

CONTENTS

CORRUPTION

Power of the Middle Indian 4-8

Drive against corruption 9-12

ECONOMIC DEVELOPMENT

A new economics is needed to fight inflation 14-15

EDUCATION

A SCHOOL FOR SALE 17-20

LAND REFORM

Sound policy shift 22-23

LAW & LAND: FARMER IS THE LOSER 24-30

LAW

**Lawyers can practise in all courts soon:
Veerappa Moily** 32-34

MASS MEDIA

Freedom of the press and journalistic ethics 36-40

Freedom of press and journalistic ethics – II 41-45

POLITICS AND GOVERNMENT

Reality show: BJP Idol **47-49**

URBAN DEVELOPMENT

Plight of India's slum-dwellers **51-54**

CORRUPTION

Power of the Middle Indian

Chandan Mitra

Baba Ramdev has energised India's small towns into vocally demanding equality of opportunity with the metropolitan elite: It's a genie that won't go back into the bottle

Television has changed the way we live, even think: Now religion and spirituality too are conditioned by what preachers declaim on the audio-visual media. In the US, TV evangelists spawned the emergence of the Religious Right, which supplanted the erstwhile Moral Majority. Both were conservative, suspicious of left/liberal support for gay rights or abortion, committed to upholding family values and broadly Republican in their political preference. As an industry, TV evangelism boomed during the late 1980s and 1990s, although the reported misdemeanours of some celebrity preachers have eroded the popularity of this genre.

Social or political reform, however, was not prominent on their agenda. They focussed on moral issues with faith healing as the main crowd puller. Christian preachers, mostly foreigners, have sought to replicate this model in India, particularly in the southern States. They have in turn influenced many Hindu cult leaders as well, who hold huge camps across the country to sermonise and promote Munnabhai-type cures for ailments. The rise of TV gurus, who appear regularly on various 24/7 religious channels that have mushroomed, has significantly altered not just thought processes but also impacted people's lifestyles.

It is on the crest of India's massive *pravachan* industry that Baba Ramdev holds sway over a significant section. Unlike many of his

compatriots, the muscular Haryanvi swami is not essentially a philosopher. He is a doer more than a thinker, delivering crisp messages on the applicability of religious texts to everyday life. Baba Ramdev's appeal derives from his mastery over Yoga, which he popularises as a panacea for almost every illness. He claims he can cure cancer and AIDS too with his unique formula that entails practice of Yoga alongside a special diet whose ingredients too his Patanjali group has to provide. In less than a decade, the Patanjali Yogashram has built a huge network of outlets for its organic food products and beverages that are prescribed by ayurvedic practitioners stationed at these outlets.

Meanwhile the Baba's popularity has surged phenomenally, thanks to his early morning yoga expositions on TV. A talkative man whom BJP president Nitin Gadkari somewhat cheekily called the "rock star of yoga", the Baba expounds on various domestic and international issues. He promotes restructuring of India's educational and agricultural system with simplistic but appealing notions like technical courses being taught in the mother tongue or organic farming with drip irrigation. The semi-urban (small town) Indian middle class, left out of the zooming growth curve of the English-speaking, West-oriented metropolitan elite, eagerly laps up these "solutions".

Here lies the fundamental difference between Baba Ramdev and the rest of his tribe. The others, many of them early movers in the TV race like Morari Bapu, Asaram Bapu, Sudhanshu Maharaj, Ma Anandamoyee, Mata Amritanandamayi, focus on the individual. They sermonise on morality, healthy lifestyle, relevance of religion in today's material world, meditation and so on, aimed at providing salvation to the individual, Sri Sri Ravishankar branched out to build his own model, part-individual, part-collective by organising yoga-cum-meditation camps of diverse sizes to promote what he named the Art of Living. An engaging speaker, Sri Sri's appeal too grew rapidly and his command over the English language enabled him to spread his message globally.

It is difficult to say why and exactly when Baba Ramdev forayed out of conventional models of the *yoga-pravachan* industry to build his unique brand of socially relevant sermonising. His declared agenda has very little to do with yoga or spirituality except in the remote sense of using these instruments to build a healthier nation and purify human beings both internally and externally. Probably, Ramdev himself has not yet figured out a clear-cut road map. But the way people have responded to his anti-corruption message must be giving him ideas on how to expand his influence beyond that of a yoga preacher.

He launched a nationwide movement one year ago, calling it Bharat Swabhiman Yatra to trudge across 100,000 km in a bid to rouse people out of their inertia on nation-building. The move invited scepticism; his detractors said that the ambitious Baba was planning to encash his mass appeal to launch himself in politics. Indeed he has contradicted himself on occasion, first saying he would launch a political party and contest elections but later retracting to insist he has no political ambitions. Possibly the current anti-politician mood among the middle class has made him wary.

Runaway corruption in the UPA Government, particularly the staggering estimates of loss to the exchequer in the 2G Spectrum scam, which came to light in a big way earlier this year, created the ideal ground for non-political freelancers, some with personal agendas. Baba Ramdev had not seriously politicised his appeal till Anna Hazare's agitation for enactment of a Lok Pal Bill caught the nation's imagination. Although it was the Baba's financial clout and manpower reserves that helped Anna's cohorts galvanise young people across the country, he was shrewdly sidelined by the urbane core group, which had no time for saffron-robed swamijis.

Anna Hazare may have inspired large sections of the metropolitan chatterati and glitterati into expressing sudden concern over the culture of corruption (from which they have significantly benefited), but the

Jantar-Mantar protest left the burgeoning Indian small towns untouched. That is the vast reservoir which Ramdev is hoping to mobilise. This is not to suggest that the Yoga guru lacks support in the metros, but his followers are drawn mainly from the non-English speaking lower middle class who are in reality the biggest sufferers from the cancer of corruption. They emotionally supported Anna Hazare's drive to install a tough anti-corruption regime through the institution of Lok Pal, but neither did they understand the legal intricacies that involves, nor did they seriously believe that a Lok Pal alone would lead to the collapse of the edifice of venality.

Hence the full-throated demand for "systemic change". Ramdev is selling the big picture as opposed to the Anna Hazare party's narrow-focussed campaign. The Baba's slogans are simple and seem to be quite the panacea: Get back Rs 400 lakh crore of black money stashed abroad, hang those found guilty of corruption, drastically amend the political system to bring about a Presidential form of Government, teach engineering and medicine in the mother tongue to unleash the latent talent of Middle India.

To the seasoned (or cynical) observer this is a mere wish list, easier propagated than done. Getting back money from tax havens is an arduous, complex job that even the powerful US Administration has not succeeded in doing. Besides, much of the illicit money stashed abroad must have been taken out of foreign banks and brought to India through *hawala* transactions. But it is not concrete accomplishment that will determine the Baba's growth trajectory; it is faith and hope. It is the dream that Middle India would like to hang on to. It is the belief that a missionary crusader will ensure equal opportunities to Middle India's children and help brighten their futures, deliver them from the domination of the metropolitan elite that is propelling Baba's campaign. May be the dream will get betrayed. On the other hand, may be some good will come out of it.

