

Mr. Mohammad Tarique

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03-28:00

T: I was student here from 2004-2006 and did my Masters in Social work with specialization in criminology and correction administration.

Q: You were with Koshish since the inception. Could you tell us how it began? What was the need for something like Koshish?

28:00-1:55

T: It started more in. If I can go a little bit in the history of how it came up. In my filed work I was placed with the organization which was working with the homeless youth that was in the red light area kamathipura. I had made a group of young boys in my outreach as part of the field work. One day I realized lot of boys were missing from the area, I also had good networks with the hotelwallas. When I inquired from the police I came to know that they have been taken to beggar ka jail. That was the time I got to know about the place called beggars home. Next day I tried visiting beggars home and there were some issues because you need to have permission and all. Finally we were able to visit beggars home in couple of days and what we saw there was extremely horrible and not imagine that a place like this would be existing. That was the time I was thinking about, I did not about..this..

01:30 - 1:55

There is law called beggary act and then read up on this. Next year for my field this was first year my of social work, then next year I asked for beggars home as my fieled work but somehow beggars home had never been a filed work area so there was a reluctance from the



department in placing me there lot of things happened but finally they were able to place me there

1:56-2:11

I started as a field work student there, the kinds of things which one would see there were completely unacceptable. There were more thousand people lodged there. Most of the people with mental illness, there was good number of people who were aged and abandoned by their families

2:12-2:25

Lot of physically handicapped people were there. It was a mixed population where I could not see except for few people I couldn't say that they should have been working.

2:26-2:39

I could not see anybody being punished for what they have done. To me it looked like as if they here because we wanted our streets to be clean and we don't want these people to be seen around.

2:40-2:55

That was the time I started. There was a lot of resistance from the authorities in the beginning. There were lot of ways in which they would humiliate and not allow you to be part of anything.

2:66-3:07



Because it has been a close institution for several years and suddenly there is one student coming and asking uncomfortable question.

3:08-3:26

Why the money is being taken. Families of people would come and to me when they were not being allowed to meet. Lot of things were happening. But there was one officer who was very supportive. He said that either the government should not have allowed you to some inside now they have given you the permission you have all the right to know what's happening here.

3:27-3:50

So if it's your filed work, you have to know everything about this institution. He supported me a lot and he would take me to the police, court and lot of things. Luckily we also had a very good officer sitting at the commissionerate which is in Pune. Beggars' home comes under women and child development department. The commissionairate is in Pune for that.

3:51-4:16

There was this assistant commissioner who was very supportive and he said that whatever you are doing I am there with you on that. So, slowly I started creating that space for me and I think within half year of my field work we have created a space for where initially they wouldn't allow me to even sit in the room and I would be sitting under the trees and at least doing my case work and all that.

4:17-4:26



Within six months we had created a space where superintendent would actually send the probation officer to take me from the institute if they are having any meeting in the beggars home.

4:28-4:38

So they would not decide on anything without me being there. That time department here in TSS also very supported a lot. The teachers, they would allow me to leave my class and go there.

4:39-4:54

So by the end of year it emerged like there were lot of issues it started with, it was more like an immediate reaction of a person who was high on idealism and feeling that we will change the world.

4:55-5:12

It started from there where one could not take to the pains of people. We have seen 300 people put up in one barrack with just one toilet. They would be locked from the evening till the morning they were locked inside.

5:13-5:30

Those were things which one could not deal with easily. So, that one year of the field work was extremely where often I would come back, and infact cry in the hostel thinking what is happening. Every second and third day death would take place.

5:30-5:44



And bodies had to be taken for post mortem and police would not come very readily. They would take their own time. At times bodies would be there for three four days. Lot of those issue kind of issues where there.

5:55-5:59

By the time I was finishing with this I was very clear that this has to be a regular programme. Then there was an opportunity getting created here when we had a discussion with the director

5:59-6:11

There were two individuals here, who were also part of this. One of them was working with director's office. Together we came and thought that this could be a programme.

6:11-6:25

This was also one of the assignments which I had prepared for one of my lectures that this would be our programme. I had been asked to prepare an organization which would be making a community intervention.

