

The Legal Synergy: Constitutional Law, Governance, and Sustainable Development Goals in India

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Citation: Salman et al, (2024) The Legal Synergy: Constitutional Law, Governance, and Sustainable Development Goals in India
Educational Administration: Theory and Practice, 30(9), 538-548

Doi: 10.53555/kuey.v30i9.7786

ARTICLE INFO

ABSTRACT

This paper analyses the effectiveness of Sustainable Development Goals in India from a legal perspective, highlighting how constitutional law successfully supports the implementation of the 2030 Action Agenda. The 2030 Agenda for Sustainable Development, adopted by all United Nations Member States in 2015, provides a shared blueprint for peace and prosperity for people and the planet, now and into the future. At its heart are the 17 Sustainable Development Goals (SDGs) and 169 targets we are unveiling today, showcasing this new universal Agenda's vast scope and high aspirations. These are urgent calls for action by all developed and developing countries in a global partnership. India, as the world's largest democracy, embraces diversity and is known for its tolerant society. This research provides insights into how state and non-state actors can address societal needs to achieve three critical goals in India: Goal 4: ensuring quality education, Goal 10: reducing inequality among distinct groups, and Goal 16: promoting a peaceful, inclusive society at all levels. This research will draw on published primary and secondary data from academic journals, official documents, edited collections, government websites, and survey findings. The study's outcomes will offer valuable insights to policymakers, academics, researchers, and students regarding the Constitution's role in supporting the implementation and achievement of Sustainable Development Goals (SDGs) in society.

Keywords: Sustainable Development Goals, Constitutional Law, Governance, India

Introduction

India, as a Democratic Republic, is structured with a three-tiered system of governance that spans central, state, and local levels. Its legal system combines elements of civil, ordinary, customary, and religious laws. The Constitution of India, adopted in 1950 and one of the longest constitutions globally, establishes the fundamental framework for governance. It outlines key principles such as fundamental rights and the distribution of powers between central and state authorities. Additionally, India has experienced significant economic growth in recent years.⁵ India has enacted various legislations and launched programmes focused on women's empowerment, socio-economic development, and support for diverse social groups. These

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⁵ Laker, B. "India Will Grow to Become the World's Third-Largest Economy by 2027." *Forbes*, February 23, 2024. <https://www.forbes.com/sites/benjaminlaker/2024/02/23/india-to-become-third-largest-economy-by-2027-implications-for-leaders/?sh=54e55314fd50>.

initiatives include efforts to ensure equal educational opportunities for girls and children from disadvantaged backgrounds. The Government of India's national initiatives, known as the Samagra Shiksha Abhiyan, National Education Policy (NEP) 2020, E-Pathshala, SWAYAM, Padhe Bharat Badhe Bharat, The GIAN, Prime Minister's Research Fellowship, Mid-Day Meal Scheme, Pradhan Mantri Jan Dhan Yojana, Atal Pension Yojana, Stand Up India Scheme, Beti Bachao Beti Padhao, The Rashtriya Avishkar Abhiyan, Digital India, Lok Adalats (People's Courts), The Right to Information Act, 2005, and National Data Sharing and Accessibility Policy Programme are designed to bridge social, economic, and political disparities and promote progressive equality across the nation.⁶ The adoption of these goals demonstrates a commitment to advancing a comprehensive, equitable, and sustainable global development agenda, which necessitates collective international efforts. However, to realize these objectives, global pledges alone are not enough. A key strategy involves integrating the Sustainable Development Goals (SDGs) into national constitutions, effectively aligning legal frameworks with the pursuit of sustainable development.⁷ We, the Heads of State and Government and High Representatives, convened at the United Nations Headquarters in New York from September 25–27, 2015, in celebration of the Organization's seventieth anniversary, have resolved to adopt new global Sustainable Development Goals.⁸ On September 25, 2015, the United Nations General Assembly (UNGA) adopted resolution A/RES/70/1, titled **"Transforming Our World: The 2030 Agenda for Sustainable Development."**⁹ The 2030 Agenda for Sustainable Development, adopted by United Nations member states in 2015, outlines a comprehensive framework with seventeen interconnected Sustainable Development Goals (SDGs). This agenda offers a strategic approach to tackling global challenges by integrating social, economic, and educational dimensions to foster sustainable development and improve global well-being.¹⁰ Integrating the Sustainable Development Goals (SDGs) into national constitutions transforms them from aspirational objectives into enforceable legal principles. This approach ensures that governments are accountable for achieving these goals, as failure to meet SDG targets would be considered a violation of constitutional duties. This legal embedding reinforces the commitment to sustainable development within the highest legal framework.¹¹ Upgrading the SDGs to constitutional status fosters transparency, inclusivity, and responsiveness in governance. By embedding these goals within the constitution, governments are held accountable to their citizens and the legal obligations established, thus strengthening their commitment to achieving the SDGs.¹² The constitutional height of the SDGs promotes transparency, inclusivity, and responsiveness in governance, as it requires governments to be accountable not only to their citizens but also to the constitutional mandates.¹³ Article 51(c) of the Indian Constitution emphasizes the state's commitment to uphold international law and treaty obligations in its interactions with organized nations. Meanwhile, Article 253 empowers Parliament to pass legislation required to meet India's international obligations from treaties, agreements, or international decisions. Although India has traditionally adhered to a dualist approach in its relationship with international law, the Indian Supreme Court has increasingly shifted towards a monist perspective, demonstrating a progressive alignment with international legal standards.¹⁴ In 2018, NITI Aayog published the First Baseline Index Report on India's progress towards the Sustainable Development Goals (SDGs). This report followed the development of a National Indicator Framework designed to monitor and assess the country's advancement in achieving the SDGs.¹⁵ A High-Level Steering Committee has been set up to annually review the National Indicator

