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BOOK REVIEW

HINDU 18.5.10 BOOK REVIEW

A colonial intellectual

K. C. SIVARAMAKRISHNAN

AN INDIAN FOR ALL SEASONS - R.C. DUTT: Meenakshi Mukherjee; Penguin Books India Pvt. Ltd., 11, Community Centre, Panchsheel Park, New Delhi-110017. Rs. 399.

This is a comprehensive biography about one of the stalwarts in Indian history, whose beginnings were somewhat uncertain. Barely 20 years old, Romesh Chunder Dutt set out, without informing his family, on a slow boat from Calcutta to Diamond Harbour and thence to catch a steamer to London. To study and compete for the ICS, “the heaven-born service,” was the objective.

As a civil servant, Romesh Chunder was conscientious, if not spectacular. However, as a product of western liberal education, he could not remain entirely neutral and frequently expressed his views about the conditions of the people he was expected to administer.

The Pabna agitation organised by the peasants, the inequities imposed on them by Indigo planters, and the unspoken complicity and nexus between the landlords and the colonial administration were evident. And the outcome was the insightful book, *The Peasantry of Bengal*, published in 1874. That was also the year of the famine and two years later came the terrible cyclone that hit the deltaic region of Bengal.

Postings

When Dutt was deeply involved in organising relief, he was called away to Barisal to assist in the festivities on January 1, 1877 to mark Queen Victoria assuming the title “Empress of India”.

Considering the plight of the cyclone victims, the administration could not have been more insensitive. Other postings followed and he served as the District Officer in Pabna and Mymensing. In 1894, he was appointed Commissioner of the Burdwan Division, probably the first Indian native to officiate in that capacity though only for a year. In 1897, he took early retirement from the ICS.

Dutt's 26 years of government service was also marked by furloughs to England for extended periods when he did a fair amount of study and writing. By then, he had also become acquainted with the leading figures of the London Indian Society formed by Dadabhai Naoroji in 1865.

Post-retirement, he plunged into writing and public speaking, quite often in support of the members of the London Indian Society or the East Indian Association contesting elections to the House of Commons. He also served as the London Correspondent for a Calcutta-based journal The Indian Mirror. In 1899, he was invited to be the President of the Lucknow session of the Indian National Congress.

Meenakshi Mukherjee's biography presents an interesting account of the tussle between the ‘moderates’ and the ‘swarajists’ in the Congress which had become prominent by then. Bal Gangadhar Tilak and Bipin Chandra Pal were open about their dissatisfaction with the party's three-day annual tamasha every December. To quote Tilak, “we will not achieve any success in our labours if we croak once a year like a frog.”

President of INC

Dutt's presidentship of the INC came in for criticism at the hands of the British, who accused him of alternating between “adulation of the British, on the one hand, and sedition, on the other.” These criticisms persisted even after his death.

As the author recounts, as late as 2007, while she was researching for the book in the Bangeya Sahitya Parishad Library in Kolkata, a visitor was dismissive of her effort to write a biography of Dutt, who was called by the visitor “a toady of the British.”

As Finance Minister and Dewan of Baroda State, Dutt could strike a constructive relationship with the ruler, Sayaji Rao Gaekwad, and this facilitated the ushering in of administrative reforms and welfare measures — for instance, compulsory education, the library movement, prevention of child marriage, local-self-government, and separation of the judiciary from the executive.

His tenure as the Dewan of Baroda, however, was not to last long. At an official banquet in honour of the visiting Lord Minto, he suffered a heat attack and died soon thereafter.

Monumental work

R. C. Dutt is remembered for his monumental work, *The Economic History of India* (1902), and his translation of the Rig Veda in Bengali. Even while strenuously trying to uphold the values of Victorian England, he sought to strike a balance between liberalism, on the one hand, and the Hindu traditions, on the other. In a revealing letter to J.N. Gupta, another ICS officer who had asked for his daughter Sarala's hand in marriage, he speaks feelingly about inter-caste and widow marriage.

This constant struggle to strike a balance resulted in many

contradictions in him. Mukherjee records, in her thoughtful afterword, that it is these contradictions in his ideas and attitudes that made researching R.C. Dutt's life a fascinating project. She deserves praise for this well-researched work. Had the distractive side-stories been avoided, the narration would have flowed more easily.

For her, Dutt was a “colonial intellectual who embodied the pulls of different epistemologies.” That he was a stalwart among the people of his generation is not open to dispute. Was he an “Indian for all seasons”, as the author chooses to describe him? It is for the reader to come to his own judgment.

