfers, the state makes communities dependent on external support for their survival. According to NGO workers, a dependence on the state for entitlements damages the local economy because instead of getting involved in as small scale entrepreneurs, or sharing farm labour, or engaging in other income-generating projects, people rely for the state to bail them out of poverty. A state-led rights-based approach, according to activists, should direct resources to first strengthen the village economy instead of corporatizing lands through leases to mining and other industries. Furthermore, dependence of poor communities, on the state for survival has increased with the loss of livelihood opportunities due to the rise of state-supported mono-cultures of coffee and cashew plantations, in spite of people's protests against their loss of livelihood systems. Development practitioners also discussed the keen interest that the private sector was taking in the production and distribution of Take Home Rations, and the midday schemes in schools, which meant that livelihood options that could benefit the poor were threatened.

In spite of criticisms from civil society that the governance strategies were merely service-oriented, and ignored people's real needs – notably land rights - this study shows that many vulnerable groups feel that the three government strategies empowered them with information, and opportunities, to participate in the development process. The emergence, and consolidation, of SHGs provides evidence of the creation of new democratic spaces for poor rural women. It shows that a progressive realisation of rights-based practice is already in operation, and that through their engagement with various welfare programs, poor communities have taken responsibility for it.

9.5   Learnings from State Grassroots duty-bearers: *'Do We Have No Worth?'*

The third research question of this study aimed to examine the lived experience of grassroots duty-bearers, namely the anganwadi workers and helpers, in the operationalisation of the Integrated Child Development Services (ICDS) services. Through in-depth interviews with the anganwadi workers and helpers, I have examined how and why they joined the anganwadi centre, what they do as part of the ICDS activities, and how those services are conducted.

Most anganwadi workers and helpers show a high level of commitment to their duties, which is illustrated through instances of decisions taken by anganwadi workers that saved the lives of extremely malnourished children in areas where starvation was common. In many cases, the AWWs took initiatives to ensure the smooth functioning of anganwadi activities even if it meant running the centre under a tree, a leaking roof or a collapsing wall. The dilemma for the anganwadi worker in such cases was clear - to not continue the anganwadi activities meant no pay and criticism from the villagers, and to continue meant taking the risk such as possible building collapse. The latter also meant the possibility of losing her job, as instances from the field study indicate, because safety of the children was her responsibility. Physical challenges such as distance or lack of funds were also tackled ingeniously. There are cases where AWHs walk long distances to secure eggs for the centre, or coax children on early wintery mornings to come and attend the centre. Where local egg prices or fuel-costs had gone up, the AWW either halved an egg between two children or sent home a raw egg with the child to adjust her costs according to the budget provided by the department.

The stories of anganwadi workers and helpers revealed that the services they rendered were locally specific, and sometimes beyond the ambit of the ICDS services. AWCs were widely used as a daytime crèche for the children of poor working mothers, and also as a refuge by women who were victims of domestic violence in a coupleof cases.

The effectiveness of services delivered by grassroots duty-bearers is, however, impacted by problems the workers and helpers face in terms of delayed payment of salaries, low wages, discrepancies between the given fixed budget and market prices of food items and fuelwood, pressures to form self-help groups and threats by senior officials, if and when they break up. Anganwadi workers and helpers felt marginalised by the state, as their demands for salaries to commensurate with increasing work responsibilities, as well cases of violence and sexual harassment by local authorities, were often ignored by the department. Comparing their wages and activities to that of daily wage labourers in farms, brick kilns and household helpers, and other government employees of their level, AWWs felt that their wages were the lowest.

Such issues led to pressures on the worker with no avenue to express their grievances to higher officials, and impacted their well-being. Many older anganwadi workers were reluctant to retire because there was no pension, and nor was there an alternative

avenue of earning a livelihood. Workers complained that they were threatened with loss of jobs if targets were not met. On some cold wintery mornings, the children did not wish to be brought to the centre, and yet the AWW and AWH were held responsible for low numbers of children in attendance.

Another source of dissension amongst the anganwadi workers was with regard to being co-signatories with the panchayat ward member for withdrawing funds from the bank. While the state and other development practitioners argued that joint signatures were important ways to ensure accountability in the usage of funds in the AWC, which was missing earlier. The workers and their union suggested that the ward members demanded bribes in return for the signature, the issue of co-signatures was complicated by accusations and counter-accusations between workers and ward members, and it was difficult to generalise it as a simple case of bribery or of corrupt practice.

The belief amongst the women that they were not being heard by the State led them to join workers' unions, especially the Bhartiya Mazdoor Sangh (BMS). Demands included pensions on retirement, health insurance, and a clear description of their work responsibilities. Also, through collectively demanding own rights to fair wages and other rights, the AWWs and AWHs felt empowered. Scholarly arguments on disrespect (Honneth 1991), and a perceived sense of powerlessness and rightlessness (Gready and Ensor 2005), are relevant here. The discovery of their own agency was partly an outcome of a feeling of disrespect and denial of basic demands and needs which led women to join unions in order to collectively demand their rights. O'Neill's (2005) arguments that human beings mostly react emotionally to social injuries can be applied to the narratives of the anganwadi workers and helpers in their demands for justice.

Conflictual aspects of the Integrated Child Development Services vision for empowering poor women emerge through this study. On the one hand, the ICDS provided skills and opportunities for poor single women with low education levels to apply for the post, whereas on the other hand, the work was becoming more specialised for which the need for better educated women with specific skills such as managerial skills and elementary healthcare, was becoming a reality. Others, however, felt that while daily supervision by Supervisors and Child Development Project Officers (CDPO) should be enhanced through specialised trainings, the primary purpose behind

the posts of anganwadi worker and helper, to engage poor local women in the development process, must not be forgotten. Furthermore, if such community level positions were treated as a regular nine-to-five employment opportunity, the very rationale of the positions to encourage local communities to participate and take responsibility of their basic needs would be defeated, many felt.

Although the aim of the state is to empower poor beneficiaries of entitlement schemes, an unintended consequence of the process was enabling and capability-building of poor grassroots duty-bearers. The sense of agency among anganwadi workers and helpers is testimony of the effectiveness of a rights-based approach to development. While many middle-level officials felt inhibited in sharing their individual experiences and opinions with the researcher, grassroots duty-bearers openly shared their experiences, frustrations, and claims.

Overall, it is evident that the duty-bearers are poor, single women, and in many cases in need of the very entitlements they are disbursing for other poor women. While proclaiming the importance of the AWW as the ICDS frontline worker responsible for delivering services, higher level policy-makers did not foresee the emerging challenges pertaining to a lack of basic infrastructure, widespread poverty of the worker, and the agency of individual workers. In other words, the duty-bearers at grassroots level are rights-holders themselves, and unless their needs, rights and lived experiences are taken into accounts, rights-based approaches to development are unlikely to reach their full potential.

9.6   Learnings from Non-State Duty-Bearers: '*We Are the Locals*'

The fourth research question examined the strategies non-government organisations have adopted to enable poor communities to claim their rights. This has been analysed in two chapters to give space for in-depth discussions on emerging issues related to NGO rights-based practice in Odisha. One focuses on how NGOs in Koraput advocate strongly that people, and their community-based organisations, must take ownership of the development practice. In their view, village communities themselves are best placed to identify root causes of their poverty, and devise measures to overcome vulnerabilities associated with poverty. The second chapter focuses on two specific strategies, namely ensuring active duty-bearer engagement and alliance-building at

multiple levels, used by the selected NGOs of Khorda and Puri district for an in-depth analysis.