⁶ NITI Aayog. *SDG India Index: Baseline Report 2018*. New Delhi, India: NITI Aayog, 2018.

⁷ Bosselmann, Klaus. "Sustainable Development Law." In *Routledge Handbook of International Environmental Law*, edited by Erika Techera et al., 30–42. Routledge, 2021.

⁸ United Nations. *The 2030 Agenda for Sustainable Development*. <https://sdgs.un.org/2030agenda>.

⁹ CEPEI. *2030 Agenda for Sustainable Development*. <https://cepei.org/en/documents/2030-agenda-sustainable-development/>.

¹⁰ United Nations. General Assembly Resolution 70/1. "Transforming Our World: The 2030 Agenda for Sustainable Development." New York, September 25, 2015. https://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A_RES_70_1_E.pdf.

¹¹ Fombad, Charles M. "The Constitution as a Source of Accountability: The Role of Constitutionalism." *Speculum Juris* 24, no. 2 (2010): 41–65.

¹² Klug, Hans. "Accountability and the Role of Independent Constitutional Institutions in South Africa's Post-Apartheid Constitutions." *New York Law School Law Review* 60, no. 1 (2015–2016): 153–80.

¹³ Klug, Hans. "Accountability and the Role of Independent Constitutional Institutions in South Africa's Post-Apartheid Constitutions." *New York Law School Law Review* 60, no. 1 (2015–2016): 153–80.

¹⁴ Ranjan, Prabhash. "The Supreme Court of India and International Law: A Topsy-Turvy Journey from Dualism to Monism." *Liverpool Law Review* 43 (2022): 571–95.

¹⁵ Ministry of Statistics and Programme Implementation. *National Indicator Framework*. <http://www.mospi.gov.in/national-indicator-framework> (accessed September 15, 2024).

Framework.¹⁶ NITI Aayog (National Institution for Transforming India), the government's think tank, is the central agency for implementing the SDGs. It coordinates various ministries and offers technical support to ensure adequate progress towards these goals.¹⁷ For SDG 16, the Ministry of Home Affairs is the central coordinating body for implementation as of 2016. The Ministry of Law and Justice and the Ministry of External Affairs also play significant roles in advancing various vital targets associated with this goal.¹⁸ India is ranked 109th out of 166 countries on the SDG Index.¹⁹ To advance equality and inclusion by 2030, India focuses on various schemes and initiatives to enhance access and security. The UN Secretary-General recommends renewing efforts for transformative action, implementing targeted policies, and strengthening national and local capacities.²⁰

1. The 2030 Agenda for Sustainable Development: Insights into Transformative Global Strategies

In June 2012, the United Nations Conference on Sustainable Development, known as Rio+20, occurred in Rio de Janeiro, Brazil. The conference adopted the outcome document **'The Future We Want'**, a necessary step in shaping future global development frameworks. This document initiated the development of a new set of Sustainable Development Goals (SDGs) to succeed the Millennium Development Goals (MDGs). It led to establishing the UN High-level Political Forum on Sustainable Development. Additionally, it proposed new measures for advancing sustainable development, including strategies for development financing and support for small island developing states. In response to these outcomes, the UN General Assembly established a 30-member Open Working Group in 2013 to create a proposal for the SDGs. This group's work laid the groundwork for the negotiations on the post-2015 development agenda, which commenced in January 2015. The negotiations culminated in adopting the 2030 Agenda for Sustainable Development at the UN Sustainable Development Summit in September 2015. The 2030 Agenda, articulated in UN General Assembly Resolution 70/1, is centered on 17 SDGs that outline a comprehensive vision for global development through 2030. This agenda marks a significant shift from the MDGs by integrating a broader range of issues and emphasizing the need for a coordinated global response. It advocates for urgent action across all countries to address critical challenges such as poverty reduction, health and education improvement, inequality reduction, and climate change. Moreover, it stresses the importance of environmental conservation, including protecting oceans and forests. The 2030 Agenda presents an inclusive and interconnected approach to development, reflecting a commitment to balancing human progress with environmental sustainability. It calls for a collaborative global effort to achieve its ambitious targets, thus setting a new standard for sustainable development that harmonizes social, economic, and environmental goals.²¹ Global monitoring of the Sustainable Development Goals (SDGs) guided by a standardized indicators framework developed by the Inter-Agency Expert Group on SDGs. This framework was ratified by the UN Statistical Commission (UNSD) and officially endorsed by the UN General Assembly in July 2017. It establishes a uniform approach for assessing progress across the 17 SDGs, ensuring a rigorous and consistent evaluation of global development efforts. Adopting this framework enables effective measurement and oversight of progress towards the objectives outlined in the 2030 Agenda for Sustainable Development.²² The Brundtland Report defines *sustainable development* as development that meets the needs of the present without undermining the ability of future generations to satisfy their own needs. This definition emphasizes balancing current advancements

