



The Public Newsense

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From the Executive Director

Dear friends

I am excited to share with all of you that this year's Founders' Day Lecture will be given by Mr. Harsh Mander. Mr. Mander's work on institutions and governance resonates very closely with CAG's mission, and it is an honour to have him address the event. We believe his voice would be a critical addition to the ongoing conversations on Indian politics and public policy, particularly in a context where we are seeing a suspension of civil liberties and the space for nuanced public discourse has reduced to mob justice. As most of you are aware, this is an independently organised CAG event that takes place every year in the last quarter of the year. Our goal is to bring individuals who have worked on a wide range of subjects, and whose work inspires us and provoke conversations that matter.

In the last quarter we experienced significant growth at CAG in terms of the employee strength and commitment towards additional projects. In the Thermal Watch initiative, we partnered with Marg Darshak Seva Sansthan to do the first capacity building workshop in Central India, in Surguja district of Chattisgarh. We are aiming to deepen our impact by building a longer term engagement to build their capacity to interpret technical documents and therefore improve their participation in the EIA process.

To further our efforts towards a zero waste policy efforts, the team, in coalition with many partner organisations, kicked-off the planning for a series of public meetings

planned across the city of Chennai. Through these meetings, we will engage with residents, CSOs and government officials to push for the implementation of the Solid Waste Management (SWM) Rules 2016. The aim of these public meetings is to achieve segregation and decentralised management of municipal solid waste, awareness on the harmful effects of incinerators (waste of energy plants) and inclusion of informal waste workers as well as protection of waste workers rights.

Our advocacy for road safety legislations specifically on the Motor Vehicles (Amendment) Bill 2017 gained further momentum with the first three of district level meetings. We plan to spread this message wider by organising meetings across all 32 districts of Tamil Nadu.

In the current issue, we bring you insights from our current projects. Poornima summarises her experience in conducting the first health camp for the IWPs in Chennai and Durga writes about the waste management in a low income community in Chennai. Vishnu has provided a consumer perspective on the role of regulatory assets in electricity sector and Dhilip writes about the technologies and standards for upgrading coal-based thermal power plants.

I hope you find these articles insightful. Please visit our website for additional details on our research work or write to us for any specific inputs that you may want.

Sincerely,
Om Prakash Singh

Waste management for a low income community

Dr. Radhakrishnapuram slum is located in Ward 122, Teynampet. The slum is bordered by Buckingham Canal, Adyar River, Greenways Road and the Boat Club area. Sustainable waste management is a serious environmental, social and health concern in the slum. In addition to day-to-day struggles for livelihood, food and water, inadequate services such as sanitation, sewage and ineffective solid waste management, makes their plight far worse.

From discussions with our community partner, Pennurimai lyakkam, visits to the community and discussion with the residents, I have understood that dustbins are located at two outer edges of the slum due to space restrictions within the slum itself. The streets are so narrow that even a tricycle cannot pass to collect waste from households, thus rendering them unserved by the Corporation of Chennai (CoC). As a result, the residents tend to throw their waste in the Buckingham canal and vacant spaces/ open spaces available within the slum.

This current behaviour of the people has deep foundations in cultural, social and psychological aspects. It has also been imbibed by the CoC's centralised, waste management system, that the waste generated at the household level is the government's responsibility. The implication has been that residents and communities no longer have to manage their waste. Rubbish that has crossed the households threshold is the CoC's job to collect,

segregate and manage. This long term practice facilitated by the government is evident from the collection system which takes unsegregated waste to centralised disposal points at Kodungaiyur and Perungudi dump yards.

Through our Zero Waste Cities project, we are working to adopt a 'community based approach' for waste management. This will be designed to best suit both the local context and the behavioural changes that need to be fostered to make change possible. To start with, we have mapped the streets of the slum since they do not appear on any map. We then mapped the open spaces that could potentially be sites for decentralised wet waste management.