Poverty in Odisha takes many forms, ranging from food insecurity due to droughts, floods and displacement induced by development projects. The NGOs in question first identify the root causes of poverty and vulnerability, and then engage in capability-building activities to tackle such vulnerabilities. In the Koraput district, NGOs found that most tribal communities had been displaced multiple times by development projects such as dams and cashew plantations. In the urban slums of Khorda district, abandoned children were found to be the most vulnerable group. The primary cause of their vulnerability was lack of land ownership in Koraput; a range of other issues, including addiction to a glue-like substance by street children, were identified as causes of vulnerability in Khorda. In Tangi block, NGOs concluded that female foeticide was an important social ill, and decided to invest resources in women's empowerment through organising, training and educating the village women.

NGO development activities include advocacy, strategies to engage state officials, networking and building alliances with other community-based organisations. Many have NGOs moved from lobbying actions to activism, and from service-delivery activities to issue-based mobilisation of the poor. The importance of needs-based advocacy, especially in the case of arguing for food entitlements for migrant children was widely seen as a necessary starting point for a rights-based strategy, but not the only way to achieve rights. NGOs realised that the continuous sending of aavedan-nevedan letters to the government were not giving results in terms of people achieving their rights, and so they decided to mobilise communities to organise themselves. Grassroots development practitioners sat with people, and identified their concerns through village survey exercises, organised with them, and informed them on rights through participatory discussions. The importance of the strategy lay in its emphasis on working directly with the villagers, local recruitment, and strengthening the local village base of the organisation.

Development practitioners were unanimous in their opinion that no one within marginalised communities must be left behind when rights to land and forest use are enlisted, including those labelled as cattle thieves, migrants, and landless. To be able to enlist each and every member of the village in claiming their rights, NGO workers

stressed the role of village-based governance structures, especially in activating the palli sabha and the gram sabha in identifying and mobilising members of their community.

In some cases, NGOs were involved in service-delivery activities with the communities in the beginning, but gradually realised that well-being, dignity and food security was intricately linked to land ownership, which also gave one a sense of empowerment. There brought an increasing realisation of the indivisibility of human rights. While right to land and forests were often the core demand of communities, such struggles gave the poor the courage to collectivise and demand other rights, such as infrastructural for drinking water, and to 'name and shame' corrupt duty-bearers.

NGO workers found that building the capabilities of the youth was a sustainable activity because the youth could, in turn, use their agency to advocate rights of others in their community. One of the ways many NGOs in Koraput engaged their youth members was by reviving adivasi parichay (tribal identity) through an emphasis on traditional customs and practices to instil a pride in their common heritage. Strategies included a revival of annual festivities where livelihood rights to land-based activities, and rights of women and children were celebrated. It was also used to counter the increasing influence of outside religions, such as Christianity and Hinduism, because religious conversions of tribals led to a sale of tribal lands to outsiders.

Through their active involvement in grassroots activities, NGO leaders came to the conclusion that the responsibility of claiming rights, lay with the 'locals' and not with the state; and that community-based organisations, non-government organisations and the communities themselves were the 'locals'. It was the obligation of such local duty-bearers, they concluded, to understand processes of claiming rights, and prepare a checklist of questions if complaints were written, receipts of complaints registered, copies of complaints were distributed, and specific officials were identified. According to NGO workers, if communities took their responsibilities seriously, half of the local problems of rights violation would be solved.

Collective efforts, and the adoption of a rights-based approach to basic entitlements, make an important difference in the lives of poor and illiterate communities, and collectivisation as a strategy was crucial to achieving rights. Young community-based

NGO workers, through trial and error, have found that in spite of resources and time constraints of tribal women, the long commute to the nearest block office was sometimes the only way to press their demands for basic necessities such as potable water. The women were convinced that they had a right to drinking water, and if it was not available in the summer months, the government was obligated to make provisions for it. Interface with local officials was a challenging task but continuous trainings by community-based organisations, and a firm belief in their rights to basic needs made it possible to do so. Ultimately, when the government efforts failed, communities in Pottangi block, took the responsibility of water provision, and openly challenged corrupt practices of public officials. The narratives of grassroots NGO workers indicate a continuous process whereby people are constantly faced with difficulties, and yet felt they were becoming empowered in the process.

Moving from complains about corrupt and inefficient officials, NGO workers decided to work with government officials to enable and empower the poor. Some NGO workers, however, recognised the limitations of the state as a facilitator of people's demands due to resource constraints, and inability to reach all poor people at village level. Development practitioners therefore decided to create an information base on access and denial of entitlements of individuals, and share it with the block level officials. Such strategies were appreciated by the officials, and reflects upon the success of engaging, and networking with state duty-bearers. Engaging government officials required a range of different strategies amongst the NGOs in Odisha. These ranged from active cooperation to build and maintain necessary infrastructural facilities such as lift pumps for irrigation, training communities to voice their demands, and documenting problems, to enabling communities to locate specific officials for specific violations. Through community mobilisation, NGOs enabled and encouraged vulnerable groups to come forward, in common spaces such as public hearings and workshops to discuss and share their difficulties in accessing due entitlements at the district level. After collecting data on denial and violation of rights, and bringing issues into the community discourse through governance forums, petitions were sent to the block or district level government offices. In many cases, such as the community sanitation project in Dumduma, all possible alternative actions were acted upon by the community with the NGO support before engaging the state officials.

Public Hearings have emerged as an effective tool of rights-based activities used by NGOs in Odisha. Through the hearings, people's specific complaints on the denial or violation of their rights to entitlements under various welfare programs were brought into the public discourse. The hearings concluded with public announcements by the government officials on the measures adopted to address the complaint. This ensured transparency and accountability of the process.

NGOs advocated reclaiming the production and distribution of seeds of indigenous crops as a core strategy to achieve local food security in the flood affected villages of Puri and Khorda districts, as well as in the tribal district of Koraput. Seed revival activities were linked to food sovereignty, and a move away from depending on the state and the market for food.

Building alliances with community-based organisations in order to strengthen their presence in the field was a central activity of enabling and empowering communities. Community-based NGO workers felt that it was imperative for tribal communities to regain their sense of identity by focusing on their culture and traditions in order to provide direction to the youth. The alternative, in many parts of the state, was joining the armed Maoist groups.

State and non-state actors play different roles, and it is important to identify these differences but also the areas of overlap. The state focuses mainly on legislation of rights, and introduces new initiatives in policies to pave the way for people's realisation of rights progressively. The non-state duty-bearers engage in advocacy activities to empower the poor to claim such legislated rights, and policy entitlements. Some activities such as capacity-building of the poor, and facilitating participatory processes for ensuring community participation are common strategies used by both. For example, the state facilitates the flourishing of capabilities through training and welfare programs to promote human rights, and information dissemination. NGOs begin their rights-based activities by scoping out the root causes of poverty through participatory exercises with communities. The state largely depended on its networks with communities and NGOs to identify root causes of poverty, and in turn, acts upon it through introducing new policies such as the Mamata Yojana, the BBSA, and the Right to Public Services Act (RtPSA). To engage communities' participation, the state set up accountability mechanisms such as Jaanch Committees. The goal was to

empower and enable the poor through rights-based strategies. While most elements are common to state and non-state duty-bearers, the responsibility of the state to promulgate laws related to socio-economic rights is extraordinary, and is the bedrock of justiciability of a human right. This study shows that the promotion of socio-economic human rights is possible through political will and commitment which is shaped by the daily practices and experiences of, both state and non-state duty-bearers.