But whatever happens, Middle India has served notice on the ruling elite: They can no longer be ignored or deprived of the opportunities their urban counterparts have grabbed for themselves over the last 64 years.

**Drive against corruption
When govt, civil society come together**

Kuldip Nayar

CIVIL society and the government are seldom on the same page. The reason is not because their interests clash, but because their adversarial role does not allow them to concur. India is in the midst of an experiment which brings the two on the same side. This is on the Lokpal Bill, which has already prefixed the word “Jan” (popular) to it.

Both government ministers and civil society activists, five from each, have been sitting across the table for almost a month. They are drafting legislation to list steps to fight corruption in high places.

An ombudsman (Lokpal) institution is sought to be set up that will supervise over the entire official machinery engaged in taking action against the dishonest. Whether the Prime Minister, high court and Supreme Court judges and MPs should come within the ambit of the Lokpal Bill, which will initiate action against the delinquent, is the point at issue.

The Bill has made a substantial progress. That the Lokpal will be an independent institution and scrutinise the complaints relating to corruption in high places goes without saying. It is a good thing that its decision is subject to judicial review.

One criticism against the Bill that the Lokpal should be answerable to the people is faulty. This argument sounds good on paper. But the argument that the impeachment of the Lokpal should depend on the verdict of Parliament will tell upon the Lokpal’s independence. Political parties can join hands to “punish” the Lokpal for having taken action

against a delinquent MP. Like the Election Commission, the Lokpal will be a creature of Parliament but independent to take action against MPs and ministers.

Both sides have more or less reached a consensus except on the Prime Minister and judges. Government representatives feel that the inclusion of the Prime Minister exposes the office to frivolous charges and political vendetta. Activists argue that the Prime Minister would be tried on charges of corruption, which will be first screened by a high-power committee. As for the judges, New Delhi wants to set up a judicial commission to process the allegations against them and to pronounce judgement. The emerging argument is that the judges will be out of the ambit of the Lokpal once the commission comes into being.

Differences are minor and agreements major. The government has accepted the demand of the activists to place under the Lokpal the Central Bureau of Investigation (CBI), the Enforcement Directorate and other investigation agencies. This is a welcome step because the CBI and other agencies are only at the beck and call of those in power in Delhi. The Vigilance Commission appointed by Prime Minister Lal Bahadur Shastri has been non-functional. It is better to abolish it. The vigilance officers can be part of the investigation force under the Lokpal.

After five meetings—which were constructive, according to Human Resources Minister Kapil Sibal— one got the impression that the government was forthcoming to take steps against the corrupt. Activists were happy that their demands were being met. It was too good to be true. Now the government has shown its hand. It does not want the Lokpal to have the authority to conduct a probe against the Prime Minister on the matter of his probity. Nor does the government want the judiciary to be scrutinised by the Lokpal. And MPs, even caught with their hands in the jam jar, are not under the Lokpal purview. Justice Santosh Hegde, one of the activists in the dialogue, rightly asked at the

last meeting that the government should tell what the Lokpal is supposed to do if practically everybody who counts is going to be out of its reach.

Home Minister P Chidambaram, also on the ministerial committee of the dialogue, says that civil society is itself divided. That is a good thing, not something detestable in a democracy. The problem before the nation is not how to correct the ills of civil society, but how to eliminate corruption in high places. Probably, this question would not have assumed the shape it took-spontaneous demonstrations in response to Gandhian Anna Hazare's fast-if one scam after another had not tumbled out of the government's closet.

Nobody has ever doubted the personal honesty of Prime Minister Manmohan Singh. But one was horrified to see that he knew about the corrupt deals of at least Telecom Minister A. Raja and did not do anything till the media uncovered the scandal. Even now the media had to do the exposure job in the case of Textiles Minister Dayanidhi Maran. He made favours to a company which invested in turn in Maran's television network. The Prime Minister has not till today asked him to quit the Cabinet. The government may need the support of the DMK, Maran's party, to survive. Must the nation suffer for what the Prime Minister once rationalised as a "coalition dharma"?

Today, the government faces a crisis of credibility. People are not sure whether what it says is correct and whether what is explained, when exposed by the media, is the right explanation. The constitution of the Lokpal may retrieve the confidence of people in the Manmohan Singh government. When he himself has said that he, as Prime Minister, is willing to be scrutinised by the Lokpal, why should the ministerial team raise this question?

The Lokpal was first suggested by the Santhanam Committee when Shastri was the Home Minister. Topics like the Prime Minister's office were not raised. The matter was left at that. The ruling Congress party has been discussing the Lokpal issue off and on but never went beyond

having it in its election manifesto. The government cannot now face the reality because at least two of its Prime Ministers have been found lacking integrity.

The judiciary is 15 per cent corrupt, according to a statement made by a retired Chief Justice of India a few years ago. The government has done nothing. The judicial commission to which the high court and Supreme Court judges would be answerable is not even on the horizon. What do the people do when they see judgments palpably favouring the rich and the powerful?

In the face of the government's volte face, what does civil society do? It would be foolhardy to walk out of the talks until the government is fully exposed on its duplicity. Since the entire talks have been tape-recorded, if not video-taped, the activists should reproduce what the ministerial team said in the beginning and how its earlier position has changed.

Had there been a constitutional way to hold a referendum, it should have been conducted to find out how the public is reacting. Maybe, the government should go back to the people to get a verdict on its steps to dilute the Lokpal.

ECONOMIC DEVELOPMENT

A new economics is needed to fight inflation

Gautam Chikermane

If you were asked which of the evils you would choose - higher inflation or lower growth - it would put you in the league of finance minister Pranab Mukherjee and Reserve Bank of India governor D Subbarao. It would also put the political limelight on you and bring in various pressures - from your own party, from the opposition, from people at large. It is under such pressures that we need to examine the looming slowdown ahead.

I'll rephrase the choices. In an economy where 850 million people live on less than \$2 a day, would you allow the prices of grain, vegetables, fruit, sugar and so on to keep rising? For how long and how high? At what point would you mediate and stop the rise? It would be within this broad political framework that you would need to answer this question.

On the other side, the slightest slowdown in economic growth would mean that the pace at which job creation is happening in the country would tone down. What would that do to the young people swarming out of our schools and universities? How would that change the texture of the "demographic dividend" that India is sitting on? One step removed, how will this slowdown in goods and services impact investments?

The short-term political choices are clear - tame inflation. And that's what the government has been doing through the rather blunt tool of monetary policy, that is by raising interest rates. It hasn't worked so far and how high Subbarao will take interest rates is anybody's guess. As a result, the millions of new homeowners who have built their dreams

today in the anticipation of tomorrow's incomes will feel the pinch as their home loan rates increase and their EMIs begin to chew into their budgets.