6:25-6:39

Anyways it started from there. As I said first year of Koshish as I said, it was more like a response of what one saw. It wasn't very clear objective in terms; there was only one long term goal, which was that this law has to go.

6:39-6:55



You cannot arrest people who are on the streets or who are being poor. You can arrest people on what they do and not for who they are. That was the only thing which was clear in our head that this Law has to go but apart from that.

6:55-7:17

Can you please tell us what the beggary Law is?

There is law called Law called Bombay Prevention of begging Act and it criminalizes begging. Now when we say beggary Law, what you understand it must be in order to check begging.

6:17-7:40

But they way begging has been defined in the Law, it includes people selling articles on the streets. It includes mentally ill people, it includes people wandering people on the streets with mental illness, and it includes disabled people. Daily wagers, migrant labourers.

7:40-7:55

Infact a larger number of migrant workers they are rounded every day. Now under this Law you don't need a warrant for the police officer. It's completely on his discretion, if he feels you could be living out of begging they can pick you up.

7:55-8:20

So, they will take you to beggars home there you are kept on remand for 14 days. So, if you are found not to be a beggar, the court will release you. But the problem is that if you are



picked up from your workplace, say, if I am helper in a small hotel, if I get in an area close by to my hotel my owner will not take me back.

8:20-8:36

Second thing is that most of the people who are picked up are the ones who work in unorganized sectors. So, it is not a regular job they are doing. For 14 days you disappear somebody else comes into your place. So it 's not that the owner is going to wait for you.

8:36-8:49

Plus they don't want to get into the trouble for one job there are hundred people coming in. They really don't want to get into an issue where police has come and picked up somebody. So, they will say "kutch to kiya hoga usane" (He must have done something) so that was their standard response.

8:49-9:07

Under this Law if the first time is the person he is being detained the punishment range is 1 -3 years. Then if he is again arrested, it goes up to 10 years of detention. And It also has a cause for indefinite detention.

9:07-9:46

The responsibility of proving that I am not a beggar also lies completely with me. Say I am working in an oil depot, my clothes would be stained so I will not be really be able to prove that you know they will say why are your clothes dirty. So how do I. Say If I am working in a sugarcane ka juice jahan par nikal rahe hai (Sugarcane juice factory) if your are peeling out



the outer skin the sugar cane it leaves stains. So my clothes would have those stains. So that makes a ground for my arrest and I can be inside for 10 years also.

9:46-10:25

So, it's horrible and unfortunately people don't know about it. This Law is there in 20 states of India. It is a state Law but the nature of Law is similar in all the states. So, even in Bombay we tried getting other organizations and there response was that we don't work with beggars. Now the term 'beggar' means people who are into begging but if you look at the profile who are processed, of the people who are processed into the people. Into beggary Law are aged people, mentally ill people. Then women are affected by domestic violence are there.

10.25-10.44

Infact lot of woman with mental illness. Koshish like in first year we started with the male, because there was no team I was the only one. We had students from TISS who supported a lot. Field work students were coming in and I had good number of volunteers, students would devote their time.

10:44-11:07

I did not want to violate women's privacy. But so it was only after we had started something through the probation officers there. There was this barrack which they called mental barrack. Women with mental illness were kept there.

11:07-11:28

At any given point of time it would have 80-100 women. So my issue is that if you have 80 – 100 women serving here suffering from mental illness then why are they serving sentence



here? They should be getting treatments. This is how we approached director general health services.

11:28-11:39

And I think my age also, I would just go and tell them. Probably what I was doing was embarrassing all the government officials; I would go and meet all theses official. I would go met theses official and say sir what is happening. I always thought we were very good civilized society.

11: 40-11:59

These people are dying and we are not doing anything. So, probably he would feel kind of embarrassed and at least to that immediate situation he would respond. That is how doctors started coming inside the beggars home. From there we realized there were other issues coming up when we started working on a regular basis.

