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CIVIL SERVICE

TIMES OF INDIA, APR 28, 2015

Govt to tweak graft law for jittery babus

[Neeraj Chauhan](#),

Sources also said that the views of CBI, which investigates all important PC Act cases, were sought before making changes in the law.

NEW DELHI: With the Prevention of Corruption Act widely seen as deterring civil servants from taking decisions, the government is set to amend the law very soon. Government sources told TOI that amendments in Section 13 (1) of PC Act have been finalized and will be placed before Parliament soon.

Sources also said that the views of CBI, which investigates all important PC Act cases, were sought before making changes in the law. The Law Commission had also given a report earlier this month in this regard. The issue was discussed in a recent meeting of Prime Minister Narendra Modi and secretaries and the department of personnel and training has been asked to expedite the process.

Section 13(1)(D)(III) of PC Act, 1988, which talks about criminal misconduct by a public servant, is often called draconian. Former PM Manmohan Singh was recently summoned by a trial court in coal scam case under this sub-clause of PC Act.

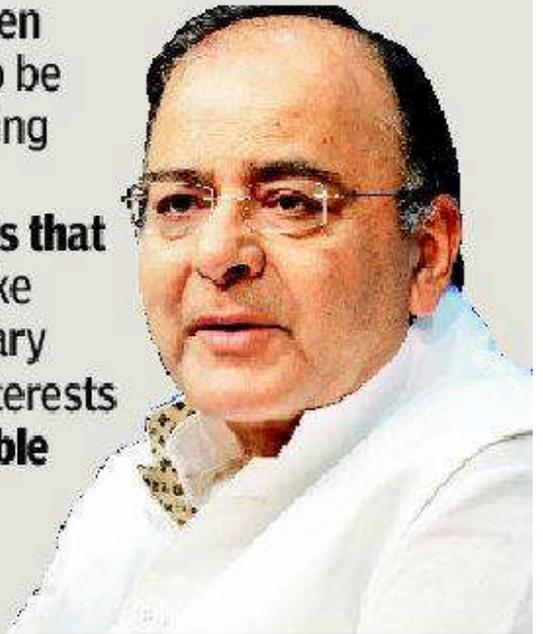
The section reads, "While holding office as a public servant, obtains for any person any valuable thing or pecuniary advantage without any public interest." A public servant could be prosecuted if he/she has taken a decision which results in pecuniary gain to an individual without any public interest. The punishment may be up to seven years in jail and fine.

Finance minister Arun Jaitley alluded to the environment of distrust among public servants while delivering the CBI's 16th D P Kohli Memorial lecture at Vigyan Bhavan on Monday.



Can there be decision-making where every decision-maker is on the defensive, cautious of what will eventually happen... if a decision is taken wrong. The economic decision will also be trial and error. It may also involve playing with the joints. It may also involve an element of risk. I think the 1988 Act fails that test... I think in the 1988 Act, phrases like corrupt means, public interest, pecuniary advantage, valuable thing, personal interests are phrases which are vague and capable of more than one construction

—Arun Jaitley | FINANCE MINISTER



Jaitley said civil servants were scared of taking decisions for fear of being hauled up later. He said this law, which failed the test of differentiating between a genuine error of decision-making and an act of corruption because of its vague terminology, needed to be looked at.

The finance minister also criticized the judiciary's interference in cases investigated by the CBI, which affected decision-making. He said judicial supervision of corruption cases had hindered the whole process of decision-making as investigators tried to make a case even in instances of "genuine error of judgment". He said this "overkill" from various institutions had not helped in the country's growth.

He said there was a fine difference between corruption and genuine error of decision which the present anti-graft law failed to recognize.

Talking about the PC Act, which was drafted in the pre-liberalization era in 1988, Jaitley said the scenario changed in 1991 with the opening up of the economy, where a quick decision-making process was the need of the hour.

"Can there be decision-making where every decision-maker is on the defensive, cautious of what will eventually... if a decision is taken wrong. The economic decision will also be trial and error. It may also involve playing with the joints. It may also involve an element of risk," Jaitley said.

"I think the 1988 Act fails that test... I think in the 1988 Act, phrases like corrupt means, public interest, pecuniary advantage, valuable thing, personal interests are phrases which are vague and capable of more than one construction. Once they are capable of more than one construction, they give to an investigator an opportunity to interpret it either way and, today, the whole ambit of the circumstances under which the investigations are held has also changed," he said.

Jaitley also asked investigating agencies to desist from the "temptation to persecute". "An investigating agency's responsibility is huge. Its discretion is also very large and, therefore, considering the responsibility and discretion where the agency investigates more serious cases, it prosecutes and yet it has to prevent itself from the temptation to persecute," he said.

Asserting that judiciary and CBI were two institutions which could not afford to be imperfect, Jaitley said there has to be a balance in investigation, prosecution and persecution.

He said the judiciary started monitoring certain cases when it felt that these were not being probed appropriately. However, soon, this "rare exception" turned into "a pattern" which squeezed the discretionary powers of investigators and put them on the defensive.

As a result, he said, decision-making in the government became a "pass the parcel game" where government officials feared taking policy decisions.

"This whole process prepares civil servants and decision-makers where decision-making becomes a game of passing a parcel. (As a result) rather than I taking the decision, I put a non-committal note and allow the file to move so that the eventual decision is not taken by me," Jaitley said.

BUSINESS LINE, APR 28, 2015

Central govt employees plan indefinite strike from November 23

MAMUNI DAS

Central Government employees, who are planning a demonstration near Parliament on Tuesday demanding scrapping the New Pension Scheme and raising the bonus limit, have decided to go on an indefinite strike from November 23 if their demands are not met.

“If the demands are not met, then the joint action committee has decided to go for an indefinite strike from November 23. The strike will include the railways, postal and other departments as well,” Shivagopal Mishra, convenor of the joint action committee, told *BusinessLine*.

They also demand redressal of pending anomalies in the Sixth Central Pay Commission, interim relief, scrapping foreign direct investment and public private partnership schemes, filling of vacancies, and amendments in labour laws, among others, according to a release.

The India Railway Men’s Federation, National Federation of Indian Railwaymen, All India Defence Employees Federation, National Federation of Postal Employees Federation, and Confederation of Central Government Employees will take part in the demonstration, said Mishra said.

DECCAN HERALD, APR 28, 2015

Remove prior sanctions privilege

The Supreme Court’s observation that the prior sanction mandated by law for prosecution of government servants should not be treated as a shield to protect corrupt officials is common sense. But the sense was not so strong for a number of government officials from Andhra Pradesh who have been fighting credible charges of official misconduct and corruption for 16 years, armed with Section 197 of the Criminal Procedure Code. It is claimed that the Section was introduced in the CrPC with the good intention of protecting government officials from frivolous and malicious litigation. It laid down that no court in the country can entertain a case against a public servant, unless written permission for prosecution is received from his or her superiors, over anything done as part of his or her official duties. The 1973 law, which was modelled on a colonial law, has been among the most misused and misinterpreted legal provisions in the country.

The Andhra Pradesh employees had come to the Supreme Court to escape punishment for cheating, misappropriation of money and fabrication of records. What was claimed was relief on technical grounds, on the basis of the mandate of Section 197, from prosecution for serious offences. The claim, in effect, meant that they were entitled to protection from prosecution mandated by the Section even when they indulged in corruption and misconduct. This is an absurd claim and is the best example of a law being used for purposes which are exactly opposite of what it was meant for. Many officials have escaped punishment for serious offences with the help of the mandate for prior permission. Only two months ago, former Gujarat DG of police P C Pande was

discharged in the Sohrabuddin fake encounter case for want of sanction under Section 197. There are other cases too.

It is high time that this provision is removed from the statute book. It creates impunity and disregard for law in the minds of officials. Countries like the US and the UK, which have a robust system of rule of law, do not have this mischievous provision in their laws. Experience shows that it is a major hurdle in the fight against corruption and lawless conduct of officials. Many genuine cases of corruption and misconduct have collapsed for want of sanction on the part of the Central government, state governors and other authorities concerned in government departments. Courts have repeatedly pointed this out. Public servants are accountable to the people, and therefore, such a law is unnecessary. Vexatious litigation can be discouraged by many other means like penalties.

FINANCIAL EXPRESS, APR 24, 2015

Unmarried employees can now travel anywhere in country on Leave Travel Concession: Govt

Unmarried *central government* employees can now avail benefits of Leave Travel Concession (LTC) for visiting any part of the country, as per a relaxation in the rule, which earlier restricted them to use the facility for going to their hometown only.

“It has been decided that the facility of conversion of home town LTC to allow travel to different parts of the country, under the special dispensation scheme, will also apply to an unmarried central government servant, who is eligible to avail the benefit of LTC to visit hometown every year,” a fresh order issued by the Department of Personnel and Training (DoPT), said.

The facility may be availed by converting one occasion of hometown LTC out of the block of four years, it said.

As per norms, an eligible government employee gets to and fro journey reimbursement after availing LTC. However, employees are supposed to undertake the visit from the place of their posting to their hometown.

The DoPT has been allowing special dispensation to the government servants for taking LTC from time to time by relaxing rules.

Presently, one such dispensation in operation is the relaxation for the government servants to travel by air to visit North East region, Jammu and Kashmir or to the Andaman and Nicobar Islands by converting one block of hometown LTC available to them.

The DoPT has received references seeking clarification on the admissibility of conversion of hometown LTC facility into travel to different parts of the country, which is permissible under special dispensation, to such unmarried government servants.

The matter was examined in consultation with the Ministry of Finance and it has been decided to allow unmarried government employees to visit any other part of the country under the LTC scheme, it said.

ECONOMIC TIMES, APR 24, 2015

46 top Babus submit report on ground-level conditions to end rural misery

By Anubhuti Vishnoi

They also suggested that the management of solid waste should be incorporated under the 'Swachh Bharat Abhiyan'.

NEW DELHI: The top bureaucrats of the central government have come out with a slew of recommendations to tackle the challenges of infrastructure, healthcare, employment and education in rural and backward areas, which include creating a national pool of doctors for short-term voluntary postings in tribal areas and building comfortable and secure infrastructure at sub-division level to retain staffers at field level.

The 46 secretaries to the Government of India have recently submitted a report on ground-level conditions after visiting their first place of posting in January on orders from Prime Minister.

The 'Report of visit of secretaries to their first place of posting' — which was reviewed by The Economic Times — has listed a range of infrastructure, sanitation and employment problems at the ground level, indicating years of bureaucratic neglect and administrative inefficiency.

Pointing to the abysmal healthcare facilities at ground level, the report recommends creating a "voluntary national pool of doctors, both retired and serving, who should be willing to go to backward tribal areas for a short period of say, three to six months, after which, they could return to their place of posting".

This, the report suggests, could be a temporary measure till people from tribal areas get medical education and become doctors. The secretaries highlighted "deplorable health infrastructure and sanitation conditions" in areas they visited and the lack of specialist doctors.