9.7   Conclusion: Elements of a Rights-Based Approach to Development

This study provides valuable insights into the workings of rights-based approaches to development at the grassroots in Odisha, and enhance our understanding of the potential – and constraints – of the rights-based approach more broadly. The following significant findings emerge from my study.

One is that there is a dearth of studies on how rights-based approaches to development are operationalised by state duty-bearers; taking cognizance of the experiential knowledge of middle level officials is potentially crucial to the operation of rights-based approaches to development. The operation of a rights-based approach to development is largely dependent on its duty-bearers, who are located at multiple levels. RBA studies to date have largely ignored the role of such state duty-bearers, concentrating more on the role of non-governmental organisations. For example, block level duty-bearers in Odisha believe their difficulties in discharging their duties, and their experiential knowledge, are generally ignored by policy makers, and this impacts negatively upon their motivation levels. The problems faced by the block official ranged from workload pressures, negotiating with local stakeholders, political pressures, to short-term tenures in a block office. An important issue was disparity in pay between officials across different government departments working at the same level of administration. Taking into account the issues faced by state duty-bearers at implementation level is therefore crucial for the operation of rights-based approaches to development.

Second is that duty-bearers at grassroots level, especially poor women duty-bearers, are also rights-holders. Conflicting demands on their dual role as rights-holders and duty-bearers poses constraints on the operation of rights-based approaches to development at the village level. On the one hand, they feel marginalised by the state, with paltry wages, no pension or other benefits, excessive workloads, and

responsibilities of caring for vulnerable groups such as poor pregnant women, children and the disabled in their communities. On the other hand, they are often treated with suspicion by the villagers, with allegations of misappropriation of funds commonly levelled against them.

Third is that cooperation between the state and non-state duty-bearers is essential for a rights-based development practice. NGOs cooperate with the local administration by providing them with information on individual cases where rights of the poor had been violated, and in many cases provide a solution, which is appreciated by officials. At the same time, NGOs acknowledge that the state finds it difficult to keep itself informed without support from other duty-bearers, including NGOs and communities themselves. Levels of cooperation within communities can vary but evidence suggests that grassroots duty-bearers prefer to negotiate informally with their fellow villagers instead of producing the rule-book during conflicting situations. Trust emerges as an important binding factor in all rights-based initiatives of the state and the NGOs studied here. The Women and Child Development Department, for instance, invited third party members of the public for social audits of its programs. It placed trust in women's self-help groups and others to forward community welfare programs.

The fourth finding shows the importance of communities taking responsibility for their development, through active participation, and strengthening existing community governance systems, especially the panchayat. NGO duty-bearers in Macchkund and Balianta blocks, for example, argued that taking responsibility entailed detailed activities such as registering complaints in writing, demanding receipts of submitted complaints, and identifying specific problems instead of blaming the entire department. For a rights-based approach to be meaningful, communities must not only be seen as rights-holders, but as active participants in the development process, and have the opportunity to become duty-bearers. An important NGO strategy is to link with existing community-based organisations because it provides duty-bearers with a local presence, and a united front, in their rights-based approach. The selection of field coordinators and other activists from within communities was an important strategy. Strengthening panchayati raj institutions especially the gram sabha and the palli sabha with real decision-making powers including financial authority were core to a sense

of communal ownership of the development process. Resolving local conflicts over resource ownerships, settling disputes locally, and taking decisions over development tasks, amongst other activities can then be the responsibility of the panchayats. In the studied sites, rights-based approaches have been adapted by NGOs, and the state, to meet local demands through culturally appropriate strategies. Where communities take responsibility of their development agenda, and actively participate with duty-bearers in determining root causes of vulnerability, and building capabilities, culture shapes and determines its rights-based strategies, instead of posing limitations. This is so because specific rights' approach to an issue is adapted, informed, and driven, by the needs and demands of the community themselves.

The fifth is that empowerment processes are largely invisible and intangible, and begin with an assertion of individual agency, as shown in the case of the women's self-help groups. Grassroots women's narratives show how joining SHGs enables them to sign their names on paper, engage in income-generating activities, and manage bank accounts, amongst other activities. Women in urban slums gained awareness as a result of savings, and resultant invisible feelings of support and respect. Claiming rights through collective public action - such as demanding water rights in Koraput district – further highlights the importance of the agency of the poor. For instance, it took two months to convince village women in Pottangi block to collectivise and travel overnight to the BDO office to demand potable water. Although they did not immediately sort out the water issue, women felt empowered politically in the process, and influenced other villages to do the same. 'Not one, but all, must demand a right' was a strategy used by grassroots NGO duty-bearers to support poor people's claims to rights. Thus, the personal narratives of the women direct attention to emerging new contexts of social interaction and empowerment which require a long-term process of vigilance, and communication, which must be acknowledged in a rights-based process.

Processes of empowerment lead to progressive realisation of rights which means that the gradual realisation of rights is possible over an extended period of time. For example, although women found joining SHGs challenging, evidence from the study shows that it led to income-generation, claiming their voice at home, and participation in local political affairs. If rights were not achieved immediately, it did not mean that

rights did not exist, or specific government actions failed. It meant that new circumstances were facilitated and the potential realisation of rights was in the near future. The collectivisation of anganwadi workers and helpers shows that their duty-bearing positions led them to empower themselves. Thus, poor women found that being engaged in a rights-based development process enabled them to voice their demand for other socio-economic and political rights.

This study of village-level process in Odisha demonstrates clearly that a rights-based approach to development is an inherently political activity, where structures of power and control of resources are constantly challenged by the mass of the people. A rights-based language had the potential to ignite communities to undertake political protests, as shown when NGOs shifted from lobbying and petition-based avedan-nibedan to claiming rights. The political nature of rights-based activities takes distinct forms, however, for state and non-state duty-bearers. Middle and lower-level state duty-bearers often admitted that as government employees, they could not openly disagree with State level policies, and feared they could be transferred if they spoke honestly or otherwise irked powerful local stakeholders. The political nature of NGO development activities was evident in their training of the poor to know their rights, which creates informed communities and leads to increased demands for transparency and accountability of state duty-bearers. Unlike previous studies on NGOs, this study focuses on the voices of grassroots NGO workers, and shows, through examples of individual struggles to win access to potable water, land rights, amongst other cases, how the commitment of individual youth workers has made a difference to the larger rights-based goals of NGOs.

The next significant finding is that a language of rights serves to challenge local power structures. When NGOs in Koraput used a rights language, and moved from lobbying to demanding land, donors' temporarily withdrew funding, community members were kidnapped, and others fell under suspicion of being Maoists sympathisers. While such incidences were worrisome for the communities, it confirmed that when the poor engaged in an informed rights-based development process, existing unequal power dynamics were revealed. This study further focuses on the development practice, and the lived experience, of grassroots development practitioners. The final finding is the role of respect, which has not been linked to the discourse on RBA previously.

