

ANNUAL REPORT

INDIAN CONSTITUTIONAL AID
ASSOCIATION



ICAA
Indian Constitutional
Aid Association

OPENING REMARKS

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Dear Shri Zarif Hosain,

The Indian Constitutional Aid Association is an organization working on policy matters across the Republic of India. ICAA's work is impeccable in terms of their brainstorming and approach to resolve an impending issue in the socio-economic and political sphere. The young minds of ICAA assisted my office in making an amendment in Essential Commodities Act, 1955, to list menstrual hygiene products as an essential commodity in India by considering the financial and social implications on low-income families and women in India. I hope the Indian Constitutional Aid Association grows more in future and continues to conduct ground breaking research for high-impact yield in India.

I wish them all the best in all their endeavours and responsibilities they may hold in future.

(Abdul Khaleque)

Shri Zarif Hosain
Managing Director
Indian Constitutional Aid Association
New Delhi.

INDIAN CONSTITUTIONAL AID ASSOCIATION

In January 2021, a group of law students and policy enthusiasts embarked on a journey of transforming youth leadership in India through policymaking taking a different route from traditional bureaucratic practices in the legislature. The Indian Constitutional Aid Association was established with an aim to assist Members of Parliament with solving complex and urgent issues in the Indian Political Ecosystem which were rather not dealt with in recent times. With the modernization of policymaking, young practitioners stepped in to make recommendations come into effect during parliament sessions and under the government's list of business.

ICAA's practice in policymaking and legal aid has been operational for a year which brings in the opportunity to review its work. ICAA has worked with 4 Members of Parliament on various issues ranging from legislative business to constituency research and remains firm on assisting the representatives of the Indian public throughout their tenure.

This document presents a brief report of ICAA's work vis-à-vis legislative aid, legal aid, research and analysis, partnerships, and policy projects.

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I. LEGISLATIVE AID

1. Dr. MD Jawed (Member of Parliament, Kishanganj: Lok Sabha)

- a. The Compulsory Installation of Solar Plants Bill, 2020. ICAA's legislative aid team assisted the Hon'ble MP's office in drafting the Bill and it was submitted in the Lok Sabha as a Private Member's Bill. The Bill intended to provide for compulsory installation of the solar panels, promote the production of energy from renewable energy resources in order to reduce dependence on fossil fuels, ensure energy security and reduce local and global pollutants keeping in view economic, financial, social, and environmental considerations and for matters connected therewith or incidental thereto.
- b. The Prevention of Cruelty to Animals (Amendment) Bill, 2020. ICAA's legislative aid team assisted the Hon'ble MP's office in drafting the Bill and it was submitted in the Lok Sabha as a Private Member's Bill. The amendment intended to amend the Prevention of Cruelty to Animals Act, 1960, Chapter III, section 11 (1) with an increased amount of fine and sentence for creating a deterrence to prevent such crime as mentioned in section 11 (1) (a) to 11 (1) (o) against Animals.
- c. The Right to Persons with Disabilities (Amendment) Bill, 2021. ICAA's legislative aid team assisted the Hon'ble MP's office in drafting the Bill and it was submitted in the Lok Sabha as a Private Member's Bill. The Bill intended to amend THE RIGHTS OF PERSONS WITH DISABILITIES ACT, 2016, THE SCHEDULE [clause(zc) of section 2] to include 'diabetes' under this act as a form of disability.
- d. The Indian Penal Code (Amendment) Act, 2021. ICAA's legislative aid team assisted the Hon'ble MP's office in drafting the Bill and it was submitted in the Lok Sabha as a Private Member's Bill. The amendment intended to repeal/omit Section 124A of the Indian Penal Code, 1860.
- e. The Special Financial Assistance to the State of Bihar Bill, 2021. ICAA's legislative aid team assisted the Hon'ble MP's office in drafting the Bill and it was submitted in the Lok Sabha as a Private Member's Bill. The Bill intended to provide special financial assistance to the State of Bihar for the purpose of promoting the welfare of the Scheduled Castes, the Scheduled Tribes, and Other Backward Sections of people; for the development, exploitation, and proper utilization of its resources and to relieve its debt burden.

f. The legislative aid team assisted the Hon'ble Member of Parliament with the formulation of questions for the Parliament session on various subjects ranging from farmers' distress, COVID-19, changes in the MSME sector, food processing units, inflation, embankment erosion, education, inter alia. The Team also assisted Hon'ble MP Dr. Jawed in his speech on Jammu & Kashmir's supplementary demands for grants 2021 in the budget session of the Parliament, drafting matter under rule 377 of Lok Sabha, Letters to Cabinet Ministers, and speech on National Institute of Pharmaceutical Education and Research (Amendment) Bill, 2021.