HUNAN RIGHTS

ASIAN AGE 17.5.10 HUMAN RIGHTS

A matter of rights

[Arjun Sengupta](#)

I apologise to the readers of my column for not writing last fortnight as I was in Geneva presiding over an inter-governmental meeting on the “right to development”. Very few people in India know about this very significant initiative that the Human Rights Council has taken to formalise the Right to Development Declaration of 1986 and work out the methods of its implementation, ultimately moving to an international treaty giving it a legal status. If the international community agrees to the final outcome of this process, it will be a paradigm shift in thinking about economic development.

Development taken as a human right has major implications for the states who recognise it as such and also for international institutions for cooperation between developed and developing countries. A rights-based development implies that all development has to be based on equity, non-discrimination and a participatory transparent process with identified and accountable stakeholders. Equity — the most important characteristic — does not mean immediate assertion of equality of all benefits of development, only that it does not lead to increase in inequality and when benefits are shared with fairness, improving the lots of the poor and vulnerable. Non-discrimination of the development process between different castes and social groups as well as between men and women is another essential characteristic of rights-based development. Added to that is the principle of transparency and accountability so that the duty bearers responsible for delivering development are not only identifiable but also clearly made responsible for taking the appropriate policies.

It means that every individual has entitlement to the right and also has power to enforce compliance of the duty holders, the governments and the corporations responsible for development. Most important is instituting a mechanism of monitoring and evaluation. The recognition of this right would imply formulation of a development policy where all rights can be realised and where the duty bearers are assigned specific responsibilities, so that they can be reprimanded for their failure, rewarded for their success and helped with adjustment policies when required.

The whole emphasis therefore shifts to the process of realising development and the policies that contribute progressively towards that realisation. The objective of development is, of course, a sustained improvement of people's welfare, the content of which would vary depending upon a country's existing conditions. In some cases development may mean essentially an improvement in standards of living of the most of the people. In other cases it may mean more education, better health, improved nutrition, sustainable employment and social security. The people of a country choosing a development process should be able to combine different elements of improved welfare. There is no one development that suits all countries. But the process of realising the development in a rights-based manner is unique. Development must be a realistic process of implementing policies for improving welfare. When a government accepts the right to development it has to accept the responsibility of implementing the policies and enforcing them. When a government is talking about development of the people within its jurisdiction it must be prepared to accept the obligations to its people for fulfilling all human rights. The right to development in its 1986 declaration defines it as fulfilment of all recognised human rights or at least no decline in the enjoyment of any human rights. So a country recognising the right to development is obliged to protect all civil and political rights and violation of any human right would be a violation of the right to development itself. When a government recognises the right to development of people outside its territorial jurisdiction like the Americans or Europeans

recognising the right to development of people of Africa, they take on the responsibility of cooperation with each other and the countries concerned to remove the bottlenecks of development and promote the process of development of the country concerned through trade, technology and financial flows. International cooperation is an essential obligation for all countries recognising the right to development. If international cooperation fails, a process of consultation and responsibility should help the process of development. If this right is recognised as a treaty, then there will be a treaty body to monitor the responsibility of the different governments. The developing countries have been demanding that the right to development should become like all other rights a subject of binding treaty. The industrial countries have been opposing that on the grounds that it is not very clearly identifiable with stakeholders. For many years they resisted the call of developing countries for a treaty claiming the most important obligation for realising the right to development has to be borne by the concerned state authorities through the fulfilment of all recognised economic and political rights. The situation has significantly changed today, as most industrial countries now recognise their obligation for international cooperation. Even the US is willing to support a process if not leading to a treaty but moving towards a set of binding obligations with some legal protection. That was the breakthrough which was achieved in last week's Geneva meeting and paved the way towards a legally binding human right treaty.

This has been possible because for the last five years a task force of experts in law, economics and public policy have produced a set of criteria, sub-criteria and indicators, which can be used to measure the progressive realisation of the right. These were applied to different situations of international cooperation for trade, debt negotiations, financial flows, climate change and the supply of drugs to the poor countries. The task force was able to demonstrate the feasibility of such evaluation which will make the obligations of fulfilling the rights clearly identifiable and therefore accountable. In a year or two hopefully it will be possible for that right to development to be an internationally

recognised legal right with verifiable obligation.

India has taken a lead in this international consultation, first through the work of its independent expert and through this inter-governmental working group of more than 100 countries to reconcile their views. If the process succeeds, the discourse on development all over the world will change. The world will have to accept the responsibility of implementing the right of equitable development in terms of human rights.

