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# **DIPLOMACY**

## HINDU 17.7.10 DIPLOMACY

### **The perils of 'half-way house' diplomacy**

Siddharth Varadarajan

*Having decided to engage Pakistan on issues beyond terror, it is counterproductive for India to artificially limit the subjects it is willing to discuss.*

Future diplomatic historians will, no doubt, tell a more complex story but the broad outlines of External Affairs Minister S.M. Krishna's less-than-successful visit to Islamabad seem clear enough.

Having hosted Home Minister P. Chidambaram three weeks back and heard firsthand from him exactly what India wanted on the terrorism front, the Pakistani side's expectation from the foreign minister-level meeting was that there would be discussion and, presumably, some agreement on a wider set of issues. In the run-up to the meeting, Indian officials, too, had let it be known that they were looking at a range of subjects like trade and people-to-people contact as a way of building trust. When he arrived in Islamabad, Mr. Krishna said India was ready to discuss all outstanding issues. Pakistan knew the formal resumption of the composite dialogue — or some updated variant of it — was still some distance away. It was also prepared to discuss the deepening of confidence building measures as a stepping stone. But it was wary of publicly accepting a formula or roadmap for engagement that frontloads not just terrorism but every other issue that India considers important while leaving issues that Islamabad considers 'core' to an unlit backburner

for future 'warming up.'

The irony is that these issues — Jammu and Kashmir, peace and security, Siachen and Sir Creek — are subjects India and Pakistan have wasted several years of formal dialogue over without either side budging one bit. For example, Indian soldiers remain firmly perched upon the Siachen glacier's commanding heights despite officials from the defence ministries of India and Pakistan having held several rounds of talks. Many more rounds can safely be held without our jawans being required to come down by even one metre — if that is what the government wants. Given the long-standing deadlock over proposals for verification of a mutual withdrawal, the Pakistani side knows nothing would be gained by yet another meeting of defence secretaries. But the civilian government which is struggling to assert its authority against multiple power centres within and even outside the 'establishment' needed something to show for its diplomatic exertions.

The Indian delegation, however, did not come to Islamabad with a mandate flexible enough to accommodate the need for these kind of harmless optics. Worse, their limited mandate was undermined from within by Union Home Secretary G.K. Pillai's accusation that the Pakistan state — with which Mr. Krishna was going to sit down and have talks — had planned the November 2008 terrorist attacks in Mumbai.

Pakistani foreign minister Shah Mahmood Qureshi was undiplomatic in mentioning Mr. Pillai's unhelpful remarks in the same breath as Lashkar-e-Taiba chief Hafiz Saeed's inflammatory speeches against India. But people on the Indian side need to ask what the home secretary hoped to achieve by saying the Inter-Services Intelligence directorate of the Pakistan army had been involved in 26/11 "from the beginning till the end." Indian investigators had questioned Lashkar operative David Coleman

Headley well before Mr. Chidambaram and Mr. Pillai held talks with their Pakistani counterparts in Islamabad last month. One can only presume this question of ISI involvement “from the beginning till the end” was raised by them with Rehman Malik.

In Islamabad, Mr. Chidambaram told reporters that India wanted Pakistan to vigorously investigate and follow up the leads available in the Mumbai terror attacks. He said he was leaving Pakistan with the conviction that “[Mr. Malik and I] have exchanged views, understood the situation and agreed that we should address the situation with the seriousness it deserves.”

Three weeks have elapsed since the Home Minister made that statement. Is that time enough to form a judgment on Pakistan's “seriousness”, let alone decide to gut the possibility of its cooperation by making a public accusation of state complicity? At stake is not the veracity of Headley's information — though it is worth asking why the statements of a terrorist who helped attack Mumbai in order to get India and Pakistan to go to war should be taken at face value — but the utility of levelling a serious charge in public. Did Mr. Pillai or his advisers do a cost-benefit analysis beforehand and conclude that blaming the ISI in this manner on the eve of the foreign minister's talks would make Pakistan more likely to address India's concerns about terrorism?

If Mr. Pillai's comments on the ISI betray a failure of the government to think strategically, the decision to postpone any front-channel discussion on issues like Siachen and Kashmir till there is greater “trust” is also deeply flawed.

In politics, the default option is often the easiest one to take. Having suspended the composite dialogue in the wake of the November 2008 terrorist attacks in Mumbai, it would have been quite simple for Prime Minister Manmohan Singh to keep the dialogue process

under suspension indefinitely. There would be no need for him to explain anything to anybody. But just as Atal Bihari Vajpayee had the courage to invite Pervez Musharraf, the architect of Kargil, to Agra in 2001, or to travel to Islamabad in January 2004 despite cross-border terrorism not ending, Dr. Singh was brave enough to say that not talking to Pakistan indefinitely was a bad option. The Prime Minister showed enormous political courage at Sharm el-Sheikh last year and against at Thimphu in making a case for engagement. He knew full well that his decision would run against the grain of both hawkish political sentiment and the risk-averse attitudes of the security establishment. And in a concession to these quarters, his advisers came up with the formula of incremental dialogue.

In the wake of the acrimony that Mr. Krishna's visit has produced, the government's critics in the opposition and the 'retirati' are likely to say Dr. Singh was wrong to try engagement. But that would be an incorrect conclusion. Thursday's fruitless talks and the rather churlish comments of Mr. Qureshi since then are not the product of dialogue and engagement but of the half-way house that Indian officials have parked themselves in. Dr. Singh was bold enough to steer India away from the rigid position of no dialogue but he should have been bolder still in recognising that indulging Pakistan's desire for official talks on Kashmir, Siachen and other 'core issues' would cost India nothing and would actually be a cheap way of moving the CBMs process forward.