Next, we undertook an enumeration of the bulk and non-bulk waste generators, so that we can undertake a baseline survey to ascertain the quantity and characteristics of waste generated. We have also distributed native seeds of food plants to encourage green conscious behaviour of the residents and also take a step to ensure food security in the community. In order to bring positive behaviour change, we organised a street play on the theme 'Say NO to plastics'. All this together can shift the community towards a zero waste lifestyle, where we are conscious of our waste generated and responsible as to how it is disposed. It is a long but necessary journey, one that each one of us needs to embark on immediately.

Upgrading coal-based thermal power plants

Coal-based thermal power plants are the largest source for generating electricity and also one of the major causes of pollution around the world. Following climate change agreements, there has been increasing scrutiny of pollution effects of thermal power plants. This has resulted in a growing realisation among countries to either phase out thermal power plants or to control the pollution caused by thermal power plants through standards and technological innovation.

U.S.A

U.S.A is planning to shut down the 46,000MW capacity of thermal power plants between 2012 and 2022, in order to comply with the Mercury and Air Toxic Standards (MATS) of the Environmental Protection Agency (EPA). MATS is a federal standard, which took effect in April 2015 that sets emission standards for coal and oil-fired thermal power plant

to be achieved by a set date. Further, MATS also mandated flue gas desulphurization unit installation and technologies, such as dry sorbent injection, for all the thermal power plant to meet the standard. As a result, between December 2015 and April 2016, 87.4 GW of coal powered plants installed pollution control equipment to comply with requirement while 19.7 GW of coal units retired, while another 5.6 GW converted to natural gas. Further, there is a shale boom, around the same period coupled with norms which are making the companies rethink utilising coal as the primary choice of fuel.

European Union

European Union (EU) has committed to increasing the share of renewable energy to 20% while limiting greenhouse gas emission by 20% by 2020. Individual countries, such as Germany, has committed to shutting down its thermal power plant

to meet its emission targets by 2020, Germany has stated that it will shut down 2.7 GW of thermal power plants in 2014. To further strengthen the mandate, EU has come out with Industrial Emission Directive 2010 for polluting industries, including thermal power plants. The directive makes it mandatory for a thermal power plants with 50 MW and above to control pollution using Best Available Technology (BAT). Technologies that focus on selective catalytic reduction for a reduction in nitrogen emissions, flue gas de-sulphurisation to remove sulphur dioxide emission and electrostatic precipitator to mitigate particulate matter emission are given preference. Also, the Directive specifically targets control of pollution to the air and to water and on 11 specific pollutants. Following the 2010 Directive, the total SO₂, NO_x and dust emissions from LCPs reported by the Member States fell between 2010 and 2012 overall and total SO₂ emissions were reported to have fallen by 15% over the same period. Additionally, as part of the commitment, EU countries are phasing out coal with policies in place to end its use in power generation. For instance, in 2016, around 10 gigawatts of coal-fired thermal power plants were closed.

India

India's electricity scenario is different from other countries. Coal has the largest share of about 58% in the total electricity produced in India. According to

reports, thermal power plants will remain the mainstay, considering the demand for electricity and developments yet to happen. However, in line with international obligations, India has set standards and procedures to reduce the pollution from thermal power plants. The Ministry of Environment Forest and Climate Change has issued a notification in 2015 of new environmental standards, which mandated cuts in particulate matter by 65%, Oxides of Nitrogen (NO_x) by 70% and Sulphur dioxide(SO₂) by 85% at 1,246 billion units of power production level from 2,48,000MW of installed capacity by 2026-27. MoEF&CC has also issued fly ash utilisation notification. Central Pollution Control Board has also issued regulations regarding the discharge of effluents and its concentration for thermal power plants to keep the pollution as low as possible. It requires thermal power plants to retrofit additional fields in ESP/replacement of ESP, FGD system and selective catalytic reduction system.

