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Tracking Funds for India's Most Deprived: The Story of the National Campaign for Dalit Human Rights' "Campaign 789"

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On 31 August 2010 the home minister of India made a startling statement on the floor of the national Parliament, "In my *prima facie* view using Rs. 678 crores (INR 6.78 billion) out of SCSP to the commonwealth games infrastructure appears to be wrong." This statement seemed to be quite innocuous; however, the significance was not lost on the country's citizens. The national and international media picked it up, civil society and human rights groups celebrated a major milestone, and organizations working with the most deprived social group in India, the Dalits, were overjoyed. This is the story of the campaign that led to the government admitting that it had diverted funds earmarked for development away from one of the most deprived and discriminated communities in Indian society.

1. What was the campaign responding to?

In India Dalits are "outcastes" who fall outside the traditional four-fold caste system, which consists of the hereditary Brahmin, Kshatriya, Vaishya, and Shudra classes. Because they are considered to be outside of the caste system, Dalits are physically and socially excluded and isolated from the rest of society.² They make up 16.2 percent of the population, the majority live in poverty, and 62 percent are illiterate, according to the 2001 Census of India. The explanation behind these statistics is that Dalits are considered "untouchables" and so they were not permitted to own land for centuries and were barred from education — the scriptures even prohibit Dalits from hearing sacred chants.

However, legal protections and policies have been put into place to address these injustices. In order to address the cumulative burden of centuries of exclusion and discrimination, the Constitution of India guarantees the fundamental right against discrimination and declares that the "state shall promote with special care the educational and economic interest of the weaker sections of the people, and in particular, of Scheduled Castes and Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation."³

The Scheduled Caste Sub Plan (SCSP)

In addition to the protection guaranteed by the Constitution of India, the Planning Commission of India introduced the Special Component Plan (SCP) in the Sixth Five-Year Plan (1980-85).⁴ The SCP requires the government to ensure that a *pro rata* proportion of overall plan funds is specifically used for the Dalits. This means that if the Dalits comprise 16 percent of the population then at least 16 percent of funds allocated by the government of India for development programs through the Five-Year Plans and associated benefits should be directed to them. In 2006-07 the SCP was renamed the

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² Source: <http://www.ncdhr.org.in/ncdhr2/dalits-untouchability/dalits-untouchability>.

³ Constitution of India, Article 46, Directive Principles. The Constitution (Scheduled Castes) Order 1950 lists 1,108 castes across 25 states in its First Schedule, thus the most deprived were referred to as "Scheduled Caste" or SC. "SC" and "Dalit" are used interchangeably in India.

⁴ The government of India does its long-term economic and social planning through a series of five-year plans. The five-year plans are developed, executed, and monitored by the Planning Commission.

Scheduled Caste Sub Plan (SCSP).⁵ The central objective of SCSP is to proactively promote the educational, social, and economic development of the Dalits and play a “positive interventionist role to neutralize the accumulated distortions of the past.”⁶ However, the subsequent history of the SCSP reflects the persistence of deep-seated prejudices pertaining to "untouchability" within society and amongst government functionaries, and their resultant failure to effectively implement policies meant for the development of the Dalits.

Problems with the implementation of the SCSP

Efforts to earmark and channel public funds and services to the Scheduled Castes (SC) and Tribes (ST) have been beset by technical challenges and a lack of political will.

First, according to the scheme, the percentage of funds allocated through the SCSP should be equivalent to the percentage of the SC in the population. The startling fact is that, notwithstanding constitutional guarantees and special programs, by 2007-08 only 6.1 percent of development funds were channeled through the SCSP mechanism, instead of the targeted 16.2 percent. In the most recent plan allocation, it only reaches 8.84 percent of the total outlay (2011-12).

Second, even these limited amounts are not guaranteed. While SCSP allocations are notionally made in the consolidated annual and five-year plan documents, as well as in the Union Budget of India, this is not reflected in detailed Demand for Grants — the detailed allocations that must be approved by the legislature for expenditure by the government.⁷ In effect this means that the allocations themselves are not binding. Without a detailed plan for how these grants would be distributed and utilized they were bound to be underallocated and underutilized.