2. Mr. Gurjeet Singh Aujla (Member of Parliament, Amritsar: Lok Sabha)

a. The Compulsory Installation of Water Harvesting Plants Bill, 2021. ICAA's legislative aid team assisted the Hon'ble MP's office in drafting the Bill and it was submitted in the Lok Sabha as a Private Member's Bill. The Bill intended to compulsorily install, water harvesting structures and to promote, the production of energy from renewable energy sources, in order to reduce dependence on fossil fuels, ensure energy security and reduce local and global pollutants, keeping in view economic, financial, social, and environmental considerations, and for matters connected therewith or incidental thereto.

b. The legislative aid team assisted the Hon'ble Member of Parliament with the formulation of questions for the Parliament session on various subjects ranging from international trade, border development area program, narcotics trade, insurance claim during COVID-19, etc. The Team also assisted Hon'ble MP, Mr. Aujla, in tabling a Calling for Attention motion on the mishandling of farmers amid the protests vis-à-vis the farm bills. The team also matters under rule 377 of Lok Sabha on inflation, farmers' death, loans, the status of Chandigarh, inter alia.

3. Mr. Choudhary Mehboob Ali Kaiser (Member of Parliament, Khagaria: Lok Sabha)

a. The Criminal Law (Amendment) Bill, 2021. ICAA's legislative aid team assisted the Hon'ble MP's office in drafting the Bill and it was submitted in the Lok Sabha as a Private Member's Bill. The Bill intended to introduce amendments in the IPC1860 and Indian Evidence Act 1872, to make sexual assault gender-neutral and Marital rape a punishable offense.

4. Mr. Abdul Khaleque (Member of Parliament, Lok Sabha)

- a. The Essential Commodities (Amendment) Bill, 2021. ICAA's legislative aid team assisted the Hon'ble MP's office in drafting the Bill and it was submitted in the Lok Sabha as a Private Member's Bill. The Bill intended to list menstrual hygiene products as an essential commodity in the Republic of India.
- b. The legislative aid team assisted the Hon'ble Member of Parliament with the formulation of questions for the Parliament session on various subjects and a joint Private Member's Resolution on population control in India submitted to the Lok Sabha for consideration. Through the office of the Hon'ble Member of Parliament, ICAA forwarded the report and a letter of request to the Chief Minister of Delhi on the socio-economic conditions of Rohingya refugees in Okhla, New Delhi.

5. Dr. Shashi Tharoor (Member of Parliament, Lok Sabha)

- a. The legislative aid team met with Hon'ble Member of Parliament Dr. Shashi Tharoor and discussed the challenges faced by Rohingya refugees taking refuge in New Delhi, India. Through the office of the Hon'ble Member of Parliament, ICAA forwarded the report and a letter of request to the Chief Minister of Delhi and Home Minister of India on the socio-economic conditions of Rohingya refugees in Okhla, New Delhi. The report contained recommendations and policy methods to undertake remedial measures with immediate effect to improve the living and financial conditions of the refugees.
- b. The Unlawful Activities Prevention (Repealing) Bill, 2022. ICAA'S legislative team consulted and assisted the Office of Dr. Shashi Tharoor to consider the submission of the bill in the Lok Sabha for the upcoming parliament session. The bill aims to repeal an act that has only led to a conviction rate of 2.4% in 7 years and formulate a substitute act that cannot be made a weapon to misuse.

