

Social Unrest and Resistances: State and the Social Sector in China during the Reform Period

Madhurima Nundy, PhD

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INTRODUCTION

This paper looks at social unrest, resistances and growth of non-governmental organisations in the social sector arising from consequences of the reform agenda in the last three decades. At the societal level, market reforms resulted in dramatic transformation of the Chinese society, with gaps in the ability of the Chinese government to effectively manage the inequalities that emerged and gained visibility in the 1990s.

To understand Chinese society, scholars have attempted to study how the changing politics and economy have influenced society and its process of transformation. In the process of this analysis there has been a preoccupation with the role of 'civil society' in China especially in recent times. These have mainly focused on whether civil society in China is autonomous and whether it is a means to political transformations in a 'non-democratic' society. The conclusion generally drawn from such a framework that mostly comes from a Western framework of analysis is that the Chinese state is either a 'corporatist state' that is controlling or one sees an emerging civil society that is in its nascent phase. By trying to impose the liberal democratic model of the West on China, one misses out on the nuances. The macro-level analysis fails to bring forth the dynamics between state and society at various levels, the spaces for negotiations and probably the nature of Chinese politics itself. This paper attempts to illustrate these dynamics through three critical issues that China faces today and areas where the social sector is engaging very actively in – the issue of migrants, environment and HIV/AIDS. The work is based on an analysis of literature available on civil society in China and NGOs in the social sector.

Post revolution, the first 30 years of the Communist Party of China (CPC) is said to have eliminated everything that came between the state and the individual, this included independent associations of all types – religious, familial and labour unions. Before the communists consolidated their power nationally, they had set up civil affairs agencies in the occupied areas. Civil affairs agencies were set up in each administrative region, province and county. Mao called 'civil affairs' as work involving people. The First National Civil Affairs Conference was held in 1950 and the following duties were laid down: formation of democratic government, resettlement of demobilised personnel, social relief, work relief, hardship subsidy, household registration and so on (Wong 1998: 50). Therefore, the government was the only agency responsible for the 'welfare' of its people. The political ideology integrated 'welfare' within its mandate and saw it as a right of its citizens.

According to Wong, the CPC reshaped the sphere of intermediary organisations. In order to mobilise the population, to implement public policies, enormous mass organisations were created. These were used to mobilise youth, workers, women and other social groups and they campaigned for a better public life (ibid. 1998).

¹ In the framework of state corporatism one sees the creation of corporations by the state that become organs of the state. These corporations are seen as singular, non-competitive and hierarchical and dependent of the state.

CENTRAL GOVERNMENT, LOCAL GOVERNMENT AND THE SOCIAL SECTOR

China entered the 'reform and opening up' period in the late 1970s. Deng Xiaoping's economic reforms saw commercial, financial and professional organisations take advantage of a relaxed political and legal framework and as a result there was an immense growth of institutions during this period. This was the beginning phase of reforms where collectives dismantled. Decentralisation was one of the key strategies of the reform process, a clear shift from a centrally planned economy. The centre-local relations changed with economic and political decentralisation to local level. There was decentralisation of power from state to enterprises. In state-society decentralisation, state did not decentralise political power to society but opened spaces for expression, collective action and permitted limited public participation from below.

According to Yongnian (2010), "decentralisation is a way of consolidating power by the State. But it has been transforming for the Party too, when decentralisation led to drastic socio-economic changes that created unrest, the state had to transform itself and redefine its relations with social forces in order to maintain its position and domination over social forces."

The economic success did not translate into an egalitarian society and there were social consequences of the reform agenda. Decollectivisation, rapid economic growth, industrialisation and rapid urbanisation resulted in a stratified society with income inequalities, rural-urban disparities, inequities in access to services and large-scale migration that disrupted lives. Environmental concerns, growth of a migrant underclass, ethnic unrest, class and gender inequality, institutional failure to address grievances, lack of access to basic services, loss of jobs for many state employees, increasing contractualisation, land misappropriation by government officials at provinces, corruption have been potential sources of conflict during the reform period and have led to unrest, protests and resistances of varying magnitudes and in diverse forms. There were 180,000 protests reported in the year 2010. These mainly included those relating to evictions, labour issues and environment concerns (China Labour Bulletin: 2015). Protests can take extreme forms too and include anger venting incidents. For example, there have been spurts of incidents and attacks on medical professionals and health care workers in public hospitals. This has been largely due to dissatisfaction of medical care services that include long waiting hours, too little time devoted by doctors and high out-of-pocket expenditure.

