

AVARD

REVISED

**CIVIL SOCIETY IN INDIA
- A Succinct Study -**

- Final Report -

With Financial Assistance from the NIWANO Peace Foundation, Japan

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We shall consider our sincere efforts amply rewarded if the study serves its purpose.

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P.M. Tripathi,
President, AVARD

ACRONYMS

AFPRO	: Action for Food Production
AIWC	: All India Women's Conference
AVARD	: Association of Voluntary Agencies for Rural Development
BGLM	: Bodh Gaya Land Movement
BJP	: Bharatiya Janata Party
CS	: Civil Society
CSI	: Civil Society in India
CMM	: Chilika Matsyajibi Mahasangha
CSO	: Civil Society Organisation
CSO	: Central Statistics Office
CSP	: Chilika Suraksha Parishad
CSR	: Corporate Social Responsibility
DGSS	: Dashauli Gram Swaraj Sangh
EIA	: Environmental Impact Assessment
FCRA	: Foreign Contribution (Regulation) Act
GASS	: Ganatantrik Adhikar Suraksha Sangathan
GOO	: Government of Orissa
ICT	: Information and Communication Technology
IS	: Islamic State
INC	: Indian National Congress
ISFP	: Integrated Shrimp Farm Project
JASVA	: Janamukti Sangharsh Vahini
JP	: Jayaprakash Narayan
KSSP	: Kerala Sastra Sahitya Parishad
KYA	: Krantadarshi Yuva Sangh
KYSV	: Kshatra Yuva Sangarsh Vahini
MHA	: Ministry of Home Affairs
MTS	: Meet The Students
MoSPI	: Ministry of Statistics and Programme Implementation
MRUC	: Media Research Users Council
NBA	: Narmada Bachao Andolan
NCEPC	: National Committee on Environmental Planning and Coordination
NDA	: National Democratic Alliance
NGOs	: Non-Governmental Organisations
NGO-DARPAN	: Non-Government Organisations – DARPAN*

* 'DARPAN' in Hindi means 'looking glass'; it is an NGO Portal maintained by NITI Aayog, where NGOs are required to enroll centrally and facilitate creation of a repository of information about themselves.

NPIs	: Non-Profit Institutions
NVP	: Narmada Valley Project
OBCs	: Other Backward Class of Citizens
OKM	: Orissa Krushak Mahasangha
PCs	: Parliamentary Committees
PESA	: Provisions of Panchayats (Extension to the Scheduled Areas) Act
PIL	: Public Interest Litigation
RSCI	: Readership Studies Council of India
RSS	: Rashtriya Swayamsevak Sangh
SAP	: Structural Adjustment Programme
SCs	: Scheduled Castes
SIT	: Special Investigation Team
SLP	: Special Leave Petition
STs	: Scheduled Tribes
TISCO	: Tata Iron and Steel Company
UT	: Union Territory
UPA	: United Progressive Alliance
VAC	: Voluntary Action Cell
VHAI	: Voluntary Health Association of India
VANI	: Voluntary Action Network India
VOs	: Voluntary Organisations
Volags	: Voluntary Agencies
WAPCO	: Water And Power Consultancy Services
WWW	: World Wide Web

GLOSSARY

Abhaya	: Fearlessness
Ahimsa	: Non-Violence
Aparigraha	: Non-possession; moderation of needs or possessions
Atmabala	: Soul-force
Bhoodan	: Land-gift
Bodh Gaya Math Bhoomi	: Bodh Gaya Math Land Inquiry Committee
Janch Samiti	
Brahmacharya	: Celibacy
Dalits	: Scheduled Castes; here it has been used for Musahars who are SCs
Daya	: Love-force
Dharna	: Sit-in
Gair Mazarua	: Distributable Government Land
Gandhi Smarak Nidhi	: Gandhi Memorial Fund
Gram	: Village
Gur	: Jaggery
Padayatras	: Foot-marches
Poorna Swaraj	: Complete Independence
SAKHYA, SAHAYOGA, SAMVADA	: Friendship, Cooperation, Interaction
Sampoorna Kranti	: Total Revolution
Sangh Parivar	: Sangh family
Satya	: Truth
Satyagraha	: Strive for or adhere to truth
Satyagrahi	: Passive resister; one who adheres to, or strives for, truth
Swadharna	: One's own particular duty
Swaraj	: Self-rule
Tehsildar	: Tehsil or Block Level Revenue Officer

EXECUTIVE SUMMARY

'India was all civil society and no state'..... It was true when Hegel (1770-1831) wrote it. However, civil society in India is still large, diverse, vibrant and effective, although it needs self-reform and self-regulation for adequate transparency, accountability and good governance to set its own house in order, improve its image, performance, contribution and effectiveness, and realize its potential.

Government, judiciary, private sector, media, donors people at large and constituents of the civil society themselves know only a part of the civil society story and have misgivings about its size, roles, activities, resources and legitimacy, especially since it has earned acclaim, recognition and visibility from 1980s onwards. This is so because documentation about it has so far been inadequate, incomplete, anecdotal and impressionistic. Therefore, this study attempts to address the need to access, collect, collate, update, analyse and present the subject as known hitherto succinctly and holistically to fill in the gap, dispel misgivings, and promote understanding.