They also suggested that the management of solid waste should be incorporated under the 'Swachch Bharat Abhiyan'.

The home secretary, in his report, called for strengthening the Pradhan Mantra Gram Sadak Yojana (PMGSY) by expanding its ambit to include eligible habitations based on 2011 census, instead of the 2001 census.

A key area of concern pointed out in the report is the inadequate presence of cutting edge staff at field level, which impacts efficiency of public service delivery. Secretaries pointed to near 30% vacancies at the collectorate level and also across departments, schoolteachers and doctors.

Worse still, many staffers at subdivision and block levels prefer not to stay at their place of posting, and are called frequently to various authorities at the Centre for different issues.

The secretaries have suggested developing functional, gated and secure infrastructure at the block level with fully furnished one- or two-bedroom houses to ensure that the staff stay at the place of their posting.

With multiple central schemes running at the block or village level like say the Sarva Shiksha Abhiyan and the National Rural Health Mission, the report said the concerned ministries should converge their resources in such a manner that at least one government representative could be stationed in each village and work as a representative for all

departments/schemes.

The recommendations are now being mulled at the highest level, government sources said.

The secretary for personnel has recommended that the component of skill development be included in the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) scheme, supplemented with a systematic skilling programme in all 10 blocks of a district, followed up by high quality training by the National Skill Development Corporation.

North Eastern region secretary in his report drew attention to Gujarat's Kushal Vikas Kendra (KVK) where each village was asked what skills they wanted to develop and organise, and altered skills training accordingly.

DISASTERS

TIMES OF INDIA, APR 30, 2015

Japan and quake preparedness

HIROAKI TAKAHASHI

The earthquake in Nepal has jolted the world. According to initial estimations by the United Nations, eight million people in 39 districts have been affected. Of them, over two million people live in 11 severely affected districts. Ninety per cent of the houses there have been “flattened”. Heritage buildings are now rubble, thousands are homeless, many have lost livestock, and have little food. On behalf of all Japanese citizens, I extend my heartfelt condolences and prayers to those who have lost their lives, their families and those affected. I hope international help is able to ensure rapid rehabilitation and reconstruction.

I recollect how Nepal and India were quick to support Japan when it faced a similar situation in 2011, during the Tohoku tsunami where more than 20,000 people died.

Japan falls in a seismically active region and earthquakes are a part of life. Japanese seismologists and engineers are always working on solutions to mitigate the loss and damage caused by earthquakes. Most difficulties stem from the fact that the occurrence of major earthquakes spans intervals that are generally longer than the average lifespan of citizens. And memory is short. There is a saying here: “When danger passes, even god is forgotten.” For example, memories of the 2011 tsunami have long passed. Therefore, the question is: how long will you remember a disaster? And how do you pass on the lessons learnt? In this article, I would like to address this issue and look at what needs to be done, from the point of view of someone who lives in a seismic zone.

Earthquake forecasting

An earthquake is a sudden violent shaking of the ground, typically causing great destruction, as a result of volcanic action or movements deep within the earth’s crust. The Nepal quake resulted from a collision between the Indian crustal block and the Eurasian continent. Geophysicists know that the entire Indian subcontinent is being driven slowly but surely beneath Nepal at a speed of five centimetres a year. This generates a five-metre contraction over a century and results in silent stress build-up in the inner crustal rock. An earthquake occurs when stress accumulation reaches critical point. Over millions of years, the squeezing has crushed the Himalayas, raising mountains and triggering earthquakes on a regular basis. This will continue. This dynamic process will also induce stress accumulation in India. The Gujarat earthquake of 2001 was a result of this process. This shows that a quake is sure to occur in future.

Like Japan, Nepal is also located in one of the most seismic active zones. “An earthquake repeats itself”, which is a Japanese proverb, is apt here as well. Earthquake forecasting is a kind of historical science. If you can find documentation of a quake in ancient literature or legend, that place is bound to be earthquake prone. I pose this question next: do you know the earthquake history of your region? But let me not be an alarmist. The India Meteorological Department keeps track of all this. However, I suppose most people don’t know. It is perfectly natural that people do not worry about such things; it’s the same in Japan as well. As scientists, we try to create awareness about earthquake risk in the form of public lectures, mass media campaigns, science shows and governmental meetings. Therefore, “risk recognition” is the first step towards disaster mitigation.

In Nepal, researchers did track active earthquake history and issued warnings about a possible and destructive quake. For example, my colleague visited Nepal frequently to research strong ground shaking to help in disaster mitigation studies. Earthquake science still does not have a tool for imminent earthquake prediction. Therefore, being prepared for one is a crucial, and, often, the only step for disaster mitigation.

Disaster and public policy

In an earthquake, most of the damage is caused by collapsing buildings. In Nepal, most victims died this way. This is a major problem confronting architects. Recent architectural developments, however, allow for the construction of quake-resistant buildings, but such construction is more expensive than an ordinary building. Therefore, cost-effective solutions are also a challenge.

The Japanese believe and agree that anti-disaster investments are lifesavers. If the Indian government makes a public investment in this area, it should first come to some sort of social agreement in disaster mitigation. The role of the mass media is also important because it plays a key role in creating awareness about disaster preparedness. This must be emphasised. We must remember that it is people and commercial companies that are involved in construction and not the government. So, disaster mitigation cannot achieve optimal results unless there is understanding and cooperation. The media should also highlight the benefits of public and commercial investments.

Japanese anti-quake construction technology places a premium on high performance. Hence, what is suitable for Japanese conditions may not work elsewhere, in terms of applicability and cost. I suppose the export of such technology may not solve problems elsewhere. Therefore, the Government of India must develop an anti-disaster technology that suits Indian construction and conditions.

Risk evaluation and management

Disaster mitigation measures also require risk evaluation for rural and urban areas. In high-risk regions, there must be public investment. Policymakers in India must look at those parts of the country that have high quake potential. Records show that the western, coastal and northern regions are at high risk. Another important factor is “occurrence frequency and probability”. Shorter intervals between quakes indicate a high probability. At the same time, longer intervals also produce high probability. An evaluation of these factors will give one the basic information required. I would also like to add that earthquake research can’t operate on a commercial basis, so government funding is a must for scientific investigation.

The Japanese government operates the Headquarters for Earthquake Research Promotion based on Special Measure Law on Earthquake Disaster Prevention. Its director is a minister and its committees consist of government officers, governors, professors and researchers. The most important role of this special inter-ministry organisation is to publish probabilistic seismic hazard maps resulting from probability evaluation of earthquake occurrences. It also conducts unified national earthquake research — as geological surveys, earthquake monitoring and computer modelling. The results from all these projects produce the probability of earthquake occurrences. For instance, its research has shown that a strong shaking probability for the Tokyo Metropolitan area for next 30 years exceeds 80 per cent.

Earthquake risk is defined in the following way — multiplication of earthquake magnitude, probability and social fragility. Scientific data can only estimate magnitude and probability. This shows that if a place is “very fragile”, even a small earthquake can result in disaster. “High fragility” is the state of being unprepared by having non-quake-resistant construction. Mankind has no control over the magnitude and probability of a quake but architectural engineering can help reduce the fragility. Japanese quake-resistant house and building compliance is now about 80 per cent.

Response and supporting technology

In a quake, the survival time of someone who is buried is 72 hours. Therefore, rapid initial rescue is crucial. Who does the rescue then? The fire department? The police? The military? In a quake, one must be able to think of how to survive and escape. This is the experience in Japan. What if help is inadequate?

A real-time earthquake observation system should support the quick start of a rescue. In Japan, any seismic activity of more than ‘5+’ intensity automatically activates governmental response. There is surveillance by self-defence forces, a disaster countermeasure preparation office starts working, and a medical assistance team is on standby. For any smooth operation, there has to be a drill. So, disaster prevention agencies and governments frequently conduct all kinds of training and simulate situations. But even the best trained rescue operation requires lead time to access sites.

In Japan, a real-time Earthquake Early Warning (EEW) is in operation. If a quake is in the sea, the speed of an earthquake wave is about 8 km per second, which is slower than an electric signal. If the epicentre is away from one's location, an electric signal reaches faster than the shake that gives the lead time before the quake arrives. An EEW alert is automatically triggered whenever any seismometer detects a seismic signal. There are alerts to the public through the media and the Internet. Trains, elevators and industrial machines are stopped automatically.

These examples show how earthquake monitoring data might help decrease the impact of a disaster. However, for the full impact of such a system, there needs to be a high ratio of anti-quake construction. How does one minimise the chances of being buried alive? The point is that government investment in anti-quake construction takes precedence over a modern alert system.

The annual disaster prevention drill in Japanese schools also plays an important role. Students are taught to hide below their desks in a quake. In their syllabus, they learn about natural disasters, disaster history, and hazard mapping.

Importance of legislation

Legislation also plays a most important role in disaster mitigation. The Japanese government has amended the Building Standard Law at regular intervals to reflect the advances in science and technology, and the lessons learnt from the last earthquake that occurred. The present version requires that new constructions should not be damaged in a medium earthquake and must not collapse in a large earthquake. These stringent measures have successfully reduced human toll in recent quakes. There is also a programme of tax incentives for anti-quake construction, that has enabled a higher ratio of anti-quake constructions in Japan. Therefore, economic incentives are also required to achieve actual law implementation.

With a proper legal system in place, new constructions will be better adapted for high seismic activity. We should try to develop a legal system, especially a Building Standard Law for earthquake disaster mitigation. Another countermeasure against quake disaster is a city planning policy and advance reconstruction policies. I believe these insights based on actual disaster experiences in Japan will go a long way to help save precious lives.

(Hiroaki Takahashi is Associate Professor of Seismology, Institute of Seismology and Volcanology, Hokkaido University, Japan.)

Japanese anti-quake construction technology places a premium on high performance. Hence, what is suitable for Japanese conditions may not work elsewhere, in terms of applicability and cost, necessitating indigenisation.

A robust disaster management programme which includes various aspects of mitigating after-effects, sensitisation of the public, warning systems, and architectural changes resulting in quake-resistant buildings has characterised Japan's earthquake preparedness

INDIAN EXPRESS, APR 29, 2015

How to meet a quake

We try to find out through sensors how many mini-quakes have occurred and within what frequency and where and then, from the data pattern of mini-quake densities and intensities, we are able to conclude if a quake is on its way, like a major stroke'.

Written by [Gopalkrishna Gandhi](#)

Prime Minister Narendra Modi's reflexes in rushing aid to quake-struck Nepal have been perfect. He knows about earthquakes from the time of the Bhuj tragedy, on January 26, 2001. He was not chief minister of Gujarat then, but he was on his way to assuming that office when Bhuj shook not just Gujarat but all of India out of seismological complacency.

And so our prime minister knows what an earthquake is and does. Also, how help comes pouring in from all over the country and beyond as well. Especially from neighbours.