One of the consequences of decentralisation was the growth of non-governmental organisations (NGOs) in the 1980s. Post-Tiananmen, the State wanted to consolidate its power again and stability became the key word. The space for protests and the growth of NGOs shrank as the government became vigilant of people's activities and curbed movements and protests. The government did not completely clamp down on NGOs but started regulating them more stringently.

In 1995 the Fourth World Conference on Women was held in Beijing and this became an important landmark for the coming together of many international organisations convened by the United Nations. It was for the first time that a global level conference of government and non-government organisations was held in China. Between 1995 and 2008, despite the strict regulatory framework, NGOs emerged in large numbers. This surge coincided with the end of the cold war, rise of neo-liberalism and consequent increase in the activities of bilateral, multilateral and

international foundations that emerged as global players in providing aid to government and non-government organisations in the developing world. At the global level, aid became focused on development. Neo-liberal ideas of minimising role of the state and allowing private sector (for-profit and non-profit) to participate in the social sector became dominant world over. In China, while central government subsidies to provinces reduced, provincial and local governments had to find means to generate revenues. The state, therefore, created state-owned enterprises that behaved in a commercial manner. Institutional reforms by way of autonomising and commercialising them brought in new methods of governing and the reforms saw some similar trends in newer management techniques as in other developing countries. There was decentralisation of health, education and other social sector services. The provincial governments found it difficult to raise revenues and the reduced state capacity during this period gave space for NGOs to emerge and participate in service delivery. The entry of multilateral, bilateral organisations and other foundations in the social sector was also visible during this time.

At the societal level, inequalities were stark. There was clearly dissatisfaction among people who had been left out of the economic progress. There was a growing disconnect between society and the system of governance and political control.

A dramatic growth in NGOs is seen after 2000s with the change in leadership and emphasis on social reforms. Between 2004 and 2012 there was a 70 per cent rise in NGOs. While Deng Xiaoping and Jiang Zemin were keen on economic growth at the cost of inequalities, the Hu Jintao and Wen Jiabao leadership from 2002-03 recognised the risks of social instability and acknowledged that there needed to be harmonious and balanced development. Many NGOs working on labour and migrant issues emerged post 2002.

NGOs are known mostly as mǐn jiàn zǔzhī which literally means civil society organisations. Spires observes, "....within China, the government has chosen to equate the English term "NGO" with the Chinese term minjian zuzhi (roughly, "people's sphere organization"), a rendering that it finds preferable to the literal translation of "nongovernmental organization" (feizhengfu zuzhi), as the prefix "non" (fei) can be interpreted in Chinese as "anti" (fan)." (Spires, 2011^a)

Hsu (2013) classifies NGOs in to the following categories: Environmental NGOs, HIV/AIDS NGOs, migrant workers NGOs and general social service NGOs. Environment, health (mainly HIV/AIDS), education are the most popular issues to receive international funding. In these areas NGOs are encouraged to play a greater role. But in other areas such as religious issues, ethnicity and human rights, the influence of NGOs is weaker.

To obtain legal status, all NGOs in China have to register with the Ministry of Civil Affairs. These procedures, as agreed by many, are cumbersome and extremely stringent. It is a precondition for all NGOs seeking registration to find a state institution willing to grant them an affiliation. Any social organisation trying to obtain a legal status has to have a government agency affiliation that plays a role of a supervisory agency. These are typically the government organised NGOS, commonly known as GONGOs or the QUANGOs (Quasi-official NGOs). While most registered NGOs are GONGOs, there are registered autonomous NGOs too, though these would be much less in number. Many scholars who have tried to understand the complicated process of registration

observe that not getting a registration is not necessarily the end, there are many organisations in China that are unregistered and hence 'illegal' and they circumvent the process of registering. Their numbers may be equal to or more than those registered. These organisations are mostly termed as grassroots organisations (căogēn zŭzhī). They either register themselves as companies or business corporations or remain unregistered. These organisations cannot raise funds, do not get tax exemptions and face legal risks. Estimates of unregistered organisations and those registered with the Industry and Commerce Bureau range from 200,000 to 1.4 million (Hsu 2013). The registration process of Chinese NGOs draws a lot of attention of scholars as it indicates the state's behaviour towards NGOs. Registration process is not an end goal for organisations as many grassroots organisations work without the registration status and may have more opportunities at times in terms of funding.