Third, the way in which SCSP funds are allocated makes it easy for officials and politicians to divert such funds for things that do not directly benefit the Dalits. The SCSP allocations are separated into divisible funds (those used to directly benefit the Dalit community) and indivisible funds (those spent on general welfare or development that will benefit the Dalits along with everyone else). Indivisible funds can easily be spent on the non-Dalit population, simply because they are not clearly earmarked.

Fourth, and perhaps most important, it is almost impossible to track SCSP funds because they are not marked by appropriate budget codes. In 1995 the code 789 was created to categorize SCSP funds and the Planning Commission asked all the departments of the national and state governments to use this code. However, no timeline was stipulated for the national and state governments to comply, so the code was not implemented. In 2008 the Comptroller and Auditor General of India (CAG) directed the finance departments of the governments and states of India to assign budget code 789 to SCSP allocations.

A Planning Commission Task Force was established to review guidelines on the SCSP, and its November 2010 report by Dr. Narendra Jadhav summarizes the state of affairs: “Implementation of the above (SCP) guidelines has remained inadequate. Hardly any ministry is showing its SCSP outlays under separate budget heads. Some ministries are showing a notional earmarking, but the criterion followed in doing so is not uniform and transparent. Also, in the absence of this outlay being shown under a separate minor head (789), such notional earmarking does not have much significance, nor is its non-divertibility ensured. In the absence of separate earmarking and budgeting of funds under SCSP by central ministries/departments, it is not possible, as of now, to quantify the total amount allocated and/or spent by the Central Government under SCSP. The SCSP strategy thus remain(s) substantially

⁵ These are allocations made every five years by the Planning Commission on the basis of the five-year plan.

⁶ Government of India, National Policy of Education, 1986.

⁷ The Demand for Grants is a document prepared by the Ministry of Finance (of the Government of India and also of State Governments) that outlines the detailed budget allocations made by the government for a financial year. This document, once approved by the parliament/state legislature, is the official approval for expenditure to be incurred in government.

un-implemented at the level of the central ministries/departments mainly due to lack of an effective mechanism in this behalf.”⁸

The implementation of code 789 became the fulcrum of the National Campaign for Dalit Human Rights (NCDHR) campaign on SCSP.

The National Campaign for Dalit Human Rights (NCDHR)

The NCDHR was established in 1998 by 78 Dalit activists, intellectuals, and writers from different parts of India who were anguished that, even after 51 years of independence and a constitution that guaranteed the right against discrimination, “untouchability” continued in different forms and the Dalits remained among the poorest and most marginalized communities in the country. The NCDHR was created to: a) enhance the visibility of Dalit issues, and b) hold the government responsible for implementing the laws of the land and making it accountable for “gross willful negligence of office bearers.” The NCDHR is a nonpartisan, secular platform that is spread across 14 states of India with a national secretariat in New Delhi.

The NCDHR includes activists, researchers, intellectuals, civil servants and senior government advisors, many of whom are knowledgeable about how the government functions and understand the complex web of budgetary allocations and expenditure. This rich resource of committed people helped the Dalit Ardhik Adhikar Andolan (DAAA) unit of the NCDHR to devise a campaign for the effective implementation of SCSP. One example of this is how the NCDHR came to analyze Statement 21, which was established by the finance minister to ensure that allocations to benefit scheduled castes and tribes are explicitly stated in the budget. In the late 1990s Dr. R Christudoss Gandhi, a senior civil servant in Tamil Nadu (TN), guided Tamil Nadu Social Watch toward examining the SCSP as a part of their work for Dalit empowerment.⁹ In 2004, when Statement 21 was established, Dr. Gandhi and TN Social Watch leader Father Manu Alphonse visited New Delhi and encouraged the NCDHR and the Centre for Budget and Governance Accountability (CBGA) to collaborate on analyzing Statement 21. In 2006 TN Social Watch, CBGA, and the NCDHR developed a methodology for analyzing Statement 21, which essentially involved budget analysis and tracking budget code 789 where it is used. NCDHR activists learned the methodology through internships with TN Social Watch and CBGA

In 2008 the NCDHR initiated four movements, three of which have taken root: 1) the National Dalit Movement for Justice, 2) the All India Dalit Mahila Adhikar Manch (all India platform for Dalit women’s rights), and 3) the Dalit Ardhik Adhikar Andolan (campaign for economic rights, DAAA). The DAAA anchored and steered the campaign against the diversion of SCSP funds and tracked budget code 789 in collaboration with the Housing and Land Rights Network (HLRN) and other networks in Delhi.