6. Dr. Sushil Gupta (Member of Parliament, Rajya Sabha)

- a. The legislative aid team met with Hon'ble Member of Parliament Dr. Sushil Gupta and discussed the challenges faced by Rohingya refugees taking refuge in New Delhi, India. Through the office of the Hon'ble Member of Parliament, ICAA forwarded the report and a letter of request to the Chief Minister of Delhi on the socio-economic conditions of Rohingya refugees in Okhla, New Delhi. The report contained recommendations and policy methods to undertake remedial measures with immediate effect to improve the living and financial conditions of the refugees.



**Dr. MD Jawed (Member of Parliament,
Kishanganj: Lok Sabha)**



**Mr. Gurjeet Singh Aujla
(Member of Parliament, Amritsar: Lok Sabha)**



**Mr. Choudhary Mehboob Ali Kaiser
(Member of Parliament, Khagaria: Lok Sabha)**



**Mr. Abdul Khaleque (Member of
Parliament,
Barpeta, Assam: Lok Sabha)**



**Dr. Shashi Tharoor
(Member of Parliament,
Thiruvananthapuram: Lok Sabha)**



**Dr. Sushil Gupta (Member of Parliament, :
Rajya Sabha)**

II. BILLS INTRODUCED IN THE LOK SABHA

Three bills authored by Dr. Mohammad Jawed, through ICAA's assistance, were successfully introduced in the Lok Sabha with a full majority among hundreds of bills scheduled to be presented in the Parliament.

The title of the Bills was as follows:

1. The Compulsory Installation of Solar Plants Bill, 2020

A Bill to provide for compulsory installation of the solar panels, promote the production of energy from renewable energy resources in order to reduce dependence on fossil fuels, ensure energy security and reduce local and global pollutants keeping in view economic, financial, social, and environmental considerations and for matters connected therewith or incidental thereto.

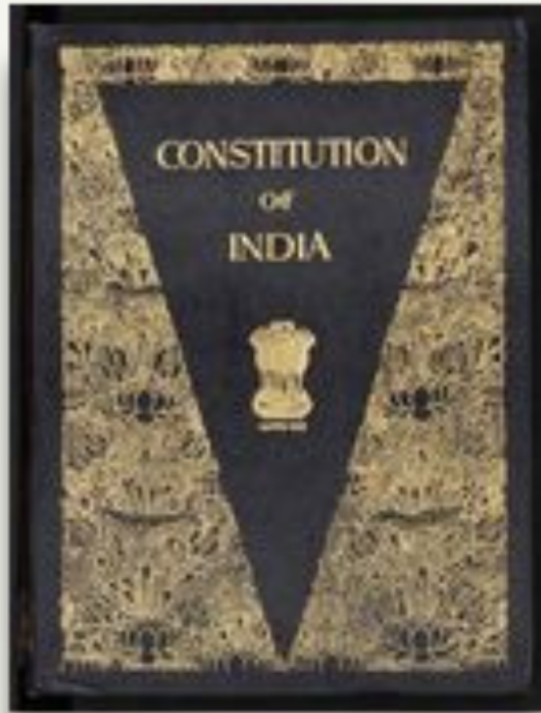
2. The Prevention of Cruelty to Animals (Amendment) Bill, 2020

An amendment to The Prevention Of Cruelty to Animals Act, 1960, Chapter III, section 11 (1) with an increased amount of fine and sentence for creating a deterrence to prevent such crime as mentioned in section 11 (1) (a) to 11 (1) (o) against Animals.

3. The Rights of Persons with Disabilities (Amendment) Bill, 2021

An amendment to THE RIGHTS OF PERSONS WITH DISABILITIES ACT, 2016, THE SCHEDULE [clause(zc) of section 2] to include 'diabetes' under this act as a form of disability.

III. LEGAL AID



Letter Petition by law students in the wake of the Hathras Gang Rape case, seeking the intervention of this Hon'ble Court, for appropriate order/ direction for action to be taken against guilty officials, and seeking orders/directions for framing guidelines for the protocol to be followed by both the hospitals and police.

Find out more: <https://icaa.ind.in/legal-aid>

III. LEGAL AID



PROJECT RIHAAYI

Indian Constitutional Aid Association started Project Rihaayi in Kishanganj, Bihar. The flagship project focuses on giving pro bono legal aid to minority communities imprisoned in the jails of Kishanganj and surrounding districts.