An interesting case study on labour NGOs shows that the negotiation process during registration with the Ministry of Civil Affairs is a tedious affair. All the labour NGOs interviewed said that in many cases state institutions did not want to give an affiliation as they were unsure of the credibility of the organisation and hence most had to register as a company or not register at all. In some cases they were said they could not have an alternate union (Franceschini 2014: 482). Though the situation is changing in some parts of China, like Guangdong Province, where non-profits do not need to find a government office to supervise their operation, things remain the same for the rest of the country.

GONGOs have to typically set up foundations and other organisations to advance charitable, research and policy objectives. One of the major categories of GONGOs was born out of the traditional Leninist mass organisations. Some of the organisations include: All China Youth League, All China Women's Federation and All China Federation of Trade Unions (Hsu 2013). These organisations are also undergoing restructuring so as to focus more on service provisioning. The GONGO sector seems to have two major purposes - one is to receive expertise and funding particularly from international NGOs; the second is that the distance from government agencies helps these GONGOs to also explore new areas of work which are also predominantly concentrated in the areas of social service provisioning. This quasi-official NGO sector is seen as a need for the government to restrict spaces for social mobilisation and yet to show that there is this space given for them to participate.

Spires analysed 2500 grants by US-based Foundations that came to China between 2002 and 2009. A vast majority of the funds went to GONGOs, government agencies and academic institutions. Very few went to independent NGOs. Out of the 2583 grant counts, 1299 grants (44.01 per cent of total grant money) went to academic institutions; government received 308 grants, that accounted for 28.38 percent of the total grant money and GONGOs received 539 grant counts that accounted for 16.62 per cent of the total grant money. The autonomous NGOs received a little over 5 per cent of the total grant money (Spires 2011^b).

What is missed out in this focus on GONGO is the innumerable presence of the so called grassroots or informal organisations (those that are not registered). Many of these organisations survive/thrive despite being illegal. The fact that they survive despite an authoritarian government shows that there are multiple dimensions involved here and this is not a linear relationship. The

interaction between NGOs and local governments are much more layered and more significant than with the central government. (Hsu 2012^a; 2012^b; 2013) Spires work is also interesting as his focus is on the non-registered organisations and he argues that these organisations survive despite the authoritarian regime due to a 'fragmented state' and 'censorship of information' by local government but this does not mean that there are immediate democratic implications through this association (Spires 2011^a).

To understand the dynamics between NGOs, society and state, I will take up three areas that are critical in China today and are a cause of social unrest. Many NGOs intervene in these three areas – issues related to migrant workers, environment and HIV/AIDS. These three issues are areas of concern at the societal level and are concerns for the government who look for support from social organisations and hence are accepted areas of intervention but there are boundaries here too. One sees that the Centre's attempt is to bring social forces under its control but the local dynamics can play very differently.

MIGRANT RIGHTS AND ACCESS TO SERVICES

China experiences massive internal migrations. These happen mostly from interior rural areas in central and western china to the coastal cities in the east. According to national statistics as presented by ILO, by the end of 2009, China had a total of 229.8 million rural migrant workers. By 2012, 20.02 per cent of the total population comprised of migrant workers. Around 70 per cent of migrant workers are employed in China's eastern areas with two thirds of them working in large or medium cities and half of them moving between different provinces. Approximately 60 per cent of migrant workers are mainly concentrated in manufacturing and construction. Rural migrant workers are an integral part of the labour market. They have contributed to the wealth of the society and development of rural and urban areas and also to the modernisation of the country.

According to China Labour Bulletin strike map, between August 2014 and February 2015, there were some 1144 strikes across China. Most protests were by construction workers and factory workers. The reasons for protest were mainly – wage arrears, pay increase and compensation.

The plight of migrant workers was taken up seriously by the State in 2002 with the change in leadership. The reason why they came in to focus was to do with restoring socio-economic imbalance and stability due to the growing unrest and dissatisfaction among workers and also the acknowledgement that they formed majority of the working class and contributed immensely to the economy. Much of the unrest was linked to wage issues, exploitation by enterprises and hurdles in access to basic services like medical care due to the existing hukou that migrants faced on an everyday basis.