Discontent arising out of disrespect sometimes leads to a choice between loyalty and exit. Through examples from the field study, I have shown how anganwadi workers and helpers have organised themselves because of a feeling of being marginalised by the state, blurring the lines between rights-holders and duty-bearers.

In conclusion, this thesis highlights the role of the state is the primary duty-bearer: any study of rights-based approaches to development is, therefore, incomplete without taking cognizance of how the state operationalises RBAs. While at the planning level, development policies and practices are informed by legal frameworks, budget commitments, and infrastructural arrangements, at the operational level, rights-based approaches are informed by the development practice of experienced grassroots and block level duty-bearers. This study shows how the operation of a rights-based policy is largely determined by the attitude, and political will and commitment of the duty-bearers, especially of those working at the implementation level. A core contribution to the discourse on RBAs is, therefore, to add to the list of core elements of RBAs to development, how duty-bearers define and operate rights-based policies. Additionally, this study shows that many poor grassroots duty-bearers find themselves rights-holders, and the implications of this in terms of resource and motivational constraints on the discharge of their rights-based duties. The study also illustrates the invisible ways in which poor women rights-holders enable and empower themselves, and take up duty-bearing roles in their communities. NGOs, too, especially grassroots workers, are shown to have a crucial role in RBA to development. Facilitating capabilities of poor communities through advocacy, and participatory processes, are crucial activist roles, but are also supportive to state led rights-based development activities, because it enables the poor to claim rights when denied or violated. Thus, NGOs, working closely with communities, both facilitate the development activities of the state, while simultaneously challenging the state to meet its commitments and promoting greater appreciation of the potential of a rights-based approach to development. Through in-depth study of field-based data, this study shows how a rights-based approach to development, emerging from ongoing interplay between state and civil society, is creating new opportunities and mobilising the poor and marginalised to participate in their own development in crucial areas such as food, education, land rights and empowerment of women.

9.8   Policy Recommendations

In this section, I offer some specific policy recommendations arising from my study which I believe can make the operation of a rights-based approach to food entitlements more effective. My policy recommendations call for a re-assessment of development programs with a focus on decentralisation of financial and administrative authorities to panchayats. The recommendations are as follows: making the National Food Security Act (NFSA) universal and inclusive, continuous engagement with communities through community governance forums especially the Palli Sabha, entrusting responsibilities to the youth to ensure sustainability of development activities, guarantee infrastructural facilities, transport and adequate budget for specific entitlements, ceasing to burden anganwadi workers with extra state activities, enacting the provisions of the Panchayat Extension Services Act, to using a rights-based language.

Food entitlements under the Indian National Food Security Act (NFSA) should be made universal for all poor people instead of identifying "priority households", in order to avoid starvation deaths and the violent expression of fear arising from such possibilities by the 'poor left out' from the list of "priority households". A universal food entitlement is inclusive of migrant households, child headed households, climate refugees, and all other categories of the vulnerable poor who were not on the list of the Below Poverty. Current provisions on food entitlements under the Integrated Child Development Services (ICDS) and the Targeted Public Distribution System (TPDS) which fall under the purview of the NFSA should be amended to include all households. The Block Development Office, and the Department of Women and Child Development should document the seasonal movement of migrant families to ensure that the latter is able to claim entitlements. Care must be taken while enacting the current list or 'priority households' so as not to leave out vulnerable BPL households which may not fall under the purview of 'priority households' under the NFSA guidelines. More specifically, the widows of Targeted Public Distribution System (TPDS) beneficiaries must be included in the new list of the NFSA.

Gender relations impact upon access to food entitlements. While the NFSA has made provisions to enlist the eldest woman in the household as the head of the household for the issuance of ration cards (identity cards), power dynamics between women such as the mother-in-law and daughter-in-law within families may still render one or the

other more vulnerable. In situations where disagreements on which adult female should be named head of the household on the ration card, open discussions, and anonymous voting through different community forums including the Palli Sabha can help decide on the right choice.

While the formation of state Grievance Redressal mechanisms is a rights-based strategy, the feasibility of implementing it is rift with difficulties. For the poor and the vulnerable, time spent on writing and submitting complaints means time out from daily labour. Many of the poor are illiterate and not informed on the due processes of law, and lack confidence to face state officials. The modus operandi to admit complaints must ensure that the complainant does not feel threatened. Simple procedures can be adopted for long-term impacts. One way to address this problem is to receive complaints through open public discussions in the Palli Sabha which is attended by all community members. The Palli Sabha must be attended by the Grievance Redressal Officer in order to be able to assess the threat value of the complainant by the accused. An additional recommendation is to re-activate the State legal-aid cell for which the government should invite cooperation from other duty-bearers such as interested community members or non-government organisations to take the responsibility of co-managing the cell on a rotating voluntary basis.

Specific innovative policies of the State government have elements of rights-based approaches but in many cases these policies ignore the socio-economic contextual reality. I have drawn attention to specific entitlement programs below. Rights-based policies such as the Bhimabhoi Bhinnakshyamata Samarthya Abhijan (BBSA) need to be backed by appropriate infrastructural arrangements, and facilities to use the technical aids provided by the government. The provision of cash benefits, wheel chairs and bus passes for the physically disabled people should be backed by wheelchair-friendly pavements and buses, for example. A starting point towards addressing such emerging issues can be by documenting the difficulties faced by BBSA beneficiaries, and the measures taken by officials to address specific problems in each village. Such documentation can be the task of the panchayats with the support of the BDO. The significance of addressing contextual realities, in a different case, directs attention to ensuring targets are realistic. The should make realistic goals within real-time frames for the operation of rights-based policies. For instance, if eggs for anganwadi centres have to be procured from local self-help groups (SHG), as per the

directives of the Department of Women and Child Development, the latter must ensure that the SHG has already set-up its infrastructure to supply eggs, and in the meantime alternative provisions must be made to supply eggs. The importance of arranging for transport in specific cases such as in cash entitlements for pregnant women under the Mamata Yojana and pension entitlements for the very elderly is another instance where states can check if contextual realities have been taken into consideration in the planning of rights-based policies.

In the case of Mamata Yojana for poor pregnant women, the state government should arrange for a monthly transport to the bank to withdraw the cash, especially in the Koraput region where women have to walk ten kilometres or more to the nearest town. Where there is a lack of adequate budget for the same, the Department of WCD should collaborate with the local transport authorities to arrange for monthly commuting for the beneficiaries. Similar transport arrangements are needed for withdrawal of pension entitlements for the elderly. An alternate plan would be to deliver the cash entitlement to the homes of the elderly where proof of identity must include a photograph and signature of the recipient. Such strategies are not difficult especially since district officials have managed to organise and deliver quick door-to-door humanitarian aid during natural disasters.

An important recommendation is to ensure adequate budget provisions with fixed terms and conditions between the centre and state governments become the norm. Conditional cash transfers under the Madhubabu Yojana and the National Old Age Pension (NOAP) plans should take into consideration current prices, and Central and State government rights-based plans should be backed by realistic budget allocations. To ensure that a change in government does not disrupt budget allocation between the Centre and the State, a risk analysis should be included in the welfare plans, especially the Integrated Child Development Scheme and the Targeted Public Distribution System (TPDS), of the NFSA.