India's current rigidity on this question is counter-productive. No doubt Dr. Singh is wary of how a more open attitude towards the resumption of dialogue would play. All democracies — and many non-democracies — have to worry about public opinion. But in this particular case, the burden of good optics weighs much more heavily on the civilian government in Pakistan than it does on the UPA government in India. If India looked at the problem strategically, it

would recognise the importance of not allowing jihadi and extremist forces in Pakistan to depict the civilian government as an entity which meekly surrenders to Indian positions. Anti-Indianism is the glue that the terrorists and their backers in Pakistan use to bond with a public which is otherwise under daily attack by them. The creation of a dialogue structure which allows the Pakistani side to hold its head high domestically against extremists of all hues is what India should be striving for, especially at a time when the attack on the Data Ganj Bakhsh shrine in Lahore has outraged the Pakistani people. Mr. Qureshi may have been abrasive and tactless in many of things he said but his remarks on Balochistan and Kashmir and even infiltration ('deal firmly with them and we will back you') led hawkish journalists to attack him as pro-Indian. India is dealing with the complexity of a sharply divided Pakistani establishment and society. It should resist the temptation of matching Mr. Qureshi's desperate grandstanding and instead think deeply about how the process of engagement which has started can be broadened and deepened.

TELEGRAPH 21.7.10 DIPLOMACY

## YOUNG AND LOYAL

### - A case study for administrative reforms

K.P. Nayar



Opening ceremony  
of Pravasi  
Bharatiya Divas,  
2010

If Harvard and Wharton had not been charmed by the Lalu Prasad of popular folklore a few years ago and had, instead, wanted to study how real change was possible within the government of India, they would have looked at a fascinating experiment in New Delhi called the ministry of overseas Indian affairs. Few people — even within the government, leave alone those outside it — are aware that this full-fledged ministry is run out of just one floor of a building in the capital’s diplomatic area of Chanakyapuri with a full-time staff of merely 29 people of the rank of section officers and above.

Since the 1960s, when Indira Gandhi tried to enforce belt-tightening within the administration, efforts have been made and unmade to cut waste, frown upon bloated bureaucracy and ensure a small but result-oriented government. But with each such effort, the government has only become bigger and arguably less efficient. The commissions set up for administrative reforms have also had mixed results.

What makes the MOIA experiment truly fascinating in the backdrop of half-hearted efforts to improve governance all over the country is that, of its 29 permanent posts, three positions of under-secretaries have been lying vacant and one man has been holding the dual job of both the

joint-secretary-level posts that exist in this ministry. There would be few other examples anywhere in the world of a ministry being managed with 25 officers, half of them mere section officers or under-secretaries.

Bear in mind that this is a ministry which has become a clearing house for everything to do with six million people worldwide of Indian origin, a majority of whom are insufferably demanding and think that they have a greater claim on India and its resources because of their non-resident status, and a broad picture emerges of the workload that burdens the MOIA.

The story of this ministry becomes all the more fascinating because of its leadership in the last four and a half of the MOIA's six-year existence. Vayalar Ravi is one of the Congress's grassroots leaders, having won the popular mandate by successfully contesting for both the state assembly and the Lok Sabha several times. As a trade union leader, he once controlled some of the most powerful unions in his home state of Kerala where he was home minister. He was one of the founders — along with the defence minister, A.K. Antony — of the Kerala Students Union, the Congress's student wing, which played a huge role in unseating the first communist government in the state in 1959.

Ravi is also a most unlikely candidate, both by temperament and by ideology, for introducing corporate-style management into the running of a ministry or demanding strict accountability in its working. But the MOIA's "Result Framework Document for 2009-10" is a model even for Western governments, which hold accountability as sacrosanct, to go by. Complete with charts and tables, which list key objectives of his ministry, success indicators and targets, it provides a guide in tangible terms to what is being achieved in the MOIA.

This ministry is a case study for administrative reforms because its short history tells a tale of what ails Indian civil service today. In six years, this ministry has had five secretaries, the average incumbency having

been 14 months as against three years in most other ministries at the Centre. Why? Because the MOIA has one of the smallest budgets within the government.

Increasingly, government secretaries from the Indian administrative service want to secure their future as they hurtle towards retirement, and sadly, they often do so by offering patronage that will ensure post-superannuation careers: an Indian variant of the ‘revolving door’ in the American system. The MOIA offers virtually no opportunities for either patronage or benefaction of the kind they seek, and its small budget means not having the power to be profligate with taxpayers’ money. As a result, IAS officers who have just become secretaries go to the MOIA, using it as a parking place and quickly migrate elsewhere in Delhi at the first opportunity. What this has meant is that the functional leadership and responsibility of the MOIA has been with Ravi as minister and the small team down the line, which has been his core group.

When this ministry embarks on global enterprises, such as the Pravasi Bharatiya Divas, an annual gathering of overseas Indians, or mini PBDs in cities like Singapore and New York, it overcomes its small size and limited facilities by outsourcing the job of organizing the bandobast for these events while retaining intellectual control over the proceedings. It is remarkable that even in doing so, the MOIA has done what many others in the capital would have thought impossible. It has secured peace between two organizations to which such work is outsourced — the Confederation of Indian Industry and the Federation of Indian Chambers of Commerce and Industry, which are perennially at each other’s throats. As a solution to their rivalry, Ravi ruled that FICCI would handle the PBDs for three years in a row, and for the following three years the job would be given to CII.