But despite making the right choice - to control inflation - the government has not and probably will not be able to restrain runaway prices.

The local fruit vendor near my house sells mangoes at Rs 60 a kg; in Big Bazaar, they cost Rs 35 a kg. Even in its limited reach, organised retail is delivering price benefits to people. Unfortunately, those economies of scale are restricted to the relatively well off.

Expanding retail chains will help a larger group of people - it is good politics - but the idea of increasing the retail footprint or allowing FDI in multi-brand retail has been captured by entrenched interests and are driving policies around it.

So what we have is a state where India as the world's seventh-largest economy and the second-most populous nation is facing a high inflation crisis that nobody is being able to control. And I'm tired of hearing our leaders and bureaucrats tell us that inflation will fall "next month" or "soon" - we've been hearing that for more than a year now. It's time to end this false talking down of pain.

At a time when global food prices are at their all-time high, when fuel prices, even after easing, are higher than what economies can tolerate, and inflation is moving into manufacturing from where it becomes difficult to return, no government anywhere in the world can fight high prices. Desperately needed: a new economics - and a new way of seeing.

EDUCATION

TELEGRAPH 2.6.11 EDUCATION

A SCHOOL FOR SALE

- Public awareness can curtail commercialism in education

André BÉteille



Not very long ago, I received a letter which left me perplexed. The letter contained an offer for the purchase of a school. People have from time to time tried to sell me all kinds of things, from used air-conditioners to homeopathic treatment for hair loss, but I did not even know that there was a trade in the sale and purchase of schools.

The letter in question was addressed to me by name but I doubt that the person who wrote it knew much about me except that I was the chairman of the managing committee of a prominent school in south Delhi. The subject of the letter was marked in the appropriate place as “Proposal for M&A, tie-up or take-over of School in DLF Gurgaon”. It pointed out that the organization it represented had a well-established and reputed nursery school on a plot measuring 0.37 acres and with a covered area of 4,000 square feet. It was not made very clear as to which was the more tempting part of the offer, the little children in their innocence and joy or the prime land with its well-constructed covered area.

I rang up the principal the same morning and asked her whether we should not discuss the letter. She seemed censorious not only about the offer but also about my question. She told me somewhat coldly that she had sent the letter to me because it was addressed to me, and that if it had been addressed to her she would have put it in the waste-paper basket.

When I brought the same matter up with another person who is not a

school principal or a school manager, but active nevertheless in the promotion of education, I got a different answer. He asked me why, if a useful service was being provided in a country that badly needed such a service, I should object because those offering the service expected to be paid. He told me that I was simply a prisoner of the ideological prejudices common to Left intellectuals in India whose mindless hostility to business had harmed the development of both education and the economy.

There are now many who advocate the use of the 'business model' in every kind of institution, association and organization. There are various reasons behind the growing appeal of the business model. Most people think of the government and the market as virtually the only two alternatives for the satisfaction of wants. After some 60 years of government mismanagement in almost every sphere of activity, people are now ready to seize the opportunities offered by the market if only to escape the clutches of the government. But while business is a most important component of every modern society, its record of performance even in its own sphere of competence is not altogether unblemished, and one might ask if that sphere of competence itself extends to every field of society.

I do not wish to suggest that business is governed solely by the unscrupulous pursuit of material gain. There is a business ethic that is in significant respects different from the bureaucratic ethic. There is also a professional ethic, appropriate to such fields as law, medicine and education, which is, or ought to be, different from both. This simply means that a university, a hospital or a legal service cannot operate as just another business or just another department of the government. It does not mean, however, that they can operate without keeping in mind the rules of the government or the constraints of the market.

In an essay on the professions and social structure, the great American sociologist, Talcott Parsons, had pointed to the significance of

professions such as law, medicine and education in the life of every modern society. He noted that the professions could make their contributions effectively only if they acted in the awareness that their role in society was different from that of business. He also pointed out that the professions did not enjoy the same significance in all societies but occupied a position of unique significance only in modern societies, by which he meant modern Western societies.

While acknowledging the independent significance of the professional ethic, we must not assume that it will be able to hold its own against the business ethic always and under all circumstances. The social significance of the professional ethic has waxed and waned with the decline and rise of the business model. There is little doubt that today that model is in the ascendant not only in India, but in most parts of the world. The economist Benjamin Friedman wrote in *The New York Review of Books* on April 29, 2010, “Some years ago my employer, Harvard University, decided to become a university with a hedge fund attached. Or maybe the idea was to be a hedge fund with a university attached.” This was no doubt written partly with tongue in cheek, but the message is quite clear. More than one American academic has told me that today the first thing that one must understand about the American university is that it is run like a business firm, so pressing are the problems of fund raising and fund management. And yet, the best American universities now have no rivals in the world.

I must make it clear in the end that in the field of education, the distinction between the business model and the professional model does not correspond necessarily with the distinction between private schools and government schools. Most government schools operate in accordance with the bureaucratic rather than the professional model, and there are private schools whose managers and teachers work with a keen awareness of their professional obligations as educators.

It is easy enough to establish and expand new professions, but there is

no easy way of creating a professional ethic and insulating it from rampant commercialism or abject surrender to the bureaucracy. The professional ethic is not a gift of nature. It has to be cultivated and nurtured. What is required for this is not simply commitment and application from the professionals themselves but understanding and sympathy from the wider public. Educational institutions must be held to account for the funds they receive and use, but they should not be submitted to continuous pressure to generate their own revenues and to make profits in addition.

Businessmen can also be philanthropists, and the wiser ones among them recognize that the cultivation and transmission of knowledge need to be supported in the larger interest of society, and, indeed, in their own long-term interest. Philanthropists have always provided support to educational institutions, although this support has not been as generous in independent India as it might have been. In our times, even the most generous among philanthropists do not act only in the public interest. They are aware of the tax concessions and other benefits they receive by making donations to educational institutions, and there is no reason why they should not benefit from those concessions. But there are businessmen who take advantage of the concessions, and then run the institutions mainly for profit. This cannot be stopped altogether, but greater public awareness and vigilance can help to curtail its excesses.

The author is Professor Emeritus of Sociology, Delhi School of Economics, and National Research Professor

LAND REFORM

Sound policy shift

The Uttar Pradesh government's new land acquisition policy, announced in the face of farmers' protests and impending elections, is a significant improvement over existing practices. It is sounder than the amendments to the central Act proposed by the UPA government, which have been awaiting enactment since 2007. Poor compensation calculated on rates based on the pre-development phase, a lack of consultation, and cumbersome procedures have marred the whole business of land acquisition across India. Unlike land acquired for public projects such as construction of roads, the state-enabled forcible takeover of farmland to promote private development has been strongly and rightfully challenged. The Mayawati government has commendably attempted to address some of these issues. First, the government will henceforth not directly involve itself in acquiring land for private developers. Secondly, the acquisition will not proceed without 70 per cent of the farmers consenting to the project. Thirdly, on top of the cash compensation, 16 per cent of the developed land will be given to them. In the case of land acquired for roads and canals, each affected family will be provided with a job, along with shares in the development company. These new measures are to be implemented prospectively. This means, the farmers of Bhatta-Parsaul villages who started the agitation will, unfortunately, not benefit from them.