ICAA is helping UTRC imprisoned for petty crimes get bail under the procedure established by law. The project will focus on minors, SCs, transgender, women, and other marginalized communities to release them from the jails with due consideration of the experts and practitioners in the field of law. ICAA took funding assistance from Human Rights Law Network in the initial phase and then proceeded to take up and self-fund bail applications.

Under Project Rihaayi, more than 13 people have been released on bail following successful applications sponsored by the ICAA and the project continues to garner success at rapid pace.

IV. THE LEGAL LENS



The Legal Lens is an initiative launched by ICAA in collaboration with Ms. Rhythm Aggarwal to impart general awareness about the legal rights people have in India. Rhythm Aggarwal is a final-year law student who believes in spreading legal awareness through her insightful content and helping people to know about their rights.

Through the legal lens, ICAA aimed to demystify the legal rights and facts behind stalking, rights at the time of arrest, marijuana in India, divorce, marital rape in India, mental health and law in India, media trials, white-collar crimes, and child rights during the time of COVID-19 in India. The Legal Lens also drives our social media engagement through Facebook and Instagram with the content being posted on a daily basis. After analyzing the social media engagement, ICAA is set to launch a Clubhouse channel to discuss various issues ranging from Indian politics and policies to the importance of leaders' accountability in rectifying pressing issues in the country with eminent personalities and lawyers of India.

Find out more: <https://icaa.ind.in/the-legal-lens>

V. POLICY PROJECTS

1. ICAA's Legislative Aid and Public Policy Research Department formulated a policy draft to recommend policy changes in the existing national medical insurance policy of India. The changes were suggested to bring reforms in the Ayushman Bharat Scheme (PMJAY) to address the situation of the COVID-19 outbreak in India and improvements to health infrastructure in India to combat future calamities. The policy aimed to include a 'wartime' clause in the scheme to deal with Epidemics & Pandemics to allow both federal and state agencies to share costs of healthcare incentives and infrastructure. Furthermore, it aimed to put forth ideas to revolutionize the system of E-Health Cards along with Internet Channel Building and introduction of Blockchain technology for medical insurance companies for streamlining of information to increase engagement, analyze affordability in granting subsidies, and fragmentation, inter alia.

2. ICAA's Legislative Aid and Public Policy Research Department formulated a policy draft to recommend a policy idea through its research paper titled 'Application of policies related to multifunctional agriculture in India's Primary Sector for Rural and Urban Development: Efficacy of Sustainable Agricultural Practices through Randomized Controlled Trials to increase the disposable income of farmers in India.' This policy aimed at introducing a new approach of multifunctional agriculture to increase the disposable income of farmers through 3 cases under the economic model made by the Public Policy Department of ICAA.

Find out more: <https://icaa.ind.in/policy-projects>

VI. PARTNERSHIPS



The Indian Constitutional Aid Association partnered with the Act for Displaced to conduct surveys on the Socio-Economic conditions of distressed communities in India and produce a report for the Government to provide legal aid and compensations.



Indian Constitutional Aid Association partnered with Human Rights Law Network to carry out an extensive project in Kishanganj, Bihar in the upcoming months. The flagship project of ICAA and HRLN focused on giving pro bono legal aid to minority communities imprisoned in the jails of Kishanganj and surrounding districts. ICAA and HRLN helped UTRC imprisoned for petty crimes get bail under the procedure established by law. The project focuses on minors, Dalits, and other marginalized communities imprisoned through the improper procedure as per the law of the land and releases them from the jails with due consideration of the experts and practitioners in the field of law.