Colloquially, this ministry is credited with having coined the term, ‘Bollygarchs’, a reference to the Indian-origin billionaires overseas whose number is on the rise. The Bollygarchs may be happy to be

symbolically traced back to Bollywood, but are unlikely to be as pleased to be linked to the Russian oligarchs, whose rise parallels in time with the rise of the super-rich Indian diaspora.

An unfortunate result of India's economic reforms has been the impression that the government is now for the rich, who have been unfettered by the liberalization. It is an impression that has been strengthened by the celebrity media coverage of the Mittals, the Mallyas and others from the corporate world, some of whom have strayed into national politics.

In such an environment, Ravi has managed to keep his ministry loyal to the values and style of the Indira Gandhi era when the late prime minister sought to identify her government as one which empathized with the underprivileged and sought to be the guardian of their interests. The story of how Ravi pursued every concerned minister without respite until the Union cabinet agreed last year to create an Indian community welfare fund for expatriate labourers in distress is a remarkable example of a member of the council of ministers still standing up for the voiceless. The fund was created to provide shelter, medical care, air passage for repatriation and legal assistance for abused Indian workers overseas and for airlifting their bodies in the event of death.

The welfare fund administered by the MOIA went into operation through Indian missions from January this year, but is confined to 17 countries to which emigration clearance is required when poor and often illiterate workers go to take up jobs, mostly as labourers. It is not available in the United States of America, for instance, where Indians are better off compared to the construction workers who toil in Saudi Arabia.

Similarly, in several countries that are notorious for their low level of labour protection, the MOIA has got local governments to commit themselves to bilateral memoranda of understanding to ensure some

form of welfare for Indians at the lowest strata of social order. It is a measure of the difficulties in improving the lot of Indian labour in countries like the United Arab Emirates that only MoUs have been possible with them and not agreements, but at least that is a modest beginning.

The biggest longer-term contribution of this young ministry towards institutionalizing the role of eminent people of Indian origin in building a 21st-century India may lie in having created a global advisory council of overseas Indians to periodically interact with the prime minister, senior cabinet ministers and the foreign and finance secretaries. Among its 25 members are Nobel-prize-winning economist Amartya Sen, management expert Rajat Gupta, industrialist L.N. Mittal, diplomat Kishore Mahbubani and academician Jagdish Bhagwati. The MOIA hopes that the council, which has met a few times since it was set up last year, will “serve as a platform for the prime minister to draw upon the experience, knowledge and wisdom of the best Indian minds wherever they may be based”.

# **ECONOMIC DEVELOPMENT**

**Economics needs a new focus**

Meghnad Desai

The IMF has upgraded the emerging economies' growth forecasts and downgraded the developed countries'. This is most likely to turn out right. We can expect the developed economies to be stagnant for much of the next decade. They have a huge hangover of private and public debt that needs to be sorted out. The recent change of mood in G-20 and even the IMF is to tackle this deficit urgently to allow growth to resume. Many Keynesian economists—Paul Krugman, Robert Skidelsky, Joe Stiglitz—are opposed to this deficit cutting policy. They are advocating a sustained reflation strategy. Their hope is that the output lost during the Great Recession—around 5-7% of GDP on an average in each country—should be recovered before restraint can be practised. They would steer the economy to overshoot its historic growth path and then gently converge from above to the trend growth rate.

I am sceptical of this because I think the multipliers are rather small. This has been known for a while. For example, in the first quarter figures for the UK, there was a growth of 0.3% of GDP and 1.5% growth of government spending. Even if you annualise the 0.3% growth, the multiplier is barely one. This, if true, would imply that the reflation package may need to be big and sustained for two to three years to achieve what the Keynesians want. I think it is unlikely that the developed economies can borrow to that extent without paying some hefty interest rates.

Against this, it is contended that the domestic corporate sector are in surplus and they will hold the debt. But if so, that will not lead to growth (since public spending has a low multiplier) nor is it certain that all the developed countries can manage to borrow at home. We have already seen how Greece has been struggling along with Spain, Portugal and Italy. Indeed, in both Greece and Spain, China is stepping in as a big buyer of the local assets. Sovereign wealth funds from the Gulf countries will no doubt follow.

The global economy has the developed economies as net debtors and the emerging economies as net creditors. I would aver that we ought to change the labels now. The label ‘emerging economies’ is too patronising for what are, after all, the fast growing economies of the last two decades. By contrast, the only way to label the Eurozone economies is as submerging. The Anglo-Saxon economies—the US, the UK, Canada and Australia—will do a bit better but not by much. This is not an accident nor a result of the Great Recession. It is indeed the other way round. What we are witnessing is the long-run consequence of adopting full employment and low inflation policies, which presumed but did not pursue growth. This has been the legacy of Keynes, and, after the 1970’s, of the new classical economics.

In pursuing high employment strategies, governments did not worry about the productivity of the jobs they were creating. Keynes was writing about the short run and he was worried more about the cost of unemployed labour than the problem of low productivity when this idle labour was employed. The western world had a 25-year period of growth from 1945 to 1970, the so-called Keynesian golden age. This growth was a result of catching up with pent-up demand of the baby-boom generation and using up all the innovations of the War and pre-War years. There was still surplus labour on the farms, even in the US and Western Europe that kept wages in line with productivity. The growth was one of widening rather than deepening variety.