The new policy, which sensitively integrates compensation with rehabilitation, paves the way for consensus-building. However, there is scope for improvement. For instance, the percentage of allotment of developed land need not be a fixed figure; it can be related to the extent of the impact of a project and the scale of acquisition involved. Small farmers may find it difficult to handle complicated share transactions, so simplified procedures must be put in place. Alternatives to land acquisition also need to be encouraged. For example, a study of

international land acquisition practices has shown that land readjustment followed in countries such as Japan and South Korea is an alternative worth considering. This system encourages landowners to collectively negotiate land transfers and seek either land-for-land exchange or other forms of stake-holding and compensation. In India, land and development are State subjects but acquisition of land falls under the Concurrent List. The central Land Acquisition Act, 1894 is the legal instrument that is widely used by many State governments. The Mayawati government's change of course is a reminder to the UPA that the central Act needs comprehensive and urgent change — placing equity and justice at the centre of the process.

LAW & LAND: FARMER IS THE LOSER

Ram Singh

UNDOUBTEDLY, land acquisition is one of the most contentious issues in the political economy of India today. Farmers are ready to brave the bullet rather than part with their land. The support of farmers and agriculture workers galvanised against land acquisition is the main factor behind the Trinamool Congress' recent triumph over the 34-year-old Left regime in West Bengal. Indeed, the future of several state governments, including those of UP and Haryana, will depend on how they deal with this political hot potato.

As expected, political parties are busy blaming one another for the current state of affairs. In the process, however, they have reduced a set of substantive issues to that of a dispute over compensation only. Vying with each other, the governments of Haryana and UP have increased compensation rates. Nonetheless, land acquisition in both states continues to face stiff resistance. Why?



Why do farmers refuse to part with their land even when the profitability of agriculture is at an all-time low level?

Several other questions also warrant a sincere discussion. Why is there a dramatic rise in the number of violent protests by farmers in the recent years? Is the inadequate compensation or something else also to be

blamed for it? Why are farmers refusing to part with their land even when the profitability of agriculture is at an all-time low level?

Public purpose? Hardly

Traditionally, compulsory acquisition of land used to be for public purpose — for provisions of roads, railways, schools, dams, mega-plants, etc. Therefore, the intention behind acquisition was generally not questioned.

However, the last decade has experienced a phenomenal rise in the number of compulsory acquisitions for private companies. Many a time states have acquired agriculture land citing public purpose, but subsequently transferred it to private companies.

More recently, they have started using the emergency clause to acquire land for all sorts of activities of companies, including ones that even remotely cannot serve any public purpose. The states have been able to do all this by exploiting ambiguities in the archaic Land Acquisition Act, 1894.

The judicial apathy on a crucial issue has also facilitated a ruthless trampling of farmers' rights. Unlike its generous approach on the issue of compensation, the question whether acquisitions are in public interest or not has been left by the judiciary to the discretion of the states. Courts have annulled a few acquisitions but largely on procedural grounds; for the most part, they have not questioned the legitimacy of the acquisition per se.

In such a scenario private interest, rather than public purpose, has come to dictate the decision-making of state governments. This phenomenon has become especially pronounced during the Eleventh Five Year Plan. The plan has made special economic zones and other public-private partnerships the mainstay for making provisions of public goods.

Purportedly, the partnerships are formed to tap private funds for infrastructure and public services like education, health, etc.

Long-term lease

On its part, the government concerned acquires land and transfers the control rights over it to the partner companies on the basis of a long-term and renewable lease. Invariably, excess land is acquired to be used by companies for real estate and other commercial purposes. Post-acquisition, companies make huge fortunes by leasing out the developed land. At times, they charge as much as 100-150 times the price they pay for the land, making the compensation received by farmers look pittance.

Several states and Central government departments have formed such “partnerships”. Delhi airport, the Posco project in Orissa, the Yamuna and Ganga expressways development projects in UP are a few of the many examples. Yet, while making recommendations for the new land acquisition Bill, the influential National Advisory Council (NAC) has completely failed to take note of this devious tool for transferring land to companies.

The compensation paid to the affected owners is invariably less than the market value of the land regardless of whether the acquisition is for companies or not. There are several underlying reasons. First, due to unreasonable restrictions imposed by the change-in-land-use (CLU) regulations for agricultural land, the market price itself is acutely suppressed. On top of it, the very basis and process of determining compensation is flawed.

Section 23 of the Land Acquisition Act entitles the affected owners to market value of the property plus a solatium of 30 per cent. However, compensation is required to be determined on the basis of the floor price fixed by the state, or the average of registered sale deeds of similar land. State governments tend to choose circle rates below the market value.

Moreover, the market in agricultural land is very thin. Generally, it is very difficult to find sale deeds of similar land. The result is that the owners are under-compensated.

NAC misses the point

The NAC has proposed to rectify the problem by suggesting that the compensation be six times the registered value of the land. However, it has ignored the fact that in many cases — forget the registered value of the land in question — even the registered sale deeds of ‘similar’ land don’t exist. Therefore, this recommendation of the council is pointless.

When compensation is less than the market value, excessive acquisition for companies causes substantial and extensive redistribution of income and wealth. This is especially true in case of agricultural land. The acquisition means significant wealth gains for companies which get to own or use the land at an extremely low price.

There are income gains for the educated and skilled workers who get hired by companies using the land. Also, there are benefits for users of the service for which land is acquired. On the contrary, the acquisition results in a loss of wealth as well as income for farmers since they are inadequately compensated for their assets and lose their primary source of income. It also reduces employment opportunities and, therefore, income for farm workers.

Understandably, the adversely affected people find the redistribution of land in favour of companies totally unacceptable. It is not a coincidence that most of violent protests are related to the acquisition of land for private companies. The perception of corruption among decision-makers makes things even worse. It is widely believed that the nexus of companies and decision-makers is misusing the acquisition laws and CLU regulations to serve their own interests. These days, people suspect official intentions even when land is needed for a genuine public purpose.

Besides, lack of alternative employment opportunities for farmers and agri-workers is also a contributory factor behind their resistance. Being unskilled, they have nowhere to go. The above factors explain why people are ready to face the bullet to save land, even though agricultural profitability and real wages are at an all-time low level and declining by the day. At least, agriculture spares them a subsistence existence. Of course, manipulation of the distressed people by the opposition parties has its own role to play, at times resulting in a huge loss of life and property.

The reality of the protests notwithstanding, the UP and Haryana governments claim to offer excellent land acquisition policies. For obvious reasons, the Centre endorses Haryana's policy as an example of "good" policy. These claims, however, are totally untenable.