Dr Arjun Sengupta is a Member of Parliament and former Economic Adviser to Prime Minister Indira Gandhi

JUDICIARY

RIGHTING A BILL

The Judicial Standards and Accountability Bill, 2010 aims to provide a range of punishments for errant judges and a transparent system of censure. The legislation is motivated by the fact that the sole punishment for judges, in the form of parliamentary impeachment, is so difficult and extreme. The logic behind such tortuous impeachment rituals is to preserve the independence of the higher judiciary. But that logic has conflicted with another need: that of greater transparency in the higher judiciary. A law that streamlines inquiries and censure, while not trivialising or politicising the issue, would balance these demands.

As with all balancing acts, the exact punishments the bill provides for is bound to be controversial. In the original draft of the bill, one of the powers of an oversight committee headed by the vice-president is to “order withdrawal of judicial work”. Is this really punishment? After all, withdrawing work for a judge facing impeachment — what, for instance, has happened to Justice Soumitra Sen of the Calcutta High Court — is one thing. But to withdraw work from a judge not facing impeachment, as an act of censure, is a different ball game. If a judge is not capable of hearing cases for, say, a week, how does he suddenly become qualified once his punishment ends. Besides, paid leave with entitlements — which is another way of looking at the temporary withdrawal of work for a judge — raises other questions.

The group of ministers examining this legislation is reported to be divided on this clause, and indications that the bill will be redrafted are welcome.

The larger aim of the bill is to preserve the integrity and reputation of the world's most powerful court. While graded punishments are one side of the coin, transparent appointments are the other; appointing competent judges is as important as punishing errant ones. The current system, of the Supreme Court's senior-most judges self-selecting, needs to be more broad-based and transparent. While both the executive and the judiciary are seized of this, it is hoped that legislation on judicial appointments follows soon.

LAW

TIMES OF INDIA 16.5.10 LAW

Peasants and priests cannot make laws

Tavleen Singh

Any country that allows its laws and social customs to be dictated (or defied) by peasants and half-literate priests deserves to be called primitive. This is what we should remember when we discuss the amendments to the law that the khap panchayats are seeking and the restrictions on women that the Deoband seminary sought to impose last week. When the reaction from Muslims was general outrage, the Dar-ul-Uloom hastily denied its fatwa, ordering women to avoid contact with strange men in the workplace but the khap peasants have been emboldened by political support.

Among their political supporters are some peasant politicians from whom no better can be expected. But, when educated, supposedly urbane political leaders lend their voice to primeval practices they need to be publicly reviled. They deserve social boycott and disgrace. It is not enough to say, as Naveen Jindal did last week, that he was only

reflecting the opinion of his constituents. His constituents are peasants who do not seek to be members of polite Delhi society by living in Aurangzeb Road and joining the Polo Club. Ninety-nine point nine per cent of khap panchayat members would be unable to read a short story or speak a single sentence in educated Hindi. How do I know? For the simple reason that it has been my lot as a reporter to cover many honour killings. Inevitably I have arrived in villages in Punjab, Haryana or Uttar Pradesh after the deed is done and inevitably I have found that those who supported the horror were barbaric fanatics. They cannot be allowed to dictate changes in our marriage laws or laws of any other kind. If the Haryana Police had the courage to arrest a few of them and throw them into some dark cell for a longish period they would be easily controlled.

It is because we allow the worst kind of people to break the law that we still have communal riots, honour killings and willful destruction of public property. All it would take is strict, uncompromising law enforcement to put an end to all violence of this despicable kind. When it comes to dealing with that famed seminary in Deoband that inspired the insane ideology of the Taliban, we have a more complicated problem on account of political correctness. Congress Party leaders have been refreshingly vocal in condemning the khap peasants but tread softly when it comes to saying clearly that India is not an Islamic country and will not tolerate laws based on some half-understood version of Islam. The Dar-ul-Uloom should have remembered that the Prophet's first wife was a businesswoman, who dealt quite publicly with strange men, before pronouncing their fatwa.

As they did not, it is left to us to speak out openly against any fatwa that attempts to restrict the fundamental rights of any Indian women. In

Islamic countries it is the practice to force women to hide themselves behind veils of different kind. It is not the Indian way. In Islamic countries of more extreme persuasion like Saudi Arabia women cannot leave their houses to buy groceries unless they are accompanied by a male relative. It is not the Indian way and laws of this kind if imposed from social or religious pressure can only take us back to primitive times.

Anyone reading this who has concluded that it is only half literate Mullahs who try to impose religious restrictions on secular laws should keep in mind what Hindu priests get up to when given half a chance. If they had their way, Hindu women would still be 'persuaded' to commit sati and widows would go back to being confined to sub-human lives.