When this growth spurt was exhausted, Keynesian policies began to fail in the 1970's. There was no positive growth policy to correct this failure. The macroeconomic thinking turned to reducing inflation and the idea was that growth would be taken care of by the market. The Silicon Valley did for a while meet this expectation, but soon the growth spurt was exhausted as we saw in the collapse of the dot-com boom. New classical economics is as little concerned with growth as was Keynesian economics. Now with the easy pickings of high-level consumer demand having been exhausted, the wellsprings of growth seem to have dried up for the developed countries.

The long-run growth challenge, thus, requires a rebooting of economics away from Keynesian and new classical macroeconomics towards a classical and Schumpeterian economics. It should emphasise investment and innovation rather than consumption, supply rather than demand, work rather than leisure, wealth creation rather than welfare provision. It is unlikely that this sort of economics will be easy to construct. But without that the developed economies face steady decline relative to the fast-growing economies of Asia and Latin America.

*The author is a prominent economist and Labour peer*

## HINDU 20.7.10 ECONOMIC DEVELOPMENT

### **Growth projections and caveats**

#### Editorials

The International Monetary Fund's recent positive outlook on the global economy has attracted plenty of attention. The IMF was the first among the global financial institutions to spot the early signs of economic recovery from the crisis. Its periodic forecasts of economic growth, both for the global economy and individual countries, have tended to be upbeat, with every forecast reflecting greater optimism than the earlier one. The world economy is now slated to grow by a healthy 4.6 per cent in 2010. Around this time last year, its growth projection for 2010 was 2.5 per cent and this was successively raised to 3.9 per cent in January, 4.2 per cent in April, and now to 4.6 per cent. However, the growth projections have always come with caveats. Many of them remain to this day. For instance, economic growth continues to be uneven among countries. The larger emerging economies, China and India especially, are leading the recovery, and the advanced economies are trailing. The problem of correcting this looming imbalance remains. It is becoming fairly obvious that the lack of congruence in the objectives of the rich and the developing economies in this crucial area cannot be overcome without a strong political will on the part of all countries.

A major threat to global economic recovery has emerged more recently, with the severe debt crisis in a few European countries now becoming a generalised affliction. A sovereign default by a country such as Greece will have serious negative consequences for the global financial sector, since major European and U.S. banks hold a high proportion of bonds issued by its government. A few advanced economies led by the United

Kingdom have felt compelled to go in for a rigorous fiscal consolidation programme. The IMF is extremely positive on India. It expects the Indian economy to grow by 9.4 per cent, up from its April forecast of 8.8 per cent. The most optimistic of official estimates do not place the growth rate above 8.5 per cent, but there are reasons to believe that the Reserve Bank of India and other forecasters will also mark up their figures. Monsoons have so far been satisfactory and the keenly anticipated turnaround in agriculture may happen. Industry, led by manufacturing, has been recording impressive gains. Tax collections have been buoyant, and surveys indicate heightened business confidence. Inflation has, however, become more intractable, while physical infrastructure continues to be totally inadequate in relation to the needs of an economy looking to grow in double digits.

# **EDUCATION**

## **Teacher pratham india government education mission**

Tina Edwin

Almost a decade after the launch of Sarva Shiksha Abhiyan (SSA), the achievement on universalising elementary education is best described as mixed.

Massive spending by the Centre and states on setting up new schools and hiring an army of teachers across the country has ensured enrolment of children in schools has risen across rural India. Just about 4% of children in the age group 6-14 are now estimated not to be attending school, according to an all-India survey by non-governmental organisation Pratham in its Annual Status of Education Report (ASER).

On a given day, the average attendance rate seems to be around 74% at the all-India level. The numbers, quite naturally, vary from state to state. In Kerala, for instance, only 0.1% of the children in this age group are out of school whereas in states such as Andhra Pradesh, it is 6.2%. But that's the happier part of the story.

The desired objectives of providing quality elementary education for all children in a mission mode by 2010 — the objective of SSA — cannot be met in any case. Worse, the quality of learning not only lags that of the urban counterparts but, in many instances, is poor. What this means is that spending of crores of taxpayer money, with the objective of creating an educated, employable workforce, for most part may remain a

fruitless exercise. And that would prove disastrous for a young country that hopes to gain from the demographic advantage in a fast-greying world.

Clearly, the government needs to do more than just throw money at the programme; it needs to ensure programmes — particularly those that are aimed at creating social capital — are sharply focused on outcomes.

In this context, the findings of Pratham throw up some disturbing facts. Nearly 50% of children in class V cannot read the text for class II without making a mistake. Significantly, students attending private schools in rural areas do not always display superior abilities, and if they do, it has less to do with the quality of teaching in the schools but more with host of factors that are external to the school such as the socio-economic environment in which the child grows up.

Haryana, Punjab, Jharkhand and Gujarat are some of the few states where private school pupils displayed better skills in reading their own language. Inability to read correctly at younger age essentially means poor learning outcomes. These children would possibly grow up with impaired ability to read and comprehend text, as the foundation of a child's learning are built in the primary classes.

Another worrying feature of the Pratham's annual household survey is that the learning outcomes seem to have deteriorated from 2008 to 2009. At the all-India level, the percentage of all rural children in class V who are able to read class II text declined from 56.2% to 52.8%, and for government schools specifically, it declined from 53.1% to 50.3%.

But what's more distressing is that parents of many children are unaware of the poor progress made by their wards in school — many assume that their responsibility for educating their children ends with sending them to school. But it is not always the parents can be blamed — many have

never been to school and, therefore, are unable to provide the child additional learning support at home. Conversely, where a child has an educated parent, and particularly where the mother is literate, her learning was seen to be better irrespective of whether she was attending a government or a private school.