UP, Haryana schemes

It must be granted that the comparable compensation schemes launched by UP and Haryana have some desirable features. Both states offer annuity payments for 33 years. The starting rates are Rs 20,000 and Rs 21,000 per acre per annum for UP and Haryana, respectively, with a corresponding annual increment of Rs 600 and Rs 750.

Moreover, in some cases, the affected owners are offered stakes in the benefits following from land acquisition. UP reserves 17.5 per cent plots for the land-owners when acquisition is for a residential scheme. If acquisition is for developmental purposes, 7 per cent of the developed land is reserved for them. Families rendered landless are offered a one-time payment of Rs 1.85 lakh, besides the promise of employment to one person per family. When acquisition is for a company, the owners have the option of buying up to 25 per cent of the company's shares.

Similarly, Haryana offers residential and commercial plots to the land-owners when acquisition is done for housing and industrial projects, respectively. Further, if acquisition is for infrastructure projects, the

government promises one job each to the affected families. These benefits are available only to the owners who lose at least 75 per cent of their land.

However, farmers from both states allege that most of the stated benefits have not reached them. Moreover, in both states the principal compensation rates are far below the market value of the land.

In the case of Haryana the compensation appears deceptively high due to ingenious clauses like the no-litigation bonus. An ongoing study undertaken by this writer shows that this seemingly innocuous scheme is actually detrimental to farmers' interests. The study covers the Punjab and Haryana High Court judgements delivered during 2009-10. It shows that in 96 per cent of the cases, the judiciary has increased compensation, over and above what was paid by the government. The average increase is 342 per cent!

In contrast, the no-litigation bonus is ridiculously low. It offers a 20 per cent increase in compensation if the farmer waives his/her right to judicial recourse against low compensation. Nonetheless, given that litigation is a costly and prolonged process, the distressed farmers may still fall for this official trap.

When it comes to misusing the acquisition law, both states seem to "outperform" each other. UP has an excessive proclivity for misusing the emergency clause. On this ground itself, since April 2011 courts have struck down the acquisition of 603 hectares in Greater Noida alone. In several instances the state has acquired land citing public purpose, but subsequently diverted it toward private ends.

Haryana's performance is even worse. For instance, about 1,500 acres of high-value agriculture land in close vicinity of Gurgaon city was acquired quoting public-purpose. Later on, it was transferred to the Reliance SEZ, a project whose future is uncertain even after a lapse of five years. Courts have reprimanded the state for the blatant abuse of the

law, including misuse of the emergency clause, the acquisition of cultivated agricultural land when barren land was available, de-notification of the acquired land and for the non-payment of due compensation. Recently, the Supreme Court rebuked it for adopting “pick-and-choose” methods of acquiring land to favour the powerful. Indeed, the state is an epitome of abusive practices that have come to plague the extant law.

The writer is a Professor, Delhi School of Economics. Email: ramsingh@econdse.org

LAW

Lawyers can practise in all courts soon: Veerappa Moily

J. Venkatesan

Section 30 of Advocates Act will be notified 50 years after Act came into force

Notification is expected either on June 7 or 8

The provision was not notified when Act took effect

New Delhi: Fifty years after the Advocates Act, 1961, was enacted, the Centre has decided to notify Section 30 of this Act to enable advocates to practise as a matter of right in all courts, tribunals or any quasi-judicial authority.

This provision was not notified when the Act came into force.

Union Law Minister Veerappa Moily told The Hindu that the long-pending demands of the lawyers had been conceded, and he had passed appropriate orders for notifying this Section early next week.

Section 30 of the Advocates Act says: “Right of advocates to practice: Subject to the provisions of this Act, every advocate shall be entitled as of right to practise throughout the territories to which this Act extends; in all courts including the Supreme Court; before any tribunal or person legally authorised to take evidence; and before any other authority or person before whom such advocate is by or under any law for the time

being in force entitled to practice.”

Mr. Moily said: “I traced the file relating to this provision. For some reasons this Section remained in the Statute without being notified. I decided to notify this Section and signed necessary orders. The notification is expected to be issued either on June 7 or 8.”

Expressing satisfaction over the progress in the implementation of ‘vision statement’ launched in October 2009, he said under the programme to be launched from July 1, about 40 per cent of the petty cases pending in various courts were to be disposed of in six months through Lok Adalats and morning/evening courts.

He said the 13 Finance Commission provided Rs. 5,000 crore for support to the judiciary and the first instalment of Rs. 1,000 crore had already been released for 2010-2011. The Finance Commission envisaged that all subordinate courts could have extended court hours by hiring retired judges or giving allowances to incumbent judges to dispose of petty cases.

Such courts, he said, were to be established at a cost of Rs. 3.5 lakh each and they were expected to dispose of 225 lakh minor cases annually. In addition Lok Adalats were expected to dispose of 15 lakh a year and by 2015, a total of 75 lakh cases would be disposed of by Lok Adalats.

Mr. Moily said he had written to the Chief Justices of various High Courts underlining the need for reducing the pendency of cases in courts from 15 to three years by 2012. He said he had asked the CJs to launch the campaign from July by fixing targets and types of cases for disposal.

He had suggested to them to follow summary procedure as allowed by law, plea bargaining and compounding of cases to reduce the caseload

in courts.

On the progress in computerisation of courts, he said: “The government is implementing a Central sector scheme for computerisation of the District and subordinate courts [e-courts project] in the country and for upgradation of the Information and Communication Technology infrastructure of the Supreme Court and High Courts including video-conferencing facilities.”

MASS MEDIA

HINDU 3.6.11 MASS MEDIA

Freedom of the press and journalistic ethics

Markandey Katju

Freedom is important, so is responsibility. In countries like India, the media have a responsibility to fight backward ideas such as casteism and communalism, and help the people fight poverty and other social evils.

Freedom of the press and journalistic ethics is an important topic today in India — with the word ‘press’ encompassing the electronic media also. There should be a serious discussion on the topic. That discussion should include issues of the responsibilities of the press, since the media have become very prominent and very powerful.

In India, freedom of the press has been treated as part of the freedom of speech and expression guaranteed by Article 19(1)(a) of the Constitution, vide *Brij Bhushan and Another vs. The State of Delhi*, AIR 1950 SC 129 and *Sakal Papers (P) Ltd vs. Union of India*, AIR 1962 SC 305, among others. However, as mentioned in Article 19(2), reasonable restrictions can be placed on this right, in the interest of the sovereignty and integrity of India, the security of the state, public order, decency or morality, or in relation to contempt of court, defamation or incitement to an offence. Hence, freedom of the media is not an absolute freedom.

The importance of the freedom of the press lies in the fact that for most citizens the prospect of personal familiarity with newsworthy events is unrealistic. In seeking out news, the media therefore act for

the public at large. It is the means by which people receive free flow of information and ideas, which is essential to intelligent self-governance, that is, democracy.