India's International obligation is playing a vital role in reducing pollution from thermal power plants. Although every country has its own idea of reducing the pollution either by phasing out the old power plants or updating the technologies, there is a common convergence in terms of technical standards being proposed. It is imperative that such technologies and standards are strengthened progressively in the fight against pollution.

Organic terrace gardening

CAG is involved in a campaign to promote kitchen/terrace gardening in two places in Tamil Nadu - Chennai city and Thiruvannamalai district. Twenty enthusiastic households were identified and supported with all materials required to grow the plants organically. Greens, lady's finger, beans, tomato, chilli, brinjal and radish are the plants grown. Household members (mostly women), were taken on a farm visit to



"Marudam" Farm in Thiruvannamalai. "Marudam" is a large organic farm, spread out over acres of land. The farm also has a school, which runs on the principles of sustainability and simple living, and focuses on experience based learning. Following the farm visit, we had organized an interface with officials from the horticulture department and organic farming experts. The session was interactive with the participants getting answers to many of their questions/doubts about terrace gardening.

A pamphlet that describes the importance of terrace gardening and the TN Government's scheme on terrace gardening was printed and distributed. In addition, "Panchagavyam" - an organic nutrient for plants, was prepared, in order to educate farmers about the method of preparation and also encourage them to use it instead of

chemical fertilizers. Panchagavyam features in ancient Indian literature and consists of five cow-products (cow dung, urine, ghee, milk and curd). The same was distributed to farmers and the households. A pamphlet on "Panchakavyam" - methods of preparation & use and its uses, was printed and distributed.

The role of regulatory assets in the electricity sector: a consumer's perspective

Media reports and various forums have been highlighting the issue of enormous losses made by state run electricity utilities. To recoup the losses, Government of India has brought out schemes such as UDAY which looks at various means of restructuring the losses, increasing tariffs among others. In this context, the term losses are often distorted to include regulatory assets that is clubbed along with operational inefficiencies, aggregate technical and commercial losses, for example, AT&C losses.

By taking this approach, the importance of regulatory assets in protecting consumers from exploitative power of the utility is left out from the mainstream discourse. Electricity sector is a sector that requires a fixed network to deliver their services. The network is fixed and durable for hundred years or so. Further, consumers of electricity who access the services are locked into the network and have no choice in finding an alternate network of their choice. Given this situation, there is a risk that consumers may be subject to overcharging by the electricity suppliers. As a result, electricity utilities are subject to regulation of its price or the rate at which the utilities can charge its consumer, in a number of areas including safety, reliability and other operational areas. Within this context, legal requirements such as Electricity Act 2003 dictate that the utilities are allowed to recover their costs plus a fair rate of return on their investment without over-charging consumers. This is the first level of protection given to consumers from utility exploitation.

On the other hand, the electricity network requires continuous investment in all parts of the electricity sector, namely generation, transmission and distribution to satisfy growing consumer demands. There is a high likelihood that the amount invested by the utility to satisfy the consumer demands cannot be recouped in a single time period. This is due to the fact that the charges levied on the consumers will be too high for them to pay. Under these circumstances, it is impossible to expect immediate recoupment of

investments or recovery of the amount invested by the utility. The outcome of the investments will result in a loss for the utility in the short or medium term. But given that consumers are locked into the network for the long term, it is understood that investments can be recovered over several time periods. To restrict utilities from overcharging consumers, regulators will seek to defer any costs incurred by the utility to a later date, as any tariff increase may lead to unsustainable and burdensome price for the consumer to pay. Therefore, regulators seek to defer these costs by way of creation of regulatory assets. This is the second level of consumer protection.

In the Indian context, the regulatory assets have been well defined by courts. In the case of Bses Rajdhani Power Ltd. Vs. Delhi Electricity Regulatory Commission, 2006, the Appellate Tribunal for Electricity (APTEL) has clearly stated that creation of Regulatory Asset is a mechanism to carry forward a portion of the revenue requirement for a particular year that has not been included while designing the tariffs for that year. Such a situation generally arises when the projected revenues are significantly lower than the revenue requirements.