11:59 - 12:41

Earlier we started with any person getting arrested we will get them free. But then the court started asking that what proof you has that he is not a beggar. Then we realized that it's important to speak to the employers. But when we asked them, they said that how can they take the guarantee and you know kutch kiya ho to. We started doing this programme which we now call as 'employers collective'. Where we started educating the unorganized sectors employers about this Law and how this law is affecting the entire family. But only one person but

12:41 - 12:51



Not only would that one person, about how little help from the employers would actually save them. So these people actually came forward and gave their undertakings. This is how the first part of the programme got established.

12:51-13:01

Now it's a well developed programme, where they are also offering employments to people who could have been into beggary but now are willing to work.

13:01-13:27

Another thing which was coming up, medical situation was very poor in the beggar's home. Then we started networking with various city hospitals, where we would take them. Then that got set up. A friend of mine came forward for support in the form of ambulance. Most of these people would be taken to hospital because there was no facility in the beggar's home.

13:27-13:42

So James through his organization called Project Crayons came forward and they sponsored an ambulance, which we have known. So they started paying the salary of the drivers and everybody. See this was always a small project with very limited resources.

13:42-14:05

Nobody was interested in this kind of work because people had their own notions people who are into begging, they would see them as criminals, they put children into begging and they amputate and all these kinds of biases were there so it was difficult to find support also, for this kind of work.

14:05-14:56



Then we started with family tracing, we realized that we did not have energy and resource to visit every place because people were coming from all over. Then in 2007 it was almost about a year we started, we formed this national alliance for the homeless. Lot of organizations came together different states. About 14-15 organization came together from different states and the idea was that we will help these people reach back home. It helped in multiple ways.

14:56-15:09

One was we could immediately call up the organization. And say someday say s that I am from Orissa, we could immediately call up the office and ask them to trace the address. They will do that and we know that what the person is saying is true and we will be able to send them back.

15: 10- 15:41

It also helped in a different way. Many times family also has abandoned their person and they would not be comfortable in taking them back. Not that they did not want to but possibly they were not able to take care of that person. It had reached a point where they were no more able to continue with that. So, when in form of this local organization this support came up where we would tell the family ok now we got him treated, you can look after him and still if there is any problem don't dump him. Call this Organization

15:41-16:05

So people basically want their people back home. That also has worked well for us. Then there was. we started at ok so the we... The Law is ok we are saying that people who are



getting arrested wrongly should be out. But what about people who are actually.. who have been into begging.

16:05 - 16:39

In my experience I have realized nobody chooses to be in begging in a comfortable situation. Presently he is comfortable by begging but the start must have been very difficult this experience has been. It has to be circumstances which pushed him into that. It could be something very instant triggering into this or it is a long drawn out process where one has gradually moved into begging. So the idea was also not tell that person that you are begging and its wrong and you should leave it.

16.39-17.15

Because he won't be actually, able to leave it. Then we had this long drawn out process where first we work on him mentally. He would be counselled, he would be told that... One principle that we have kind of started believing in it that there has to be certain degree of degradation of self image that we have, the dignity which we have that has to happen if one gets into begging. The idea was to restore that. So, if one believes that no, I am worth of something, he will be able to move out of begging.

17:15 - 17:41

This became the first step of that exercise where we do all is required to make the person believe that no, I am of some worth and I will be able to contribute. So once that comes in it becomes lot easier. Then we have a range of training programmes going on, where we these people depending on the kind of interest they have, they Will go there, they will complete their training. They get the government approved certificate.



17:41-18:10

And then we have this employers' collective, where they are placed. So the person goes back to work and earns. We have been able to open bank accounts for people where they are saving money and those kinds of things are happening. Now with the Law front? All this was going on it was more like an immediate response to people's needs. But we also needed to have this Law go and the exercises have been going on with the government.

18:11-18:46

In principle both Maharashtra government and Delhi government have agreed that this Law needs to go. So, we have prepared a draft for Maharashtra government and it is still at a very informal stage where discussion is happening more at a commissioner's office. Once it gets formalized we will be able to push for the repeal. Delhi has adopted the same Law they have their own rule but they have taken the same Law.