For a proper functioning of democracy it is essential that citizens are kept informed about news from various parts of the country and even abroad, because only then can they form rational opinions. A citizen surely cannot be expected personally to gather news to enable him or her to form such opinions. Hence, the media play an important role in a democracy and serve as an agency of the people to gather news for them. It is for this reason that freedom of the press has been emphasised in all democratic countries, while it was not permitted in feudal or totalitarian regimes.

In India, the media have played a historical role in providing information to the people about social and economic evils. The media have informed the people about the tremendous poverty in the country, the suicide of farmers in various States, the so-called honour killings in many places by Khap panchayats, corruption, and so on. For this, the media in India deserve kudos.

However, the media have a great responsibility also to see that the news they present is accurate and serve the interest of the people. If the media convey false news that may harm the reputation of a person or a section of society, it may do great damage since reputation is a valuable asset for a person. Even if the media subsequently correct a statement, the damage done may be irreparable. Hence, the media should take care to carefully investigate any news item before reporting it.

I know of a case where the photograph of a High Court judge, who was known to be upright, was shown on a TV channel along with that of a known criminal. The allegation against the judge was that he had acquired some land at a low price misusing his office. But

my own inquiries (as part of which I met and asked questions to that judge and many others) revealed that he had acquired the land not in any discretionary quota but in the open market at the market price.

Also, sometimes the media present twisted or distorted news that may contain an element of truth but also an element of untruth. This, too, should be avoided because a half-truth can be more dangerous than a total lie. The media should avoid giving any slant to news, and avoid sensationalism and yellow journalism. Only then will they gain the respect of the people and fulfil their true role in a democracy.

Recently, reports were published of paid news — which involves someone paying a newspaper and getting something favourable to him published. If this is correct, it is most improper. Editors should curb this practice.

Media comments on pending cases, especially on criminal cases where the life or liberty of a citizen is involved, are a delicate issue and should be carefully considered. After all, judges are human beings too, and sometimes it may be difficult for them not to be influenced by such news. The British law is that when a case is sub judice, no comment can be made on it, whereas U.S. law permits such comment. In India we may have to take an intermediate view on this issue: while on the one hand we have a written Constitution that guarantees freedom of speech in Article 19(1)(a) — which the unwritten British Constitution does not — the life and liberty of a citizen is a fundamental right guaranteed by Article 21 and should not lightly be jeopardised. Hence, a balanced view has to be taken on this.

Also, often the media publish correct news but place too much emphasis on frivolous news such as those concerning the activities of film stars, models, cricketers and so on, while giving very little

prominence to much more important issues that are basically socio-economic in nature.

What do we see on television these days? Some channels show film stars, pop music, disco-dancing and fashion parades (often with scantily clad young women), astrology, or cricket. Is it not a cruel irony and an affront to our poor people that so much time and resources are spent on such things? What have the Indian masses, who are facing terrible economic problems, to do with such things?

Historically, the media have been organs of the people against feudal oppression. In Europe, the media played a major role in transforming a feudal society into a modern one. The print media played a role in preparing for, and during, the British, American and French Revolutions. The print media were used by writers such as Rousseau, Voltaire, Thomas Paine, Junius and John Wilkes in the people's fight against feudalism and despotism. Everyone knows of the great stir created by Thomas Paine's pamphlet 'Common Sense' during the American Revolution, or of the letters of Junius during the reign of the despotic George III.

The media became powerful tools in the hands of the people then because they could not express themselves through the established organs of power: those organs were in the hands of feudal and despotic rulers. Hence, the people had to create new organs that would serve them. It is for this reason that the print media became known as the Fourth Estate. In Europe and America, they represented the voice of the future, in contrast to the feudal or despotic organs that wanted to preserve the status quo in society. In the 20th century, other types of media emerged: radio, television and the Internet.

What should be the media's role? This is a matter of great importance to India as it faces massive problems of poverty,

unemployment, corruption, price rise and so on.

To my mind, in underdeveloped countries like India the media have a great responsibility to fight backward ideas such as casteism and communalism, and help the people in their struggle against poverty and other social evils. Since a large section of the people is backward and ignorant, it is all the more necessary that modern ideas are brought to them and their backwardness removed so that they become part of enlightened India. The media have a great responsibility in this respect.

(Markandey Katju is a Judge of the Supreme Court of India. The second part of this article will follow.)

HINDU 4.6.11 MASS MEDIA

Freedom of press and journalistic ethics – II

Markandey Katju

India now has a disconnect between the mass media and mass reality. Often the media concentrate on some Potemkin villages where all is glamour and show business.

Underdeveloped countries like India are passing through a transitional stage, between a feudal-agricultural society and a modern-industrial society. This is a painful, agonising period. A study of the history of England of the 17th and 18th centuries and of France of the 18th and 19th centuries, shows that for them such periods of transition were full of turbulence, turmoil, revolutions, intellectual ferment, and social churning. It was only after going through this fire that modern society emerged in Europe. India is going through this fire. The barbaric 'honour killings' in parts of the country of young men and women of different castes or religion who get married or wish to get married, among other incidents, show how backward we still are — full of casteism and communalism.

India's national aim must be to get over this transitional period as quickly as possible, reducing the inevitable agony. Our aim must be to make India a modern, powerful, industrial state. Only then will India be able to provide for the welfare of its people and get respect in the world community.

Today, the real world is cruel and harsh. It respects power, not poverty or weakness. When China and Japan were poor nations, their people

were derisively labelled 'yellow' races by Western nations. Today nobody dares use such terms as they are strong industrial nations. Similarly, if we wish India to get respect in the comity of nations, we must make it highly industrialised and prosperous. For this, our patriotic, modern-minded intelligentsia must wage a powerful cultural struggle, that is, a struggle in the realm of ideas. This cultural struggle must be waged by combating feudal and backward ideas, for example, casteism and communalism, replacing them with modern, scientific ideas among the masses.

The media have an extremely important role to play in this cultural struggle. But are they performing this role?

No doubt, the media sometimes refer to farmer suicides in different States, the price rise, and so on, but these form only a small part of their coverage — maybe 5 to 10 per cent. Most of the coverage is given to cricket, film stars, astrology and disco-dancing.

Sadly, India now has a disconnect between the mass media and mass reality. Here are a few facts from a speech delivered by P. Sainath, Rural Affairs Editor of The Hindu and Magsaysay award winner, on September 6, 2007 in Parliament House in the Speaker's Lecture Series.

- The mass reality in India (which has over 70 per cent of its people living in the rural areas), is that rural India is in the midst of the worst agrarian crisis in four decades. Millions of livelihoods in the rural areas have been damaged or destroyed in the last 15 years as a result of this crisis, because of the predatory commercialisation of the countryside and the reduction of all human values to exchange value. As a result, lakhs of farmers have committed suicide and millions of people have migrated, and are migrating, from the rural areas to the cities and towns in search of jobs that are not there. They have moved towards a status that is neither that of a 'worker' nor that of a 'farmer.' Many of them end up as domestic labourers, or even criminals. We have been pushed towards corporate farming, a process in which farming is taken out of

the hands of the farmers and put in the hands of corporates. This process is not being achieved with guns, tanks, bulldozers or lathis. It is done by making farming unviable for the millions of small family farm-holders, due to the high cost of inputs such as seed, fertilizer and power, and uneconomical prices.