2. What happened in the campaign?

Phase 1: Tracking SCSP funds

In 2007 the NCDHR filed public interest litigation (PIL) on the grounds that the government of the state of Delhi had not allocated the funds stipulated for scheduled castes, which contravenes the guidelines issued by the government of India (GOI).¹⁰ The GOI, the Delhi state government, and the Planning Commission were named as respondents in the litigation. In 2008 the government of Delhi

⁸ “Report of the Task Force on Special Component Plan”, Planning Commission of India, New Delhi, 2010, available at: www.planningcommission.nic.in/aboutus/taskforce/tsk_scsp.pdf

⁹ TN Social Watch is an independent organization that is part of the NCDHR network of organizations.

¹⁰ Public interest litigation is a legal action initiated for the enforcement of the public or general interest in cases where the public, or a class of the community, have a pecuniary interest or some interest by which their legal rights or liabilities are affected. Black’s Law Dictionary (www.blackslawdictionary.com).

responded that it had already allocated the funds, which were in excess of the stipulated percentage of the SC and ST population in Delhi. The NCDHR realized that the government was referring to "notional" allocations and not the actual allocations reflected in the detailed Demand for Grants document. But the NCDHR decided to withdraw the PIL in order to do further research and come back to the court, if necessary, armed with solid evidence.

Realizing there was no mechanism for tracking the funds because budget code 789 was not operational, the NCDHR filed a Right to Information (RTI) application to the Delhi government asking why the code was not operational in the state.¹¹ When it did not get a satisfactory reply, the NCDHR filed an appeal.

Simultaneously, the organization prepared brief informative documents that summarized the main findings of its research with respect to budget code 789 and SCSP. Next, the NCDHR disseminated these documents to institutions and individuals who were concerned with human rights, those involved in Dalit rights, national and international organizations engaged with governance and transparency issues, and, most important, the national and international media.

The NCDHR specifically approached the CAG because of its responsibility for auditing all government accounts and the importance of budget codes in the auditing exercise. The organization also contacted the Planning Commission of India, the nodal body for development planning and resource allocation, through a senior member of the commission, who is a respected Dalit leader. Through these efforts, the NCDHR sought to harness support from within the government system.

Having identified the core constituencies for dissemination of its research findings, the NCDHR systematically undertook efforts to build the capacities of social activists and administrators. It also met with members of parliament and provided them with information based on the analyses. The NCDHR organized workshops on the importance of code 789 in SCSP and on how to track funds that are earmarked through the code. While these activities were mostly Delhi-centric, the NCDHR also organized workshops and meetings in 14 other states to explain budget analysis, share research findings, and disseminate the information at a grassroots level.

In Delhi the NCDHR organized a demonstration called "The [Check] Bounced Rally," where a large group of demonstrators hit the streets proclaiming that, although the government had written a check (by promising funds) to the Scheduled Castes, the money had not really reached the SCs — in effect, the "check" had "bounced." The rally ended with a day-long "dharna" (sit in) at the *Jantar Mantar* (a government-assigned site for public demonstrations).

The RTI application, together with all these advocacy and networking activities, exerted enough pressure on the Delhi government for it to issue an order asking all the departments to introduce code 789 on 13 May 2008.

Phase 2: The Commonwealth Games

The Commonwealth Games 2010 (CWG) were held in New Delhi, India, from 3-14 October 2010. This event was marked by controversy, allegations of misuse of funds, and corruption in high places. At the outset social activists and senior political leaders questioned the relevance of the country hosting a sports extravaganza when many Indians live below the poverty line.

¹¹ Right to Information Act, 2005: An Act to provide for setting out the practical regime to guarantee citizens' right to secure access to information under the control of public authorities. The Act provides for the creation of a Central Information Commission to ensure the law is implemented in order to promote transparency and accountability throughout all public authorities.