We like to think of Sri Lanka as our "small neighbour". But when Bhuj jolted us out of our smugness on Republic Day in 2001, then President Chandrika Kumaratunga and Foreign Minister Lakshman Kadirgamar did what any neighbour, small or big, would have done — they lost no time in offering and indeed, giving us help. For a nation that was battling, 24X7, a most brutal form of terrorism, had no foreign exchange reserves worth the name and was, in fact, in need of every kind of help from other nations, Sri Lanka's response was noteworthy. Colombo rustled up a money contribution and a sizeable quantity of blankets and clothing for distribution to the quake-affected. "No used clothes", Kumaratunga made clear. "Only factory-fresh items".

A couple of days later, I called on Arthur C. Clarke at his Colombo villa-cum-futurist office. I had been intending to do so ever since I arrived in that city to work at India's high commission but it took that quake of quakes to jolt me into seeking that call.

The visionary received me in his book-lined study. He was in a wheel chair, an old spinal injury impeding his motor movement. I asked Clarke if, in his view, earthquake prediction would ever be possible. His eyes lit up, he said, "strange that you should ask that". He wheeled himself to a bookshelf full of his own works and pulled out a squat novel, *Richter 10*, co-authored by him, as if in answer to my question.

Clarke's introduction to *Richter 10* begins thus: "Many years ago I was standing in a Delhi hotel when I became aware of a faint vibration underfoot. 'I had no idea' I said to my hosts, 'that Delhi has a subway system'. 'It doesn't', they answered. That was my one and only experience of earthquakes."

Clarke's only novel about earthquakes begins, therefore, with his only real-life experience of

an earthquake — in Delhi. When it comes to earthquakes, the planet is one.

The protagonist of the novel, Lewis Crane, crippled and orphaned in the "great" Californian earthquake of 1974, grows up to be a physicist and a Nobel laureate with a passion for devising a method for quake prediction. Clarke now returned to my question and said, while earthquake prediction may take some more time, what should be done is inaugurate a new architecture in quake-prone areas that would not result in such devastation.

Will we take heed of his words? Earthquake anticipation remains more an ideal than an actuality.

A couple of years after Bhuj and my meeting with Clarke, I was posted in Iceland, home to the world's greatest geothermal reserves and volcanoes, in what looks like a lunar landscape. "The earth is like the human brain", an Icelandic scientist explained to me. "Prior to a stroke, mini-strokes are known to occur. They generally go unnoticed for they are very, very minor. We try to find out through sensors how many mini-quakes have occurred and within what frequency and where and then, from the data pattern of mini-quake densities and intensities, we are able to conclude if a quake is on its way, like a major stroke".

India and Iceland have since collaborated on earthquake anticipation. Sensors have been put into the ground at some sites, including our Northeast. We need to know if these installations forewarned us about the Nepal quake.

We have lost time. We can lose no more. We must attempt the following: First, an urgent seismic re-zonation of the Saarc region needs to be carried out. Himalayan members — Pakistan, India, Bhutan, Nepal — need to either confirm or update the existing zonations, reminding us of the areas of very high risk, high risk, low risk and little risk. This should be public knowledge. Why should the public not know what the seismic values of their lands are, what the MSK (Medvedev-Sponheuer-Karnik) seismic intensities are, and how they affect the sites they live in?

Second, a Saarc seismological agency needs to be set up. This should be independent of the member countries' meteorological departments and keep all member-states informed of seismicities as regularly as the met office informs us about the weather. And, even more pertinently, it should keep the various administrative stakeholders informed, alerted and advised.

Third, an earthquake plan for the Himalayas needs to be drawn up. Details need to be worked out on how rescue and relief operations can be conducted by air, land and water, in rough weather conditions and elusive terrains.

Fourth, built structures in the Himalayas need to be identified as very high risk, high risk and low risk so that their residents can be forewarned and also made responsible for protecting themselves and those in the vicinity by securing the concerned buildings against seismic risk.

Fifth, the sites for all large dams and nuclear installations in the region need to be reevaluated from a seismic point of view. How many of them are in high earthquake risk areas? What if an earthquake of the intensity that shook Nepal shakes them, what will the fallout be?

A “seismic stroke” cannot be prevented but by conjoint planning and action in good time, its blow can be softened. Before time lulls us into complacency again, we must follow up the splendidly reflexive first-aid response to Nepal’s trauma by inaugurating an abiding Saarc earthquake management regime. The very fragility of the Himalayas can give the Saarc a defining stability.

The writer, a former high commissioner to Sri Lanka and ambassador to Iceland, is now Distinguished Professor in History and Politics, Ashoka University.

BUSINESS LINE, APR 28, 2015

[Nepal’s agony](#)

Saturday’s killer quake highlights the risks the region faces, as well its lack of preparedness to deal with such catastrophes

Saturday's earthquake in Nepal has precipitated a human tragedy of vast proportions. In one cataclysmic moment, thousands of lives and millions of livelihoods have been destroyed, while a significant part of a nation's cultural heritage was wiped out. The death toll — already over 3,300 as of Monday — is likely to climb higher as communications get gradually restored and relief and rescue workers are able to reach the many remote villages in this Himalayan nation which remains cut off from the rest of the world. In this hour of crisis, Prime Minister Narendra Modi's response has been the correct one. "We will wipe the tears of every Nepali, hold their hand and give every support," he has assured our neighbour. It is now up to the several government agencies, the armed forces and various civil society outfits engaged in relief and aid operations to ensure that the Prime Minister's promise is kept in letter and spirit. Although political relations between India and Nepal have had their ups and downs, the two nations have strong cultural, historical, economic and religious ties. India and Nepal share one of the longest open borders between any two countries in the world. Millions of Nepalis live and work in India; tens of thousands of its nationals have borne arms and shed blood for India with the Army. India's obligation to help this tiny nation recover from this disaster, therefore, transcends demands of diplomacy or geopolitics — it is a profoundly moral one.

Saturday's 7.9 magnitude quake also served as a grim reminder of the level of underpreparedness in the region to face such eventualities. A significant part of the subcontinent's landmass falls within the highly active Hindu Kush-Himalayan belt. The 2005 Kashmir earthquake killed nearly 75,000 people across Pakistan, India and Afghanistan. Saturday's quake was stronger, but was still not the big earthquake — of magnitude 8-9, which geologists have predicted will hit the region. If such an event indeed occurs, the entire region will become a mammoth disaster zone. Poverty and economic compulsions have driven millions of people into migrating into some of the seismically riskiest spots in the world. Kathmandu is no different from the average Indian city — overcrowded, stressed civic and public health infrastructure, little or no urban planning, rampant illegal construction, and a near total absence of appropriate engineering in civic structures to withstand strong quakes. Added to this is the lack of

enforcement of even existing (and one suspects, highly inadequate) regulations on safety and engineering standards.

India's, and indeed, the world's first response should be providing relief and succour to the affected, followed by speedy reconstruction and rehabilitation. This must be followed by not only a detailed re-evaluation of our own plans and systems, but a coordinated, region-wide effort to improve monitoring, evolve better predictive models, as well as disaster response plans that can be deployed quickly and effectively. As Kashmir and Kathmandu have shown, natural calamities are no respecters of political borders.

(This article was published in the Business Line print edition dated April 28, 2015)

DECCAN HERALD, APR 29, 2015

Decoding earthquakes

Harsh Gupta

HIMALAYAN DISASTER: Earthquakes cannot be predicted. So the best way to handle the situation is to prepare the public and the civil administration.

About 160 million years ago, the Indian plate broke off from Antarctica and started moving north-northeast with velocities of up to 13cm/year and collided with the Eurasian plate some 50 million years ago. The Indian plate continues to move with a velocity of more than 5 cm/year.

Since both plates are continental, the continued collision has given rise to the Himalayan belt of mountains. This continued thrusting results in accumulation of strain and when this strain exceeds the strength of the rocks, earthquakes occur. That is why we have a seismically active earthquake zone in Himalaya.

In the past, the zone had been very active, with the occurrence of four earthquakes of magnitude exceeding 8 on the Richter scale. These are the 1897 Shillong, 1905 Kangra, 1934 Bihar-Nepal and the 1950 Assam-China border earthquakes. No such earthquake has occurred since 1950. Over the time, enough strains have accumulated to cause several M8 (magnitude, on Richter scale) earthquakes.

Earthquakes cannot be predicted. So, the best way to handle the situation is to get prepared. Just for an example, the Japan earthquake of March 11, 2011 with a M9.0 claimed only 20,000 human lives because of good preparation, while the Haiti earthquake of M 7 on January 12, 2010 claimed 3,00,000 human lives.

It is important to understand the relationship between the Richter magnitude and the

energy released. A magnitude 6 releases energy equivalent to a Hiroshima kind of atom bomb. With the increase of one unit in the magnitude, the energy release increases 30 times. So, a M 7 earthquake would release energy of 30 Hiroshima kind of bombs and a M 8 would be equivalent to 900 Hiroshima kind of atom bombs.

The best way to protect against earthquakes is to prepare the public and the civil administration. India has been divided in four seismic zones numbered V, VI, III and II. Particularly in zones V and VI, where the earthquake intensity is appreciably high, it is important, as a starting point, to make all the life line buildings, such as hospitals, fire brigade, police stations, schools etc, earthquake resistant.

There are techniques such as Rapid Visual Inspection, which can judge whether a building is capable of withstanding the anticipated accelerations during the earthquakes. The buildings could be strengthened through retrofitting. Another important step is to educate the school children on a routine basis about the earthquakes, and how to live with them. In the recent years, it has become very useful to create earthquake scenarios and see what would happen if one of the earlier earthquakes repeats today.

In India, such an exercise was conducted for the repeat of Kangra earthquake of 1905 in February 2013 and for the repeat of the Shillong earthquake of 1897 in March 2014. The intensity of the earlier earthquake is used to estimate the number of houses that would suffer partial or total damage today. On this scenario, if you place the population density layer, an approximation can be made of the human lives likely to be lost and injured. For the 1905 Kangra earthquake, the exercise was conducted for Punjab, Haryana, Himachal Pradesh and Chandigarh. If the Kangra earthquake of 1905 repeats today in the middle of the night, the number of human lives lost could reach one million! This information was shared with all the state and Central government departments, public and schools.

At the same time, training was imparted to combat these huge losses. Finally a mega-mock drill was conducted on February 13, 2013 involving all concerned. This provided an opportunity to the public and the government departments to better deal with the earthquakes. A similar exercise was conducted for the all the northeast states in March 2014.

Focal depth of quake

Every one knows that when an earthquake strikes, one should move to a safe place. Most of us would spend half of our time at home and the remaining at place of our work or school. So, it is important to think of a safe place at both these locations in advance. When we first feel the earthquake and we have not thought of a safe place, it would take us time to figure it out.

In the next few days as more bodies would be dug out, the toll could be several thousands more. However, this number is much smaller than what was witnessed in the recent years in similar earthquakes. For example, the Muzaffarabad earthquake of October 8, 2005 of M 7.6 near India- Pakistan border in Kashmir claimed more than 75,000 human lives.