The anganwadi worker and the anganwadi helper should be allowed to focus on their six core activities under the Integrated Child Development Services, and be protected from additional responsibilities such as census surveys, and listing beneficiaries for cyclone relief materials. Trainings for skill development in nutrition requirements for specific groups such as children, adolescent girls, and pregnant and lactating women

must be made mandatory for all AWWs. More importantly, AWWs and Helpers must be given due recognition and respect through a revision of their salaries and benefits befitting state employees of the same grade.

The Gram Panchayats, i.e. the primary units of state administration, should be given financial authority to disburse funds for the development plans initiated under their leadership for their villages. The state should begin proceedings to ensure that the Panchayat Extension Services Act (PESA) is executed and the panchayats can be decentralised centres of power, as per the spirit of the Indian Constitution. All development activities of different government departments should converge at the panchayat offices, and not at the anganwadi centres to avoid creation of parallel centres of village development activities. Social audits, redressal mechanisms, and accountability mechanisms should be administered by panchayats with support from the block development office. For instance, the panchayats should be vested with final decision-making authority in matters arising in Jaanch Committees, School Management Committees, and Mothers Committees. One way of initiating the above-mentioned process of decentralised decision-making is to identify a block where the Department of Panchayati Raj entrusts panchayats with financial authority for executing development activities such as monitoring anganwadi activities and school midday meals. This block can act as a model for further expansion of panchayat authority in decentralised decision-making in other districts. The task of enlisting the "priority households" under the NFSA should be given to the panchayats, and not to the anganwadi workers. Through community meetings at the Palli Sabha the panchayats can engage in public debates to make the process transparent and genuinely rights-based in order to ensure the vulnerable households are not left out of the list. A community-based decision making process will also make sure that the anganwadi workers are not targeted by powerful sections of the village if they are not included the list of poor households for food entitlements.

Continuous dialogue with an informed public, by state officials, at grassroots level, is fundamental to the effective operation of rights-based approaches to development activities. Dialogue checks undue political pressure on officials from locally entrenched power centres, creates agency amongst ordinary poor people, and is a step towards people's ownership of the development process.

The state government should move rights from simple programming to the legal sphere through legislation using a rights-based language which implies that officials can be held accountable under law for their actions or inaction. While the state in Odisha has introduced a rights-based language in its innovative Right to Public Services Act, the attitudes of officials at all levels need to change from being superiors to service providers through trainings for officials on underlying rationale of government services, ethics, empathy and significance of social capital in welfare policies. Strategies of information dissemination, awareness creation, and facilitation of participatory processes will be meaningless without such attitudinal change.

9.8.1 Implications for other countries

Through a careful examination of concepts of rights-based approaches to development, and its implementation by state and non-state practitioners, this thesis shows that other democratic states can learn and practice RBAs in the following ways.

State engagement in RBAs occurs at various levels of government which means that each level of the policy process is influenced by political will and commitment of multiple duty-bearers and institutions. Attitudes of individual officials can sometimes determine if a rights-based policy can be operationalised or not. A rights-based approach must ensure that instead of behaving as masters officials at all levels must play the role of facilitators.

While policies are conceived at the highest level, policy makers should take cognizance of problems faced by officials at various implementation levels. Compared to officials at the middle and higher level, the grassroots duty-bearers bear the brunt of failed or inadequately implemented entitlement schemes because of their proximity to the communities. Ground level realities can be best understood by taking into consideration the experiential knowledge of grassroots officials in policies. At the grassroots level, implementation of development plans may encounter difficulties posed by social disparities, power dynamics (class, gender and ethnicity), and resource constraints. Duty-bearers at these levels should be given due recognition and respect through adequate pay, and other benefits befitting state employees. A rights-based policy must ensure that its duty-bearers at the grassroots level are well-equipped with information, training, and other resources to be able to implement the rights' agenda.

Mechanisms to have continuous feedback, preferably anonymous, from grassroots officials must be set in place in a rights-based planning.

Capacities of state institutions in adapting available resources to the needs of people for the implementation of rights-based programs must be evaluated during the planning phase. Capacities of institutions, and officials, at implementation levels must be understood in terms of their specific histories and internal relations. Do officials at the implementing level have the flexibility to adapt to changes in practice with shifts in policies? Is a rights-based program creating multiple centres of development activities at grassroots level? What kind of influence does party politics, competing claims on limited resources, and cooperative-conflicts amongst communities have on the preparation and implementation of a rights-based program? In summary, political will and commitment at higher levels is indicated by adequate budgets, flexibility, adapting to contexts, and decentralisation of decision-making authority.

Continuous dialogue with an informed public, by state officials, at grassroots level, is fundamental to creating a rights-based language. Dialogue checks undue political pressure on officials from locally entrenched power centres, creates agency amongst ordinary poor people, and is a step towards people's ownership of the development process.

Duty-bearers must bear in mind that in many instances, the impact of rights-based policies are not always immediate but conditions can be created through rights-based programming, "rights talk", or through legislation whereby rights will be realised in the near future. For example, policies such as conditional cash transfers (CCTs) may have an immediate effect on poor people's lives, and if planned with care CCTs can be deemed as rights-based. However, rights-based strategies which are targeted at transforming root causes of poverty and building capabilities may not transform people's lives immediately, but will have a long-term impact upon people's lives by creating new democratic spaces where existing social inequalities are questioned by people themselves.

Local community governance systems are central to activating rights-based policies. For policies to be sustainable in the long-term, a rights-based approach recommends the engagement of the community, especially its youth, in all local governance systems including planning and implementation. Policies must provide for spaces where

communities and their youth take responsibility of the development process through continuous interaction with grassroots officials, and a process of checks and balances. For instance, provisions in policy for community involvement through social audits or grassroots committees not only increases participation, but also ensures community control over the development process through duty-bearing obligations.

An important learning from this study which should be used in rights-based discourses as a bottoms-up approach to development processes is the 'Sachetana' (awareness) process with the five "Ss": sahajya (support), sanjog (opportunity), sanchaya (savings), samman (respect), and sachetana (awareness), identified by urban slum self-help groups in Cuttack. The Sachetana process highlights the voice of women from poor communities, and shows how women have adapted rights-based approaches to development by identifying new indicators of empowerment processes specific to their context. It reflects upon the ways communities own their development process.

Studies cited in the literature review (Miller 2010; Ely Yamin and Cantor 2014) have highlighted how RBAs may ignore contextual realities including culture, and can be a top-down process adapted from a Western model of development. However, rights-based approaches to policy making has the potential of facilitating the role of culture to shape policies wherein cultural practices of communities are valued and used abundantly by duty-bearers. This is possible only when duty-bearers ensure direct participation of village community members in their rights-based activities at every stage. Ensuring direct participation is possible at different stages such as recruiting field officers from the community itself, trainings, conducting village level meetings on all issues and brainstorming each solution, and ensuring that no one is left out especially those living in the margins of society such as cattle thieves or seasonal migrants. More specifically, where communities are active, and participate in identifying root causes of poverty and deprivation, and in capability-building exercises, the culture of the community shapes and determines rights-based strategies, instead of posing constraints.

While earlier studies have stressed the important role played by NGOs, my study further stresses that legislation of basic socio-economic rights provides the platform upon which non-state duty-bearers can build a campaign, arrange trainings, and carry out advocacy activities related to claiming rights. As a law, the NFSA for example,

becomes a tool which NGOs can use to translate the desired basic right into a real achievable right through different rights-based strategies. The reverse is also true, i.e., without non-state rights-based development activities, legislation alone will not be able to transform people's claims into real rights. Cooperation between state and non-state duty-bearers is thus essential to effective rights-based policy making through simple activities such as information sharing on problems raised by either side, or settling disputes informally at the village level.