Among the issues that grabbed media attention were allegations of over-invoicing for equipment and services by the organizing committee, inflated costs of construction, and poor quality work. In addition to the relocation of nearly 400,000 people, the construction of the CWG sites also involved a violation of labor laws in that workers were paid less than the basic minimum wage and there was a lack of proper housing and sanitation for workers (Housing and Land Rights Network, 2010). The government instituted an inquiry and soon after the conclusion of the games several key officials were arrested by investigating agencies.

While the NCDHR research on SCSP was underway, the Housing and Land Rights Network (HLRN) – a human rights organization – was doing research on the social, human, and financial cost of the CWG. While engaged in this work the HLRN came across a document that mentioned that SCSP funds were being used for the CWG. Because of the NCDHR's expertise in studying budgetary allocations and SCSP funds, the HLRN contacted it to ascertain whether this information was correct and to gain greater insight into the process of budgetary allocations. The NCDHR studied the Delhi administration's budget allocations and confirmed that funds for the CWG were being diverted from different sources, including the SCSP allocations. These findings were included in a March 2010 report titled "The 2010 Commonwealth Games: Whose Wealth? Whose Commons?" This report and subsequent press conferences and briefing notes also mentioned the names of civil servants and political leaders who had authorized the diversion of funds.

Given the widespread publicity around issues of corruption related to the CWG, this report caught the attention of national and international media. In particular, the fact that funds meant for the development of the Dalits were being diverted to a sports extravaganza made headlines, and the opposition parties raised the issue in the Indian Parliament.

After the report was published, the HLRN filed a Right to Information petition asking for information on the cost of the CWG. The request included a question on the amount of SCSP funds that was diverted to the games between 2006 and 2010. The HLRN was surprised that the government gave detailed information on the INR 7.44 billion in resources that had been diverted from the SCSP to the CWG.

The HLRN and the NCDHR held a joint press conference during which they shared this information. The opposition parties of India, namely the Bharatiya Janata Party and the Communist Party of India, subsequently approached the organizations but, while the HLRN and the NCDHR shared the information freely, they did not share a platform with any political party. They also supported members of parliament (MPs) and members of the legislative assembly (MLAs) of Delhi with research notes and a briefing to enable them to ask well-researched questions in parliamentary discussions on the issue. After the press conference, this issue was raised in the Parliament for two consecutive days and, as a result, the home minister of India admitted that the diversion of funds was wrong and that the government would make sure the funds were returned.

How did the campaign exert pressure?

This campaign attempted to influence government and associated decision makers through a variety of impact pathways. It is arguably the cumulative effects of these interventions that resulted in an effective campaign. The various interventions also reflect the lifecycle of the campaign: from its early efforts to access information and put the issue on the political agenda through to ensuring that the government follows through on its public commitments.

- **Litigation: the use of laws and rights to put pressure on the government**

The campaign used existing laws of the land to achieve its objectives. Public interest litigation was used to force the government to engage in a dialogue regarding the proportion of funds being allocated under the SCSP. The campaign also used the Right to Information (RTI) laws to get

information regarding the operational status of code 789. Not satisfied with the reply to the RTI, the NCDHR filed an appeal about why the code had not been made operational. The pressure this put on the government helped motivate the Delhi government into implement code 789.

- **Media: exerting pressure on the government through the media**¹²

The campaign produced press releases, held press conferences on their research findings, and educated individual journalists on the SCSP issue.¹³ Subsequent media reports had an impact on three levels: 1) they made the public aware of the issue, which created pressure from the electorate; 2) as journalists other media professionals became more aware of the issue, they began questioning (and, as a result, embarrassing) MPs and MLAs; and 3) the reports published in the media presented an opening for members of opposition parties to raise the issue in parliament.

- **Parliament: co-opting forward-thinking members of parliament**

Recognizing the advantages of a multiparty democracy, the campaign identified members of the opposition, parliamentary forums on SCs, and younger forward-looking MPs and informed them on code 789 and the SCSP. The NCDHR also offered assistance to parliamentarians in the form of background research and documentation, so that they could more easily raise questions in parliament.¹⁴ The pressure created by MPs belonging to the opposition party put the government on the back foot and ultimately forced the home minister to admit that the diversion was wrong and that the diverted funds should be returned.