Another noticeable finding of the survey was the shifting preference for private school education in rural areas. While there is a small drop in all-India average for private school enrolment, from 22.6% in 2008 to 21.8% in 2009, there was a rise in many states. In Kerala, for instance, more than half the 6-14 year olds attend private school, up from 46.8% in 2006, when Pratham started monitoring outcomes. A sharp increase was seen in Andhra Pradesh, where the percentage of enrolment soared from 18.5% in 2006 to 29.4% in 2009. So was the case with Maharashtra, where the numbers rose from 18.3% to 28.2%. In contrast, in Punjab, the percentage of children in this age group enrolled in private schools declined from 41.5% to 30.3% in the same period.

Parents in rural areas, much like those in urban areas, perceive that private schools provide a better education, Pratham found. Overall, teacher attendance is much better in private schools and these schools often give instruction in English, and that proves to be an attraction as command over the language is seen to improve job prospects.

The ASER, however, found that a majority of private schools are only marginally different from their state-run counterparts: the major difference lies in their ability to ensure accountability among the teaching staff.

To improve the success of a programme such as SSA and make the Right to Education more effective, the focus has to shift to outcome. While enrolment is important, attendance at school for both pupils and teachers is equally critical. So would be improving quality of teaching

— students should come out of school with good ability to read and comprehend text and solve mathematical problems.

**POLICE**

TRIBUNE 21.7.10 POLICE

## **Resistance to reform: Key to better policing**

**Maja Daruwala**

The Supreme Court's slew of directives notwithstanding, the implementation of police reforms has proved to be an uphill task. The Chief Ministers are reluctant to enforce them as they don't want to lose their hold over the police. How can the police be insulated from political interference and improve governance? An in-depth study  
Resistance to reform: Key to better policing

THE problem with policing is too well known to be rehashed. More important is the solution. In democracies, the relationship between the police and the political executive is always close. Both are bound in the common enterprise of preventing and investigating crime, maintaining law and order and ensuring that society has a well provisioned, well functioning essential service that protects life, liberty and property.



The key to better policing lies in defining clearly the roles and responsibilities of the political executive (i.e. the bureaucracy and the people's representatives) and the police and making them know their limits of power.

Those who fear losing their death grip over the police sometimes deliberately like to create the impression that any rein on the unfettered exercise of will over the police will create an entirely independent and out of control police force. Ironically though, today's dysfunctional police-executive relationship has given us a force with very few limits on its power.

There is no question but that the political executive must always be paramount. But the relationship has to be symbiotic, not parasitic or dependent.

A suggested model for defining this relationship would read:  
“Responsibilities and independence of State Police Chief”

The supervision, direction and control of the police throughout the state shall, be vested in an officer of the rank of Director General of Police (DGP) designated as the state police chief.

The DGP shall be responsible to the Minister for

- i) carrying out the functions and duties of the police;
- ii) the general conduct of the police;
- iii) the effective, efficient and economical management of the police;
- iv) tendering advice to the Minister;
- v) giving effect to any lawful ministerial directions.

The DGP shall not be not responsible to, and must act independently of, the Minister regarding:

- i) the maintenance of order in relation to any individual or group of individuals; and
- ii) the enforcement of the law in relation to any individual or group of individuals; and
- iii) the investigation and prosecution of offences; and
- iv) decisions about individual police officers.

The Minister may give the DGP directions on matters of government policy that relate to

- i) prevention of crime;
- ii) maintenance of public safety and public order;
- iii) delivery of police services; and
- iv) general areas of law enforcement.

No direction from the Minister to the DGP may have the effect of requiring the non-enforcement of a particular area of law

The Minister must not give directions to the DGP in relation to the following:

- i) enforcement of the criminal law in particular cases and classes of cases
- ii) matters that relate to an individual or group of individuals
- iii) decisions on individual members of the police

If there is dispute between the Minister and the DGP in relation to any direction under this section, the Minister must, as soon as practicable after the dispute arises,

- i) provide that direction to the DGP in writing; and
- ii) publish a copy in the gazette; and
- iii) present a copy to the legislature

True, present Acts are hazy about how the police is to be 'supervised' and seemingly do not explicitly condition the political executive's powers. But underlying police manuals specify exactly how and by whom administrative powers will be exercised. Similarly, there is clear law that prohibits any interference in police investigations from any quarter. But all this is observed in the breach.

Judicious supervision has degenerated into bossism and the power to transfer, appoint, promote or suspend police officers is too often used as punishment and reward to bend the police until today 'control and supervision' has become something entirely different from what was originally intended.

Nevertheless, willy-nilly we are in the era of police reforms. After 30-odd years, the National Police Commission's recommendations have been dusted off. Multiple committees have spent endless hours culling out priorities. Under the chairmanship of Soli Sorabjee, the Ministry of Home Affairs has drawn up a brand new Model Police Bill for the benefit of lawmakers across the country. Civil society has polished it and is begging policy makers to pay attention.

Union Law Minister Veerappa Moily's Administrative Reforms Commission has added more suggestions to change the police force into a reliable and trusted police service. The ruling party's manifesto has recognised "the imperative of police reforms" and said "a clear

distinction between the political executive and police administration will be made."

Even the Supreme Court has spoken and laid out a road map for reform. Its directions came nearly five years ago. Since then, every government has avoided compliance. Some have gone through the motions change while going about business as usual on the ground. Others have created stunted institutions designed to defeat intention. Yet others have legislated their way out from under the weight of obedience. And some have simply done nothing at all.