As a result, it is not feasible to recover the entire amount either through increase in tariffs or through other means such as Government subsidy during that year. Viewing from a consumer perspective, the APTEL stated that regulatory asset mechanism is resorted to mainly avoid tariff shocks to the consumers in a given year, while at the same time allowing the utility to recover the costs in a reasonable manner so as to protect its interests as well as those of the consumers. In conclusion, Government should understand that recouping losses, especially regulatory assets, can only be done in a time bound manner, if it is to be done without creating social repercussions. On the other hand, promoting operational efficiency is dependent on the utilities' performance which can reduce the losses to a great extent e.g. reduction in AT&C losses.

Public consultations towards a more SWM compliant Chennai

The Solid Waste Management Rules of 2016, notified in April 2016, have laid out clear guidelines that cities can adopt to achieve sustainability in waste management. It has been over one year since the rules were notified however, Chennai remains one of the few least compliant cities. The Greater Chennai Corporation is the oldest and one of the richest urban local bodies in the country. Yet, solid waste remains one of the persistently unresolved issues facing the city.

The SWM Rules 2016 lay emphasis on two key elements – source separation and decentralisation. These steps are fundamental to achieving a just transition towards a sustainable solid waste management system. The Corporation has blamed the citizens of Chennai for its failure to comply with these aspects of the rules. However, it is the poor quality of public participation and engagement that is largely responsible for the low rates of compliance to such laws.

The major challenge facing us today is to transform the exercise of public hearings from a ritual to a serious process that can forge a cooperative partnership between people and public institutions. Currently, Chennai Corporation is pushing forward

two key changes: 1) privatisation of waste collection and disposal, and 2) incineration technology. These will impact public health, labour, and environment by creating more toxics that will enter our food and water, degrade the land and ecology irreparably, and will jeopardise the lives and working conditions of many. This is particularly true of incineration facilities. Yet, the Corporation is unwilling to facilitate meaningful public participation and informed engagement on the issue of sustainable solid waste management for the city.

Effective and honest public participation is key to achieving the goals laid out under the SWM Rules. If Chennai Corporation is unable to garner public opinion/cooperation effectively, the onus falls on the people of Chennai to make themselves heard. CAG is working with several other individuals and groups to host public meetings. The aim would be to reach out to a cross section of people residing in each of these zones and understand their relationship with waste and their commitment to solving some of the persistent issues therein. The ultimate goal of this exercise would be to develop a common understanding of the diversity of factors that affect waste in a city like Chennai and help the city become SWM Rules compliant.

Making sense of the MV Amendment Bill 2017 through stakeholder meetings

In the previous issue of Public Newsense, we had looked at the changes being wrought in the Motor Vehicles Act 1988 and how, in spite of a rather rocky road, the amendments had been passed by the Lok Sabha. In the monsoon session of Parliament, the Motor Vehicles Amendment Bill 2017, however, hit yet another roadblock in the Rajya Sabha with almost all political parties, except the ruling parties, expressing their concerns over several clauses, particularly those dealing with the state's authority such as recalling vehicles and driver licensing. As a result, the Rajya Sabha has referred the Amendment Bill to a Select Committee (of the Rajya Sabha). It is hoped that the Select Committee will present their report by the end of October 2017.

In the meantime, to discuss the Amendment Bill and what it would mean for road safety, CAG has begun to organise district-level, multi-stakeholder meetings in Tamil Nadu. In addition to spreading the word about the Amendment Bill, CAG hopes, that the meetings will be useful in garnering more support for

the Bill from various stakeholders – from government officials to the general public.

As of now, three (out of 32) district-level meetings have been conducted. The meetings were held in Thiruvallur, Kanchipuram, and Villupuram districts in September 2017. The meetings saw, on average, around 100 participants consisting of government officials from the transport, police, consumer protection and civil supplies departments, as well as civil society groups, citizens, students, and journalists.