In a region seething with jihad and religious lunacy, India needs to be proud of her secular, modern traditions. We need to defend them with all our might against priests and peasants who really need to be confined to the cloistered world they inhabit. No sooner do they take a step into the world outside than they create nothing but trouble for everyone else. We know that our Prime Minister is the strong and silent type who rarely intervenes in public discourse. But, surely when the principles on which the Indian Constitution come under attack in the most repugnant, dangerous way he needs to speak up so that nobody is left in any doubt about the position he would take on such abominations as khap panchayats and religious edicts. That is what Leaders do. And, Soniaji where is your voice now? You who were so very happy to risk damaging India's parliamentary traditions to give women reserved seats in the Lok Sabha? What use reserved seats to those who do not have the right to marry who they like or work outside the four walls of their home?

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POLITICS AND GOVERNMENT

Bleeding heart-cynics

K. Subrahmanyam

Once again the Maoists have struck, blowing up a commercial passenger bus, causing 35 fatalities including civilians. As is to be expected there are demands for the use of the army, employment of air support, the enhancement of the mandate of the home ministry, more vigorous pursuit of development programmes in the affected areas and other perspectives with alternative priorities. A large section of the political class, including those holding responsible positions in the ruling party, are of the view that Maoism is a reaction to lack of developmental benefits reaching the people of the areas affected and the multinational mining companies and to forest contractors depriving the people of the areas of their livelihood and subsistence rights, and therefore development should have priority over anti-Maoist counter-insurgency operations. But they do not explain how development activity can be pursued in an area where school buildings are blown up, roads are mined and doctors are killed.

This debate is likely to go on endlessly. Former chief ministers, present and former MPs and MLAs, do not care to explain why development did not reach these areas and what they did on their watch. They boast about

their democratic accountability. If that was real, we should have a compilation of introspective accounts of what went wrong and therefore how to set it right. The horrible reality is both Maoists and some politicians across political parties have a common vested interest in keeping people poor and areas undeveloped so that they serve as their constituencies.

There are studies on business in conflict zones. In spite of conflicts in many countries of Africa, multinational companies manage to buy off authoritarian governments and insurgents opposed to them, and carry on business, making handsome profits. Similarly, it would appear that in the flawed Indian democratic system, sections of our political class have found ways and means of conducting politics in Maoist conflict zones. A certain level of conflict in their constituencies will perpetuate the poverty and backwardness, render votebanks purchasable at a lower cost, and more manipulable through caste and muscle politics. They would prefer development funds flowing into a somewhat disturbed area, from which siphoning off is easier, than have law and order well-established there, which would make it somewhat more difficult. It is said in one disturbed area school buildings were repeatedly constructed, blown up again and again, and the contractor and his political patron made a tidy packet.

Those politicians who shed tears for the tribals should be asked to explain what they did to alleviate the plight of the tribals through all these years. If the areas are backward it is because in the BIMARU states the money released for primary education since the beginning of the first five-year plan was siphoned off, while the other states performed better. It is not a coincidence that Maoism flourishes in states which have a poorer record in governance, in literacy and have a more

intensive practice of casteism. These states have also come out with reservations on the Right to Education Act.

Just as in conflict-ridden nations of Africa both authoritarian governments and insurgents benefit out of manipulation by the multinationals, seeing them as mutual benefactors, in our case both Maoists and crypto-Maoist politicians see mutual benefits in the present system of misgovernance and corruption. Politicians misuse the police; then shed tears for the victims of police brutality; and will not agree to make the

police autonomous and accountable to the rule of law. Through the misuse of the police the Maoists are given a justification for their atrocities. It is argued that atrocities should not be put down, but more money should go to the disturbed areas to be siphoned off. There is thereby a symbiotic relationship between the Maoists and the crypto-Maoists functioning within the parliamentary system. That may explain why the Maoists do not disturb the elections and are even prepared to enter into tacit alliances with some political parties.

It is today conventional wisdom that the anti-Maoist strategy should be a two-pronged operation consisting of counterinsurgency operations and development. But the most important third prong is not mentioned, namely good and effective governance and corruption-free politics. In states which are growing fast the corrupt sections of the political class, inclined to make money fast, does so by tapping new industrialisation. In states where the sections of the political class feel that in order to sustain their votebanks and siphon off development funds disturbed conditions are to their advantage, it will be difficult to eliminate Maoism without addressing misgovernance and its offshoot, bureaucratic corruption. So

long this reality is not faced, no “augmentation of the mandate” of the home ministry will help.

An anecdotal story has it that as soon as the Constituent Assembly passed the resolution on universal adult franchise, a wise senior statesman said since they had made the masses their masters they should start educating them. But one section of our politicians felt and continue to feel that they will be in more effective control if the masses are kept poor and uneducated. Maoism is an offshoot of this politics. You find this politics in the opposition to the Right to Education, land acquisition for highways and industrialisation, women’s empowerment, globalisation, and every progressive measure to uplift the population — as they shed crocodile tears for the common man.