Meanwhile, everyday, in the absence of honest and law abiding policing, the security situation for country and individual is worsening. At the root of rotten policing lies the degree to which raw political power has been able to gain control over it. Weak leaderships have bowed low before illegitimate interference in the everyday running of the force and allowed informal but powerful influences to gain a large footprint in all police work. If policing is ever to improve this has to be rectified. The solutions are there. We need the political will.

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# **POVERTY**

INDIAN EXPRESS 23.7.10 POVERTY

## **How India can reduce inequality**

Michael Walton

Brazil didn't win the World Cup, but it has achieved something that it has found much more elusive: it has finally significantly reduced inequality. The same has been happening in many other Latin American countries. So, can Indian policymakers relax? If inequality eventually takes care of itself even in Latin America, the archetypal unequal region, surely India need not be concerned. In fact, the opposite is true. The Latin American experience is a cautionary tale for India, illustrating both the centrality and difficulty of tackling inequality.

Is this comparison relevant? Aren't Brazil, Chile, Colombia and Mexico in a different league from India in terms of inequality? Observers often cite the relatively modest levels of inequality in India found in the National Sample Survey. India's Gini coefficient (a synthetic measure of differences) was some 0.35 in 2004-05. Brazil's Gini coefficient hovered around 0.59 until 2001, before declining to 0.55 in 2007.

But this is misleading. The NSS is for the consumption of households, Brazil's is for their income, and consumption inequality is always lower (since the rich save more). The India Human Development Survey for 2004-05 finds a Gini similar to the NSS, but an income Gini of 0.52,

well into Latin American territory. Moreover, what really matters are inequalities of opportunity, and these are profound in India, owing to large differences in educational attainment, access to assets and continuing effects of social identity.

So the Latin American experience is relevant. A recent book from the UNDP helps us see why. The inequality decline matters: it looks like a turning point, even though there is a long way to go. And it has already made a large difference to poverty reduction. The Brazil study estimates that two-thirds of a substantial poverty decline between 2001 and 2007 was due to falling inequality. Growth would have had to be four percentage points higher if inequality had not changed. That kind of contribution to reducing poverty would be of great significance in India.

What was going on? The two largest influences in Brazil, and elsewhere, were direct transfers and reductions in labour earnings differentials. Government transfers to households accounted for about half the Brazilian inequality decline, mostly due to old-age pensions and a cash transfer to the poor (Bolsa Família, which is conditional on children going to school, health check ups and an assets-based means test—like India's Below Poverty Line measure). The Bolsa Família was substantially expanded under the Left-leaning (but largely pro-market) administration of President Lula da Silva.

The other half of the decline mainly came from reduced wage differentials, especially linked to skills, and also to inter-regional and inter-industry wage differences. The fall in skill differentials represents a reversal of earlier increases. When Latin America opened up in the 1980s and 1990s, most countries experienced rises in relative wages, especially of college-educated individuals, as the economic restructuring increased the demand for skills. Only in the 2000s are the benefits of early expansions in education being reaped, a product in many countries of the return to democracy in the 1980s.

So this looks like a happy story of the efficacy of social policy: well-designed social transfers and the massification of education make a big difference. Politics laid the basis for this. Isn't this good news for India?

Unfortunately, it's not so easy. Several features of India's current condition could jeopardise or delay such a scenario. India is early in its economic transition. Despite the global profile of top companies, overall economic development is decades behind middle-income countries such as Brazil and Mexico. Yet the rising demand for skills is already well under way and could go faster than in Latin America, as global technological change has continued apace. Crucially, this collides with two other factors. The educational level and distribution is worse than even these Latin American comparators. And at this stage educational inequality generally rises before falling. Then there is a big political economy issue: India has a stack of ill-designed transfers, entrenched in the political process. Unless there is major reform of subsidy programmes, PDS, etc, it won't be able to afford well-designed pension schemes or conditional cash transfers. Also, delivery on quality education or effective transfers depends fundamentally on the institutional basis for delivery and this is weaker than most Latin American countries.

So we come back to some core themes. Inequality matters. The recent Latin American inequality decline is good news but only highlights India's challenge. Inequalities get entrenched in the system, can further corrupt state performance and will eventually undercut the growth process. Tackling India's inequalities can't be relegated to the future.

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# **PUBLIC POLICY**

## HINDU 20.7.10 PUBLIC POLICY

### **Pre-requisites for sustainable food security**

M.S. Swaminathan

*The goal of food for all can be achieved only through greater and integrated attention to production, procurement, preservation and public distribution.*

The President, in her address to Parliament on June 4, 2009, announced: “My Government proposes to enact a new law — the National Food Security Act — that will provide a statutory basis for a framework which assures food security for all. Every family below the poverty line in rural as well as urban areas will be entitled, by law, to 25 kg of rice or wheat per month at Rs. 3 per kg. This legislation will also be used to bring about broader systemic reform in the public distribution system.”

Since then, various arms of the government as well as civil society organisations have been working to help redeem this pledge. The National Advisory Council (NAC) headed by Sonia Gandhi recently provided a broad framework to achieve the goal of food for all and forever. The NAC's suggestions include the swift initiation of programmes to insulate pregnant and nursing mothers, infants in the age

group of zero to three, and other disadvantaged citizens, from hunger and malnutrition. Such special nutrition support programmes may need annually about 10 million tonnes of foodgrains. The NAC has stressed that in the design of the delivery system there should be a proper match between challenge and response, as for example, the starting of community kitchens in urban areas to ensure that the needy do not go to bed hungry. Pregnant women should get priority.