K. Maragatham, Lok Sabha member addressing the Chenglepet rally

In Thiruvallur, Mr. K. Pandiyarajan, State Minister, spoke of how the number of fatalities worldwide due to road accidents is equal to the number of people who died in World War I. He noted that all of us, road users, citizens, government, NGOs, etc have an important role to play in reducing road fatalities. He also acknowledged the importance of the road safety measures in the MV Amendment Bill and reiterated the need for more stringent regulations. The Thiruvallur Collector, Mrs. E. Sundaravalli noted that Tamil Nadu state has been making great progress in ensuring timely medical attention for road accident victims within the Golden Hour. She also noted the district holds monthly meetings to look into the road safety situation, discuss the cause of accidents that have taken place and ensure corrective actions are implemented quickly so as to save lives.

In Villupuram, the RTO, officials from the TNSCTC (the state transport corporation) spoke of the need for better infrastructure and the efforts being taken by the government to ensure roads are audited for safety and corrective measures applied to roads that score

poorly in the audit. The TNSCTC official also highlighted the need for drivers, particularly of large vehicles like buses, to ensure they get adequate rest and do not drive for long hours.

In Kanchipuram district, the Lok Sabha MP from the district, Mrs. K Maragatham, spoke of the district and the state's efforts to improve road safety and called upon all those present to set an example. A small quiz on road rules was also conducted for the benefit of the students who attended the meetings.

The meetings highlighted the urgent need for stronger road safety legislation. Information shared by invited speakers indicated that overall, the Motor Vehicles Amendment Bill has several favourable aspects to it and is being generally viewed as an instrument of positive change. The meetings also provided an overview of the road safety scenario in India, Tamil Nadu and in that particular district. Future meetings such as this are planned to raise public awareness and public participation in road safety which is absolutely central to our well being.

Health camp for informal waste pickers

CAG has initiated a program to improve the health status of informal waste pickers in Chennai, in collaboration with Pennurimai Iyakkam (PI), a Chennai-based grassroots organisation working with low income communities, and Nodal Point (NP), a group of doctors who provide free medical service and work on public health



Consultation with doctors

issues. The core team idea is to connect informal waste pickers with quality health care services.

CAG and partners have decided to conduct camps in specific areas like Kodungaiyur, Greenways road, Perungudi, Anna Nagar, Sathya Nagar C, and Avadi

to ensure that a large number of informal waste pickers are covered. In association with PI and NP, we successfully organized the first camp at Sathya Nagar C on September 23, 2017 between 5pm - 8pm at the ICDS centre. Through Nodal Point, the camp had two senior doctors, one counsellor, eight medical students from Madras Medical College, ESIC and PGIMS Medical College providing medical services.

Around 133 people availed of the medical services in this camp. This included women, adolescents, and children. In this health camp, we did general health check-ups, provided medicines, referral service, and health education. The participants had to go through the following process:

- 1) Registration
- 2) Checking height and weight to calculate Body Mass Index (BMI)
- 3) Consultation with doctors
- 4) Collecting medicines
- 5) Getting free health education/counselling.

Most of the attendees had acute ailments like fever and acute upper respiratory infection. Other common problems we identified were worm infestation among children and anaemia in young women, adolescent girls and children. Most of the older women have musculoskeletal problems like knee pain and lower back ache. We distributed

Albendazole for deworming and oral iron supplements for anaemia treatment and control to children and adolescents.

Also, we checked for diabetes and blood pressure level of the participants. Some participants who the doctors felt needed more care, were asked to do regular check ups and were counselled on lifestyle modification, the importance of drug compliance, and complication prevention. After completing the health check up process, we had a session on health education for the children on hand washing to the accompaniment of the Happy Birthday song. We then distributed pamphlets developed by Government of Tamilnadu, on hand washing, dengue control and management.