The reason behind this observation is two fold. Firstly, the population density in the immediate vicinity of the epicenter of the April 25 earthquake is low. The more populous Kathmandu is a good 80 km away from the epicentre. Secondly, the focal depth of this earthquake is only 15 km. It has been observed that when the focal depth is less, the immediate vicinity of the epicentre suffers more damage. However, as you go farther away from the epicentre, the intensity decreases. If this earthquake had a focal depth of 40 km or so, the damage in Kathmandu would have increased, claiming more lives.

I would like to end this note with a commentary on the rumours being spread about the forthcoming M 8 earthquake, 'that would occur tomorrow or later on'. There is no scientific truth behind these rumours and these should be discarded and not propagated further. Aftershocks would continue for some time. The Sichuan earthquake of M 7.9 that occurred in China on May 12, 2008 had aftershocks of M5 that continued for seven months.

(The writer is former Director, National Geological Research Institute and former Secretary to the Government of India)

FINANCIAL EXPRESS, APR 28, 2015

Editorial: Disaster lessons

India must focus on readiness as much as response

India rushing to Nepal's aid hours after the devastating earthquake in the Himalayan nation should leave no doubt about the agility of our disaster response system. However, are we showing the same foresight and preparedness when it comes to the pre-emptive aspects of disaster management, that is, mitigating the possibility of loss of life and property, given nearly 57% of the country's area falls under high seismic zone classification? In Delhi, which has a seismic threat classification of Zone 4—any quake here carries a "high damage risk"—only 14.3% schools in the Southeast district are quake-proof, as per a report by The Indian Express. Similarly, Gurgaon, also with a Zone 4 classification, sits on seven fault lines. Yet, of the city's estimated 1,000 high-rises, a large proportion aren't quake-resistant.

India's problem perhaps is that there is scant recognition of the need for pre-emptive measures to minimise the impact of disasters. The little that India has in terms of regulating construction for quake-proofing—the Bureau of Indian Standards (BIS) norms on earthquake engineering (IS 1893:1984, 4326: 1993, 13935:2009 and a few others)—is poorly enforced, as is evident from the examples of Gurgaon and Delhi. While very few buildings across the country meet the BIS's Criteria on Earthquake Resistant Design, the standards themselves need to be revised, with the last update having happened in 2009. Further, by often being at odds with the country's development needs, measures to mitigate the impact of potential disasters have also been a tricky issue for policy makers. For instance, in Uttarkashi, Uttarakhand, the Bhagirathi Eco Sensitive Zone (ESZ) hangs fire, thanks to its master-plan greatly limiting the state government's plans for infrastructure expansion and setting up hydel power projects in the region. Uttarkashi is part of the fragile Himalayan ecosystem, which is why the ESZ is an absolute necessity, but it could come at the cost of the region's economic health if the planned infrastructure and power projects were to be shelved.

Despite warnings from USAID in 2013 on the need to have up-to-date building codes, Nepal moved very slowly on implementing at the municipality-level a building code adopted by its central government a decade ago—that too, when the country sits squarely on the intersection of two tectonic plates, India and Eurasia. For India, preparedness will have to begin with the updating of construction norms for quake-proofing. Then, inspection of all construction, old and new, must be made a priority to check for adherence. In old buildings, measures to address vulnerability, such as retro-fitting with steel structures, have to be implemented compulsorily. Lessening the potential damage, as much as responding to a disaster, needs to be part of India's disaster management strategy.

EDUCATION

STATESMAN, APR 30, 2015

It's Elementary

Parthasarathi Chakraborty

NESCO has recently criticised the state of primary education in India. It is imperative, therefore, to reflect on the Right to Education (RTE) Act which is being implemented all over the country. It mandates free and compulsory education for every child up to Class 8. The HRD ministry, headed by Smriti Irani, intends to extend the ambit of the RTE Act to the secondary and pre-primary levels, with substantial modifications.

The Right to Education Act has been introduced six decades after independence. Indeed, this is the first time since independence that an Act has been promulgated for the welfare of children. Mahatma Gandhi's dream of spreading basic education will be fulfilled, if the Act is implemented effectively. The recent UNESCO report mentions that there are about 287 million illiterates in our country and the scenario is indeed alarming.

At present 4.6 per cent of 220 million children in the 6-14 age group are out of school i.e. about 10 million, which is extremely dismal. It is imperative that the RTE Act is re-examined with the focus on its ramifications, points of strength and weakness.

The elementary education policy and its pattern changes from time to time without much difference. In fact, the basic education (buniadi siksha) formulated by Mahatma Gandhi was as remarkable as it was challenging. Cooperation, harmony rather than competition was given due importance for the overall development of the body, mind and soul of the child.

The approach was holistic. Community programmes, games, dignity of labour, work education, creativity and imagination can enhance the child's psychological attitude and build up his personality. The RTE Act envisages free and compulsory education for every child in the 6-14 age-group.

It provides for 25 per cent reservation for the weaker and backward sections in private schools. Admission cannot be denied to any child in the absence of his/her birth certificate; nor can the school charge capitation fees for admission. Screening tests for children and/or guardians should be prohibited. The practice of private tuition by teachers will be banned completely. Any sort of physical and mental torture of the child would be a punishable offence under law.

The RTE Act appears to be ambitious and dynamic and geared to impart quality education through sustainable development and healthier lifestyle. But will it be able to motivate children who work to supplement the family's income? Has the RTE Act made a dent on child labour? Will the Act be able to curb absenteeism? Will it be possible to stop private tuition or to ensure 25 per cent reservation for the underprivileged in private schools? Or even to stop physical and mental torture?

All this seems unlikely unless there is a dramatic change in the professional attitude of those who work in the education sector. Given the extent poverty and caste discrimination, will the massive pump-priming of Rs 171,000 crore yield tangible results? The concept of sustainable education encompasses poverty, food security, health, environment etc.

This humanitarian quest first needs to be addressed through beneficial politics, economics and culture. However, the success of the RTE Act will depend largely on the quality of teachers. A large number of children do possess the propensity to learn, but there are very few teachers to teach them with care. The evaluation of teachers should be done periodically by the students as well as by the administrative authorities. This calls for a high-powered committee. Teachers without the requisite qualifications may be given permission to attain the same within two years. The CPI-M, when in power in West Bengal, was reluctant to implement RTE Act, pleading lack of infrastructure and financial constraints. It also wanted to influence the selection of teachers in schools, colleges and universities. According to a report in *The Statesman* on 10 April 2015, a 10-year-old child died after being mercilessly beaten by his head master on suspicion of stealing a pencil in a school at Baddupur, near Lucknow.

This suggests that some teachers lack basic human values and qualities. Psychological training programmes for teachers might help address this problem. It is necessary to introduce an "All India Teachers Service" to recruit meritorious candidates through a central selection board. These teachers must be entitled to substantial salaries. There is no substitute for good teachers. Technology and other ingredients only act as a catalyst to foster the imagination of a child.

The education system has two facets the administrative and academic. In programmes relating to teacher-training, due importance should be given to school management. This is extremely important. NCERT, New Delhi which is doing commendable work in publishing textbooks and teacher manuals, should take a leading role in this regard.

The National University of Educational Planning and Administration (NUEPA) should review the quality of education through continuous evaluation and research. The NUEPA must also ensure that the child acquires the cognitive skill of 'knowledge economy'. People's participation and active involvement in the development of education should be encouraged.

The reorientation of the education system is imperative in the present scenario of organized anarchy and corruption. In the Education Development Index (EDI), West Bengal was ranked 33, only ahead of Jharkhand and Bihar. A radical change and reform in elementary education is absolutely essential. The formal education system should be given due importance and funds specially earmarked for this segment, instead of treating it as part of non-formal education, notably Sarba Siksha Abhiyan, Sishu Vikas Kendras, Anganwadis etc.

The non-formal sector has suffered on account of a huge waste of funds and corruption. The school examination system should not be done away with. Half-yearly and annual examinations right from the primary to the Higher Secondary level ought not to be scrapped. The examination and evaluation process will enable children to know their points of strength and weakness. Inculcating a scientific attitude, learning by doing, improvising scientific equipment available from local resources for experiments, observation and drawing inference will yield good results.

The educational epistemology as perceived by Rabindranath Tagore and Swami Vivekananda should be blended. According to Tagore, freedom of the mind is of uppermost importance. The value of freedom is integral to the humanistic perspective of life. Promotion and development of the human potential at the social and individual levels, particularly for the young is imperative. In order to implement this form of education, the country requires qualified and devoted teachers, efficient educational administrators with a sense of morality, values and ethics.

HINDUSTAN TIMES, APR 24, 2015

UGC stares at funds crunch as govt doesn't budget for its costs

Vikas Pathak

Fears of a fund crunch loom ahead of higher education with the University Grants Commission (UGC) staring at a resource shortage that may hit some of its schemes.

The UGC — the agency that gives funds to and monitors standards in higher educational institutions — has hiked fellowship amounts by 55% since December, 2014.

However, the allocations made by the government for it in the 2015-16 financial year have not factored in the increased cost of fellowships, sources in the UGC claim. “About Rs. 1,100-crore will be spent on scholarships alone,” said an official who did not want to be named.

The higher education regulator has 16 scholarship schemes under which financial assistance is offered to 80,000 awardees. Payments are now made on direct benefits’ transfer basis into the bank accounts of the beneficiaries.

The scholarship component — with 16 different scholarships — is just one of the 65 schemes the UGC runs.

The Union budget 2015-16 document shows the allocation for the UGC under Plan Expenditure head as Rs. 3,520-crore. The UGC however believes that Rs. 6,000-crore would be required to do justice to its schemes.

“With just one scheme eating up a large part of the budget, there is an impending crunch. Other ongoing schemes may be affected,” an official said.

The UGC is paying the following sums per month to awardees of some key fellowships after the hike last December: Rs. 31,000 (hiked from Rs. 20,000) for emeritus fellowship, Rs. 25,000 for junior research fellowship (up from Rs. 16,000), and Rs. 28,000 for senior research fellowship (up from Rs. 18,000).

This hike has meant a potential resource crunch for a number of its other key schemes.

This hike has meant a potential resource crunch for a number of its other key schemes.

The remaining 64 schemes include Special Assistance Programme for institutions of higher learning, enhanced funding to Universities with Potential for Excellence, extra funds for departments that are chosen as Centres with Potential for Excellence in Particular Areas, Coaching Scheme for SCs, STs, OBC and Minorities, etc.

[HINDU, APR 27, 2015](#)

[Varsity degree college teachers can guide researchers from 2016-17](#)

RAVIPRASAD KAMILA

Teachers with Ph.Ds. in degree colleges affiliated to Mangalore University can guide research students from the academic year 2016-17, according to Vice-Chancellor K. Byrappa.