Maoism is a political creed meant to subordinate the masses to an authoritarian and tyrannical regime by a self-nominated coterie, as also happens in some religious extremist dispensations. It has to be fought politically. But one finds the political parties — except one or two, targeted by Maoists — are themselves passive about taking the Maoists on ideologically. In fact what is happening is an ideological struggle between those who want to see India as a 21st century knowledge pool in the world, and others who will sacrifice national interests at the altar of their parochial and partisan politics and personal gain.

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ASIAN AGE 23.5.10 POLITICS AND GOVERNMENT

INSECURE SECURITY

Arun Nehru

I am not tired of repeating week after week that our primary objective in 2010 and in the future should be to resolve various issues that pose a threat to our internal security. Today our security situation has become rather complicated, first with the global situation after the 9/11 attack in New York and the escalating violence by extreme Left groups in India. The situation in Pakistan is complex too, with the emergence of several power sources within the government and the Pakistani Army. Also, a very volatile situation exists in both Afghanistan and Iraq where suicide bomb blasts continue to claim lives. This chaotic situation works to the advantage of various terror groups whose networks have their own objectives.

Though the threat from constant infiltration from our western and eastern borders is real, the Indian Army and other security forces have done extremely well to contain it. The only negative factor is that many gallant officers and jawans have died defending the country. The menace of “sleeper cells”, however, continues. We do not need another human catastrophe to force the government to review and revise our archaic laws. When are we going to realise that both external and internal terror

are “war” against the state and anyone who gives assistance or sanctuary in any manner should be treated as a “war criminal”?

There is no use dividing terror on “secular” and “non-secular” lines as a terrorist has no religion. As far as exploiting the security situation for electoral success is concerned, political parties must realise there are better issues at hand. We watched in horror for three days when a handful of terrorists killed and wounded hundreds of innocents in Mumbai. We have seen the protracted trial of Ajmal Kasab and no one is quite certain about the number of days it will take to hang him. Yet, look at the sudden movement and urgent interest being taken in the Afzal Guru case. Do we have to act only when public anger forces a decision? I see no point in blaming Delhi chief minister Sheila Dikshit, or anyone else, as the fact is that all political parties play to caste, majority or minority interests and the case of Afzal Guru is no different. In such situations those who are seated at the top of the decision-making apparatus must take decisions.

Our internal security situation is further complicated by the Maoists and their “dual” talk on tribal development. Dealing with the economic situation has been overtaken by the recent tragedy where 40 civilians and policemen were killed in cold blood. Prime Minister Manmohan Singh can maintain a deafening silence on the issue but a clear and decisive decision is necessary from the Cabinet Committee on Political Affairs and the Cabinet Committee on Security. Clumsy attempts to divert attention and responsibility will only attract public wrath. As things stand, the United Progressive Alliance (UPA) has the full support of the Left and the Bharatiya Janata Party (BJP) and both Union home minister P. Chidambaram and home secretary G.K. Pillai have spoken sensibly, as has Chhattisgarh chief minister Raman Singh.

Violence is never the right way to deal with a crisis but delicate negotiations cannot be conducted if those in government spill the details, or if documents keep leaking to the media. Clearly, there are far too many power centres with diverse interests.

I think we should ignore juvenile press statements given by party officials on the subject. It is the responsibility of every political party to

keep in mind that security initiatives cannot and should not be discussed in the media but only within the Cabinet.

WE ARE witnessing an epic political battle in West Bengal where the Trinamul Congress, along with its ally the Congress Party, battles the Communist Party of India (Marxist). I think Mamata Banerjee and her party will win by a mile — in a situation of this nature statistics are not relevant.

In the upcoming Assembly elections in West Bengal, the Trinamul Congress and the Congress will have disputes over ticket distribution but, after a great deal of political trauma and adjustments, things will settle — Ms Banerjee will become the chief minister and the Congress in a coalition structure will adjust to ground reality.

It would be foolish to underestimate the political acumen of Ms Banerjee.

In Uttar Pradesh, Rahul Gandhi continues to make steady progress and the Bahujan Samaj Party (BSP) and the Samajwadi Party (SP) are both under pressure. The Congress bagged 21 seats in Uttar Pradesh in the general elections due to Mr Gandhi's sustained efforts. The Assembly results in 2011 will be an important indicator of the future. Poll fortunes are difficult to predict but at this stage I would rank the Congress ahead of the BSP with the SP a distant third and the BJP fourth and very much in the shadows.