¹⁶ Ministry of Statistics and Programme Implementation. *Sustainable Development Goals: India's Roadmap*. http://mospi.nic.in/sites/default/files/announcements/SDG_07122018.pdf?download=1 (accessed September 15, 2024).

¹⁷ NITI Aayog. *NITI Aayog*. <https://www.niti.gov.in/>.

¹⁸ NITI Aayog. *Sustainable Development Goals (SDGs), Targets, CSS, Interventions, Nodal and Other Ministries (As on 04.04.2016)*. https://niti.gov.in/writereaddata/files/Mapping-SDGs%20V19-Ministries%20Feedback%20060416_o.pdf (accessed September 14, 2024).

¹⁹ Sustainable Development Goals Index. *India: Policy Efforts*. <https://dashboards.sdgindex.org/profiles/india/policy-efforts>.

²⁰ United Nations. *General Assembly Resolution 70/1, "Transforming Our World: The 2030 Agenda for Sustainable Development"*. New York, September 25, 2015. https://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A_RES_70_1_E.pdf. Paragraphs 8–25.

²¹ Sustainable Development Goals Knowledge Platform. *Sustainable Development Goals Knowledge Platform*. <https://sustainabledevelopment.un.org/?menu=1300> (accessed September 13, 2024).

²² United Nations. *Global Indicator Framework for the Sustainable Development Goals and Targets of the 2030 Agenda for Sustainable Development*. https://unstats.un.org/sdgs/indicators/Global%20Indicator%20Framework%20after%202019%20refinement_Eng.pdf (accessed September 15, 2019).

with preserving resources and opportunities for future generations, ensuring long-term social, economic, and educational equity.²³ Achieving an inclusive, sustainable, and resilient future for humanity and the environment requires a unified approach. Integrating and aligning three core components is essential to ensure continuing and comprehensive success.²⁴

2. Implementing Support Systems: Examining Strategies for Advancing the 2030 Sustainable Development Goals

2.1 NITI Aayog²⁵: It is India's main policy advisory body, is responsible for coordinating and overseeing the implementation of the Sustainable Development Goals (SDGs) nationwide. As the designated agency, it ensures that national strategies and initiatives align with these global goals. By collaborating with different ministries, state governments, and stakeholders, NITI Aayog (National Institution for Transforming India) provides leadership and guidance to incorporate the SDGs into the country's developmental plans. It focuses on advancing sustainable development, reducing disparities, and supporting environmental, social, and economic progress following the SDG framework.

2.2 The High-Level Political Forum (HLPF): It is a central platform for reviewing the Sustainable Development Goals (SDGs) progress. It hosts Voluntary National Reviews (VNR), where countries voluntarily share their experiences, successes, and challenges to expedite the implementation of the 2030 Agenda. Countries themselves lead these reviews and involve both developed and developing nations. The process also includes participation from UN agencies, civil society, the private sector, and other stakeholders. By fostering collaboration and knowledge-sharing, the HLPF supports global efforts to achieve the SDGs and drive sustainable development worldwide.²⁶ The Division for Sustainable Development Goals (DSDG) within the United Nations Department of Economic and Social Affairs is crucial for effectively implementing the SDGs. By offering specialized support in areas such as water, energy, climate, and urbanization and contributing to the Global Sustainable Development Report, the DSDG ensures targeted assistance where needed most. Its role in evaluating the UN's progress toward the 2030 Agenda is vital for accountability and improvement. Additionally, the DSDG's advocacy and outreach efforts mobilize global support and foster collaboration among diverse stakeholders, making it essential for advancing sustainable development and achieving the SDGs.²⁷

3. The Intersection of Constitutional Law and Sustainable Development Goals: A Comprehensive Review

By prioritizing sustainability in legal and policy decisions, governments can uphold their citizens' dignity by ensuring their essential needs are met and their fundamental rights are protected. This approach fosters long-term well-being and equity, addressing both current and future challenges while creating a more resilient and just society.²⁸

3.1 Article 21A (Right to Education): This provision enshrines education as a fundamental right for children aged 6 to 14, directly supporting Sustainable Development Goal 4 (Quality Education). By mandating that education be free and compulsory, this article establishes the legal framework for ensuring that all children have access to primary education, thereby contributing to the goal of universal educational attainment.

²³ World Commission on Environment and Development. *Our Common Future: Report of the World Commission on Environment and Development*. 1987.

<https://sustainabledevelopment.un.org/content/documents/5987ourcommon-future.pdf> (accessed September 12, 2024).