Addressing a gathering at a function organised by the Media Alumni Association of Mangalagangothri, Mangalore University, here on Sunday, the Vice-Chancellor said that as the first step, qualified teachers in two constituent colleges of the university (colleges owned by the university) would be allowed to guide research students from 2015-16.

In the second phase, also from 2015-16, Ph.D.-holding qualified teachers in degree colleges offering postgraduate courses and having postgraduate centres would be allowed to guide. It would be extended to all affiliated colleges in the third stage during 2016-17.

He said that the university would use software to check plagiarism in research work submitted to the university.

Earlier, Norbert Lobo, president, Association of Mangalore University College Teachers, questioned the university for taking a decision on recognising Ph.D. guides only in two constituent colleges first.

The Vice-Chancellor said that the university could not open the “floodgates” all of a sudden by allowing all Ph.D.-holding teachers in degree colleges to guide.

Mr. Byrappa said that an “adjunct” faculty member (a subject expert hired by the university) in library science would guide researchers in the university on how to publish research papers in reputed international journals.

Mangalore University will introduce choice-based credit semester system (CBCS) to its degree courses within two years, according to Vice-Chancellor K. Byrappa. Addressing a gathering here on Sunday, he said that if not from 2015-16, the system would be introduced from 2016-17. The university would have to adopt it as per the University Grants Commission direction, he said.

INDIAN EXPRESS, APR 29, 2015

Government panel suggests measures to reduce weight of school bags

The committee also said schools bags of ICSE and CBSE students were heavier than that of state board students.

Dipti Singh

Stating that a majority of school students are suffering from muscle pain and are falling sick due to heavy bags, a committee appointed by the state government to look into the matter has recommended doing away with heavy school bags and urged all education

boards to reduce the usage of notebooks and textbooks to make way for tablets and also provide study materials on websites.

The eight-member committee has submitted five observations and 44 recommendations in its report. According to the report, over 58 per cent of students below 10 years of age have mild muscle pain while 75 per cent of those below 12 years of age were found to be falling ill and having fever from time to time due to heavy bags.

“Medical experts too have issued alerts about the toll it (heavy bags) takes on the health of students. Many committees were formed and reports were submitted at state and national levels on the issue. Experts considered options ranging from ‘no school bags for kids’ to restrictions of the weight of school bags to 10 per cent of the weight of the student. However, hardly any measures were implemented. I visited a few schools and even weighed the bags. We formed a panel to come up with a solution,” said Education Minister Vinod Tawde.

The committee has also provided specimen of timetables, suggesting schools to conduct lectures/ periods of only three subjects in a day (two periods for one subject) instead of six.

The report even asks teachers to regularly check the bags of students to stop them from carrying unnecessary things. The committee recommends students to carry only light polymer bags than heavy fancy bags.

“Ideally, a school bag should weigh 10 per cent of the weight of the child. But no school is enforcing that. In fact, in most schools that we visited it was found that a majority of the students were carrying bags weighing over 20 to 30 per cent of their body weight.

Students carry everything from compass box, lunch box, water bottle, notebooks, textbooks, practical journals, work experience book, school diary and drawing books and school authorities are not stopping them. Moreover, we found that students in rural areas carry lighter bags than those in urban areas,” Mahavir Mane, Director, Primary Education.

The committee also said schools bags of ICSE and CBSE students were heavier than that of state board students.

Deepshikha Srivastava, principal of Rajhans Vidyalaya at Andheri, said, “CBSE and ICSE bags are heavier as we have fat textbooks for many subjects. In our school, we inform parents every day what chapter we are going to teach the next day and ask them to dismantle the pages of the books and send on those chapters which is going to be taught. Besides the fancy backpacks used by students these days are heavier than the textbooks. Also, some students carry their tuition books along if they are directly going for extra classes after school hours.”

TIMES OF INDIA, APR 28, 2015

No saffronization of education, says Smriti Irani

Speaking in Lok Sabha, Irani gave a conditional assurance on raising the quota of MPs in Kendriya Vidyalayas from six at present to 10 in the wake of persistent demands from members during the debate on demands for grants for the HRD ministry.

NEW DELHI: HRD minister [Smriti Irani on Monday aggressively defended the government against allegations of saffronisation of education](#), saying appointments to educational bodies have been made on non-partisan considerations, and accused the UPA of violations in setting up overseas campuses and semester system in Delhi University.

Speaking in Lok Sabha, Irani gave a conditional assurance on raising the quota of MPs in Kendriya Vidyalayas from six at present to 10 in the wake of persistent demands from members during the debate on demands for grants for the HRD ministry. However, she refused to cede ground on the opposition's allegation of mistreatment of educationists and appointment of saffron ideologues to key educational and historical bodies.

In fact, her rubbishing of charges levelled by Trinamool Congress MP Sugata Bose, a Harvard historian, led to a bitter verbal duel and protests from the Bengal outfit. Irani addressing him as "professor" at one point and asking him to sit down when he sought to intervene led to a surcharged atmosphere.

An angry Bose lamented, "I have not, even since my primary school days, been asked by anyone when I have stood up respectfully to sit down in the way that the HRD minister of this country did today."

TMC MPs demanded an apology from the minister who refused to oblige by saying that "eminence does not guarantee a position to mislead Parliament".

The trigger was Bose's statement during the debate on Friday that the IIT-Delhi director had resigned because of the ministry's interference in appointments to top scientific and technical institutions and budgetary cuts.

In her response, Irani said the MP had misled the House since the director was still with IIT.

Questioning allegations of appointment of ideologues in Indian Council of Historical Research, the minister cited the membership of Purabi Roy, wife of a former CPI MP, and asked, "Are we being partial? If we were, would such historians be in ICHR?" She further asked Trinamool if a person with links to CPM could be appointed in "your government", in what was a reference to the Bengal regime and its allegation that the CPM rule saw Marxists exercising complete control over appointments to educational institutions..

The minister mentioned a few more names nominated to educational bodies and in the panel to probe allegations in Viswa Bharati to counter allegations of partiality.

She assured the House over fears of saffronisation of education, saying the PM had said that the Constitution was his bible and his religion was Indianness.

Citing achievements, she mentioned various programmes launched on beefing up the system and added that the number of children out of school had come down from 1.36 crore to 60 lakh.

ENVIRONMENT

STATESMAN, APR 27, 2015

Environment relegated

Bharat Jhunjunwala

While addressing Environment Ministers of the States recently, Prime Minister Narendra Modi asserted that environment and growth can go together. He said that the Government was in the process of recovering four times the present rates for the forests that were felled. At present developers have to pay Rs 10 lakh per hectare for the dense forests that are felled for mining or other purposes. This is estimated to be the value of the timber and grazing that are provided by the forests. The Supreme Court had directed the Indian Institute of Forest Management to review and revise these rates. The IIFM recommended an increase from the present Rs 10 lakh to Rs 56 lakh per hectare. The Prime Minister actually wants to reduce the increase from 5.6 times to four times.

The Prime Minister also iterated his commitment to clean the Ganga. The flow of a river is its main characteristic. Hydropower projects destroy this character with the construction of a barrage and by converting a flowing river into a stagnant pool, with tunnels bypassing its long stretch. The Supreme Court is hearing a case regarding these hydropower projects. The Ministry of Environment had notified in December last year that all hydropower projects would be required to ensure that the mainstream of the river flowed without any obstruction. That would have conserved the basic character of the Ganga. But following a meeting called by the PMO in January, the Government counsel submitted before the court that six projects pertaining to barrages on the Ganga and its tributaries may be allowed. The Government also misled the court by not submitting the full report of the four members and gave a doctored version to the Court. This was a clear reversal of the Ministry's earlier pro-river stand. Inquiries revealed that counsel was given these directions from the Prime Minister's Office directly.

One of the "pet" projects of the NDA government was to erect a series of barrages on the Ganga between Allahabad and Buxar to enable large ships to ply. That too would reduce the free-flowing Ganga to a cluster of stagnant pools. Another pet project of the Prime Minister is interlinking of rivers. This envisages the construction of dams on the Ganga, resulting in diversion and further destruction of the river. This means that the Prime Minister is not happy with the smooth flow of the Ganga. Cleaning the river without ensuring its uninterrupted flow is not going to lead to rejuvenation. What good is pollution control if there is no flow?

The Prime Minister has formed a committee with the former Cabinet Secretary, TSR Subramanian, to revive the environmental laws. The only member of the committee who had some connection with environment is Vishwanath Anand. He holds the distinction of dismissing every appeal seeking protection of the environment that came before him when he was the vice-chairman of the National Environment Appellate Authority.

At present, coal mining is prohibited in all protected areas such as wildlife parks and ecosensitive zones. The high-level committee has recommended that coal mining may be permitted in parts of protected areas that have less than 70 per cent forest density. These are called “very dense forests” and constitute only 2.5 per cent of the forest cover. This means that large tracts of protected areas will be opened for mining.

The Prime Minister has correctly stated that environment and growth can go together. But who will decide whether it is indeed so? At present the affected public can approach the National Green Tribunal and seek changes in Government policy that does protect environment while pursuing growth. The committee has recommended that such complaints may be heard in future by an Appellate Board. The Board will be chaired by a retired judge of the High Court and two of its members will be former Secretaries to the government. There will be no independent representation or of people who are familiar with culture or environment. Secretaries generally sing the tune of the Ministers. The underlying idea is to fill the Appellate Board with persons who have a history of being pliable and purchasable.

The National Green Tribunal has been playing an important role in recent years. The committee has suggested that the wings of the Tribunal be cropped. The Tribunal, it is suggested, will undertake only a “judicial review” of the decisions of the Appellate Board. Judicial Review means that the process of arriving at a decision shall be scrutinized, but the merit of the decision cannot be challenged. For example, the Appellate Board may decide to allow mining in protected areas. As per the recommendations, such a decision cannot be challenged as long as the committee follows the correct process such as hearing the litigants. An anti-environment decision, given after following of the procedures, will be beyond challenge. The committee has recommended that eco-sensitive zones may be declared around protected areas. This seemingly impressive proposal can actually be ominous. At present, development activities are prohibited within 10 kilometers of a protected area under orders of the Supreme Court. The declaration of eco-sensitive zones can mean reducing this limit. I am told that a buffer zone of mere 100 meters is proposed around the Okhla bird sanctuary as also in a large number of other protected areas.

The environment and the common people and their livelihoods are inextricably related. The poor are the worst affected by environmental degeneration. For example, the poor drink contaminated groundwater while the rich install RO systems. The impact of “developmental” projects on the poor must therefore be addressed with concern, sense of justice and sensitivity. The present law requires that large developmental projects will necessitate a public hearing and the views expressed will be considered by the Ministry of Environment while granting environment clearance. The high-level committee has, however, recommended that only local people should be allowed to participate in such public hearings. This means that the people of Varanasi will not be permitted to express their views if a barrage is being made on the Ganga at Allahabad. The committee seeks to localize the environment instead of expanding it globally.