Globally, especially in Europe, Renaissance and Enlightenment generated and enriched discourse on 'civil society' which, to begin with, was synonymous with 'civilised society' already achieved by Europe. The discourse moved on to 'social contract' theory and was enriched with the contributions of a galaxy of thinkers including Hobbes, Locke, Rousseau, Hegel, Kant, Marx, Gramsci and many others not listed here, but the civil society remained subordinated to the sovereign State which had the power, might and means to keep the civil society 'civil'. In contrast, the civil society in India was 'civil' by nature, autonomous and self-reliant, depending on the State for limited purposes such as rescue, relief and rehabilitation in the wake of major disasters and security from external invaders and plunderers. Rejecting the European theories that humans and society were violent by nature and hence needed to be controlled and kept 'civil' by the State, Gandhi propounded and practised an alternative political theory according to which humans and society were 'non-violent' by nature with sovereignty vested in them to resist the abuse of authority by the State and keep it 'civil'. However, Gandhi never used the expression 'civil society', but used expressions such as humans, individuals, masses, people and society, and until his era, 'civil society' was not popular nor in use in India. Of course, Gandhi laid emphasis on truth, non-violence, fearlessness, moderation of needs and the rest of his eleven vows, self-reform by individuals and society to acquire ability, eligibility and capacity to win 'swaraj' (self-rule) and sovereignty. He further emphasized 'swadeshi' (the spirit which restricts us to the use and service of our immediate surroundings to the exclusion of more remote) and neighborhood to live so as not to cause inconvenience to the neighbor and vice versa. He practised what he preached and his theory was not utopian, though never realizable in its completeness.

However, subjugation of India for over a thousand years during Sultanate, Mughal and British periods had changed Indian geography, demography, society, culture, economy and polity beyond recognition, and it was further worsened with the partition, and Independence from British rule won on 15th August 1947 with India's bifurcation into two countries and widespread communal riots, bloodshed, shifting of large populations, persisting ill-will and hostility, and massive relief and rehabilitation, besides numerous other serious problems left behind by the British colonial rule to be addressed. With the liberation of Bangladesh from Pakistan in 1971, the sub-continent was trifurcated into three sovereign nations (countries). Nevertheless, the problems inherited from the long subjugation and British colonial rule were gradually overcome though not fully, the Constitution and democracy were put in place, and India moved forward.

Post-Independence civil society in India, changed beyond recognition as it was, comprises three constituents: (i) Informal civil society; (ii) formal and more visible civil society; and (iii) registered and funded NPIs, with media as a valuable partner. However, the census of the NPIs by the CSO of MoSPI, GOI and release of its final report in March 2012 has brought a sea change in, and greatly enlarged, the universe of the civil society and NPIs in particular. It lists 31.74 lac NPIs (registered Societies and Trusts) up to 31st March 2008, of which only 30.9 per cent could be traced in the spot verification. Though incomplete, this report provides the maximum data and information on the NPIs. Projected up to 31st March 2018, the total registered NPIs in India are estimated at 47.61 lacs. The NPIs are 'voluntary', 'autonomous', 'non-profit' and they 'address disadvantages in the society'. The CSO's report focuses on their integrated accounts, but, with all its limitations, provides unprecedented empirical data. Spread of the NPIs, listed as well as traced, across the States and UTs is uneven. Astronomical growth in the number of the registered NPIs relates to the period of 1981 to date, whereas up to 1980, only 6.78 per cent of 47.61 NPIs registered up to 31st March 2018 were registered.

Typologies of NPIs by inspiration (or persuasion) include Gandhian, Nationalist, Christian, and Miscellaneous including other religious and secular inspirations. Rationale of formation of the NPIs varies a lot. Similarly, by size, most of the NPIs are small; medium size NPIs are much smaller in number but still numerous; and large size the smallest. However, the size may change with exposure and experience.

Networking, categorized by territorial jurisdiction, sectoral concerns and inspiration, is inadequate, covering only a small number of NPIs with considerable overlap. Activists in civil society have their own networks, usually informal.

Nine roles of the civil society in India, listed in the complete report, need not be recapitulated here. These roles can, however, be compressed into lesser ones or

enlarged as well as described through alternative expressions. However, they cover the roles played by the NPIs in practice.

Main activities emerging from the CSO's report as per the actuals in the reference year 2007-08 are: Social Services, Education and Research, Culture and Recreation, Business and Professional Associations/Unions, Development and Housing, Religion, Health, and Others. However, 80 per cent of funds available to the NPIs are utilized on Education and Research (49%), Social Services (20%) and Health (11%).

Funds by the registered and funded NPIs are sourced from philanthropy in society, indigenous donors, government, industry and foreign donors, besides self-help groups and institutional finance. However, the major part comes from the society and indigenous donors, government contributing about eight per cent, industry about 3 per cent and foreign donors less than ten per cent. Unfunded informal civil society and visible civil society raise their resources from the society.

