

# RECLAIMING THE REPUBLIC: 19 ISSUES FOR ELECTIONS 2019

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We are a group of concerned citizens. We have varied political opinions and affiliations, but are united in our trust in democratic institutions, in our adherence to the philosophy of the Constitution and belief in the idea of a plural, democratic Republic of India. Deeply concerned, of late, over the multiple challenges to the Republic, we have undertaken to examine these challenges in some depth, and to propose to our fellow citizens means to protect and strengthen the Constitutional safeguards for our democratic polity and composite society. We see the forthcoming Lok Sabha election as an opportunity to retrieve and, indeed, reclaim from manipulation and subversion, our legacy of the Republic.

The situation today calls for urgent reforms in law, policies and institutions. This involves, first of all, restoration or undoing the damages inflicted by the current ruling establishment: ensuring proper operation of the rule of law in our country, non- interference with judiciary and anti-corruption institutions, the integrity and fairness of our administrative structures and, last but not least, the vigorous energy of our media in reporting national events with freedom, accuracy and responsibility. But undoing the damage is not about a simple roll back. The roots of some of these challenges go back to the earlier times. We require reconstruction and substantial measures to ensure that similar damage cannot be done in the future. Unless we reignite the spirit of the Constitutional resolve to secure justice, liberty, equality, and fraternity and carry out programmes in that direction, we cannot hope to involve a majority of Indians in this national duty.

Accordingly, we place before the country specific ideas and measures for recovery, reconstruction and reorientation. The range of reforms that we propose include:

### Democratic Liberties

**1** **Doing away with antiquated and draconian laws** that have been widely misused to curtail personal liberties and intimidate political activists: Repeal of Section 124A (sedition) and 499 (criminal defamation) of the Indian Penal Code, Unlawful Activities Prevention Act and the National Security Act and amendments to the Armed Forces Special Powers Act and Foreign Contributions Regulation Act as well as the existing laws on blasphemy and criminal contempt of legislature and judiciary.

**2 Electoral reforms aimed at reducing the influence of money power** in elections and making the electoral system more democratic: Reverse the Electoral Bond scheme and other recent regressive changes to the laws on electoral funding, bring a comprehensive law for election financing reforms and set up a National Election Fund for state funding of election.

**3 Media reforms aimed at making the media freer, more diverse and accountable** through an independent regulator: Media Freedom Bill along the lines of the First Amendment in the US that guarantees freedom of expression and removes all arbitrary restrictions such as pre censorship broadcast of news on radio, arbitrary internet shut down etc. Set up Independent statutory licensing and regulatory authority, independent statutory complaints authority and make Prasar Bharati truly independent public service broadcaster.

## **Welfare state**

**4 Universal basic services and social security for all citizens:** universal public provision of good quality social services including education, health, maternal care and early childhood care; universal access to food security through Public Distribution System (PDS) in rural areas with addition of nutriacereals, pulses and oil to the ration, universal pension for the aged at half the minimum wages and special provisions for specially disadvantaged groups; reorient fiscal policy towards employment: allow for increased spending that can create jobs by investing in the creation of public goods.

**5 A 'new deal' for the farmers** comprising assured income, freedom from indebtedness and sustainable farm practices: Statutory assurance of remunerative prices (at least 50% on C2 Cost of Cultivation); One-time comprehensive loan-waiver, along with a National Debt Relief Commission; timely and effective relief from disaster related distress; Reduce the cost of inputs and remove all legal and vigilante-imposed restrictions on cattle trade; extension of all benefits meant for farmers to tenant farmers, sharecroppers, women farmers, adivasi farmers, landless cultivators and livestock-rearers. .

**6 Turning Right to Education into a reality:** Properly staffed and funded government schools; ensure that every school is RTE compliant; expand RTE to age 16 and early childhood education; end shortage of teachers by filling regular vacancies; a national campaign to sustain universal functional literacy and numeracy.