The NAC has proposed a phased programme of implementation of the goal of universal public distribution system. This will start with either one-fourth of the districts or blocks in 2011-12 and cover the whole country by 2015, on lines similar to that adopted for the Mahatma Gandhi National Rural Employment Guarantee Programme (MGNREGP). This will provide time to develop infrastructure such as grain storage facilities and Village Knowledge Centres and the issue of Household Entitlements Passbooks. The NAC is developing inputs for the proposed Food Security Act covering legal entitlements and enabling provisions based on the principle of common but differentiated entitlements, taking into account the unmet needs of the underprivileged.

The food security legislation will be the most significant among the laws enacted by Parliament. It will mark the fulfillment of Mahatma Gandhi's call for a hunger-free India. It should lend itself to effective implementation, in letter and spirit. This will call for attention to four pre-requisites. These are food production, procurement, preservation and public distribution.

**Production:** India faces a formidable task on the food production front. Production should be adequate to provide balanced diet for over 1.2 billion persons. Over a billion cattle and other farm animals need feed and fodder. The recommendations of the National Commission on Farmers (NCF) made in five reports submitted to the Minister of Agriculture between 2004 and 2006, and the National Policy for Farmers placed in Parliament in November 2007 need to be implemented. These

provide a road map to strengthen the ecological-economic foundations for sustainable advances in productivity and production and impart an income orientation to farming, helping bridge the gap between potential and actual yields and income in farming systems. Since land and water are shrinking resources, and climate change is a real threat, the NCF has urged the spread of conservation and climate-resilient farming. A conservation-cultivation-consumption-commerce chain should be promoted in every block. This will call for technological and skill upgradation of farming practices. Methods to achieve a small farm management revolution that will result in higher productivity, profitability and stability under irrigated and rain-fed conditions are detailed.

The widening of the food basket through the inclusion of nutritious millets, the mainstreaming of nutritional considerations in the National Horticulture Mission, and the consumption of salt fortified with iron and iodine will help reduce chronic protein-energy under-nutrition and hidden hunger caused by the dietary deficiency of micronutrients such as iron, iodine, zinc, Vitamin A and Vitamin B12. A sustainable food security system can be developed only with home-grown food, not imports.

Procurement: Procurement should cover not only wheat and rice but also jowar, bajra, ragi, minor millets and pulses. When India started the High Yielding Varieties Programme in 1966, jowar, bajra and maize along with rice and wheat were included in the food basket in order to keep it wide. Community Grain Banks operated under the social oversight of Gram Sabhas will facilitate the purchase and storage of local grain. Farmers are now worried that the government may lower the minimum support price (MSP) to reduce the subsidy burden. This will kill the food security system. The MSP should be according to the NCF formula of C2 (that is, the total cost of production) plus 50 per cent. The actual procurement price should be fixed at the time of harvest, taking into account the escalation in the cost of inputs like diesel since the time the

MSP was announced. Unlike in developed countries, where hardly 2 per cent to 3 per cent of the people are farmers, the majority of consumers (over 60 per cent) in India are farmers. Their income security is vital for food security.

**Preservation:** Safe storage of procured grain is the weakest link in the food security chain. India is yet to develop a national grid of modern grain silos. Post-harvest losses are high in foodgrains and in perishable commodities such as vegetables and fruits. A Rural Godown Scheme was initiated in 1979, but it is yet to take off. The government called off the “Save Grain” campaign some years ago, ending a relevant programme in the context of food security.

**Public Distribution:** The strengths and weaknesses of India's public distribution system, the world's largest, are being discussed widely. Corruption and leakages are widespread. There are States such as Tamil Nadu, Kerala and Chhattisgarh where the PDS is being operated efficiently. The challenge is to learn from the models and convert the unique into the universal.

In the ultimate analysis, what is relevant for human health and productivity is nutrition-security at the level of each child, woman and man. India has to shift from viewing food security at the aggregate level to ensuring nutrition-security at the level of each individual. This will call for concurrent attention being paid to availability, access and absorption. Indian agriculture is in a state of crisis, both from the economic and ecological points of view. Unless attention is paid to soil health care and enhancement, water conservation and efficient use, adoption of climate resilient technologies, timely supply of needed inputs at affordable prices, credit and insurance, and producer-oriented marketing, a higher growth rate in agriculture cannot be realised.

In the area of access, the MGNREGP and the Food Security Act that seeks to ensure 35 kg of staple grain at Rs.3 a kg will help. This has to be combined with efforts to create avenues for market-driven non-farm

enterprises. When China started its agricultural reform, a two-pronged strategy was adopted. It involved higher productivity and profitability of small farms and greater opportunities for non-farm employment and income through Township Village Enterprises. In India there is still a gross mismatch between production and post-harvest technologies. This results in the spoilage of foodgrains and missed opportunities for value addition and agro-processing. The use of agricultural biomass is generally wasteful and does not lead to the creation of jobs or income.

In the field of absorption of food in the body, it is important to ensure clean drinking water, sanitation and primary health care. Even in a State like Tamil Nadu where steps have been taken to ensure food availability at affordable cost, a food insecurity analysis done by the M.S. Swaminathan Research Foundation (MSSRF) along with the World Food Programme shows that the level of food security is far better in households with toilets. The Rajiv Gandhi Drinking Water Mission, the Total Sanitation programme and the National Rural Health Mission are all important for food security.

India's global rank in the areas of poverty and malnutrition will continue to remain unenviable, so long as the country does not enable all its citizens to have a productive and healthy life. The Food Security Act holds out the last chance to save nearly 40 per cent of India's population from the hunger trap.