- **Mobilizing Citizens: the “Check Bounced Rally”**

The NCDHR supplemented its direct pressure on legislators with pressure exerted through its efforts to mobilize citizens. About 400 participants took part in the “Check Bounced Rally,” which was organized by the NCDHR. The participants were mostly Dalits, members of the Adivasi communities, activists, and a few MPs and political party members. They were mobilized by Delhi-based Dalit CSOs and such organizations as Wada Na Todo Abhiyan, CBGA, Indian Social Institute, Safai Karmachari Andolan, and others. The point of the rally was to create public awareness about the SCSP issue and highlight how the Dalits were being “cheated” of resources that were rightfully theirs.

- **High Level Engagement**

The NCDHR and its partners also engaged directly with the government. The national consultation on the SCSP, convened by the NCDHR, brought together parliamentarians, the Planning Commission of India, and civil society organizations.

- **Engaging with the Executive**

When it came to activating code 789, the campaign reached out to the Planning Commission of India, the Finance Ministry in Delhi, and the office of the Comptroller and Auditor General of India.

¹² For example: Ajoy Ashirwad Mahaprashasta, “Mega Scam,” *Frontline*, Volume 27: Issue 18, 2010; and “Demand to Stop Diversion of Funds for Games” *The Hindu*, 4 August 2010.

¹³ For example: “Home Minister’s Admission of Diversion of Welfare Funds for Dalits in Delhi to Commonwealth Games Welcomed; Need for Investigation and Prosecution of Guilty Officials,” HLRN and NCDHR, New Delhi, 1 September 2010.

¹⁴ Reported on in the media as follows: Siddhartha Kumar, “Were funds for SC/ST schemes used for Commonwealth Games?” New Delhi Television, 4 August 2010, available at: <http://www.ndtv.com/article/india/were-funds-for-sc-st-schemes-used-for-commonwealth-games-41688>.

<i>Timeline: Story of the Campaign</i>	
February 2004	Indian finance minister introduces Statement 21 to explicitly highlight allocations in the budget for the benefit of SC and ST.
May 2006	Eleventh Five-Year Plan Working Group on “Empowerment of Scheduled Castes (SCs)” constituted under the chairmanship of Dr. Sukhdeo Thorat. The report was submitted in February 2007. ¹⁵
August 2006	TN Social Watch encourages CBGA and the NCDHR to analyze Statement 21 allocations and track them through detailed plan allocations.
July 2007	The NCDHR holds “Reclaiming the Scheduled Caste Sub-Plan” – a symposium of people from 10 states of India.
November 2007	Public interest litigation (PIL) filed by the NCDHR against Union government for not adhering to Planning Commission guidelines for allocating SCSP funds.
May 2008	As a lead-up to the PIL hearing, the NCDHR organized a five-day “Check Bounced Rally” that culminated in a public protest in New Delhi.
May 2008	PIL withdrawn as Delhi government claim that provisions under SCSP have been met. The NCDHR decides to conduct further research.
June 2008	The NCDHR undertakes detailed analysis of Delhi government budget allocations to track SCSP allocation.
April 2008	Right to Information (RTI) application filed to ask, “Is code 789 (which was introduced in 1995) operational? If not, why not?”
July 2008	An appeal is filed by the NCDHR because information received under RTI was inadequate. As a result of this appeal, Delhi government orders all departments to make code 789 operational.
9 March 2009	National consultation on SCSP involving parliamentarians, planning commission members, and civil society organizations.
23 March 2010	The HLRN releases “Whose Wealth? Whose Commons?” fact sheet on the cost of the Commonwealth Games (CWG). Huge media interest generated globally and in India.
15 June 2010	RTI application by the HLRN asking how much of the allocated money for Delhi’s SCSP for the years 2006–2010 was spent on CWG.
30 June 2010	Government replies to RTI that INR 7.44 Billion of SCSP funds were diverted to CWG.
June 2010	Planning Commission Task Force set up to review guidelines on SCSP. Dr. Narendra Jadhav chaired this committee.
August 2010	Opposition parties raise CWG issue in both houses of parliament. National and international media highlights it as part of the ongoing coverage of corruption in CWG.
31 August 2010	The home minister of India admits in Parliament that the diversion of funds from the SCSP to the CWG appears wrong and commits to returning the diverted funds.
October 2010	The NCDHR initiates survey to map the predominantly Dalit areas and a detailed facilities survey. It identified civil society organizations and community groups with a strong presence in these areas to conduct the survey. This helped create a dynamic network that has the potential to work for the benefit of Dalits. The survey mapped 10 locations.
February 2011	Union Government opens code 789 and all departments start using it.