²⁴NITI Aayog, Government of India. *NTI Aayog*. <https://niti.gov.in/> (accessed September 14, 2024).

²⁵ NITI Aayog. *Overview of Sustainable Development Goals*. <https://www.niti.gov.in/overview-sustainable-development-goals> (accessed September 14, 2024).

²⁶ United Nations. *High-Level Political Forum on Sustainable Development*. <https://sustainabledevelopment.un.org/hlpf> (accessed September 13, 2024).

²⁷Sustainable Development Goals Knowledge Platform. *Sustainable Development Goals Knowledge Platform*. <https://sustainabledevelopment.un.org/?menu=1300> (accessed September 17, 2024).

²⁸Herlin-Karnell, Ester. "The Constitutional Concepts of Sustainability and Dignity." *Jus Cogens* 5, no. 2 (2023): 125–48.

3.2 Article 45 (Early Childhood Care and Education): This article obligates the state to provide early childhood care and education for children until they reach the age of six. This provision underscores the significance of early developmental stages and aligns with broader educational objectives to foster a strong foundation for lifelong learning.

3.3 Article 14 (Equality before the Law): This article guarantees that all individuals are treated equally under the law and are entitled to equal protection. By upholding this principle, Article 14 reduces systemic inequalities and ensures fairness within the legal system, reflecting a commitment to justice and non-discrimination.

3.4 Article 15 (Non-Discrimination): Article 15 prohibits discrimination based on religion, race, caste, sex, or place of birth. This article aligns with Sustainable Development Goal 10 (Reduced Inequalities) by promoting inclusivity and equality and seeks to eliminate biases and prejudicial practices in various societal contexts.

3.5 Article 16 (Equal Opportunity in Public Employment): This provision ensures everyone has equal access to public employment opportunities. By advocating for merit-based hiring and promoting fair employment practices, Article 16 addresses economic and social disparities, supporting equitable job opportunities.

3.6 Article 46 (Support for Weaker Sections): Article 46 directs the state to advance the educational and economic interests of Scheduled Castes, Scheduled Tribes, and other marginalized groups while protecting them from social injustice and exploitation. This article highlights a commitment to equity by providing targeted support to historically disadvantaged communities.

3.7 Article 21 (Right to Life and Personal Liberty): This fundamental right protects life and personal liberty, including access to fair legal processes. Aligning with Sustainable Development Goal 16 (Peace, Justice, and Strong Institutions), Article 21 emphasizes safeguarding human rights and ensuring that justice is accessible and equitable.

3.8 Article 39A (Free Legal Aid): Article 39A mandates that the state provide free legal aid to ensure that justice is accessible to all, regardless of economic status. This provision addresses barriers to justice faced by economically disadvantaged individuals and supports the principle of equal opportunity within the legal system.

3.9 Article 51 (International Peace and Cooperation): This article advocates for promoting international peace and establishing just relations between nations. By supporting respect for international law and fostering cooperative global relations, Article 51 contributes to global stability and ethical international interactions.

4. Aligning India's Policy Initiatives with Sustainable Development Goal 4: A Strategic Overview

4.1 Samagra Shiksha Abhiyan: (SSA) is a comprehensive program designed to integrate primary and secondary education initiatives with the goal of enhancing the overall quality of schooling. It aims to promote equity and inclusion within the education system, addressing disparities and ensuring that all students have access to quality education. SSA also targets the reduction of dropout rates, the improvement of educational infrastructure, and the provision of professional development for teachers. By focusing on these areas, SSA seeks to create a more effective and inclusive educational environment that supports the academic and personal growth of all students.

4.2 National Education Policy (NEP) 2020: The National Education Policy (NEP) 2020 outlines significant reforms to transform the education sector to foster equitable access to high-quality education, support lifelong learning, and promote inclusivity. The policy emphasizes the importance of early childhood care and education and advocates for flexible curricula that cater to diverse learning needs. It highlights the integration of vocational education to enhance skill development. Additionally, NEP 2020 promotes technology as a tool to ensure that education is inclusive and accessible to all students, thereby addressing various barriers and creating a more adaptive and responsive educational system.

4.3 E-Pathshala: It launched in 2015, is an online platform designed to provide and distribute digital educational resources. It offers a comprehensive range of materials, including textbooks, audio and video content, periodicals, and various print and non-print resources. This platform serves a diverse audience, including students, teachers, educators, researchers, and parents. By making these resources readily

accessible, E-Pathshala aims to support and enhance the educational experience for its users, promoting a more dynamic and interactive approach to learning and teaching.

4.4 SWAYAM: It launched by the Government of India in 2017, the SWAYAM program aims to enhance access, equity, and quality in education. This initiative facilitates students' entry into the global knowledge economy through digital advancements. The program features a national MOOC (Massive Open Online Course) platform called Active-Learning for Young Aspiring Minds, which provides over 1,000 courses across diverse fields such as engineering, science, mathematics, humanities, social sciences, economics, management, arts, recreation, and languages. These courses, offered by prominent Indian educators, are available free of charge or at a minimal cost and can be accessed anytime, anywhere, and on any device. A small fee is required for learners seeking certification upon successfully completing the course. SWAYAM thus promotes broad educational access and supports on-going learning opportunities for individuals across various disciplines.