It can be argued that the committee’s recommendations are not those of the Prime Minister. The fact remains that the Prime Minister had nominated such people and allowed them to function in a non-participatory and opaque manner. The high-level committee in turn furnished a report which gives expression to his views.

The writer is former professor of economics at IIM, Bangalore.

FOREIGN AID

TRIBUNE, APR 24, 2015

Govt puts Ford Foundation on 'watch list'

Centre cites security concerns

The Centre said it wanted to ensure that funds coming from Ford Foundation were utilised for welfare activities without compromising on concerns of national interest and security

The move came after the Gujarat Government alleged that the US-based organisation was "interfering in the internal affairs" of the country and also "abetting communal disharmony" through an NGO run by social activist Teesta Setalvad

In a fresh crackdown on foreign fundings to NGOs, the Union Home Ministry has put the Ford Foundation of the USA on its "watch list" and ordered that all funds coming from the international organisation have to be routed only with its nod due to "national security concerns".

The Home Ministry said it has decided to keep a watch on all activities funded by Ford Foundation and by exercising the powers conferred under Section 46 of Foreign Contribution Regulation Act 2010, directed Reserve Bank of India to ensure that funds coming from it be brought to the notice of the Home Ministry.

"RBI is requested to instruct all the banks and their branches to ensure that any fund flow from the above mentioned agency to any person, NGO, organisation in India may be brought to the notice of the (Home) ministry so that funds are allowed to be credited into the accounts of the recipient only after clearance of of this ministry," the order said.

The Ministry said it wanted to ensure that funds coming from Ford Foundation is utilised for "bonafide welfare activities without compromising on concerns of national interest and security".

The move came after the Gujarat Government asked the Home Ministry to take action against Ford Foundation as it alleged that the US-based organisation was "interfering in the internal affairs" of the country and also "abetting communal disharmony" through an NGO run by social activist Teesta Setalvad.

There have been allegations that the recipient NGOs have not filed mandatory annual reports and balance sheets with the government. The Home Ministry in its order also said that government organisations can avail of foreign funding from Ford Foundation only with the clearance of the Department of Economic Affairs.

"Any instance of government organisation receiving funds directly from this agency may be withheld and brought to the notice of this Ministry," the order said.

The Home Ministry has frozen seven bank accounts of Greenpeace India and barred it from receiving foreign funds for allegedly violating FCRA and "prejudicially" affecting the country's public and economic interests. — PTI

LIBRARIES

HINDU, APR 29, 2015

Nehru Library Society recast

With PM Modi as the head, the Nehru Memorial Museum Library Society has been reconstituted to have 34 members, including Arun Jaitley, and eight new members to the Executive Council.

HINDUSTAN TIMES, APR 26, 2015

Located at Jantar Mantar, not a quiet moment for this Delhi library

Manoj Sharma

Most libraries have a 'silence, please' sign. But when you are located at the country's most famous protest arena, the Jantar Mantar road, silence can be a distant dream.

The little-known Sardar Vallabh Bhai Patel Smarak Trust library is located in a colonial building on the Jantar Mantar road. On an average, there are eight to ten protests held near it every day, with around 400 protesters trying to make themselves heard at any given time. While it attracts few students and researchers, many a time protesters too walk in.

"Being located at Jantar Mantar road, we are subjected to slogan-shouting and blaring of loudspeakers all the time," says Jogendri Chandra, the library in-charge. "The din of the myriad protests, processions, demonstrations and dharnas disturbs our readers and researchers," she says.

And Chandra is not exaggerating. Even as she speaks to HT, she tries hard to be heard over the noise of loudspeakers outside. The library's closed doors only dampen the noise, but are not able to shut it out completely. "In fact, on a couple of occasions even traces of tear gas used on protesters on the nearby Parliament Street seeped into our reading room and we had to keep our door closed for hours."

The bigger challenge is when protesters troop into the reading room asking for water and permission to use the library's washrooms.

"Not long ago, a stick-wielding protester entered the library and decided to rest on sofas meant for researchers. When protesters get rowdy or violent we get worried and ask some of our staff to lock the library from the outside," says Chandra.

The building at 7 Jantar Mantar, which served as the AICC headquarters between 1947 and 1969, now also houses the offices of Janta Dal (United), Akhil Bhartiya Seva Dal, All India Freedom Fighters and many others.

“We have one of the most beautiful reading rooms in the Capital, but unfortunately, not many people know about our library,” says Chandra who has been working here for the past two decades.

The library is one of the few in the city that exudes an old-world charm. Fans and tubelights hang from its high ceiling. The reading room has a large desk and upholstered wood chairs and sofas. Framed portraits of various national leaders adorn the white teak-panelled walls.

The library has over 20, 000 books on political science, history, biographies, Congress bulletins and resolutions and tapes of speeches of Congress leaders at AICC sessions.

“On an average, 10-15 people visit our library every day, most of them researchers. At times, foreigners, especially those from the UK, come here for research on Indian politics and the Congress party,” says Chandra.

Ramesh Tiwari, 26, a student of political science is here on a hot day and has an interesting take on the library’s location. “There is no reason why protests and politics and the study of political science cannot go together,” he says.

Chandra, however disagrees. “Politics and protests should go somewhere else, all we want is peace at the library.”

MASS MEDIA

STATESMAN, APR 24, 2015

Media and Transition

Markandey Katju

It is the duty of all patriotic people, including the media, to help society during the current period of transition from a feudal agricultural society to a modern industrial one. The media has a very important role to play in this phase as it deals with ideas, not commodities. By its very nature, therefore, the media cannot operate like an ordinary business enterprise. The foremost role of the media is to provide information to the people about what is happening in the country and the world. The second but equally important role is to give leadership to the people in the realm of ideas.

In both these roles the Indian media, it must be said with considerable regret, has largely failed. Europe's transition from the 16th to the 19th centuries was marked by turbulence, turmoil, revolutions, wars, chaos, social churning and intellectual ferment.

It was only after passing through this fire that modern society emerged in Europe. India is presently going through this fire. We are passing through a very painful and turbulent period in our history, which I guess will last another 20 years or so. Historically, the print media emerged in Europe as an organ of the people against feudal oppression. The established organs of state power were in the hands of the feudal despotic authorities (the king, aristocrats, etc). Hence the people had to create new organs which could represent them. Hence the print media acquired the appellation of "fourth estate".

In Europe and America, it represented the voice of the future, in contrast to the established feudal organs which wanted to preserve the status quo. The media thus played an important role in transforming feudal Europe to modern Europe by giving leadership to the people in the realm of ideas.

In the Age of Enlightenment, the print media represented the voice of reason. Voltaire attacked religious bigotry and superstitions, and Rousseau criticised feudal despotism. Diderot said: "Man will be free when the last king is strangled with the entrails of the last priest".

Thomas Paine proclaimed the Rights of Man, and Junius (whose real name we still do not know) attacked the despotic George III and his Ministers (ref. Will Durant's The Story of Civilization: Rousseau and Revolution). Louis XVI, while in the Temple prison, came

across books by Voltaire and Rousseau in the prison library. He remarked that these two persons had destroyed France.

In fact what they had destroyed was not France but the feudal order. In the 19th Century the famous writer Emile Zola in the article *J Accuse* attacked the French government for imprisoning Captain Dreyfus in Devil's Island only because he was a Jew. In my opinion, the Indian media should be playing a role similar to the progressive role of the media in Europe during the transition period.

In other words, the media should help our country to get over the transition and become a modern industrial and prosperous state. It can do this by giving leadership to the people in the matter of ideas, by attacking backward, feudal concepts and practices, such as casteism, communalism and superstitions, and promoting modern scientific and rational thought. But is it doing so?

The truth is that a large section of the Indian media (particularly the electronic) does not serve the interests of the people, and in fact a section of the same is positively anti-people. It often deliberately diverts the attention of the people from the real issues to non-issues.

The burning issues are socio-economic, the terrible poverty that afflicts 75 per cent of our people, the massive unemployment, the price rise, lack of medical care and good education, malnutrition, suicides by farmers, and backward social practices like discrimination against women and minorities, honour killing, caste oppression and religious fundamentalism etc.

Instead of devoting the better part of its coverage to these issues the media focuses on non-issues such as putrid politics, film stars and their lives, god men, fashion parades, pop music, disco dancing, astrology, cricket, reality shows, and so on.

There can be no objection to the media providing some entertainment to the people, provided this is not overdone. But if 90 per cent of its coverage is related to entertainment, and only 10 per cent to the real issues facing the nation, then there is something seriously wrong with the media. The whole question is of proportion.

In the Indian media the sense of proportion has gone haywire. Entertainment gets perhaps ten times the coverage that poverty, unemployment, healthcare, malnutrition, education, labour, agriculture and environment together receive.

Does a hungry or unemployed man want entertainment... or food and a job? If we switch on the TV, what do we see? Politics of a very low order, cricket, film stars, astrology, god men etc. Many channels show cricket almost throughout the day. The game is really the opium of the Indian masses. The Roman Emperors used to say, "If you cannot give the people bread, give them circuses".

This is precisely the approach of the Indian establishment, duly supported by our media. Keep the people involved in cricket so that they can forget their social and economic plight. What is important is whether India has beaten Australia (or better still Pakistan) in a cricket match, or whether Virat Kohli or Rohit Sharma have scored a century...not poverty, unemployment, inflation, and farmers' suicides. In relative terms, very little space is devoted to the social sector.

Correspondents attend political meetings, functions showing film stars, fashion parades, pop music, etc.; very few are interested in the problems of workers, farmers, students, sex workers. The Hindu reported some time back that a quarter million farmers had committed suicide in the past 15 years.

The irony can be cruel. At a fashion week in Nagpur, women displayed their cotton garments, while the men and women who grew that cotton were killing themselves in Vidarbha an hour's flight from Nagpur. Nobody recounted that story save one or two local journalists.

Media coverage of education generally focuses on the elite colleges like the IITs, but there is very little coverage of the plight of the tens of thousands of primary schools, particularly in rural areas. In Europe, the displaced peasants found jobs in the factories which were coming up in the aftermath of the Industrial Revolution. In India, on the other hand, industrial jobs are now hard to come by.

Despite the tall claims of vikaas by Narendra Modi, GDP growth has stagnated, as stated by Deepak Parekh, the HDFC Chairman, recently. It begs the question as to who is benefiting from the growth. Is it the Indian masses or just a handful of big businessmen?

Many mills have closed down and have become real estate hubs. The job scenario in the manufacturing sector has witnessed a sharp decline over the last 15 years. For instance, TISCO employed 85,000 workers in 1991 in its steel plant which then manufactured 1

million tons of steel. In 2005 it manufactured 5 million tons of steel but with only 44,000 workers.

In the mid-90s Bajaj was producing 1 million two-wheelers with 24,000 workers. By 2004 it was producing 2.4 million units with 10,500 workers.