9.9   Further Research

This thesis has explored issues within right-based approaches to development that have not been widely reported in the literature, especially at the grassroots level. A number of areas can be suggested for further research.

A comparative study between states within India on how rights-based approaches for food entitlements are operationalised would provide insights and learnings which can be used in the national policy frameworks. For example, further studies could investigate the practice of a better performing state, and compare it with that of a learner state such as Odisha to better understand what factors determine the operation of rights-based strategies.

At the conceptual level, there is scope to probe further into 'what it is to really to secure a right to someone' using research questions which link discourses on human rights, democracy, gender and empowerment with governance strategies. To accept rights-holders as active subjects, duty-bearers should be able to demystify human rights-based policies by incorporating answers to queries on whose task is to secure rights, what guides duty-bearers to secure rights, and how can such rights be secured to someone. A second insight arising from this study into rights-based approaches to development is that the lines between duty-bearing responsibilities and being a rights-holder can be blurred, especially at the grassroots level. The key question for further investigation is whether duty-bearers can be rights-holders for the same entitlements which they disburse to other poor households. Additionally, to what extent can rights-based approaches to development take cognizance of ground realities and adapt?

The significance of the right to respect in rights-based approaches to development has not been adequately investigated by scholars and policy-makers. Violation of rights can arise out of experiences of disrespect resulting from either physical abuse or

experiences of denigration that affect a person's moral self-respect. As a result, a feeling of disrespect arises out of a sense of powerlessness and rightlessness which in turn has the potential to motivate people to collectively organise political resistance. In this study, respect and identity have been cited by both grassroots duty-bearers as well as the youth in poor communities as important of rights-based elements used by them to mobilise others. An area for further in-depth research is to examine the extent of the erosion of feelings of self-respect can impact upon the process of operationalising rights-based entitlement programs. Empirical research on types of powerlessness and rightlessness, and its alleviation (or not) through rights-based approaches to development will be helpful in understanding the practice of RBAs.

An important finding of this study which needs to be further researched is the 'Sachetana' or awareness process which includes everyday terms such as support, opportunity, savings, respect, and awareness as important elements of rights-based approaches used by urban slum self-help groups. The focus of future research should be on how each of the five elements of the Sachetana process influence and impact on women's empowerment processes and claims to entitlements, and its relevance to other contexts. It is important to examine the Sachetana process because the elements of the process are present in every community, and it shows how rights-based approaches are understood and adapted locally.

This study has shown that the experience and knowledge of grassroots and middle-level duty-bearers has not been widely taken into account in rights-based policy frameworks. As a future project, further investigation on specific cases of rights-based entitlement programs of the state should be analysed by interviewing both grassroots duty-bearers implementing programs as well as the rights-holders who are benefitting from the specific programs. Such in-depth investigation has the potential of feeding into the design of rights-based policies with more impact.

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Appendix 1: List of all Respondents (December 2012-Feb 2014)

Data collection tools

    Interviews-
- semi-structured (ISS)
- In-depth(II)
- Open-ended (IO)

    Group Discussions (GD)

    Observations (O)
- Participant Observations (PO)
- Focus Group Discussions (FGD)

Key Informants (KI)

Respondents in Numbers-

Government of Odisha (GOO)	Panchayat Member	Anganwadi Worker (AWW)	Anganwadi Helper (AWH)	Accredited Social Health Activist (ASHA)	Self Help Group (SHG)	Non-Government Organisation members	Mixed List of respondents
35	**17**	**42**	**18**	**1**	**46**	**39**	**46**
101-135	201-217	301-342	401-418	501	601-646	701-739	801-846

Total Respondents-   254

Districts and Blocks

Bhubaneswar, Khorda district
Balianta block, Khorda district
Banapur block and Notified Area Council, Khorda district
Tangi block, Khorda district
Koraput, Koraput district (includes all 7 blocks of field study)
Gop block, Puri district
Cuttack, Cuttack district

Code	Name	Organisation/ Department	Tool
GOI			
101	Sujata	Director, Women and Child Development department (WCD)	O
102	*Not Used*		
103	Manas Mishra	Director, Social Audit Policy	I
104	Durga Mohapatra	BDO, Banapur	I
105	Raghunath Sahu	Member of Legislative Assembly	I
106	--	Niladri Damia Executive Officer, Banapur	I
107	Supervisor 1, Banapur	Kanakalata	II; KI
108	Supervisor 2, Banapur	Vijayalakshmi	I
109	Supervisor 3, Ctk	WCD	FGD
110	Supervisor 4,Ctk	WCD	FGD
111	Supervisor 5, Ctk	WCD	FGD
112	Supervisor 6, Ctk	WCD	FGD
113	Supervisor 7, Ctk	WCD	FGD
114	Supervisor 8, Vibhashri Johri	Balikata Block (earlier at Jada Vill, Keonjhar)	
115	CDPO Ctk City 1/ urban	WCD	I; KI
116	CDPO Ctk City 2		I
117	CDPO Ctk Sadar/Rural		I; KI
118	Swarna Satpathy	Mission Shakti Coordinator, WCD	I; KI
119	Amrita Mohanty	PR	I
120	Sahoo Babu	Department of Social Welfare Office	I
121	BDO	BDO, Balianta	I; KI
122	Archana Sahoo	Ward Member, Andilo vill, Balianta panchayat	I
123	MPHW	Community Health Centre, Balikata vill	GD/ PO
124	DKSingh	PR Commissioner-cum-Secretary	I
125	Bijayalakshmi Behera, Banapur	CDPO, Banapur;	II; KI
126	Ward member	Niladriprasad GP	IO
127	Community Health Centre	Banapur	GD
128	Jasoda Health Workers- 3	Koraput Medical Centre	GD
129	Anchalik SHG Mahasangh Elections	Bhitargad Vill	PO
130	Lady Health Visitor (LHV)	Nakhara AWC, Jagannathpur, Balianta Pancht	PO
131	Savita Panda	CRP, TRIPTI Program, Jagannathpur	
132	Santosh Sarangi	PR Secretary and SC/ST Commissioner	II
133	Aarti Ahuja	Secretary WCD	II; KI
134	Mr. Dash	SIRD Director	II; KI
135	Sharada Prasad Rath	Assistant Block Education Officer	II