4.5 Padhe Bharat Badhe Bharat (PBBB): The PBBB initiative, inaugurated in 2014 under the Sarva Shiksha Abhiyan (SSA), is designed to enhance the quality of education in the foundational years, explicitly targeting classes I and II. Concurrently, the Beti Bachao, Beti Padhao (BBBP) scheme, launched by the Government of India in 2015, addresses the pressing issue of declining child sex ratios. BBBP is a comprehensive program aimed at mitigating gender-biased and sex-selective practices, ensuring the survival and protection of the girl child, and advancing educational opportunities for girls. Both programs collectively contribute to improving educational standards and promoting gender equity within India's educational framework.

4.6 The GIAN: The Global Initiative of Academic Networks (GIAN), instituted by the Ministry of Human Resource Development (MHRD) in 2015, represents a strategic effort to enhance the quality and global engagement of Indian higher education institutions. This initiative is designed to attract distinguished international scholars to Indian universities, facilitating cutting-edge knowledge exchange and fostering academic collaboration. By providing Indian faculty with opportunities to interact with leading global experts, GIAN aims to advance research and teaching in emerging fields. Furthermore, it offers Indian students access to high-calibre academic instruction and diverse perspectives. Since its inception, numerous esteemed international academics have conducted specialized courses across various Indian institutions, contributing to enriching the academic landscape and promoting international academic partnerships.

4.7 Prime Minister's Research Fellowship: It aims to attract outstanding students to pursue research in India and address significant national challenges. This fellowship provides substantial financial support to support 1,000 graduates with a minimum CGPA of 6 on a 10-point scale from IITs, NITs, and IISERs. Awardees of the PMRF will receive a monthly stipend ranging from Rs. 70,000 to Rs. 80,000. This initiative seeks to enhance the quality and impact of research in India by incentivizing top-tier graduates to contribute to solving pressing issues through advanced research endeavours.

4.8 Mid-Day Meal Scheme: The Mid-Day Meal Scheme is a government program that provides free meals to students in government and government-aided schools. The scheme aims to improve the nutritional status of children, especially those from low-income families and supports their overall health and educational performance. The initiative addresses food insecurity by offering daily meals and encouraging higher school enrolment and regular attendance. This program reduces the financial burden on families and promotes consistent school participation, thereby contributing to the nutritional and educational development of students from disadvantaged backgrounds.

5. Connecting India's Policy Initiatives to Sustainable Development Goal 10: A Framework for Analysis

5.1 Pradhan Mantri Jan Dhan Yojana: (PMJDY) is a financial inclusion initiative to provide universal access to banking services. This program promotes economic equality by integrating marginalized groups into the formal financial system, ensuring access to essential banking facilities. By focusing on financial inclusion, PMJDY strives to reduce economic disparities and enhance economic participation for all individuals, particularly those historically underserved by traditional financial services.

5.2 Atal Pension Yojana: (APY) program is planned to offer pension benefits to individuals working in the unorganised sector. Its main objective is to mitigate economic inequality by providing social security for low-income people. By securing a reliable source of income for retirees who lack access to formal pension schemes, the APY strives to improve financial security and address disparities among workers in informal employment.

5.3 Stand Up India Scheme: It is an initiative to foster entrepreneurship among women, Scheduled Castes (SC), and Scheduled Tribes (ST). The program provides financial loans to facilitate the establishment of new enterprises, reduce economic disparities, and enhance inclusivity. The scheme seeks to empower marginalized groups, promote business development, and contribute to broader economic participation by offering targeted financial support. Through these efforts, the Stand Up India Scheme endeavours to address systemic inequalities and support the creation of equitable economic opportunities for underrepresented communities.

5.4 Beti Bachao Beti Padhao: This program addresses gender inequality by promoting gender-sensitive governance and enhancing educational access for girls. By focusing on these areas, the initiative aims to foster more inclusive societal structures and support the empowerment of women and girls. The program seeks to mitigate gender-based disparities and ensure that girls receive the educational opportunities necessary for full social participation.

5.5 The Rashtriya Avishkar Abhiyan (RAA): It launched in 2015, focuses on improving the teaching and learning of mathematics and science for students in upper primary classes, specifically those aged 6 to 18 years. The program aims to enhance students' understanding of these subjects, stimulate interest in STEM fields, and support the development of critical analytical and problem-solving skills. By concentrating on these educational aspects, the RAA seeks to elevate the quality of mathematics and science education and encourage greater engagement with these critical disciplines.

6. Institutional Approaches to Achieving SDG 16: Evaluating India's Policy Linkages

6.1 Digital India: It is an initiative to advance transparency and accountability by adopting digital governance. This program aims to enhance access to government services and information, promoting the development of more inclusive and efficient institutions. By leveraging technology to streamline administrative processes and improve service delivery, Digital India seeks to create a more transparent and accessible governance framework. This approach facilitates greater citizen engagement with governmental operations and supports establishing a more responsive and accountable public administration.