STATESMAN, APR 25, 2015

Media & Transition-II

Markandey Katju |

Where do these millions of displaced peasants go? They go to cities where they become domestic servants, street hawkers, or even criminals. It is estimated that there are one to two lakh adolescent girls from Jharkhand working as maids in Delhi. Prostitution is rampant in all cities due to abject poverty, and the number may be as high as 20 million. In the sphere of health care, the number of quacks in every city in India is several times the number of regular doctors. This is because the poor people cannot afford to visit a qualified doctor (see my article, 'Healthcare in India' on my Facebook page or on my blog justicekatju.blogspot.in). Many medicines are very expensive. In rural areas the condition is worse. Many government doctors posted in primary health centres often come for a day or two each month, and run their private nursing homes in the cities the rest of the time.

As regards unemployment, it is estimated that one crore youth are entering the job market every year, but only about 5 lakh new jobs are being created in the organized sector of our economy. What is happening to the remaining 95 lakh young people? They make do with insecure and low-income jobs like street vendors, hawkers, stringers, bouncers, or even criminals. That is the main reason why crime is going up in the country.

In India, the child malnutrition figures are the worst in the world. A UNICEF report estimates that one-third of the world's malnourished children live in India. According to UN data, the percentage of under-weight children below the age of five years in the poorest countries in the world is 25 per cent in Guinea Bissau, 27 per cent in Sierra Leone, 38 per cent in Ethiopia, and 47 per cent in India. The average family in India is consuming 100 kilograms of foodgrain less than it did 10 years ago (see P. Sainath's article 'Slumdogs and Millionaires').

All this is largely ignored by our media. It concentrates on some Potempkin villages where all is glamour and show biz. Our media is largely like Queen Marie Antoinette, who when told that the people have no bread, said that they could eat cake.

Secondly, the Indian media promotes superstitions like astrology, babas etc. In this transitional age, the media should help our people to move forward into the modern, scientific age. It is true that the intellectual level of the vast majority of Indians is very low; they are steeped in casteism, communalism, and superstitions. The question, however, is whether the media should try to lift the intellectual level of our people by propagating rational and scientific ideas, or whether it should stoop to that low level and seek to perpetuate it?

In Europe during the Age of Enlightenment the media sought to lift the mental level of the people and change their mindset by propagating ideas of liberty, equality and fraternity and rational thinking. Voltaire attacked superstitions, Rousseau condemned the feudal system, and Dickens criticized the horrible conditions in jails, schools, orphanages, courts, etc. Should not our media be doing the same?

At one time courageous people in India like Raja Rammohan Roy wrote against sati, child marriage, and the purdah system in his newspaper, *Miratul Akhbar* and *Sambad Kaumudi*. Nikhil Chakraborty wrote about the horrors of the Bengal famine of 1943. Ganesh Shankar Vidyarthi supported the Independence struggle.

Of late, however, all that has changed. What do we see in the media nowadays?

Many T.V. channels show astrology, babas, etc. Astrology is not to be confused with astronomy. While astronomy is a science, astrology is pure superstition and humbug. Even a little common sense can tell us that there is no rational connection between the movements of the stars and planets, and whether a person will die at the age of 50 or 80 or whether he will be a doctor or engineer or lawyer. Most people in our country believe in astrology, but that is because their mental level is very low. The media should try to bring up that level, rather than descend to it and perpetuate it.

As regards the print media, several pages of newspapers are full of advertisements. The editors are usually no longer independent, and have to do what the owners tell them to do. And the owners apparently tell them to avoid focusing on the real problems of the country, which are socioeconomic.

I am not saying that there are no good journalists at all in the media. There are many excellent journalists. P. Sainath is one of them. Had it not been for his exposure of the

farmers' suicides in certain states, the story may never have been told. But such good journalists are exceptions. The majority don't serve the public interest.

The Indian media must now introspect and develop a sense of responsibility and maturity. The basic problem is that the media in large measure has been taken over by corporates, and journalists dare not displease their masters for fear of losing their jobs. Many journalists have of late been sacked, or are hired on contract - a system that offers no security.

When I attended a function in Patna some years back, many journalists met me and said that no journalist dare write against the Bihar government or its Ministers, and even if they do, their stories will not be published, or they may be transferred, or the newspapers will not be given government advertisements.

Pressure is exerted by the state government on the proprietors not to publish any material against the government. Consequently, the papers in Bihar carried no news against the state government. This was confirmed in a report by a committee of the Press Council of India which I had appointed.

How then can freedom of the media, which is a guaranteed right under Article 19(1)(a) of the Constitution, become a reality?

(Concluded)

The writer is former chairman, Press Council of India and retired judge of the Supreme Court

NONGOVERNMENTAL ORGANIZATIONS

BUSINESS STANDARD, APR 29, 2015

Government cancels registration of 9,000 NGOs

The MHA order says the cancelled NGOs did not submit to the ministry details of amount of foreign contribution they received

Akshat Kaushal

The ministry of home affairs (MHA) has cancelled the registration of around 9,000 non-governmental organisations (NGOs) under the Foreign Contribution Registration Act (FCRA), 2010. After the cancellation, none of these NGOs will be able to seek foreign donations or access their bank accounts to utilise the unutilised foreign contributions.

The MHA order ([detailed order](#)) says the cancelled NGOs did not submit to the ministry details of amount of foreign contribution they received, the source from which the money came, and for what purposes the money was utilised for the financial years 2009-10, 2010-11 and 2011-12.

Under the FCRA, NGOs are required to submit these details. The order says in October 2014, notices were issued to 10,343 organisations asking them to submit these details. But, the MHA order says 8,975 of these organisations did not reply to the ministry's notice, upon which the government decided to cancel their registration. The names of these NGOs have not been made public by the government.

NGOs have defended themselves citing inconsistencies in the FCRA. They argue that certain provisions of the FCRA are not well defined, which provides wide powers to the government. Also, NGOs argue that often their annual returns are not acknowledged by the government, which keeps them guessing until the government issues orders cancelling their registration.

FOR A CAUSE

Top-5 donor agencies

Donor agency	Country	Amount (₹cr) (2011-12)
Compassion International	USA	183.83
The Church of Jesus Christ of Latter-day Saints	USA	130.77
Kinder Not Hilfe e. V	Germany	51.76
SOS Kinderdorf International	Austria	43.25
General Conference of Seventh Day Adventists	USA	41.65

Money under FCRA can't be used by

- Journalists and publishers of newspapers
- Candidates contesting elections
- Judges and government employees
- Political parties
- Members of any legislature

FCRA: Foreign Contribution Registration Act

Source: MHA

The MHA acknowledges that India lacks any definite data on the number of NGOs in the country. But unofficial figures indicate that the country has around two million NGOs.

Of these, two per cent (around 43,000) are registered under FCRA. According to the latest annual FCRA report, out of the 43,000 registered organisations, 22,700 receive foreign contribution. The rest either do not get any contribution or have not submitted their annual returns with the MHA. During 2011-12, these 22,700 organisations got Rs 11,546 crore as foreign contribution.

“While it is not proper to make sweeping generalisations, it is necessary to note that the NGO sector in India is vulnerable to the risks of money laundering and terrorist financing,” said the MHA report.

Among the countries, the highest contribution to India in 2011-12 came from the United States of America (Rs 3,838 crore), followed by the United Kingdom (Rs 1,219 crore) and Germany (Rs 1,096 crore).

Among the agencies, during the same period, the US-based, Compassion International, was the largest contributor (Rs 183 crore), followed by another US-based donor agency Church of Jesus Christ of Latter Day Saints (Rs 130.77 crore) and Germany's Kinder Not Hilfe e. V (KNH) (Rs 51.76 crore).

Compassion International's website says it works in the area of child development, which is “rooted in Christian child development and child advocacy”. The Church of Jesus Christ of Latter Day Saints is a Christian restorationist church. While KNH says it is one of the largest Christian organisations in Europe for children's aid.

How the money is spent

The highest amount of foreign contribution money during 2011-12 was utilised for rural development (Rs 945 crore), welfare of children (Rs 929 crore), construction and maintenance of school and college (Rs 824 crore) and research (Rs 539 crore).

Of the states and Union Territories, Delhi got the highest receipt of foreign contribution of Rs 2,285 crore. It was followed by Tamil Nadu (Rs 1,704 crore) and Andhra Pradesh (Rs 1,258 crore). Among the districts, Chennai received the highest contribution of Rs 889 crore, following it were Mumbai (Rs 825 crore) and Bengaluru (Rs 812 crore).

Among the associations, which reported receipt of foreign contribution, the highest amount of foreign contribution was received by the World Vision of India, Chennai, (Rs 233.38 crore), followed by the Believers Church India Pathanamthitta, Kerala (Rs 190.05 crore) and Rural Development Trust, Ananthapur, A P (Rs 144.39 crore).

World Vision's website says it is a Christian humanitarian organisation working for the welfare of children. Whereas, Rural Development Trust says they carry out need-based welfare programmes for the rural poor and marginalised sections such as Scheduled Castes, Scheduled Tribes and persons with disability.

PANCHAYAT

TRIBUNE, APR 24, 2015

NATIONAL PANCHAYATI RAJ DAY

End 'sarpanch-pati' culture in panchayats: PM

Prime Minister Narendra Modi at the National Panchayati Raj Day function in New Delhi on Friday.

Prime Minister Narendra Modi today called for ending "sarpanch-pati" culture in panchayats, the practice of husbands of women sarpanches exercising undue influence, as he pitched for a leadership role for elected village representatives to alleviate poverty and promote education.

Recalling a political event in which someone told him that he was an SP (sarpanch-pati), Modi said, "This business of SP is going on. Law has empowered women. When law has given them the rights, they should also get an opportunity. Bring to an end this SP culture. They (women) should be given the opportunity. They should be promoted."

Addressing the National Panchayati Raj Day function here, the Prime Minister also expressed concern over school dropouts and felt that panchayats can play a role in arresting it.

Invoking Mahatma Gandhi, the Prime Minister said, "India lives in the villages. We need to think of how to develop our villages. Even in the remotest village, the dreams of the people are big. Think about what you can achieve in the next 5 years for your village."

Referring to his visit to an all-woman Gram Panchayat in Gujarat when he was Chief Minister, Modi said that the sarpanch told him there that her motto was to ensure that no one remains poor in the village.

"Has Panchayats in our country ever thought that there should be no poor left in our country? If one village brings out five persons out of poverty in a year, what a big change will come in the country," he said.

Modi said issues such as education of children in the village and their vaccination should be given special attention by panchayat members.

The Prime Minister suggested that the sarpanches should take a lead in organising meetings of all working and retired government employees belonging to a particular village once in a while and ensure community participation to bring about a turnaround in a village in all respects.

Noting that all these works are not linked with constraints of budgets, he said, "We will not be able to develop our villages as long as we do not have a feeling of respect and pride towards them...we have to motivate people, provide leadership."