18:46-19:10

There was a of apprehension in regards to common wealth were about to happen in a years time. And lot of action were being planned so we also felt that was the time where we have to stop that. Incidentally what happened in one of the meeting, like I was there in Delhi they were planning to have an open shelter.

19:10-20:17

Since I was in Delhi one if the partners said that you come in the meeting.

There in the meeting the secretary of social welfare. She kind of got interested in the work and she asked for what we are doing. On explaining the entire project. She made an offer can



you come and help us improve the condition of our institution. That was the time we took the decision that we will move to Delhi also. Then it has been going on in Delhi and lot of changes are happening. Delhi has mobile courts which nowhere else in the country we have. We have been able to do a very fair amount of work with the mobile court. The concept of the mobile court was that there would be no trial actually, magistrates would be moving around the streets and they will just round up people and pass the orders then and there. Which was not only illegal but also very unfair to people. So we kind of stopped that. Courts are still there but they have to follow the routine procedures like they have to be sent for remand.

20:17-20:40

Now court officially asks us for the social investigation report. Earlier they would look at whether the person is begging or not begging. So if he is begging, they will kind of punish him. But we were able to bring this and got it acknowledged by the authorities that only looking at whether the person is begging or not begging, is not enough you need to look at the circumstances why he is begging that is more important.

20:40-21:11

If you really want to help him. Otherwise keeping him in detention for one year, two years, three years doesn't help. So that is now the role we are playing that we prepare social investigation report and submit it to the court. And recently we did this study where we had revisited all the people who are released because of our intervention through the mobile courts and we found out that more than 70% of the people are still working. So these were not the people; so they only wanted one chance to really come out of begging.

21:12-21:33



Now in Delhi we are also able to push this agenda through various sources also. Delhi Government had appointed a six member committee which we were also a part of, to prepare a draft for the new legislation so that this existing Law gets repealed. So that draft is also prepared now that is under process now.

21:33-22:11

The process is going on. We were also able to raise it through NAC (National Advisory Council). They have made a working group on Urban poverty. We are part of that working group and through NAC platform we are now trying for repeal of Law from all the states. And independently of NAC also, we are writing to state governments telling that this Law needs to go. We also have also approached the National Law Commission stating that why this Law has to go. So it looks like we should be able to get rid of this Law.

22:11-22:47

So the bigger challenge lies in how do we see these people. So now ok tomorrow begging would not be offence, we certainly don't want our people to be begging at the same time we don't want them to be arrested, and at the same time we don't want them to be begging either. So what alternatives do we really have for people who are into begging? So there we have done the classification where for people, different schemes are there

22: 48-23:38

Women who have been abused by husband and thrown away, thrown out of the house. Some other woman has been brought in. We have a Law for that, but you know most of these. Beggars home I see as the kind of a dumping ground, where, all the failures of the other acts where you have been ineffective and you have not been able to implement the Laws you take



those people to beggars home. Say for instance mental health act but you do not have hospitals. Where do you take the persons .Instead of? Procedure is also complicated. That is a long drawn out process.

23:38-23:57

What you do is for a police man it's easier to take the person to beggars home. Along with this we have also been doing lot of trainings with the police and the lawyers. I am visiting different universities, talking to the students there .So that they know what is happening. I am visiting Law colleges telling them there is a Law like this you should be taught this. So let's see

23:57-24:18

Going back again to how you are saying. Even if the act is repealed, so you still need to work with people who are in begging. So at the moment, the people who have not been picked up. Are you working with just beggars on the streets as well?

24:19-24:51

See we are working with people on the streets as well. The problem lies. It's a very complicated thing there is no doubt. But it also lies in the. See for us, every scheme every policy starts with the issue of the identity. If the government says that you know person who is poor is entitled for a free treatment at government hospital. Now you have very good programme government is offering you free treatment.

24:51-25:24



But it says BPL will get free treatment .So anybody who is below poverty line will get free treatment. I am on the street I am destitute but I am not in BPL because I don't have BPL certificate. BPL is far better than me. You still have that jhuggi (kutch stability hai life mein). I don't have that I have been thrown out by my sons. I am an 80 year old man, lying on the streets. Theek hai. But If I go the hospital I won't get the treatment because I am not BPL I don't have that Identity.