In Bihar, the Janata Dal-United (JD-U) suffers from internal dissent which will become more pronounced as Assembly elections draw close. The Lok Janshakti Party (LJP) and Ram Vilas Paswan seem to have faded away, leaving the JD(U)-BJP as frontrunners with the Rashtriya Janata Dal's Lalu Prasad Yadav struggling to retain his position and sense of humour. There is little progress in the Congress' efforts to cement a base in the state. Though the party's initial efforts were positive, the current position is marred by strife in the cadres.

Events are warming up in Tamil Nadu where the Dravida Munnetra Kazhagam family wars may force an early election in the state as the main Opposition party, the All-India Anna Dravida Munnetra

Kazhagam, is not looking very stable and will have to forge a suitable alliance if it wants to make an impact on the electoral stage. This need of early elections in Tamil Nadu can trigger events in West Bengal where the Trinamul Congress is also pressing for early elections.

Arun Nehru is a former Union Minister

POVERTY

ECONOMIC TIMES 16.5.10 POVERTY

Making profit out of 'poverty'

TNN

Caste proponents say the census must include questions on caste to establish true caste ratios. Opponents say questions on caste are socially divisive. They also raise a behavioural objection: the very announcement of a caste census could encourage people to claim, fraudulently, that they belong to a caste entitled to reservations.

This behavioural objection applies as forcefully to surveys for determining poverty. The National Sample Survey Organization conducts periodic surveys on consumption, and data from these surveys are used to determine the official poverty head count. The government assumes that people tell NSS surveyors the truth about themselves. Really?

NGO workers in rural areas tell me that if a villager talks to fellow villagers, he will probably exaggerate his living standards to get

local prestige. But if a villager is talking to outsiders who may influence the giving of subsidies or other benefits, then the villager will vehemently claim to be poor and deserving of any benefits available. He has no reason to admit any improvement in living standards.

Any psychologist will tell you that such duplicity is both inevitable and universal. People respond to incentives and disincentives. So, a necessary condition for an honest survey is that no benefits or penalties should flow from people's replies. That is true for surveys on caste, poverty or anything else.

But governments have long been promising ever more subsidies and entitlements targeted at the poor. This is a strong, growing incentive to under-report consumption. The evidence suggests that this has long been happening.

In the 1970s, consumption measured by NSS surveys was 87% of consumption measured by national income statistics. This divergence was bearable. But the divergence has steadily increased over decades. In 2004-05, consumption reported by the NSS was just 48.7 % of that reported by national income statistics.

Why so? Left economists claim that rich people are progressively under-reporting their consumption to the NSS, but poor ones are not. This is implausible. In the 1970s, income tax of 97.75% and wealth tax of 3.5% caused a flight to black money, which nobody reported to the NSS. Consumer imports were illegal and provided by smugglers.

Obviously richer people under-reported such consumption. Yet in the 1970s, the two measures of consumption were not far apart.

But over the next three decades, income tax has fallen to 30%, wealth tax is virtually abolished, imports of consumer goods are legal and lightly taxed, and the share of white money transactions has clearly risen, even in real estate. So, the rich have much less reason to hide their consumption than in the bad old days.

However, poorer folk have been given increasing incentives to under-report living standards. In the 1970s, most freebies were universal, not targeted at the poorest. Subsidized food, power, canal water, fertilizer, bank credit and employment schemes were open to all rural folk, not just the poor.

Targeting came later. The IRDP scheme provided subsidized microcredit to the poor. The Indira Awas Yojana provided housing subsidies to the poorest. BPL (below poverty line) ration cards provided a higher food subsidy than APL (above poverty line) cards. Rural employment in some cases was targeted at the poor, and so was the farm loan write-off in 2008. The DMK in Tamil Nadu provided colour TV sets to those below the poverty line.

Many such schemes were poorly implemented, and often little money reached the poor. Yet villagers realized that some benefits could flow from fraudulently claiming poverty, while no profit at all flowed from honestly reporting improved living standards.

This must have affected the honesty of reporting in NSS surveys. This seems at least a partial explanation of the growing gap between NSS estimates and national income estimates.

Officials continue to treat NSS data as sacred. But companies selling cellphones, shampoo, TVs and other consumer goods view NSS estimates as rubbish. NSS data suggests high poverty and little improvement in rural demand. In fact companies find rural demand

is booming, producing record sales. Thanks to rural penetration, cellphone connections are increasing by 19 million per month!

Economist Surjit Bhalla has long denounced official poverty estimates as fiction. By making adjustments consistent with national income data, he reckons actual poverty is less than one-third the official figure. Other adjustments can be made by looking at independent data on rural consumer goods sales.