The hukou which was the household registration system initiated in the mid-1950s divided the population between agricultural and non-agricultural population thus preventing spontaneous migration but post Mao this system resulted in severe constraints on rural migrants regarding residence as well as access to basic social services and welfare. These have resulted in many issues that have questioned exploitation and migrant rights. Much of it has been eased out in recent years

but has not been completely abolished. The migrants are generally looked as second-class citizens since they do not have an urban hukou.

In August 2003, migrant workers were asked by the All China Federation of Trade Unions (ACFTU) to join the trade unions. The provincial authorities were asked to take up the matter of looking into their issues and central government launched a campaign to develop their professional and legal training. So in a sense the migrants, as well as NGOs working with them would have to operate within the boundaries of the State.

But overall working conditions in factories did not change: unpaid salaries, long unpaid overtime, lack of respect of security norms, frequent industrial accidents, absence of social security or support from the employer in case of work injuries or professional diseases are still the lot of migrant workers. The ACFTU was unable to bring a change as according to the Trade Union Law of the PRC, the trade unions' mission is as much to protect workers' rights as to help the enterprise to 'raise productivity and improve economic efficiency'. By giving legal training, the state allowed the conflicts to stay in the private sphere i.e. between the enterprise and the worker, and it soon was not a sustainable way of resolving issues as the migrants were quite powerless despite the knowledge.

NGOs facilitate migrants' access to administrative arbitration and tribunals by giving procedural advice, helping build up a judicial record, providing free or low-rate legal services. These organisations operate as a substitute of distrusted official trade unions. More and more migrants are seeking their help or are working for them as volunteers during their free time. Many workers admitted that they would never have obtained or even sought legal redress without the help of these organisations.

The issues of migrant workers still remain volatile. The sensitivity of issues also varies from province to province. If the issue is politically sensitive then the state controls the extent of participation and curbs participation of NGOs involved. For example, in Guangdong, labour issues are sensitive due to the deplorable conditions of migrant workers and their lack of access to basic services.

Franceschini says, "Only a few labour NGOs today are willing to deal with these kinds of sensitive situations. In most cases, in order to survive, these organizations focus their activities on more innocuous matters, such as providing information about labour laws and offering legal counselling aimed at addressing ex post facto cases of unpaid salaries and other individual rights' violations; in doing so, they become instrumental to the paramount goals of the authorities by maintaining social stability" (Franceschini 2014: 482-483).

In many instance NGOs provide services like education to children, health services to families and so on. These relationships are complex and vary across provinces and across issues covered. NGOs in Shanghai may be in a better position than those in Guangdong. While Shanghai shows innovative methods of local state and NGO relationships, in Beijing NGOs face more pressures from the central government due to their proximity to it.

In Hsu's study on eight NGOs in Shanghai city, she shows that NGOs interact at the municipal as well as at the district level. This shows the existence of layers of the state at the municipal, district and central level and the spaces the state also uses to interact with the NGOs. These NGOs mainly work with migrant children on education issues, one that works with homeless and looks after their meals and medical needs, one that works on environmental issues and one that is into capacity building of parents regarding education and other needs of children. She observes that the NGOs interact more with district government and the latter does create boundaries within which NGOs can function. At the municipal level, some of the NGOs are registered with the municipality and work closely with them and enjoy good relations with them. The registration helps the NGOs to get funds through the government. In other words, local government has also moved towards social service delivery based on contracting out services to NGOs. In the case of two migrant NGOs, the local government had approached them to initiate educational programmes with migrant children. The local government therefore, works and observes the works of the NGOs very closely. (Hsu 2012)

ENVIRONMENTAL PROTESTS AND SOCIAL ORGANISATIONS

China's rapid economic growth has also led to implications for its environment. According to Hsu, environment NGOs are probably the most prevalent compared to the other NGOs. Environment is a serious issue with the government and most of these NGOs deal with local environment issues. "....it is largely a function of the "greening" of the state, where environmental laws and related agencies have been established to monitor and protect the environment." (Hsu: 2013, p. 8)

There is a lot of focus on environmental issues in urban areas especially first and second tier cities where the air pollution is a significant cause of worry. At the same time, air pollution, such as that caused by burning solid fuels - is one of the major environmental health risk factors. Major health problems associated with air pollution include chronic obstructive pulmonary disease (COPD), acute lower respiratory infections and lung cancer. The government is aware of this problem, and has now become one of the biggest spenders on renewable energy production.