¹⁵ Working group on the Empowerment of the Scheduled Caste for the Eleventh Five-Year Plan, chaired by Dr. S D Thorat. This committee was constituted in May 2006.

3. What impact was achieved?

This campaign succeeded in making the Dalit community aware of new ways of fighting for their rights and entitlements. It also brought home the fact that civil society organizations (CSOs) and activists need to be alert all the time, monitor implementation of promises and policies, and track how allocated funds are actually used. In the process of putting the campaign together, a vibrant network of CSOs, activists, and intellectuals emerged. This in itself is a significant achievement because such a network can become an important voice for other issues, including follow up on the implementation of SCSP reforms.

The campaign also can claim to have contributed to a range of accountability and reform processes.

- The home minister admitted in the Parliament that SCSP funds were wrongly diverted and committed to returning said funds.
- A large part of the pressure on the home minister was generated by MPs who had heard and accepted the NCDHR/HLRN media statement and raised the relevant issues in parliament.
- The Delhi government implemented code 789 in 2010, and the government of India made using code 789 mandatory in the budget of 2011-12. According to the Finance Ministry (government of India) budget circular for 2011-12: *“From 2011-12 Budget, the Planning Commission will be making separate allocations for the SC Sub-Plan as part of the Plan allocations, and the same will also be indicated clearly in the Memorandum of Understanding signed between the Planning Commission and the concerned ministry/department. The ministries/ departments for which such allocations are made by the Planning Commission as part of the Plan Agreement in Budget 2011-12, must ensure that the provisions are accurately reflected in the concerned minor heads relating to Scheduled Caste Sub-Plan in their Detailed Demands for Grants by opening a minor head “Special Component Plan for Scheduled Castes” Code ‘789’ for SCSP.”*¹⁶ (Emphasis in original.)
- The campaign also triggered some serious discussion on how to ensure more effective implementation of the SCSP. For example, in June 2010 the Planning Commission set up a task force chaired by Dr. Narendra Jadhav to “re-examine and revise the extant guidelines issued by Planning Commission for implementation of SCSP.”

4. Can these impacts be attributed to the campaign?

It was difficult for the research team of this case study to engage with public officials regarding the influence of the NCDHR campaign on government decision making. Some parliamentarians and officials who were aware of the campaign declined to meet the research team because they felt it was linked to the CWG 2010 corruption issue, which was being tried in the courts of India.

While observers caution that the government has not yet returned the diverted funds and that further problems with the implementation of the SCSP are inevitable, the balance of opinion suggests that the campaign did draw attention to the issue and contributed to various efforts to address these problems:

- “This campaign is an important step, but we have a long way to go. SCSP funds have been routinely allocated elsewhere because there is no concrete plan to guide implementation. A significant chunk that is spent is on scholarships. SCSP has been ignored even during audit of expenditure and continues to be ignored,” said a senior officer (who wished to remain anonymous) in the CAG’s office, New Delhi.
- “This is a unique case and, to that extent, it could be called an important step in the right direction. This case is a clear reflection of the social un-touchability mentality that exists in the bureaucracy,” said Dr. R C Gandhi, a senior civil servant in Tamil Nadu.
- “I will definitely call the NCDHR campaign a success. The home minister publicly accepted the diversion . . . but the problem is that the bureaucratic machinery has been apathetic or even

¹⁶ Source: www.planningcommission.nic.in/aboutus/taskforce/tsk_scsp.pdf – accessed on 20 April 2011.

hostile for a long time. One person's acknowledgement cannot solve the problem. They should have worked at different levels to make sure that the promise is followed up with action. . . . The treasure is available – but there is no fire in the people. There has to be a huge momentum to get it moving,” said Father John Kumar of the Tamil Nadu Social Watch.