The government has recently raised the poverty line. Around 37 % of people are below this higher line. Such upward adjustments are appropriate as living standards rise. But this should not distract from the terrible flaws of NSS data. Government policies have made it profitable for rural folk to exaggerate their poverty.

RIGHT TO INFORMATION

DECCAN HERALD 19.5.10 RIGHT TO INFORMATION

RTI amendments: A retrograde step

Shashikala Sitaram

Without information, people cannot adequately exercise their rights or make choices.

The UPA government's move to amend sections of the Right to Information Act (RTI) negates the very purpose for which the Act has been passed. One of the proposed amendments is to give immunity to the office of the Chief Justice of India from any queries under the Act. The RTI Act was passed in 2005 to cover all the departments except defence, atomic energy and all those dealing with the country's security. That the CJI is also a public authority and therefore comes under the jurisdiction of the Act has been found unpalatable by the supreme court, within five years of its passing.

The RTI Act has been considered a progressive and meaningful legislation as it brought in transition from an opaque system of governance to a transparent system: from one of 'confidentiality is the rule and disclosure an exception' to 'transparency is the norm and secrecy an exception.' This undid the culture of secrecy that was the

hallmark of government functioning for over six decades.

Frivolous and vexatious

The UPA government also wishes to bring an amendment which allows rejection of request for information which is considered 'frivolous and vexatious.' This merits serious concern as it makes non-compliance easier. Information can be withheld or refused whimsically based on this exemption. The proposed amendment favours the information provider who would be only too happy to reject many of the requests on flimsy grounds. For the RTI Act to manifest its benefits, information should be viewed from both the information seeker and the providers' angle. The amendment would demean the interests of the information seeker. The spirit of this citizen-centric legislation which brought in a paradigm shift in the citizen-government relationship is being dampened.

How does one categorise information either as frivolous or vexatious is a question that begs an answer especially in view of the fact that access to quality information, in the way and form in which it is needed, is often in dearth.

Even the budget data of local self-governments that are public documents are not easily available and when available, it is full of errors as seen by the study of Centre for Budget and Policy Studies, Bangalore. Many zeroes are added to the budget figures, the closing balance at the end of the financial year does not tally with the opening balance of the next financial year. All this and more, reflects the low importance given to managing information. That budget information can be used as a tool that can hold governments accountable is lost because of this attitude.

The RTI law is applicable to governments at all levels, Union, state and local. Demanding the resolution of the council meetings of the urban local bodies in a few cases in Karnataka has been found to be a good measure of holding elected representatives accountable. The civil society can verify if the promises made by the councillors is fulfilled by asking

for the resolutions passed at the meetings.

The UPA government is proposing to bring cabinet decisions within the ambit of exemptions; this would not only remove an important area from public scrutiny but encourage the other tiers of the government to take cover under such an exemption.

What seems to be lost sight of is the fact that RTI would, by itself, build informed citizenry. But then, this can happen only if it is allowed to settle down and strengthened. Without information, people cannot adequately exercise their rights or make choices. Information is an important ingredient of democracy effective. The opening lines of the Right to Information Act, 2005, states that democracy requires an informed citizenry and transparency of information which are vital to its functioning and also to contain corruption and to hold governments and their instrumentalities accountable to the governed.

It is precisely for this reason that the Right to Information movement originated in a remote village in Rajasthan. The movement began as a demand for labour that rightfully belonged to the poor as designed by the food for works programme of the government of India, it led to 'Jan Sunwais' (public hearing) which exposed corruption among officials and demand for information by the Mazdoor Kisan Sakthi Sangatan. This resulted in the national campaign for the people's right to information and subsequently to the passing of the RTI Act.

South-east Asian countries like Indonesia, which consistently rank high amongst the most corrupt nations, are struggling to place their Freedom for Information Act and are looking up to India for learning. Hopefully they don't learn from the retreat theory that India seems to follow.

WOMEN

HINDU 16.5.10 WOMEN

Celebrating a revolution at the grassroots

For two decades the Mazdoor Kisan Shakti Sangathan (MKSS) has taken the Right to Information Act to the grassroots. KAVERI GILL was witness to a mela that celebrated its 20th anniversary at Bhim, Rajasthan.

The occasion was no political party rally, nor was there any promise of handouts by the state, dangling a carrot or wielding a stick to elicit attendance

PHOTOS: GAURI GILL AND SUSHIL KUMAR VERMA



Interaction: Aruna Roy with MKSS members.