- India was ranked fourth in the list of countries with the most number of dollar billionaires, but 126th in human development. This means it is better to be a poor person in Bolivia (the poorest nation in South America) or Guatemala or Gabon rather than in India. Here, some 83.6 crore people (of a total of 110-120 crore) in India survive on less than Rs.20 a day.

- Eight Indian States in India are economically poorer than African states, said a recent Oxford University study. Life expectancy in India is lower than in Bolivia, Kazakhstan and Mongolia.

- According to the National Sample Survey Organisation, the average monthly per capita expenditure of the Indian farm household is Rs.503. Of that, some 55 per cent is spent on food, 18 per cent on fuel, clothing and footwear, leaving precious little to be spent on education or health.

- A report of the Food and Agriculture Organisation of the United Nations shows that between 1995-97 and 1999-2001, India added more newly hungry millions than the rest of the world taken together. The average rural family is consuming 100 kg less of food than it was consuming earlier. Indebtedness has doubled in the past decade. Cultivation costs have increased exorbitantly and farming incomes have collapsed, leading to wide-scale suicides by farmers.

- While there were 512 accredited journalists covering the Lakme India Fashion Week event, there were only six journalists to cover farmer suicides in Vidharbha. In that Fashion Week programme, the models were displaying cotton garments, while the men and women who grew that cotton were killing themselves at a distance of an hour's flight from

Nagpur in the Vidharbha region. Nobody told that story except one or two journalists, locally.

Is this a responsible way for the Indian media to function? Should the media turn a Nelson's eye to the harsh economic realities facing over 75 per cent of our people, and concentrate on some 'Potemkin villages' where all is glamour and show business? Are not the Indian media behaving much like Queen Marie Antoinette, who famously said that if people had no bread, they should eat cake.

No doubt, sometimes the media mention farmers' suicides, the rise in the price of essential commodities and so on, but such coverage is at most 5 to 10 per cent of the total. The bulk of the coverage goes to showing cricket, the life of film stars, pop music, fashion parades, astrology...

Some TV channels show cricket day in and day out. Some Roman emperor was reputed to have said: if you cannot give the people bread, give them the circus. This is precisely the approach of the Indian establishment. Keep the people involved in cricket so that they forget their economic and social plight. What is important is not price rise or unemployment or poverty or lack of housing or medicines. What is important is whether India has beaten New Zealand (or better still, Pakistan) in a cricket match, or whether Tendulkar or Yuvraj Singh has scored a century. Is this not sheer escapism?

To my mind, the role of the media in our country today must be to help the people in their struggle against poverty, unemployment and other social evils and to make India a modern, powerful, industrial state.

For this, scientific thinking should be promoted. Science alone is the means to solve this country's problems. By science I do not mean physics, chemistry and biology alone. I mean the entire scientific outlook, which must be spread widely among our people. Our people must develop rational, logical and questioning minds, and abandon

superstition and escapism. For this purpose the media can, and must, play a powerful role.

The nation is passing through a terrible socio-economic crisis. Artists, writers and mediapersons must start acting responsibly and help the people solve their problems. And this they can do by focussing on the real issues — which are basically economic — and not by trying to divert people's attention to non-issues.

The Urdu poet Faiz wrote: Gulon mein rang bhare bade naubahaar chale/
Chale bhi aao ki gulshan ka kaarobaar chale. Urdu poetry often has an outer, superficial meaning, and an inner real meaning. The real meaning of this sher is that the objective situation in the country is ripe, and patriotic people to come forward to serve the country. (The word 'gulshan' ostensibly means garden, but in this sher, it really means the country.)

(Markandey Katju is a Judge of the Supreme Court of India. The first part of this article was published yesterday.)

POLITICS AND GOVERNMENT

Reality show: BJP Idol

Rajdeep Sardesai

For several months now, the media have squarely focused attention, and rightly so, on the travails of the UPA 2 and its leadership. A series of scams and double digit inflation have undermined the credibility of the ruling arrangement at the Centre. As we turn a relentless gaze on Manmohan Singh and Co, what we seem to have lost sight of is the predicament of the Opposition. Who will, for example, be the Opposition candidate for prime ministership in 2014?

As the single largest opposition party, the BJP should be offering the natural alternative to the UPA. But the BJP is still wrestling with the next generation leadership conundrum, one reason perhaps why LK Advani remains chairperson of its parliamentary party, despite having indicated a desire to retire from active politics after the 2009 Lok Sabha defeat. Advani will be 84 this November, and the general elections are still three years away. The remarkable performance of VS Achuthanandan in the Kerala elections may have given hope to all octogenarian politicians, but whether this can be replicated in a national election is uncertain. Moreover, despite making a sincere effort at political re-invention — be it through his Jinnah remarks or his blogs — the ghosts of Ayodhya will always limit Advani's appeal as a Vajpayee-like Bhishma Pitamaha figure acceptable to all groups.

But if not Advani, then who? As a cadre-based outfit, the RSS had historically focused on the notion of a collective leadership, consciously staying away from dynasty and personality cults. But as Indian elections became presidential in nature, the Sangh was forced to accept Vajpayee's larger-than-life image. Now, with the Advani-Vajpayee era drawing to a close, the RSS has reverted to its original belief in organisation above individuals. The appointment of a low-profile

‘outsider’ like Nitin Gadkari in December 2009 as party president was a signal by the RSS leadership to the BJP that it did not see any of the younger leaders to be first among equals. The message was clear: rise above ego and factionalism and you will then be considered for future leadership.

Unfortunately for the BJP, the scars from past antagonisms have still not healed. Sushma Swaraj has done an admirable job as the leader of the Opposition in the Lok Sabha. But as her recent utterances only confirm, she still feels conspired against by a section of her own party. While she is a charismatic vote-catcher blessed with the common touch, her acceptability within a patriarchal Sangh parivar set-up is questionable. Past examples of Vasundhara Raje and Uma Bharti have already shown that there is a certain resistance to a woman as leader within the saffron brotherhood.

Swaraj as the populist neta who appeals to the saas-bahu serial-watching classes can only be contrasted with Arun Jaitley as the urbane, sophisticated face of the BJP who can reach out to the more affluent Indian. But those who vote in television SMS polls often don’t make their way to the polling booths. Which may also partly explain Jaitley’s own reluctance to contest a Lok Sabha election. Like Swaraj, he, too, has performed well in Parliament. But debating skills alone cannot be a substitute for the heat and dust of an election campaign. Which brings us to the leader who, for the core BJP constituency, is undoubtedly its ideological mascot: Gujarat chief minister Narendra Modi. If a vote were to be conducted among the BJP’s rank and file as to who should lead the party in 2014, Modi would be the clear front-runner. His staunch Hindutva credentials coupled with his governance record in Gujarat make him a natural choice for those who want the BJP to return to its roots as a party of rightwing nationalism. Modi’s disadvantage is that the era of single-party rule has given way to coalitions, which places a premium on a more consensual political leadership. So while Modi may well be acceptable to an ideology-neutral Jayalalithaa, his Gujarat 2002

persona will not be accepted by potential allies like Nitish Kumar and Naveen Patnaik, who are keen to aggressively parade their ‘secular’ credentials.