At the end of the consultations, we had referred twelve patients to Rajiv Gandhi Government General Hospital for further eye, cardiac, dental, facial bone



Pamphlets distributed on the day

fracture, thyroid, orthopedics and non-communicable disease care. A future camp is planned to follow up on our current attendees alongside another programme for workers in the Kodungaiyur area.

Consumer guidance seminar on Goods and Services Tax (GST)

Goods and Services Tax (GST) has been the buzzword over the past few months. It is expected to dismantle state barriers to create a single national market, lower the cost of goods and services, boost the economy and make our products and services globally competitive and thus bring benefit to all the stakeholders, viz. industry, government and the citizens. It has now been two months since implementation of the GST and CAG felt it would be an appropriate time to approach consumers, to understand the impact that the GST has had on people's lives, whether the public understands what it stands for, what their perception of the GST was and if they were reaping the actual benefits of GST, as claimed by the government.

Also, with the aim to educate consumers about GST, and inform the GST Commissionerate on the present day/ground realities, Citizen consumer and civic Action Group (CAG) and Consumers Association of India (CAI), jointly, organized a Consumer Guidance Seminar on GST, on September 9, 2017 at the Anna Institute of Management, Greenways Road, R A Puram, Chennai. Mr. Rajeev Kumar, Additional Commissioner – North, GST Commissionerate, Chennai presided over the seminar.

Students from Ethiraj College did a survey of around 250 consumers, to understand their awareness about GST. The survey indicated that nearly 89% of consumers felt that there had been a steep rise in the prices of goods and services following implementation of the GST. Other findings from the

survey were presented at the seminar. Saroja, from CAG, explained about the different categories of taxes under GST, highlighted the various issues faced by consumers with samples of various bills and emphasized on a few items, like sanitary napkins, helmets and recyclables, which were adversely affected by the GST. Another issue covered on the day was shops and eateries charging customers more than the value stated as MRP. It was explained to participants that this would be illegal.

Following this, Ms. Uma Shanthi and Mr. Chakravarthi, Assistant Commissioners, GST Commissionerate, gave detailed presentations on GST. Finally, to get a grasp of business's perspective about GST and its impact on consumers, a panel discussion was organized. Mr. Natarajan from the Pharmacists' Association, Mr. Srinivasan from the Hoteliers' Association, Mr. Thiagarajan from Nilgris supermarket, Medavakkam and Mr. Kannan from the Department of Legal Metrology participated as panelists and Mr. Raja Kumar, Deputy Inspector of Labour, chaired the session. This was followed by an open house, where consumers actively participated.

There were around 100 participants, which included students, representatives from consumer organizations, officials from the food safety, consumer protection and legal metrology departments, media and consumers. The event was covered by print and visual media – Podhigai TV, The Hindu, Times of India and Dhinamani.

Founders' Day Lecture

The Board and Staff of CAG cordially invite you to a talk on
Challenges to India's Constitutional Values

By Mr. Harsh Mander

Venue: Goethe Institut, Max Mueller Bhavan, No. 4, 5th Street, Rutland Gate, Chennai

Date: Saturday, November 18, 2017

Time: 5:00 to 7:00 pm

High tea will be served at 4.30 p.m.

The four pillars of India's constitution as laid out in its preamble are justice, liberty, equality and fraternity. Each of these is profoundly threatened in the India of today. The speaker will discuss each value and the threats it faces. He will also talk about what may be done to resist these assaults and to reclaim the constitutional values that define free India.

Mr. Harsh Mander is an activist who works with survivors of mass violence and hunger, as well as homeless persons and street children. He is the Director of the Centre for Equity Studies and a Special Commissioner to the Supreme Court of India in the Right to Food case. He formerly worked in the Indian Administrative Service, serving in the predominantly tribal states of Madhya Pradesh and Chhatisgarh for almost two decades.

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