On Labour Day, a maidan in Bhim, District Rajsamand, Rajasthan was the hive of much activity. A shamiana, surrounded by stalls, slowly filled up with a crowd of ten thousand people – women, men and children from near and far who had, of their own volition, made their way to this mela. The occasion was no political party rally, nor was there any promise of handouts by the state, dangling a carrot or wielding a stick to elicit attendance. Instead, the Mazdoor Kisan Shakti Sangathan (MKSS) was celebrating its twenty year anniversary, with its founding members (Aruna Roy, Nikhil Dey, Shankar Singh), fellow members and supporters (inter alia, Lal Singh, Chunni Singh, Naurati bai, Shushila bai, Kavita Srivastava, Nilabh Misra, Harsh Mander) and many well-wishers, all coming together to remember the organic birth of this peoples' grass-root movement in 1990.

It was an emotional day, and rightly so. But for a development specialist, the insights emerging from bearing witness to the proceedings and a regaling of the achievements of this movement in a span of no more than two decades is where the interest lay spellbound. Key trends and phrases in development, such as participation, communitisation, decentralisation, social audits and rights-based approaches have, at a certain level of abstraction, entered the lexicon of mainstream language and understanding, and accordingly policy in India, in recent years. To see what they mean in practice, and how they operate on the ground, is another matter altogether. There is the right to information (RTI) and what it signifies, not just intrinsically but instrumentally, in wringing better implementation and accountability of every social sector scheme in this country. There is also the rozgar guarantee and the village-based mazdoor unions, which are the newest creations formed by MKSS around MGNREGS.

On beginnings

Mancur Olson lists many preconditions for successful organised collective action, dependent on context-specific characteristics of the

community and situation, some historically given and others malleable. So it was interesting to hear Aruna explain that the genesis of this movement was facilitated by the characteristics of the Rawat community within which it incubated, with its tradition of egalitarianism and fearless opposition of hierarchy. This has implications for how easily it might be replicated elsewhere in the country, perhaps requiring variable levels of extraneous facilitation in the initial stages. On participation, it was striking to see not just the diverse identities represented at the mela – by gender, by caste and so on – but how interactive the proceedings were naturally. For every nara lagaod (accompanied by Shankar's rhythmic puppeteering) and question thrown out to the audience, there was a ready rendition of slogans, for example, 'hamara paisa, hamara hasaab', a raising of the fist in a gesture of solidarity to the refrain of 'zindabad', and a quick murmured discussion in response to the query. No silent, reserved and a priori cynical audience to be had here!

And why would it be, for this was an audience for whom MKSS provided a platform for a collective voice, for their sole request in Rajasthan of 'mainoo mazdoori chaideh'. Along with other groups, it delivered at the national level the landmark right to information, the right to employment guarantee, and is presently moving towards delivering the right to food. But for every victory gained in various spheres, unlike the fallow period and rest that naturally follows the attainment of a goal, this movement has only seen its work increase. And that is because not only is it fighting for justifiable rights, it is also building sound underlying supporting institutions, the painstaking 'boond boond se ghada bharta hain', to mould with deep integrity at the micro level an answerable and accountable state, a 'junta ka naukar'.

Setting rules

Accordingly, intermittent announcements at the mela on forthcoming jan sunwais to tackle corruption; on the how to's and who to's of registering arzis of complaint; and reminders to ensure Panchayati Raj does not

translate into Sarpanch Raj. Moreover, MKSS holds itself up to the same mirror of standard as it does the state. Still to take a call on whether the newly formed rozgar guarantee unions should cover only MGNREGS workers or all rural unorganised sector workers, and while each came up to the stage with their banner for a round of applause, it has been made clear that if any financial or other irregularity happens within these unions, it will not be tolerated by the rest.

Understandably, for a movement which acknowledges it took eleven years to get the Indian Parliament to pass the RTI bill, there is no room for complacency. MKSS argues that if the people do not use it as an accountability tool after this length of struggle, they would be the proverbial fools. Progressively so, under the UPA government's extensive flagship development schemes, as available money becomes less of an issue in ineffective delivery over the fault lines of a lack of proper implementation and governance, it is this kind of ground swell movement that will inform and empower the people to in turn force the state and its frontline providers to perform to standard – in employment, in education, in health, in food provision and so on.

The Nobel Laureates Douglas North and Ronald Coase, as well as Oliver Williamson, have written extensively on path dependency and institution building for development. To see the germination and successful application of their abstract ideas in a hot but energising mela in rural Rajasthan, so far from the cold cynicism and fatigue of Delhi, was exhilarating. For this positive revolution is slowly but surely sweeping the countryside, and it is what is going to ultimately ensure the people get inclusive growth and development. The right to know; the right to live – happy birthday, MKSS, it's been a laudable innings so far!

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