6.2 Lok Adalats (People's Courts): Lok Adalats provide an alternative dispute resolution mechanism to deliver swift and cost-effective justice to all citizens. By offering a less formal and more accessible approach to resolving disputes, Lok Adalats help ensure broader access to justice and alleviate the caseload of traditional courts. This system aims to facilitate timely resolution of legal matters, thereby contributing to a more efficient and equitable judicial process.

6.3 The Right to Information Act, 2005: The RTI Act, for instance, is an example of a governmental venture which has significantly bolstered public access to information for the citizens and hence is a step in fulfilling target 16.9 for SDG 16. However, the RTI system under the Act has been observed to languish due to corrupt information officers, a dismal number of penalties imposed and a lengthy winding procedure of appeals, a plethora of which currently need to be revised.²⁹ A 6% fall in 2015–2016 and 2016–2017 has been reported in RTI applications by the Central Information Commission.³⁰ Attempts by the government to weaken the law and further deteriorate its status.³¹ Moreover, it has been observed that the RTI Act has failed to show the inclusivity contemplated by SDG 16 due to failing to reach people experiencing poverty.³² Nevertheless, it has resulted in the exposure of significant scams.³³ The most recent amendment in the RTI law, the Right to Information (Amendment) Bill, 2019, was passed by the Rajya Sabha (Upper House) on Thursday by a voice vote amid a walkout from the Congress, Rashtriya Janata Dal (RJD), Trinamool Congress (TMC) and the other opposition parties, clearly suggesting that the recent attempts are more towards diluting the Act.

²⁹ Chauhan, Chetan. "How RTI Act Is Dying a Slow Death in India." *Hindustan Times*, 2018. <https://www.hindustantimes.com/india-news/how-rti-is-dying-a-slow-death-in-india/storyTpdC63K7s42vxgV1bxwTI.html> (accessed September 1, 2019).

³⁰ *ibid*

³¹ *Id.* The government's proposal to reduce the status of CICs and ICs from that equal to Supreme Court Judges to a government secretary had raised concerns about affecting their independence and efficiency; Centre had also proposed new RTI rules allowing an applicant to withdraw his appeal and abatement of an appeal if the applicant dies.

³² Bhalla, Nita. "India's 'Revolutionary' RTI Act Fails to Reach the Poor." *Reuters*, July 2, 2010. <https://in.reuters.com/article/idINIndia-49806820100702> (accessed September 11, 2024).

³³ Sharma, Betwa. "5 Scams the RTI Act Helped Bust in Its First 10 Years." *HuffPost*, July 15, 2016. https://www.huffingtonpost.in/2015/10/12/5-most-critical-scams-exp_n_8263302.html (accessed September 15, 2024).

6.4 National Data Sharing and Accessibility Policy (NDSAP): In 2012, the Government of India (GoI) adopted the National Data Sharing and Accessibility Policy (NDSAP), which enables the public to access government-shareable data to promote national planning and development data sharing. NDSAP differs from RTI in that it is a proactive rather than a reactive form of data sharing by the government. Shareable data are those which are 'not sensitive' and do not fall under the negative list. The NDSAP applies to all data and information created, generated, collected and achieved using public funds provided by GoI directly or through agencies by various ministries, departments, organizations, agencies and autonomous bodies. The nodal agency is the Department of Science and Technology on policy matters. At the same time, implementation is overseen by the Ministry of Electronics and Information Technology, along with the National Informatics Centre.³⁴ The National Informatics Centre is the custodian of e-government and e-governance applications as well as a promoter of digital opportunities for sustainable development, and, through its software, NICNET, has institutional linkages with all the ministries and departments of the central government as well as locally with many state and district administrations. It has initiatives such as the National Prison Information Portal, CCTIS Tamil Nadu (Criminal Tracking and Infosys.) and online civil registration systems.³⁵

7. Reducing Corruption through Demonetization: An Analysis of Its Effectiveness and Recent Laws

Demonetization constituted a significant intervention to address corruption, though its effectiveness in achieving the desired outcomes was limited. Furthermore, several notable legislative reforms have been implemented in recent years.³⁶

7.1 The Lokpal and Lokayukta (Amendment) Act, 2016, mandates that public servants reveal their assets and liabilities to ensure greater transparency. However, the legislation does not apply these disclosure requirements to public servants' spouses or dependent children, who remain excluded from this obligation.

7.2 The Black Money (Undisclosed Foreign Income and Assets) and Imposition of Tax Act, 2015 address the challenge of unreported foreign income and assets by imposing penalties for tax evasion. This legislation aims to strengthen tax compliance and promote greater transparency in financial reporting.

7.3 The Benami Transactions (Prohibition) Amendment Act of 2016 authorizes officials to seize and attach properties acquired through Benami transactions. This Act is designed to tackle illicit property holdings and support the recovery of assets involved in such illegal transactions.

7.4 The Companies (Amendment) Act, 2017 imposes penalties of up to one million rupees for corporate fraud, focusing on offenses that do not directly impact the public interest.