- “This is not a success in itself and this is just a first step. It was significant and we are happy it happened – but it cannot be called a success. The Parliament said, 'return the money.' The Supreme Court said Delhi government has to evolve a program to use the money effectively. Then Delhi government said they do not know where the Dalits are! NCDHR is now going about proving that Dalits exist in Delhi!” said Father Manu Alphonse of the Tamil Nadu Social Watch.

It also can be argued that the timing of reforms associated with the SCSP provides further indication of the contribution of the campaign. As was mentioned above, a range of reforms came about in 2010 and 2011, right after the campaign reached its height with the commitment by the home minister to return diverted funds.

5. The internal and external factors that played a role in the impact of the campaign

Internal factors

Governments across the world have become impatient with broad global statements on accountability and good governance. However, when they are faced with concrete information backed by rigorous research and indisputable facts, they have little choice but to respond. This particular campaign was successful because it focused on demystifying government documents, files, allocations, and expenditure. The NCDHR's strategy of backing up its work with research and placing concrete demands on the government contributed to its credibility and ultimately its effectiveness.

The mark of leadership is the ability to recognize the opportunity, do the groundwork, and then strike when the time is right. Before this campaign the NCDHR had done over 10 years of groundwork on Dalit issues through research and budget analysis. Therefore, when the HLRN came to the organization to talk about the diversion of SCSP funds ahead of the CWG, the NCDHR was well prepared to seize the opportunity.

The NCDHR was able to combine technical analysis and engagement with the government with the ability to mobilize citizens and other civil society organizations. This mix of advocacy and technical competence enabled the NCDHR to lead a multi-pronged campaign that put pressure on government from more than one side.

External factors

A range of contextual factors supported and facilitated the work of the campaign. The campaign was possible because of India's vibrant democracy and the associated institutions. The country's constitution guarantees certain rights to its citizens within which civil society movements can position their demands. The independent judiciary enabled public interest litigation and RTI submissions. Similarly, democratic parliamentary processes made it possible for government decisions to be questioned. As described above, the free media also provided a further point of entry to the campaign. As Miloon Kothari of the HLRN put it, “Indian newspapers are strong on analysis; they do not only report, but analyze and provide space for a range of people to debate issues. This encourages wider discussion.”

For over 60 years civil society in India has mobilized citizens and encouraged debate about the realization of Dalit or Tribal rights. These debates have often centered on the enactment of policies for

affirmative action or special financial allocations (such as the SCSP). This post-independence heritage gave the campaign a vocabulary to voice its concerns, as well as a cadre of activists and a public familiar with the issues.

In conjunction with this, the empowerment of the Dalits and the SCSP were already under discussion in both the Planning Commission and the Finance Ministry. Statement 21 was introduced in 2004, and a Planning Commission Working Group was constituted in 2006 to look into the empowerment of the Scheduled Caste, with the SCSP mechanism as an integral part of their terms of reference. Therefore, when the NCDHR decided to take up the SCSP issue, it did so at a time when it was politically correct and forward-looking to talk of inclusive development.

Civil society budget monitoring has attracted a lot of attention across the world in the 21st century. Many national and international organizations working on rights issues have used this method effectively to track what happens to public resources. Gender budgeting and child budgeting have been used for over a decade in India. Therefore, there was a precedent for this type of work in India, and the NCDHR's decision to track 789 allocations and expenditure was in sync with a number of national and international efforts for accountability and good governance.

6. Alternative explanations

Several stakeholders believe that the SCSP diversion issue made media headlines and attracted the attention of political leaders in both the ruling and opposition parties because of the CWG 2010 corruption issue.¹⁷ The diversion of SCSP funds may not have attracted the same degree of attention if it were not linked to the larger issue of misuse of public funds broadly. Now that media hype around the CWG 2010 corruption issue has died down, no one is asking if the SCSP funds have been returned. As P S Krishnan, the architect of the SCSP, who is now a retired civil servant, told us: "It was during the CWG fiasco that the issue came out. The target was not Scheduled Caste or the SCSP. The 'success' was incidental; nothing has happened after that, people have forgotten. The discovery that money for SC was being diverted was incidental to the corruption debate that was centered on the CWG 2010."