*(Professor M.S. Swaminathan is a Member of Parliament, Rajya Sabha, and Chairman of the M.S. Swaminathan Research Foundation.)*

# **RIGHT TO INFORMATION**

## **When RTI proved lethal**

Antara Dev Sen

Earlier this week, Amit Jethwa was shot dead in front of the Gujarat high court. He was in his thirties, a caring, law-abiding citizen, committed to the environment, humanity and animal life. And like most dedicated souls, he believed that he could stem the rot in the system and make a difference by diligently using democratic tools of empowerment. He relied heavily on the Right to Information (RTI) Act to plug the holes in the system. Till the holes got him.

Amit Jethwa was fighting against illegal mining in the Gir forests, which hosts the world's last Asiatic lions. But he was up against the mining mafia, the forest department and politicians involved in the racket. Not an easy fight for a lone ranger. Besides, he had made enemies by campaigning against corruption. He had even got a Lokayukta placed in Gujarat.

But he was losing faith in civil society. Barely a week before he was gunned down he had told a reporter about his disenchantment. "I know how risky it is for me and my family to wage a war against the mining mafia", he lamented. "Without the support of people nothing is possible."

Which is precisely where the power of the RTI lies. In the hands of the masses, it is a potent tool to chisel democracy with. But in the hands of a

lone passionate soul, it may be a dangerous weapon ready to explode in your face.

Information is power only when you are allowed to use it. It works wonders in a free society, where people have justiciable democratic rights, where governance has not failed as miserably as in our country. The right to information can be a human right only where there has been a certain level of development, where certain democratic freedoms are protected. If the state cannot protect your right to life, it's best not to exercise your right to information too much.

Are we shocked that Amit Jethwa was killed in public, in broad daylight, in front of the highest seat of justice in the state? Yes. But should we be? The state is Gujarat, where human rights are routinely violated, where you could be killed for convenience. Even as this activist was being gunned down, chief minister Narendra Modi's close aide Amit Shah, the junior home minister accused in the Sohrabuddin fake encounter case, was audaciously dodging the CBI (Central Bureau of Investigation). This is also the state where thousands were killed in the name of religion, and investigations into the murders so mired in corruption that the Supreme Court had to shift some cases out to other states for a fair trial.

So maybe we should not be shocked that Amit Jethwa, an activist who fought powerful people for the right and the good, was killed so brazenly in front of the Gujarat high court. We should be shocked at our own impotence. At the way certain states can function as barely veiled banana republics, denying democratic rights and freedoms to Indian citizens.

But Gujarat, drowning as it is in the depths of deprivation, is not the only state to deny democratic rights and freedoms to citizens. Killers with political clout routinely go free everywhere in India. And RTI activists have been killed, attacked, and hounded around the country ever since the national RTI Act was passed in 2005.

Let's look at some of the cases this year. In January 2010, Satish Shetty, 39, was hacked to death in Maharashtra. The activist had been battling land scams and government corruption, had received death threats and

asked for police protection — which he didn't get — and was killed while taking his morning walk.

In February, also in Maharashtra, RTI activist Arun Sawant was shot dead near the Badlapur Municipal Office in Thane for fighting administrative corruption. Meanwhile in Bihar, RTI activist Shashidhar Mishra was gunned down in front of his home in Begusarai. A tireless crusader against corruption in welfare schemes and the local government, he was called “Khabri Lal” for his dedication to information. Meanwhile in Gujarat, Vishram Laxman Dodiya, who had filed an RTI petition regarding illegal electricity connections by Torrent Power, was murdered.

In April, RTI activist Vitthal Gite, 39, was killed in Maharashtra for exposing village education scams. And in Andhra Pradesh, Sola Ranga Rao, 30, was murdered in front of his home for exposing corruption in the funding of the village drainage system.

In May, Dattatray Patil, 47, was murdered in Kolhapur, Maharashtra. A close associate of activist and RTI guru Anna Hazare, his fight against corruption had got some of the area's top policemen removed and action initiated against local municipal corporators.

Besides murder, there are failed murder attempts, violent threats and fake police cases. Take Maharashtra.

In March, environmentalists Sumaira Abdulali and Naseer Jalal were ruthlessly attacked by a politically backed sand mafia in Raigad, and survived only because journalists accompanying them used their influence and mobile phones. None of the accused were arrested. In April, Abhay Patil, advocate and RTI activist, had a mob clamouring for blood at his door. Apparently, they wanted him to withdraw all complaints of corruption against MLA Dilip Wagh. When his wife, a police constable, called the cops for help, they asked her to come to the police station and lodge a complaint. Later, she faced fake charges and was suspended, allegedly at the behest of home minister R.R. Patil. Then in July, Ashok Kumar Shinde was attacked for his RTI and Public Interest Litigation (PIL) against a corruption racket in the Public Works Department linked to the Bombay high court.

Worse than physical assault is abusing the law to attack activists. Take the case of E. Rati Rao, senior scientist, activist and journalist, in Karnataka. In March she was charged with sedition and attempting to cause mutiny or communal discord for protesting against “encounters” and atrocities on dalits, tribals, Muslims and other minorities.

Meanwhile, in distant Orissa, another activist-journalist, Dandapani Mohapatra, was targeted by the police, his home raided and his books and magazines confiscated without a warrant. He was labelled as a suspected Maoist.

Activists fighting for our rights cannot win without our muscle. Once an RTI activist is killed, civil society must force the police to investigate not just the murder but all that he was unearthing. Only then will we be able to stop this murderous silencing of activists.

By not protecting RTI activists, by allowing cases of harassment they file to be closed without punishing the perpetrators, the state is failing to uphold the spirit of the RTI Act. And weakening the spirit of democracy.

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