7.5 The Whistle-Blowers Protection (Amendment) Bill, 2015, has yet to be enacted due to concerns raised by RTI activists. They argue that the proposed amendments might undermine the current protections afforded to whistle-blowers.

8. Constructing Inclusive and Responsive Decision-Making Structures: A Focus on Participation and Representation

There remains a notable under-representation of women, minorities, and marginalized groups in the Legislature, Judiciary, and Executive branches. This issue is underscored by the Inter-Parliamentary Union's data, which continues to show a significant imbalance in the representation of women in these critical

³⁴ Sharma, Betwa. "5 Scams the RTI Act Helped Bust in Its First 10 Years." *HuffPost*, July 15, 2016. https://www.huffingtonpost.in/2015/10/12/5-most-critical-scams-exp_n_8263302.html (accessed September 15, 2024).

³⁵ Radhakrishnan, Trinanjan, and Gavin Davies. *SDG 16 India: Mapping the Datascape*. Commonwealth Human Rights Initiative. <http://www.humanrightsinitiative.org/download/SDG%2016%20India%20Mapping%20the%20Datascape.pdf>.

³⁶ *Supra* note 34.

institutions.³⁷ The data reveals that women make up about 12.6% of the members of India's Parliament, positioning the country at 149th place globally regarding gender representation. It highlights ongoing challenges in achieving gender equality within legislative institutions.³⁸ Enhancing the representation of younger individuals in Parliament and state legislatures is possible. Currently, 53% of members in the outgoing Parliament are aged 55 or older, indicating a substantial predominance of older age groups. This suggests a need for greater inclusion of younger representatives.³⁹ Minority representation remains insufficient, and there is a need for more accurate representation of women in public services.⁴⁰ Representation of Other Backward Classes (OBCs) is similarly inadequate, in addition to the insufficient representation of minorities and women in public services.⁴¹ The judiciary demonstrates a notable lack of diversity, with both women and minorities being underrepresented. It highlights ongoing challenges in fostering inclusivity within the judicial system.⁴² This lack of representation is especially concerning in sensitive cases, such as the Babri Masjid case, where the absence of a Muslim judge on the Bench may affect the fairness and inclusiveness of the judicial process.⁴³ The Rights of Persons with Disabilities Act of 2016 aims to improve the participation of individuals with disabilities by reserving 4% of government jobs for them. In contrast, the Women's Reservation Bill, also known as The Constitution (108th Amendment) Bill, is one of the longest-pending pieces of legislation in the Indian Parliament. This bill proposes reserving 33.3% of seats for women in Parliament, state assemblies, and local bodies, in line with the 73rd and 74th Amendments to the Constitution. However, it has consistently failed to pass due to a lack of political consensus.⁴⁴ To improve inclusive governance, the government has developed the MyGovt app. This platform enables public participation in the creation and implementation of government projects by providing opportunities for users to engage in discussions, review documents, and contribute feedback, thereby promoting transparency and active civic involvement.

9. Unlocking Opportunities for Sustainable Development Goals

1. Adopting and developing inclusive education approaches can benefit marginalized groups by making them feel more welcome and supported within the mainstream education system.
2. Working together, the government and private sector can boost the availability of resources, improve infrastructure, and strengthen teacher training programs.
3. Improving legal structures that defend marginalized communities' rights can significantly reduce inequality.
4. Strengthening anti-corruption laws and ensuring effective enforcement can boost transparency and government accountability.
5. Promoting more citizen involvement in governance through methods such as social audits and public consultations can make institutions more inclusive and responsive.
6. Aligning the National Indicator Framework (NIF) with the Global Indicator Framework (GIF) will create a unified monitoring standard, making it easier to compare progress across countries and better understand global advancements.
7. Revising governance structures to acknowledge and leverage interrelationships will be crucial in harnessing positive synergies and minimizing or eliminating adverse outcomes.

³⁷ Inter-Parliamentary Union. "Women in National Parliaments." *Inter-Parliamentary Union*. <http://archive.ipu.org/english/issues/wmndocs/world.htm>.

³⁸ Paliath, Shreehari. "Data Check: India Lags Behind Its Neighbours on Women's Representation in Parliament." *IndiaSpend*.

³⁹ Radhakrishnan, Trinanjan, and Gavin Davies. *SDG 16 India: Mapping the Datascape*. Commonwealth Human Rights Initiative. <http://www.humanrightsinitiative.org/download/SDG%2016%20India%20Mapping%20the%20Datascape.pdf> (accessed September 13, 2024).

⁴⁰ Ibid.

⁴¹ Ibid.

⁴² "India Has Token Representation of Women in Higher Levels of Judiciary: Hawaii Supreme Court Judge." *Economic Times*, April 7, 2019. <https://economictimes.indiatimes.com/news/politics-and-nation/india-has-tokenrepresentation-of-women-in-higher-levels-of-judiciary-hawaii-supreme-court-judge/article-show/68761699.cms> (accessed September 10, 2024).