Environmental concerns have led to social unrest in China. There have been several protests against setting up of industries that are considered a direct threat to the environment and health of the local communities.

It is reported that less than a quarter of China's 28 major lakes and reservoirs are suitable for use as drinking water after treatment. Large scale dam projects have displaced millions of people without proper compensation. These have heightened tensions and conflicts between the state and local communities.

Vines reports on several protests regarding environment safety that have urged the local governments to put on hold their plans. In 2013, the government had to back down after a protest against the building of what was said to be Asia's largest waste incinerator plant in Zhejiang province. An earlier protest in the Songjiang district of Shanghai, against the building of a massive lithium battery factory, also resulted in the plans being put on hold. In Ningbo, another major

eastern city, protesters managed to block the construction of a large petrochemical plant in 2012 (Vines, 2014).

Rural environment is no less hazardous. There are many polluting industries that have been set up during the phase of economic reforms. There are many grassroots NGOs to improve lives of local communities. China has few hundred, what is now known as 'cancer villages'. This term is used for villages with extraordinarily high number of people with cancers. Water contamination from local factories in most cases is the leading cause of such high incidences. In some areas there are instances of villages protesting in many areas and have also routed these protests in some cases through NGOs.

Most Environment NGOs are unable to mobilise at the national level and face restrictions hence, they work locally and remain fragmented. NGOs use advocacy as a tool to reach out to the government and send out petitions and it is observed that personal connections within the Party played an important role in influencing policy.

HIV/AIDS

NGOs working in the area of HIV/AIDS are also spread across provinces. This is probably one area that receives support from many international NGOs. There are some NGOs that work at the national level but there are mostly local level NGOs. They typically work with high-risk groups and/or deliver services to those at risk and those who need care. Protests by HIV/AIDS activists are mainly to counter the stigma and discrimination. Many a times these protests are thwarted.

Having observed these NGOs closely, many scholars state that the NGOs often face restraining orders from law enforcement agencies. For example, the criminalisation of sex work and homosexuality makes it difficult for NGOs to reach out to sex workers and men having sex with men (MSM) who are key target groups. Stringent laws and negative attitudes towards sex workers and homosexuality make it tough for local NGOs to break through these barriers.

LGBT NGOs cannot work on right-based issues. To receive funds even from international funders they have to work on HIV/AIDS. This happened to an organisation in Beijing which was told that it would receive BMGF funding only if it worked on HIV/AIDS (Spires 2011).

LOCAL GOVERNMENT DYNAMICS

There are different layers of the Chinese State that interact with people in everyday life and non-governmental organisations working in the social sector - the central, municipal, district, street neighbourhood and resident committees. State's presence is not just vertical but also horizontal. The state itself is quite heterogeneous. Hsu (2012^a) observes that the dynamics of local government with people and NGOs working in provinces is multi-layered with different levels of engagement, control and collaboration which get missed out in many analyses.

Local governments are responsible for dealing with many resistances in China. It is the local government's discretion to see how it interprets the agitation.

Studies on collective action directed at the government have found that state power is fragmented at the local level. The disparate priorities among different levels of state authorities provide opportunities for resistance, social networks between participants of collective action and officials. Suppression does become one of the options that the government uses when it cannot make concessions or compromises but this has not stopped resistances and it is a channel through which ordinary people pursue their legitimate rights in China.