To be fair, all three BJP prime ministerial aspirants have made a serious effort to rise above their limitations. Swaraj’s entry, for example, into Twitterworld is part of her attempt to cultivate a younger, net-savvy India. Jaitley’s expertise in election management in different states has enhanced his political stature. Modi, too, has never missed an opportunity to be seen as a socially responsible ‘modern’ leader (including writing a book on global warming). But somehow, none of these leaders has quite achieved their ‘breakthrough’ moment where their pre-eminent position as the ‘face’ of the Opposition is firmly established. Which brings us back to the central question: who will be the Opposition’s prime ministerial nominee in 2014? The criteria are clear: you need a leader who has been tested in mass politics, is a proven administrator, has a relatively clean image but, most importantly, is seen as a coalition-builder. There is little doubt that the challenge for the Opposition in 2014 is to forge the widest possible coalition of parties, thereby building a credible non-Congress alternative similar to the Vajpayee-NDA model of the late 1990s.

Ironically, in the circumstances, it’s not a BJP leader, but Nitish Kumar, who has successfully managed a coalition government in Bihar, who seems the best possible option at the moment. He could just be the kind of leader with a moderating influence who might draw in new constituents and old allies back into the NDA fold. The real question then is: will the BJP’s cadres accept Nitish as their leader? Watch this space closely.

Rajdeep Sardesai is editor-in-chief, IBN 18 Network n rajdeep.sardesai@network18online.com. The views expressed by the author are personal.

URBAN DEVELOPMENT

**Plight of India's slum-dwellers
Need for better-governed cities**

Jayshree Sengupta

EVERYONE living in or visiting India is aware of the huge income disparities which are more visible in the cities than in the villages. More than before, there is also a vulgar display of wealth by the Rich, and their houses and lifestyles are taken as a yardstick of their wealth. By contrast, in the sweltering heat, monsoon rains or intense cold, 93 million people are living in slums today, often without any regular power or water connections or a proper roof above their heads. Around 25 per cent of the population in any big city lives in slums, and in Greater Mumbai, more than half (54 per cent) are slum-dwellers.

India is going to have more slums in the future if nothing is done about affordable housing for the poor right now. Around 590 million people or half of the population will be living in cities by 2030. There has to be a big investment in low cost housing for the urban poor from now itself in order to improve their living conditions in the future.

There have been two recent reports on the future of urban infrastructure in India — one by the McKinsey Global Institute (India's Urban Awakening: Building Inclusive Cities, Sustaining Economic Growth) and the other by an expert committee on urban infrastructure headed by Isher Judge Ahluwalia. Both have asked for the government to step up the per capita expenditure on urban infrastructure of the government.

According to the McKinsey report, currently the government is spending \$7 per capita per year on urban infrastructure; it should be spending \$134 per capita in the future and a total \$1.2 trillion is required over the next 20 years. The expert committee has recommended an investment of Rs 39.2 lakh crore over 20 years. It seems a monumental task and

whether the huge amounts will be properly spent, given the current level of corruption, is something worth pondering about. Yet the task is urgent.

Looking at the existing condition, there is little evidence of any planned thinking about the growth of urban slums except the JNNURM (the National Urban Renewal Mission) appointed in December 2005. But apathy for the urban poor was amply displayed during the recent Commonwealth Games, when slums were arbitrarily and summarily moved from near the banks of the Yamuna to far off places in a beautification drive of the city. Transportation costs are escalating every year and the urban poor who now have to live on the city fringes will be poorer in terms of real spending power, especially with the high food inflation during the last two years.

Slums are growing because rural people are migrating to the cities in droves from everyday. In Delhi alone, thousands arrive daily looking for jobs. Though India is growing at 8.5 per cent, there is pervasive rural poverty in some states and few jobs are there except those under the MGNREGA which has, in fact, stemmed the migration flow slightly. Slum-dwellers neither have basic amenities like toilets in their houses nor regular access to clean drinking water. Around 128 million people do not have access to clean water all over India. As for health care, most of the urban poor have to go to private clinics as government dispensaries are hardly adequate, if at all available. Public hospitals can be a nightmare in case of emergency. One big illness can throw the slum-dwellers into extreme poverty and they can get indebted for life.

Many of the slum children do not go to school as there are few teachers and the classes are big (the average is 40, the highest in the world) and if the child is absent for a while, it is very difficult for him or her to rejoin because catching up is impossible. They naturally drop out because parents cannot help them with studies and they end up as helpers at home or as child labour. India has the highest number of child labour in

the world and it is not surprising that 8 to 9 million children are out of school. You can see many on the roads of Delhi, begging, performing painful acrobatics or selling cheap tidbits.

There is going to be a huge problem of solid waste disposal and sewage also with an increase in urbanization, and the McKinsey report paints a grim picture of cities being dry, stinking hell-holes. Many urban rich today do not want to see the slums and are opting for gated communities with their own parks, schools, hospitals, malls, security, water and power supply. If the rich think they can wish away the poor in this manner, they won't be successful because the poor are not only aware of their lifestyles through the spread of visual media and mobile phones, but are also very envious and hateful (as Aravind Adiga's novel, "White Tiger", amply shows) of the rich which manifests itself in increasing crime, sporadic and organised violence against civil society.

The government, as a recent news report says, is going ahead with cheap housing in a big way, keeping in mind the huge shortfall in supply, and is also going to give preference to women in allotments. This is a laudatory move otherwise the male head of the household can sell, rent or mortgage it for cash for his own consumption purposes. Unless the millions living in the slums are given proper housing and amenities, the glaring rich-poor divide will increase. It is not going to be good for the country's image even as a tourist spot or as a foreign investment destination.

Another trend that is surfacing in India (though there are 69 dollar billionaires and 127000 dollar millionaires) is the lack of generosity and philanthropy of the rich. According to the Lagatum Institute's report, a small percentage of Indians (19 per cent) donate for charity.

The future of Indian cities will be good if planning starts now in all earnest. Every big city in the world has gone through the phases that Indian cities are currently experiencing but each managed to come out of that stage and eschewed stark human deprivation, though many still have

ghettos. They have done so with good city governance and municipal bodies which are accountable to the public. They have been able to garner enough tax revenue for improving low cost housing and increasing the quantity and quality of social services for the poor. City management can be better if bureaucratic red tape is reduced and there is greater autonomy given to mayors, municipal councilors and other administrators. Only with better governed cities can there be less sharp inequalities.