	Panchayats		
201	Subhadra Ratha	15 Ward member, Bhingarpur P, Balianta Blk	II
202	Bauni Sahu	Ward member, Bhingarpur P, Balianta Blk	II
203	Lochmi Behera	Ward member, Bhingarpur P, Balianta Blk	II
204	Raidhuni Muduli	Naib Sarpanch, Murkar vill, Dasmantpur Blk	IO
205	Rekha Bahuasena	Naib Sarpanch, Padampur vill, Koraput	IO
206	Dukhina Hasada	Ward member, Salia Sahi, BBSR	II; KI
207	Vandana Pradhan	Gram Rozgar Sevak, Galua Pnchyt	II
208	Suresh Chandra Bhui	Sarpanch, Galua	I
209	Tukuna Raut	Executive Officer, Galua Pnchyt, PDS Dealer	I
210	Golak Bihari Shukla	Extension Officer, Galua Pnchyt	I
211	Bhanu Shankar Pradhan	EO, Bishandiha Pnchyt+Social Extension Officer, Banapur	I
212	Girija Shankar Pradhan	No. 3 Ward member, Srinivaspur vill, Banapur	I
213	Satyanarayan Pradhan	Ex-Ward member, Contractor, Banapur	I
214	Mina Behera,	Sabhanetri-Ma Tarini SHG, Jharipada Pnchyt, Chilika block,	I; KI
215	Amita Naik +5women Pnchyt leaders	Ward member, Jaripada Pnchyt	I; KI
216		Gram Saathi, Banapur village	IO
217	Suratha Bhoi	Gram Saathi, Sakhigopal block	IO
	AWW		
301	Neha (Kalpana Dash)	Jagannathpur Basti AWC	II; KI
302	Nirupama	Dumduma-1	
303	Rajanirani	Dumduma-1	
304	Kumudum	Dumduma-1	
305	Satyabhama Pradhan	Galua	II; KI
306	Sulata Pattnaik	Berhampur	GD
307	Pratibha Bahasingha	Pratap Village	GD
308	Pratima Das	Manikpur village	GD
309	Basanti Mohapatra	Samantarapur	GD
310	Priyamvada Sahoo	Badapatnasahi AWC & Malisahi AWC	I
311	Anonymous	Ankulapadar AWC, Narendrapur pnchyt, Banapur	I
312	--	Halanda AWC	I
313	Hiramani Saunta	Bhitargarh vill, Bhitargarh Pnchyt, Lakhmipur Blk	GD
314	Mohini Saunta	Kapsiput, Giliput, Lataput, Dengapai, Ganipada, G.K.put, at Bhitargarh Pnchyt	GD

320	Helen Mohanty	Nakhara vill, Balianta	I
321	Pratima Sahu	Nuasahi vill, AWW II, Balianta	I
322	No name	AWC-II Jeypore, Jaganathpur,	I
323	Shakuntala Parija	Jagannathpur AWC	I
323-A	No name	AWC-1, Sakhigopal, Satyabadi blk,	I
324	No name	AWC III,	I
325	No name	Bhandisahi AWC, Korpt NAC1	I
326	Urmila Premkanta; 20 years as AWW;	AWC-Sambai vill, Baliguda, Pottangi Blk,	I
327		Thetigada vill, Sambai Pnchyt, Koraput	I
328		Nuaguda vill, Sambai Pnchyt, Koraput	I
329	AWW Chandaka panchayat	At CDPO BBSR office	I
330	Sangita Das	Khunkar mini-AWC	I
331	Rama Dei	Anantpur AWC, Jagannathpur panchayat, Balianta	I

AWWs at the Rally

329A	Savita Padhi (AOAWCLWA member)	Jhalapada AWC-1, Jajpur	I
330A	Ketaki Parida	Kantapada Blk, Ctk	I
331A	Mamina Mantri	Angul Municipality	I
332	Vijayalakshmi Pradhan	Kantapada Blk, Ctk	I
333	Rukmini Bhui	Tonkarapada AWC, Titlagarh Blk, Bolangir	GD
334	Sushmarani Mohapatra	Ichinda AWC, Baspalli Blk, Keonjhar	GD
335	Savita Manjari Sethi	Ankura AWC, Patna Block, Keonjhar	GD
336	Sushuma Dwivedi	Suam A AWC, Patna Blk, Keonjhar	GD
337	Smritishri Sarangi	Toraniya AWC,Ghasipur Blk, Keonjhar	GD
338	Damayanti Mohanty	Kendua Awc, Ghasipur Block, Keonjhar	GD
339	Annapurna Behera	Kansa AWC, Ghasipur Blk, Keonjhar	GD
340	Urmila Mohanta	Angikala AWC, PO-Childa, Patna Blk, Keonjhr	GD
341	Tularani Mukherji	ChemamaAWC, Patna Blk, Knjhr	GD
342	Gitarani Mohanty	Salehpur AWC, Cuttack district	II; KI

Anganwadi Helpers

401	Kamala Das	Khorsapada AWC, Machkund	II; KI
402	-	ChiangSai, Banapur	II
403	Lata Parida	Koraput NAC-1, AWC	II
404	Basanti Naik	Achyutrajpur AWC	II; KI
405	Sundari Naik	Srinisvaspur AWC	II; KI
406	Ahalya Sahu	Kapileshwar AWC	II; KI
407	Swarnalata Mahapatra	Jagannathpur Ward 5	II; KI

408	Chinmayi Panigrahi	Bisarapatna vill	II; KI
409	Jyotsnarani Naik	Ward 9, Daksha Prajapati	II; KI
410	Sasmita Das	Bhimpur vill mini-AWC	II; KI
411	Laxmipriya Ojha	Nakhara AWC	II
412	Kuni Maharana	Nakhara AWC, Jagannathpur, Balakati, Balianta Blk	II
413			II
414	Saudamani Samant	Jeypore, Satyabadi Blk	II
415	Kavita Barik	Sakhigopal Vill	II
416	-	Nuaguda vill, Sambai pnchyt, Pottangi Blk	II
417	Rani	Badamguda vill AWC,	II
418	Rani1	Lepers' colony, Jagannathpur sahi, Cuttack	
ASHA			
501	Bhaktipriya	Panda Sahi, Ward No. 9, Bhingarpur Panchayat, Balianta Blk	II; KI
Self Help Groups			
601	Laxminarayan SHG; Prabhati Das	Bhingarpur vill	GD
602	Ma Parvati SHG	Benupur vill, Ganjaipadar, Keranga Pnchyt	GD
603	Tulsa Naik	Khorsapada vill, Gonel vill, ChikenputPnchyt, Nandapur	GD
604	Lakshmi SHG	Khorsapada vill, Gonel vill, ChikenputPnchyt, Nandapur	GD
605	Maa Thakurani	Khorsapada vill, Gonel vill, ChikenputPnchyt, Nandapur	GD
606	Ma Tani	Khorsapada vill, Gonel vill, ChikenputPnchyt, Nandapur	GD
607	Ma Jaadeswari	Khorsapada vill, Gonel vill, ChikenputPnchyt, Nandapur	GD
608	Ma Bhawani	Khorsapada vill, Gonel vill, ChikenputPnchyt, Nandapur	GD
610	Vanaja Mishra; Maa Bhagawati Mahasangha	Achyutrajpur, Banapur	II; KI
611	Muslim Sahi SHG	Banapur	GD
612	Ma Mangala; Damayanti Sahu	Shikharchandi BBSR Urban slum	GD
613	Gacchabalingeswar SHG; Sukanti Behera	Banapur	GD
614	Balukeshwar SHG; Nibasi Naik, Chanchala Pradhan, Sashi Behera, Kunti,	Kumaranga Chhaka, Banapur	GD
615	Jenamuhi SHG	Kumaranga Chhaka	GD
616	Ma Uttarani SHG	Banapur	GD
617	Ma Annapurna	Bhitargad Pnchyt	GD