⁴³ Sebastian, John, and Faiza Ahmed. "Babri Masjid Case: Why Representation of Minority Judges Matters." *The Wire*, January 18, 2019. <https://thewire.in/law/babri-masjid-case-why-representation-of-minority-judges-matters> (accessed September 5, 2024).

⁴⁴ Paliath, Shreehari. "Data Check: India Lags behind Its Neighbours on Women's Representation in Parliament." *IndiaSpend*, August 16, 2024.

8. Regional cooperation will be vital to maximizing opportunities by creating synergies across economic, social, and environmental dimensions. It will also help mitigate the risks of being a first mover regarding short-term economic competitiveness.
9. There is a need for think tanks, researchers and academia to focus on holistic and integrated research (including scenario building and future casting) to support informed decision-making.

10. Identifying and Addressing Key Challenges to SDG Success

1. A significant challenge for India in achieving the goals of SDG 16 is the ineffective implementation of numerous schemes and laws. For instance, despite being enacted, the RTI Act and the Gram Nyayalayas Act have faced issues due to poor execution.
2. Persistent caste, gender, and religious biases continue to drive inequalities in areas such as education, employment, and healthcare.
3. Income inequality remains pronounced, with a substantial divide between the wealthy and the less affluent, resulting in unequal opportunities and outcomes.
4. Despite numerous laws and policies designed to reduce inequality, their implementation at the grassroots level is often hampered by bureaucratic inefficiencies and corruption.
5. Corruption at different levels of government and within institutions erodes trust in governance and the rule of law.
6. Marginalized communities frequently encounter obstacles in accessing legal services, including high costs, complicated procedures, and limited awareness.
7. Challenges in ensuring justice for all include ongoing instances of human rights violations, such as police brutality, custodial deaths, and discrimination.

Conclusion

The overhead debate indicates that inequality within and among nations poses a significant barrier to global development, hindering economic growth, poverty reduction, and social stability. Widening gaps in income distribution and access to resources exacerbate societal tensions, often leading to unrest. To address these issues, Sustainable Development Goal 10 focuses on reducing inequality. This goal is essential for fostering inclusive development and promoting more equitable societies. In India, a country with diverse socio-economic challenges, inequality exists not only in terms of income but also along dimensions of gender, caste, religion, and geography. Although recent data indicates a decline in income inequality in India, deep-rooted disparities persist. Social inequalities, particularly those based on gender, caste, and region, continue to restrict access to education, healthcare, and employment. For example, women and marginalized groups often have fewer opportunities in education and the labour market. At the same time, rural communities need to catch up with urban areas regarding development indicators. These entrenched inequalities make achieving SDG 10 in India particularly challenging and multifaceted. To achieve SDG 10 by 2030, India must adopt a wide range of policy measures. Expanding social protection programs is one key strategy; as such programs can help safeguard vulnerable populations from the adverse effects of economic instability and poverty. Furthermore, increased investment in the social sectors, including healthcare, education, and housing, is essential for improving access to resources and opportunities for marginalized communities. Additionally, innovative employment programs targeting rural and disadvantaged populations can help address structural unemployment and foster long-term economic development. The 2023 SDG Summit held in New York highlighted the uneven progress toward achieving global development targets, with significant gaps still present in poverty reduction, climate action, and inequality. This slow progress underscores the importance of strengthening legal frameworks that support the SDGs. One potential solution is integrating the SDGs into national constitutions or legal frameworks, holding governments accountable for their implementation. This approach would ensure that the SDGs are not just policy goals but legally binding commitments. Alongside efforts to reduce inequality, India is also working toward Sustainable Development Goal 4, which aims to ensure access to inclusive and equitable quality education for all. Education is widely recognized as a critical factor in promoting development and is regarded as a fundamental human right. India's Sarva Shiksha Abhiyan, a flagship education program, aims to provide universal primary education and improve the quality of schooling nationwide. In addition to this initiative, the government has launched various schemes to strengthen nutrition, higher education, and teacher training. The Right to Free and Compulsory Education (RTE) Act of 2009, which guarantees free and equitable quality education for all children, is another crucial element in advancing SDG 4 in India. To meet the SDG 4 targets by 2030, the government must continue investing in educational infrastructure and expanding access to formal education and vocational training, particularly for marginalized communities. While India has progressed in addressing inequality and improving access to education, significant challenges remain. Achieving SDG 10 and SDG 4 by 2030 will require a sustained commitment to policy reforms, increased investment in social infrastructure, and the integration of these goals into legal frameworks. By reducing inequality and improving education, India can contribute to global efforts to achieve a more just, inclusive, and sustainable world. Sustainable Development Goal (SDG) 16 aims to advance peace, justice, and robust institutions in India. Progress has

been made through measures such as reducing internal conflicts and improving access to legal resources, exemplified by the expansion of legal aid and the digitization of court systems. However, challenges persist, notably corruption, which is being addressed through reforms like the Goods and Services Tax (GST) and anti-corruption agencies. Institutions are becoming more inclusive with better representation of marginalized groups. Despite these efforts, uneven justice access and ongoing conflicts highlight the need for further reforms and continued development to comprehensively achieve SDG 16's objectives in India.