25:24-26:06

There is you have old age pension. theek hai, But I won't be able to get it, because I have nothing on me. So these are the issues which one is looking at how to deal with this. We are now saying that you know somebody staying at the beggars' home should be enough to establish the fact that the person is a destitute. You know, if the person is reduced to the level where he was forced to make his living out of begging. It means he is a destitute and needs state support so whatever programme you have, for these populations should be extended to him.

26:06-26:37

If you need address take beggars home address. Superintendent should be allowed to do the certify that. So those kind of provisions which we are looking at, same things at NAC we are talking about, the social security programme national security programme. There, we are saying that you know these groups to be included in that. Otherwise, No matter how good programmes we come up with. This programme would never reach to the neediest because most needy are left out from everything.

26:37-27:20



Simply because either ration card, either voter id. So they don't have those documents but it does not mean that they don't exist. So we have to evolve a system, we have to evolve a mechanism which recognizes these people. Every time we approach the government there contention is that there will be lot of fraud. So people will come in they will take money. So what do you give, you give some 250 rupees per month. When we look at the kind of money that others are making even if that poor fellow, he takes 250 Rs I mean that should be permissible. We should legally allow this to happen I feel.

27:20-28:09

Because of those fears of those few people coming in. Even if say somebody who is on the street for whatever reasons. He is in that condition where he needs to be kind of supported. Infact, actually if we see we also have a position where we see that it's the state's failure where you know according to the constitution, the state is a protector of life and property, for me, the state is my custodian. If I am not able to work, I am aged or handicapped or whatever, I don't have a family then state should be able to take care of me. If they have not done that they are at the fault.

28:09-28:35

So, I can actually get them prosecuted for this. Because I am an old man, my family has thrown us out. What do I do? Should I kill myself? At least I am not going to the court and telling them you have violated my Right .That you know I have the right to life. I am not physically capable to work, I don't have anybody supporting me how do I live.

28:35-28:58



And the constitution says that state is the protector of my life but that fellow is not doing that, let him be at peace don't arrest him. Somebody who has might have never gone to the police not even once even once in his entire life. If at the old age you will arrest that person take him to the court and say that you have to serve your sentence here.

28:58-29:31

We have got several people released like who are serving life terms almost there. I mean it looks weird that you have for such serious crimes, you have sentences like three years four years that also people hardly get .And for person who is into begging, he gets imprisonment for ten years. And the most unfortunate and very disappointing thing which I have as a social worker is even the NGO sector has failed to recognize this.

29:31-30:04

And they have only gone on to understand..i understand the issue and their limitation and whatever. But the standard response which I have got from the maximum organization is that we don't work with beggars. So if it is. They might be working with the people with mental illness, with physical disability. They might be working with old age people, they might be working with widows, and they might be working with domestic violence victims. But if you say all these population are there in beggars home. Come and help them. They will say

We don't work with beggars.

30:11-30:33

What is the reason?



See it's very easy to work outside the open community. You don't have any restrictions on you. You don't have any limitations on you but once you go inside it's a custodial space it has lots of checks. Say for instance lots of things are happening but you cannot talk about this. And also you have to have a lot of patience in terms of.

30:33-31:06

There is a certain value that this collaboration between your NGO and the it government carries. But to see the impact the impact of that collaboration, you really need to have to have patience. It is easy to shout slogans outside you can talk about it in the media, you can talk to the newspaper and everywhere. But to see what would happen after that, probably the officer in charge would get suspended or something. But it won't really change the Law it won't change the institution. At larger level nothing would change.

31:06-32:00

Now what we have the change. What we have seen in the last five years. It's a long distance that I see we have covered. Today, the caretakers in the beggars' home and the superintendent are observing National mental health awareness week. From a place where they would treat everybody and anybody who will get even little bit aggressive, they would term that person mental; they had separate barracks for them. Today they are remembering the people who had lost their lives in Neelwadi, , in the morning observed silence for them , they had a big programme today for them. They are committing themselves to the cause of mental illness. So this is the change which I see as the change.