As reflected in the insights from the seven typical case studies included herein, the civil society successfully resists the abuse of authority by the State and greed of the resourceful market to protect livelihood resource systems of the disadvantaged sections, ensure adequate and timely resettlement and rehabilitation of the displaced persons as well as to protect environment, ecology, rare forests, and fragile ecosystems, while using Constitutional, democratic and non-violent and/or peaceful means in their protests, campaigns and movements.

Reach-wise, the civil society, the State and the market are omnipresent throughout the country, but their extent and purposes vary. The civil society occupies 60 per cent of the space, the State 15 per cent and the market 25 per cent. However, the civil society's reach is the widest, especially among the bottom 20 per cent of the disadvantaged sections and in the remote areas. Similarly, popular participation in the civil society's activities, protests and movements is the widest and impact of its activities, the deepest and more lasting.

Collaborative and rational Government – Civil Society relationship is extremely vital. The National Policy 2007 flags its dimensions and provides a framework, though it has largely remained unimplemented so far. Now, after over a decade, it needs to be reviewed and updated jointly with the newly elected Central Government in the first half of 2019, soon after it assumes power. It will provide a sound basis to move forward. The Government, however, feels most uncomfortable with the social activists in civil society who resist abuse of its authority as regards justice and entitlements to the disadvantaged sections, human rights, civil liberties, environment and ecology.

Apart from the Constitution, the laws related with the NPIs include those of registration, income tax, labour and foreign contribution. The civil society and the NPIs are generally law-abiding by nature. It is, however, pertinent to mention that Indian Constitution, like the constitutions of UK and other European democratic countries, vests sovereignty in the State, not in the individuals and civil society as in Gandhi's political theory.

Experience tells that collaborative Government – Civil Society relationship is the best option not only for them but for the well-being of the people and the society at large.

Not least, the challenges are numerous and formidable in the current context of geo-political environment, climate change and its repercussions, trans-border terrorism, flawed neo-liberal development paradigm and social unrest and communal tension; but not all of them can, and are to, be addressed by the civil society. Therefore, the civil society will be well advised to self-reform and self-regulate to set its own house in order, improve its image, avail itself of the emerging opportunities, and optimize its performance, impact and multiplier effect to strengthen the people's quest for 'swaraj' and enable them to move on to realize the Gandhi's pragmatic vision of a humane and non-violent happy society living within its means.

PREFACE

Why this study when numerous studies and documents, besides considerable materials online, on the civil society in India are already there? Indeed, the studies, documents and online materials on the subject are valuable and were contextually relevant when produced. However, they depict only a part of the picture. Moreover, there has been a sea change in the universe of the subject with the CSO's report 2012 as regards the total number of the NPIs registered in India. Not least, the institutions and individuals concerned with the subject as practitioners and/or researchers are also generally aware of only part of the subject. Therefore, there was a need to collect, collate, update, analyse and present the subject as accessible hitherto succinctly and holistically in one report/document. Hence this study and its report, though still with its limitations due to resource and time constraints.

Accordingly, the first chapter briefly deals with the context, rationale and objectives. The second chapter provides an overview of the civil society globally and in India, briefly tracing its evolution in Europe while touching upon its distinguishing features in India. The subsequent five chapters, third to seventh, deal exclusively with the civil society in India.

The third and one of the two longest chapters begins with a brief mention of the large, diverse, vibrant and effective Indian civil society and moves on to discuss post-Independence civil society, its constituents, changes in geography, demography, society, culture, polity and economy beyond recognition, its status, size/number and spread, while dealing at length with the relevant part of the valuable and most exhaustive findings of the CSO's study and report as regards the registered NPIs. Furthermore, this chapter discusses typologies, networking, roles and activities, and funding and resources – foreign as well as indigenous. The fourth chapter deals with equally vital issues of reach, popular participation and impact of the civil society in India; these issues have been excluded from the third chapter and discussed separately in the fourth one to limit the length of the third one and avoid their being overshadowed.

Insights from the seven typical case studies have been discussed in the fifth chapter which, in length, is comparable to the third one. The sixth chapter deals with the vital issue of government – civil society relationship as it has been envisaged in the official 'National Policy On The Voluntary Sector 2007' and otherwise, while underlining the need of a joint review and updating of the Policy and overall relationship by voluntary sector and the newly elected Central Government in the first half of 2019, soon after it assumes power, as a sound basis to move forward. As usual, this study and its present report concludes with the succinct discussion of the 'challenges and opportunities' in the last and seventh chapter.

In sum, in this brief study we have tried our best to explore, collect, and encapsulate possibly all accessible information about the civil society in India. Moreover, we have tried to add something more based on our rich experience and understanding about the civil society as its integral part in our long innings, yet without claiming exhaustiveness. Nevertheless, the study and its present report will hopefully achieve its avowed objectives.

New Delhi,
May 22, 2018.

P.M. Tripathi,
President, AVARD