**7 Well endowed, regulated and autonomous higher educational institutions:** allocate an additional 1% of GDP for public universities with a special programme to revive and support state universities and affiliated colleges; ten-fold increase in fellowships for all social and economically deprived

students; restoring and strengthening autonomy for higher educational institutions.

**8 Affordable and accessible health care for all through public health delivery system:** raise government expenditure on health care to 3% of GDP with three-fourths of additional increase to be funded by the central government; strengthen government health system at all levels, with primacy being accorded to primary, preventive and promotive care; pooled procurement of generic medicines; stronger public health cadre with two ASHAs; Regulation of private health system and medical colleges.

**9 Extension and expansion of MNREGS to guarantee** to every adult at least 150 days of work a year at minimum wages; and expand the employment guarantee programme to provide 150 days of work to all adults in rural and urban areas, at minimum daily wage (by category according to state)

**10 All vacancies must be filled in education, health and other essential public services** and all workers in essential services (health, education, cleaning etc.) must be treated as regular public employees, including those currently classified as volunteers in anganwadi, MDM and ASHAs

**11 Additional expenditure on these to be met by active fiscal strategy for raising resources:** 20% Inheritance tax, wealth tax in rising slabs for wealth above Rs. 10 crore, corporate social tax linked to turnover, not profits; green taxes to encourage less carbon emissions, pollution tax, etc. These would generate anywhere between 3% to 5% of the GDP as additional revenue.

**12 An independent and empowered Environment Commission** to lay down environmental standards and regulations and ensure their compliance, an autonomous agency to conserve and protect the rivers, increase the number of air quality monitoring stations in highly polluted areas, a national energy policy for phased shift to decentralized and renewable energy over the next fifteen years and incentivize public transport and non-motorised private vehicles; nationalize oil and gas and recognize communities as trustees, custodians and shareholders of their natural resources

## Social Justice

**13 Assure minimum critical presence of women in decision making:** amend the Constitution and laws to provide for at least one-third representation of women in parliament and state assemblies as well as in judiciary and police<sup>[SEP]</sup>

**14 Enact a comprehensive anti-discrimination law and constitute an Equal Opportunity Commission** to oversee implementation of such a law, which covers all vulnerable groups, prevent rising hate crimes against religious minorities and disadvantaged castes by creating criminal culpability of public officials, statutory backing for Tribal Sub-Plan and Special Component Plan and legal changes for reversing tribal land alienation.

**15 Special programmes for most vulnerable social groups:** National mission to end manual scavenging and sewer workers death and full implementation of the Prohibition of Employment as **Manual Scavengers** and their Rehabilitation Act, 2013; State support for educational, housing and other facilities for protection and development of **denotified tribes**, nomadic and semi-nomadic peoples; mandatory disability audit of all policies and schemes of the government and public institutions, implementation of reservations, childcare for **disabled persons** and effective ICDS integration of all disabled children <sup>[L]</sup><sub>[SEP]</sub>.

### Strengthening Transparent and Accountable Governance

**16 Repair the damage done to anti-corruption laws and institutions:** undo the regressive amendments made to the Prevention of Corruption Act, set up the Lokpal in a transparent manner, operationalise the Whistle Blowers Protection Act and enact the Grievance Redressal Bill.

**17 Strengthen accountability and transparency:** reinforce independence of institutions of oversight such as CBI, CVC, CAG etc., strengthen the Right to Information regime, introduce pre-legislative consultation and make social audit mandatory for all public schemes.

**18 Making the judiciary more independent,** efficient, transparent, representative and accountable: Independent judicial appointment commissions to select judges, <sup>[L]</sup><sub>[SEP]</sub> independent judicial complaints commission, professional court management team and video recording of court proceedings.

**19 Police reforms** fully in accordance with the seven directions of the Supreme Court in the Prakash Singh case: The Model Police Bill 2006 to be a starting point to modulate the relationship between the police and the political executive.

Endorsed by Members of Reclaiming the Republic  
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## **List of members**

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