Was this campaign just the fortuitous coming together of the power of the Right to Information Act, a big international event such as the CWG 2010, growing public concern about blatant corruption in government, media attention to irregularities in the run-up to the CWG 2010, and sustained mobilization of Dalit and human rights organizations? While all these factors undoubtedly contributed to the way in which events unfolded, it can be argued that the NCDHR and HLRN played the unique role of keeping the diversion of SCSP funds on the public agenda and forcing a response from government in this regard. As Indu Prakash Singh, director of the Indo-Global Social Service Society, argues: "The money was being diverted since a long time, elsewhere too. But there was no way to the forefront. It was NCDHR that took it from the HLRN report and made it into a campaign. . . . NCDHR has good campaigning skills and snatched the CWG opportunity to blow up the issue. They did not leave the issue at the home minister's admission, but conducted a survey on how to use it. The campaign was pre-empting and working in proactive ways, so that when the money is returned it can be used for the Dalits."¹⁸

¹⁷ Interviews with journalists Ajoy Ashirwad and Bhasha Singh, social activists Miloon Kothari and Shivani Chaudhry of HLRN, Father Manu Alphonse and Father Kumar of T N Social Watch, senior civil servant R C Gandhi, and retired civil servant P S Krishnan. We also spoke to three senior Government of India officials who did not want to be quoted as the CWG corruption issue is currently being tried in the court.

¹⁸ The Indo-Global Social Service Society (IGSSS) is an Indian development support organization that works to empower the poor and marginalized sections of society.

Through its campaign, the NCDHR also contributed to a shift in the public mood in India since the CWG 2010. In the last year there have been several protest marches, hunger strikes, and sit-ins to demand more effective laws and systems to punish corrupt politicians and administrators. In many ways the CWG 2010 was a watershed; it brought to the fore issues of systemic corruption and, as a result, the media and civil society organizations started keeping a close watch over conspicuous expenditure.

7. Conclusion

The NCDHR and its partners played an important role in keeping the SCSP funding issue on the political agenda when there was significant national and international attention on India and the CWG. Now that this external attention has subsided, the sustainability of the campaign's impact is a major challenge. To keep up the pressure, the NCDHR is currently preparing to file another RTI application to get information on the status of the funds that the government promised to return. It will also seek to identify the officials responsible for the diversion.

The NCDHR is also engaged in a survey, titled "Mapping of Dalits in Delhi." The survey is an effort to map where the Dalit communities are found in Delhi; their social, economic, and educational status; and the facilities — such as primary health care services, child care and nutrition, immunization, primary schools, drinking water, etc. — available to them. This project was undertaken because NCDHR activists are often asked where the Dalits live and whether they are really poor. For the project, the NCDHR is collaborating with several field-level people's organizations.

This campaign illustrates the importance of sustained monitoring and advocacy pressure throughout the policy and budget cycle. The ultimate success of this campaign will depend on whether civil society can sustain this pressure. The campaign also shows how the impact of CSO campaigns can be multiplied when they tap into the agendas of other powerful actors on the national and international stage.¹⁹

¹⁹ Gaventa and Mayo (2009) come to a similar conclusion in their case study of the Global Campaign for Education.

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List of people interviewed:

1. A senior official at the office of the Comptroller and Auditor General of India
2. A senior official at the Parliament Secretariat
3. P S Krishnan, India Administrative Service, Retired Secretary, Government of India
4. R C Gandhi, Principle Secretary Planning, State Government of Tamil Nadu
5. Ajoy Ashirwad, Journalist, *Frontline* Magazine
6. Bhasha Singh, Journalist, *Nayi Duniya*
7. Malia Politzer, Journalist, *Mint*.
8. Anshuman, National Campaign on Dalit Human Rights
9. Paul Divakar, National Campaign on Dalit Human Rights
10. Umesh Babu, National Campaign on Dalit Human Rights
11. Father Alphonse Manu, Tamil Nadu Social Watch
12. Father John Kumar, Tamil Nadu Social Watch, Chennai
13. Miloon Kothari, Housing and Land Rights Network
14. Shivani Chowdhary, Housing and Land Rights Network
15. Subrat Das, Centre for Budgeting and Governance Accountability
16. Indu Prakash Singh, Director, Indo Global Social Service Society