Find out more: <https://icaa.ind.in/partnerships>

VII. RESEARCH AND ANALYSIS

1. Research Articles

a. The research article series started off with an analysis of the Union Budget of India 2021-22 which put forth critical insights into how the Union budget is going to be different for the Indian economy in this fiscal year. The analysis weighed the pros and cons of the budget to help the reader understand what the budget brings to the table.

b. The analysis of the Medical Termination of Pregnancy (Amendment) Bill, 2020 gave critical insight into the abortion laws in India and how certain changes proposed in the bill can affect the child-bearing individuals in India.

c. The analysis of the Major port authorities trust act gave critical insights to the Bill that was introduced to replace the current Major Port Trust Act (MPL) of 1963 (MPT), regulating the ownership, management, and regulation of major ports in India. The new legislation would protect 11 of the 12 main ports of administration.

d. The analysis of the National Health Commission for allied and healthcare professions bill amendment act put forth critical insights into the establishment of the commission. The functions of the proposed act include formulating policies, regulating professional conduct and ethics, perpetuating the Central Register, provide standards on education and training, prescribing qualifications, carry out uniform entrance exams, exit tests, and so on.

e. The analysis of the National Institute of Food Technology, Entrepreneurship and Management Bill explained the objectives of this bill. The objective of the Bill is to give the status of 'Institution of National Importance' to the National Institute of Food Technology, Entrepreneurship and Management (NIFTEM) at Kundli, Haryana, and the Indian Institute of Food Processing Technology (IIFPT) at Thanjavur, Tamil Nadu.

f. The analysis of the Jammu and Kashmir Reorganisation (Amendment) Bill, 2021 gives critical insights into the aftermath of the abrogation of article 370 of the Indian Constitution that gave J&K a special status in the Union of India.

g. The analysis of the National bank for financing infrastructure development Bill 2021 gives an intricate analysis of the Bill pending for assent of the President that creates financial institutions in India to invest in infrastructural projects in high-risk zones in India to promote the development of volatile regions.

h. The legal standpoint on adultery provides an intricate analysis into the laws surrounding adultery including the jurisprudence and the methods through which such cases are tried in courts in India.

2. Analysis of Environmental Laws in India

a. The analysis of the Environmental Impact Assessment (Draft) Bill, 2020 broke down essential fallacies in the bill and the leniency it would pose on major industrial projects that could have environmental hazards. The analysis also gave possible recommendations to the bill which could help solve the issues which were raised nationally post the introduction of the draft bill.

Find out more: <https://icaa.ind.in/research-and-analysis>

VIII. RIGHT TO INFORMATION FILINGS

ICAA filed RTIs in the public interest to gather information about various issues that required information in the public domain. The RTIs were filed in the University Grants Commission, Ministry of AYUSH, Embassy of India in Beijing, Ministry of Home Affairs and Home Department, Government of Delhi, NCT, among other filings that are pending replies from the government.

Find out more: <https://icaa.ind.in/rti>

IX. CONTACT INFORMATION

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Facebook: <https://www.facebook.com/icaa.2021/>

X. CONCLUDING REMARKS

1. ZARIF HOSAIN (Managing Director/Legislative Head)

"Leadership in the public policy sector requires extensive networking and research skills to solve the issues by giving them paramount importance. With the Indian Constitutional Aid Association, we have aimed to bring bright minds of India in close quarters with the Hon'ble MPs of the Republic of India."

2. AYUSH JHA (Director: Public Policy)

"Members of Parliament in India focus on strengthening public relations which often takes their attention away from urgent matters at hand. The purpose of the Indian Constitutional Aid Association is to bridge that one final step of delivering results in the form of policies to be acted in the Union of India and the respective constituencies of the Hon'ble MPs of the Parliament in India."

3. NAOMI TING (Director: Legal Affairs)

"The Legal Aid services provided by ICAA comprise of many projects including assisting refugees, submitting bail applications for the underprivileged and undertrial prisoners. The kind of thought, vigor, and hard work put in by the team is evident in the outcomes of all the projects."

X. CONCLUDING REMARKS

4. DEVANG KASTURIA (Director: Research and Analysis)

"At ICAA, we believe in Researching without limitations and Analysing without bias. Research and Analysis play an important role in this field of work; while the former results in the knowledge building of an individual, the latter helps in applying the knowledge into the practical world. When combined, these help in the formulation of visionary policies. The Research and Analysis team is dedicated to working for a better future"

5. KRITIKA BHAMBHARY (Chief Editor)

"Management of a think-tank and policy-action-oriented group demands thorough vetting of all the content that is produced in front of the Members of Parliament and the people of India. ICAA balances both sides of the coin and provides the best possible results that help shape the future of youth in policymaking in India. "