32:00-32:44



You know somebody who would not take a second to beat the person who says anything against what he is saying is now actually sitting with him trying to understand him. So there are certain values that these caretakers, officers, constable, security people they are seeing with these people with mental illness also. Organization would have their own reason why they don't want to come to beggars home but what I see probably, see don't get money to work in a place like this? Every funder would like come and take pictures. They would want to shoot; they would flash it all over. Somebody who gives money to beggars home will not be able to do that.

32:44-33:03

Lot of organizations, they will give you money but they will get lot of gora people coming in. You know just visiting them and doing those. I don't have a position on that if it is wrong or right. But that is something which will not be possible in beggars home. There are issues involved.

33:03-33:43

What do you see as a way forward for Koshish, what is your vision?

See one is, I am surely looking at getting the Law repealed that is one. Second is now over the last five-six years with this experience. We now know that it's possible to get people out of begging. We have started this engagement with the Ministry of Social Justice and empowerment. And what want it, we want once the Law goes the programmes that we have developed we are sharing it with different state governments. We are saying that this can be brought in as a scheme.

33:43-34:00



Where different organization and different parts of the country can apply under this scheme. Apply for the central grants and then they implement this programme. Now anybody, one of the conditions for awarding that scheme would be that you have to undergo a mandatory training where we will come into the picture.

34:00-34:29

We will be training those people about how to implement the programme because we have seen picking up a person from the street and he earning 8000 to 10,000 rs a month. So that change is possible and we have taken more than five six thousand people back home. Lot of people are working, looking after their families and leading a normal life. So now we know it is actually possible but there are very minor issues.

34:29-35:06

Like you know when you are placing somebody for work, you have to know what his background is. I may not personally believe in the class and caste system but that works with people. People do have that conditioning so somebody say belongs to the so-called upper caste is brought to beggars home and I get him released and say you go and we will place you at this hotel. He will probably I agree because he wants to go out but within a week or so he will leave because he cannot accept the fact that he is washing the utensils for the people. It's the conditioning that he has grown up with.

35:06-35:19

So, I don't believe in class system, I don't believe in caste system it won't change the realities for him. So when we are looking at the kind of work that would suit that person we have to be very careful about the kind of background he is coming from.



35:19-36:02

We have to look at the reasons why he left home at the first place. Somebody who is of aggressive nature, somebody who is kind of free kind of a person now if you put him in a place where the employer is little aggressive or you make him at one place and work. He won't stay there because for him, he had everything at home; he left home because his father or some relative abused him. He left because he felt hurt, nobody can abuse me. Now if his employer abuses him, he will beat him and go. There are lot of minor things which we have to observe.

36:02-36:49

This is the first stage of cycle that we have where one is studying his mental makeup and whether he is ready / prepared mentally to take up work. That is the stage where you have to understand all these dynamics and then do that. Now our idea is we want this and we are not sharing? It with different states. We are saying that this is the model that can be taken up as for the rehabilitation of the people who are into begging. Because now we are starting It with different Law groups where we are trying to draft the alternative legislations. We know for sure that nowhere else an intervention like this has been attempted. People have worked with people with mental illness.

36:49-37:32

There are few places where organizations are working in beggars home, but that are their mental health outreach programme. Somewhere, couple of people have filed cases against the beggary Law but then they are not in the institutions. What we are doing it ranges from, it begins from police sensitization. It covers legal aid, it covers financial aid, it covers family tracing, it covers tracing people back to their family, employment, capacity building,



livelihood training is there, counselling is there, health intervention is there, research is there. So at all levels you are doing so.

37:32-38:31

It kind of makes it a complete programme where we are not dependent on an external agency for our results. I think this can be easily developed into scheme which central government can have once the Law is gone. And you know, say it becomes a helpline number like right now we have say for children. You can call a help line number state. There are agencies all over. Similarly it can be a programme for homeless people where destitute people. Where you see aged wandering mentally ill women, you can immediately call up on that number and organization will come and take charge of that person. And work accordingly, as per her needs. So this how we are seeing that it goes as a rehabilitation programme and at sometime government should be able to adopt it as their own programme.