The implicit understanding between the local government and the NGOs, best explains the relationship between the two. So while the government holds the upper hand in the relationship with constant threats, the relationship is mutually beneficial in many instances and hence symbiotic. Such a relationship is fragile and contingent upon numerous local factors. In this case the corporatist framework that is usually the lens through which one tries to makes sense of the civil society in China does not stand as that would mean a uniform control of civil society but which is not the case in China. Since China's provincial governments are relatively autonomous, there are different policies and ways of implementing. Every local government has its own set of concerns that may coincide with other provincial governments and central government or may not. This could also lead to conflicts between the different levels of government and work to the advantage or disadvantage of the NGO. According to a study where number of NGOs in the social sector in Guangdong were interviewed highlight that the key survival tactic is to exploit this difference of opinion between the different levels of government and within any given level. This also means that NGO workers have connections at various levels (guanxi) and exploit the situation to their advantage as and when they need to. In many cases it is not simply 'guanxi' but new relationships that forge between NGOs and government officials and this helps especially NGOs that are working with issues, for example, HIV/AIDS, where local government also needs help in providing services. Here, local officials cooperate and are sympathetic towards the work undertaken. A lot of times it becomes contingent on individuals in the government departments who are able to negotiate with other officials and have an agenda in doing so. In cases where NGOs do not have a registration it is about finding a sympathetic person in the government who will protect their interest. There are organisations that start with no prior connections to the area at all and land up being successes. This has been seen with organisations working with welfare and health issues of sex workers; critical environmental issues and so on. These organisations receive cooperation of local health authorities as the need to address a given social challenge coincides with the need of the local government. In many instances the local officials also gain credit in the eyes of their superiors if an NGO is doing good work within the stated boundaries. There are two sides to this too. To gain political credit local officials can incentivise NGOs by supporting them on work that would seem as important and reflect on their positive efforts, like education of migrant children but on the flip side in order to get political credit local officials can even suppress the real situation in the province, for example number of HIV/AIDS affected people, that might show the province in a bad light (Franceschini 2014; Hsu 2012, 2013; Spires 2011).

CONCLUSION

One cannot ignore that the central government represses resistances, workings of NGOs and keeps tabs on protests in China. It is a challenge for society to openly voice their discontentment regarding the State's functioning. In general, the government harbours anxiety about social instability and decides how much public participation it will allow. Most protests frame their grievances and demands in distinctive terms that do not transcend the barriers of class, gender, region, religion or nationality. Social unrest and protests do not mean toppling of the single-party regime but more as dissatisfaction with the state's way of functioning at various levels. Resistance, hence, hasn't yet been able to take the form of a social movement that takes up multiple issues or offers a comprehensive challenge to the Party. Resistance movements are mostly local and isolated and disconnected from ideological standpoints.

The NGOs can provide services but are not allowed to raise politically sensitive issues based on rights of citizens like labour rights that have the potential of instigating a movement through social mobilisation. Social organisations are seen taking up issues that are less threatening areas. Disability, providing education and health services to children of migrant workers and care for HIV/AIDS affected and infected, domestic violence and specific environmental concerns are some areas that social organisations in China are engaging with today. They cannot form independent associations at the provincial or national level due to their local specific work and restricted space. This fragmentation also does not allow them to form any kind of an epistemic community as experts providing new policy frameworks. At the same time, one cannot completely dismiss the protests, resistances or even the existence of NGOs. The fact that they exist means that the state sees their need for addressing some social challenges.

It is important to understand that China is a complex society today with its contradictions. Social sector organisations play an important role in this process of social change and the increase in the number of NGOs and resistances is a reflection of this transformation. There are multiple layers and spaces of engagement and one might observe that the State at different levels permeates through these spaces in order to control as well as collaborate. It dominates to gain control over social forces but there is a constant interplay between state and society. The control is in the form of acceptance or empowering them to work for a particular section of society. Organisations have to operate within a given boundary. This interplay can be seen as mutually transformative for both – state and society. While there are no large movements, issue-based discourses for instance on environmental concerns and plight of migrant workers have an impact on different levels of government. This may have led to some social changes where policies have been affected and people have benefited.

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About the Author: Madhurima Nundy is Associate Fellow at the Institute of Chinese Studies (ICS), Delhi. She holds a PhD in Public Health from the Centre of Social Medicine and Community Health, Jawaharlal Nehru University, New Delhi. She completed her MPhil from the same Centre. Before joining ICS she was Senior Programme Coordinator at the Public Health Resource Network and has been a Technical Consultant with the National Commission on Macroeconomics and Health. Her areas of interest include studying different health service systems, health policies and inequalities in health. She has several publications to her name.

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8/17, Sri Ram Road, Delhi-110054, INDIA. Tel: +91-11-23938202, Fax: +91-11-23830728, E-mail: info@icsin.org, www.icsin.org

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