618	Shanti SHG	Bhitargad Pnchyt	GD
619	Pragati SHG	Charada vill; Bhitargad Pnchyt	GD
620	Kalyani SHG	Bhitargad Pnchyt	GD
621	Mahila Mandal SHG-> Annaya	Putichilli vill, Bhitargad Pnchyt	GD
621A	Stree Thakura SHG	Daliamba village, Bhitargad panchayat	GD
622	Shri Jagannath Swayam Sahayak Goshti	Cuttack	GD
623	Parvati Nari Shakti-> Chand Sethi, Manorama Sethi, Sashirekha Sethi, Kuni Sethi, Indramani Sethi	Jaipur BMC, No 6 Ward, Balianta	GD
624	Ma Jadamali Nari Shakti Group- Praveen Raut, Bharati Bhui, Kiran Bela Das, Debasmita Bhui, Sarala Bhui, Sasmita Das	Bhimapur vill, Balianta Blk	GD
625	Bhimapur Nari Shakti-Priyatamali, Nayina Samal, Sumitra, Nayana Pradhan	Bhimapur village, Balianta Blk	GD
626	Lakhmipata SHG- Mamata Bhoi, Annapurna Bhui	Bhimpur vill, Balianta Blk	GD
627	Ma Tarini Nari Shakti	Janmajajpur vill, Balianta	GD
628	Swasahajya Goshti	Khunkar Hamlet, Jagannathpur panchyt,	GD
629	Ma Mangala Nari Shakti SHG	Nakhara	GD
630	Kharakhai Nari Shakti SHG;	Kharakhai	GD
631	Rupali Nari Shakti	Jagannathpur vill	GD
632	Parija sahi Swasahajya SHG	Balianta	GD
633	Ma Parvati SHG	Balianta	GD
634	Biswasahi Mahila SHG	Balianta	GD
635	Ma Adishakti Narishakti	Balianta	GD
636	Ma Nageshwari SHG	Balianta	GD
637	Ma Jogamaya SHG	Balianta	GD
638	Biswa Ma Mangala Mahila SHG	Balianta	GD
639	Ma Tarini	Balianta	GD
640	Nari Shakti Mahila Samiti-> ManiDas, Golab Dali	Gandhipalli, Kanhaipur Mauza, Cuttack	GD
641	Tanulata Bhui	Satyabadi Blk	GD
642	Kanchanbala Bhui	Satyabadi Blk	GD
643	Suratha Bhui	Satyabadi Blk; a community leader	GD
644	Ma Sarala SHG	Balianta, April 2012 formed	GD
645	Ma Tarini SHG->Mina Behera (Sarpanch)	Jaripada panchayat, Tangi, Chilika block	GD
646	Ma Nagajhara Mangala SHG	Jaripada panchayat, Tangi, Chilika block	GD
NGO/INGO			

701	Geetanjali Jena	Trocaire Program Director	II; KI
702	Sisir	Concern India	I
703	R.K.Mishra	Right to Food Campaign, Odisha	II; KI
704	Giri, Program Officer	Vasundhara	II; KI
705	Anoop Misra	Acting Director, CYSD	II; KI
706	Jagadananda	Right to Information Commissioner; CYSD Director	II
707	Rajendra bhai	CYSD	II
708			
709	Deepa Sinha	Rozi Roti Abhiyaan	II; KI
710	Reetika Khera	IIT; RtFood (expert)	II
711	Sukant	Public-Private Partnership, Urban Governance (expert)	I
712	Sudarshan Das	Advisory Group on Community Action (expert)	I
713	Srikant Das	Odisha Voluntary Health Association (OVHA)	II
714	Anuradha Mohanty	People's (PECUC), BBSR	II; KI
715	Lipina	Sarva Shiksha Abhiyan teacher, Gandhipalli sahi, Ctk	II
716	Manoj K Singh	Practical action, Engineer, BBSR	II
717	RPDwivedi	Ruchika, BBSR	II; KI
718	Upma	Pecuc; Field Coordinator, BBSR	II; KI
719	Janardan	Cluster Coordinator, AES, Koraput	II; KI
720	Pradeep Sahu	Chaasi-Mulya-Adivasi Sangh	II
721	Mohanti Harijan	Coordinator of EKTA, AES, Shantipadar Vill, Bariguma Blk	II; KI
722	Jamuna Khara	Coordinator of EKTA, AES,Sambai vill, Pottangi	II; KI
723	Bhanumati Santa	Coordinator of EKTA, AES, Gumkapadar vill, Kerimiti pnchyt, Kundara Blk	II; KI
724	Sharanya Nayak	Program Officer, Action Aid	II; KI
725	Bidyut Mohanty	Head, SPREAD	II; KI
726	Fakir Mohan	Expert; SMPUP	II
727	Sukhram Gadanga	District level Coordinator, SPREAD	II; KI

728	Gopal Naik	Project Coordinator, Spread	II; KI
729	Narayan Jena	Right to Food Campaign, Odisha	II; KI
730	Sricharan	Vasundhara	II; KI
732	Ranjit K Pangi	Ekta, AES Head	II; KI
733	Haadi Bandhu	SWAD, Community Mobiliser	II; KI
734	Biraj Patnaik	RtFood Campaign, India	II; KI
735	Nirupama Behera	SWAD, Volunteer Promoter	II; KI
736	Basant K Sahu	Worker for union Bharatiya Mazdoor Sangh	II; KI
737	Nalini	Expert- NAWO	II
738	Giti	District Coordinator, CARD	II; KI
739	Manju Prabha	Head, CARD	II
Miscellaneous			
801	Motilal Dei	Teacher, Ruchika Remedial Centre	I
802	Bhagirathi Senapati	Ruchika Community Mobiliser	I
803	Rashmi	Ruchika NGO worker	I
804	Mamata Behera	Mamata beneficiary, Balianta blk	I
805	Laxminarayan	UNICEF representative	I
806	Sisir Sahu	Rice Mill Owner; Dealer for PDS; Dealer for cycles for ASHA, Balianta	I
807	Anjali Sahu	AWW	I
808	*Not used*		
809	Lambaratti Chetty	Koraput villager	I
810	Bhaktaram Rudai	Farmer, Khorsapada vil, Macchkund	II
811	Bhagwan Sisa	Dangar Adhikar Samiti (DAS), Enugo, Lamtaput, Koraput, (activist)	GD
812	Suthi Sisa	DAS Activist	GD
813	Chandrama Honatal	DAS Activist	GD
814	Bolu Khara	DAS Activist	GD
815	Jaya Sisa	DAS Activist	GD
816	Gopal Sisa	DAS Activist	GD
817	*Not used*		
818	Tukuna Raut	Dealer for PDS at Galua	II
819	*Not used*		
820	RKRam	Advocate, Banapur	II
834	Apurti Palle	Farmer, Rudrapur vill, Satyabadi Blk	II
835	Laxmidhar Palle,	Farmer, Rudrapur vill, Satyabadi Blk (Village Committee and Pani Panchayat member)	II

837	Principal	Ketakipatna nodal upper primary school at Satyabadi Blk	II
838	Principal L. Behera	Kalupada Ghat Uccha Vidyalaya, Jaripada GP, Chilika Blk	II
839	Kunni	Elected representative Councillor of Banapur Municipal Corporation	II
840	Kunni's father	Political activist	II
844	Samara Pujari	Farmer; Sambai, Pottangi block	II
846	Testimonies of 10 rights-holders (Anonymous and coded in numbers)	Dasaringa village (1); Koraput district	

Appendix 2: Map of India