He said this required a firm resolve, rather than any budgetary provision. He gave some suggestions in this regard, such as celebrating a birthday of a village.

He urged Panchayat members to work with a five-year vision with concrete development plans to bring about positive changes in their villages.

The Prime Minister gave away the Annual Devolution Index (States) Awards, and E-Panchayat Awards, and congratulated the Zila Parishads and Gram Panchayats who were being felicitated on the occasion.

The Prime Minister urged panchayat members to motivate all government officials in their village to spend at least one hour a week with school children.

"Then you will see how the combination of budget and leadership brings about the turnaround," he said.

About reservation for women in Panchayati Raj Institutions, he said this does not exist in many countries and they get surprised to know that it already exists in India.

Union Minister for Panchayati Raj, Chaudhary Birender Singh said seats for panchayat representatives belonging to women, SC and ST should be reserved for two terms (10 years) instead of the current one term of five years.

The minister also rued that a number of states have not delegated powers to the representatives of panchayats despite laws mandating it.

He said that while the country is fortunate that it has a structure of Panchyati Raj to provide good governance, "it's a matter of concern that most of the village panchayats lack technical infrastructure".

Singh also underlined the need to prepare the panchayats to play a central role in the nation's development.

Lauding the Prime Minister's initiatives, Singh said the panchayats have been provided 3.5 times more money under the 14th Finance Commission in comparison to what they were given earlier, which will enable them to get a whopping Rs 2,00,292 crore money in the next five years.

"Each panchayat will get Rs 15 lakh annually. The big ones will get up to Rs 1 crore. So much money was never given to panchayats in the last 60 years," Singh said.

Minister of State Panchayati Raj Shri Nihal Chand was also present on the occasion.

POLICE

STATESMAN, APR 29, 2015

Cops & the Community

Sankar Sen

Community policing has become a buzzword not only within the police but across societies and communities all over the world. It is practised in several forms and with different results in many countries. However, the practices which are defined as community policing vary widely. There is a lack of conceptual clarity even among police officers. Some hold the erroneous view that any contact between the police and the community comes within the domain of community policing. Some of the key concepts are thus overlooked. In reality, community policing implies a change in the role of the police in society. It involves a paradigm shift from the traditional view that police alone can check crime and lawlessness and it accords a significant role to the community in defining and guiding the police in their respective localities.

The main aim of community policing is to end the anonymity of policing and reduce the psychological distance between the police and the community by “putting faces in uniform”. The key elements of community policing include community-based crime prevention, the concept of service as opposed to emergency response, the shifting of command responsibility to lower ranks, and public participation in planning and supervision of police action.

A survey of community policing in the USA and some of the western countries shows that the professional policing model of the 1960s and 70s, which relied on up-to-date technology and insulation of the police from political influence, had certain shortcomings. Technological development had reduced the contact between the police and the people. The force spends more time moving in “hi-tech cars”. The spurt in crimes continues unabated.

The concept of community policing emerged when the police realised that their strategies had not been able to check crime. As often as not, it had provoked disturbances. It was felt that the public should play a more active role in promoting order and safety. The police cannot bear the responsibility alone. Though community policing is primarily a crime prevention effort, it does not mean the cessation of police efforts to detect crime, make arrests and prosecute offenders. Successful community policing is expected to improve and enhance other police operations by increasing the community’s cooperation with the police.

There is a facile assumption that the concept implies that the community seeks closer partnership with the police. Very often this is not the case. There is a sense of lurking skepticism of the community that the police are not serious in sharing authority and consider the concept as a public relations exercise. To win the community's confidence and trust, the police will have to demonstrate that they sincerely seek the community's help in combating crime and disorder. There is also the fear of the public that they may have to face reprisals from criminals if they cooperate with the police.

However, the road to community policing is not smooth. There are hurdles to cross, and one of the major challenges is the resistance of police officers to community planning. Internationally, police unions view community policing as a threat to professionalism. They feel that the police are the appropriately trained agency to control crime and in this task, the citizens are neither needed nor wanted. Further, community policing also calls for police accountability to the community and this is not acceptable to unions which are afraid of being rendered redundant, to the point of losing their jobs and benefits. Another impediment is the so-called "police subculture" which welcomes the authoritarian use of force. In community policing, the force has to discharge a parental role while solving problems.

The community policing programme has often been criticised as it doesn't make the police more responsive to the community; on the contrary it can enhance the control of the police over the community. Community policing has been practised with various degrees of success in many countries. The concept has been implemented successfully in Japan and Singapore, where the successful functioning of Neighbourhood Police Centres (NPC) has enabled the police to provide better and efficient services to the community. Indeed, the partnership has provided the police with important insights and inputs to finetune its response to law-enforcement problems. In the USA, there has been massive federal support for the implementation of community policing programmes, but the American experience suggests that the programme has not always resulted in reduction of crime; on the contrary, it has made the community less fearful of the police. In India, many enterprising police officers have experimented with various community policing programmes but most of them have not been very successful because of the failure to elicit people's support.

The public felt that the police are pussyfooting and not serious as regards the community's support. For example, Delhi police have from time to time taken various steps to involve the community and seek its assistance in the task of controlling crime

and disorder. However, an evaluation of community policing practices of the Delhi Police conducted by the Bureau of Police Research and Development (BPR&D) indicated that the members of the public were neither impressed nor enthused by the community policing initiatives. Many of the respondents mentioned the lack of interest of the police administration in involving the public in implementing community policing schemes. This may be rooted in the police resentment towards public interference in professional work. Police personnel interviewed blamed the public for their apathy and alienation from the police.

Certain community policing experiments, notably the formation of mohalla committees at Bhiwandi in Maharashtra have been uniquely successful in preventing communal disturbances. Janamaitri Suraksha Project (JSP), the flagship community policing scheme of Kerala police, has increased the trust level between the police and public and the overall sense of security of the people has gone up, according to research findings. Both the members of the community and frontline police officers feel empowered.

As regards community policing initiatives in India, the effectiveness of community programmes in rural areas, unlike the urban programmes, has been rather limited. There is thus an urban-rural divide. There has also been a lack of continuity. The unhealthy predecessor-successor syndrome has neutralized the positive effect of good work done by some energetic officers. Furthermore, the personnel have not been adequately trained and entrusted with the responsibilities of community policing. The concept entails technical shifts as well as a paradigm change in the way the police operate. It calls for a reorientation in terms of outlook and a bold departure from the authoritarian methods of police operations.

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DECCAN HERALD, APR 28, 2015

90 pc of police funds spent on salaries, ration

Expenditure on salary and ration eat up the maximum of the budget allocation earmarked for the Central police forces and police organisations under the Union Home Ministry, a Parliamentary panel has found.

It has also noted that modernisation suffers due to insufficient funding.

The Standing Committee on Home Affairs, headed by Congress MP P Bhattacharya, has called this “shocking” in its latest report on Demands on Grants tabled in Parliament

recently.

“The committee is shocked to note that out of total allocation under Demand No 55, 89.13 per cent is utilised for salaries and ration, and only 10.87 per cent is meant for important schemes/projects, viz modernisation of the police forces, security related expenditure, CCTNS, research, etc,” noted the panel noted.

Demand No 55 is the most important head under budget allocation for the Home Ministry, and pertains to the expenditure of the paramilitary forces, the National Intelligence Grid, the Delhi Police, the Intelligence Bureau, the NIA and other bodies, and schemes under the modernisation of the police.

Budget allocation

The 2014-15 budget had allocated Rs 59,450.76 crore under this head, while in the revised estimates, it had come down to Rs 56,372.45 crore. In the budget allocation for 2015-16, Rs 62,124.52 crore has been earmarked under this head. The panel said it is of the view that the share of important components under this should be “progressively increased” in the coming years for “maintaining operational efficiency”.

The panel also found fault with the Finance Ministry for “drastically” reducing the allocation for housing of police personnel by half under Demand No 55, saying it would adversely affecting their housing needs.

POLITICS AND GOVERNMENT

TELEGRAPH, APR 24, 2015

A trifle too understated

- Is Britain heading towards an era of unstable coalitions? Swapan Dasgupta

In the 1980s, and I suspect even later, it was fairly common to encounter a breed of rarefied Britons who proudly boasted that they didn't possess a television set at home. For them, a heady blend of *The Guardian* and Radio 3 or 4 was sufficient to negotiate their way in circles where neither Coronation Street nor the *Match of the Day* were discussed in pubs. They lived in a society, but were proud to not really belong to it.

In the past week, I have read innumerable, well-crafted opinion pieces in the 'quality' press arguing that the general election has left them cold. Writing in the *Financial Times*, the infamous Jeremy Paxman, who made it his business to be terribly unkind to politicians and other public figures, spelt out the delights of simply opting out of an election that the political class is insisting is the most momentous election since the last momentous election. On both radio and television, there are opinionated reporters claiming that the poll campaign lacks zing, is uninspirational and bereft of passion.

On the face of it, that may well be true. With less than a fortnight to go before the last vote is cast and the ballot papers counted, there is little outward show of a momentous election. But that is hardly unnatural. The choreography of the festival of democracy in Britain has, over the decades, shifted away from public events to media occasions. As long as party leaders manage to get their sound bites on TV and radio, and as long as there are compelling photo ops - such as the prime minister, David Cameron, and wife, Samantha, in a Sikh *gurdwara* to celebrate Baisakhi or the Labour lead, Ed Miliband, surrounded by a gaggle of girls anxious for selfies with a famous guy - the election minders are satisfied. Yes, there is hard and unglamorous business of candidates undertaking door-to-door campaigning. But this interface with actual voters, as opposed to controlled crowds of the faithful, is so mundane that it is relegated to a media footnote.

For Indians who are now inclined to believe that politics is all about social-media interventions - a technique mastered by Narendra Modi in the 2014 general election - there is also a realization that passionate and ill-tempered Twitter debates are few and far between. The raucous exchanges that define the Indian political discourse appear to be absent. British politics remains a trifle too understated, even below the radar.

However, appearances can often be deceptive. In the last few days of voter registration, an additional 485,000 signed up to avail themselves of the chance to vote - suggesting that there has been an extra spark of interest in deciding the future course of British politics. So far, this isn't reflected in the opinion polls that have been consistently suggesting a fractured verdict and a clear divide between Scotland and the rest of the United Kingdom. However, as the campaign enters the final seven days, I am sure that a slightly greater measure of clarity may begin to emerge. The Scottish National Party led by a pugnacious Nicola Sturgeon has promised that it will use its MPs - expected to

number in the 50s - to 'lock out' the Conservative Party from Downing Street. But her ability to leverage a landslide victory in Scotland to shape Westminster politics may well depend on whether Cameron or Miliband emerges as the first party. If England tilts a little more conclusively in favour of the Conservatives - as may well happen if Tory defectors to the flamboyant United Kingdom Independence Party do a *ghar wapsi* - Sturgeon may yet find that her strategy of wrecking the UK from within may have to wait for another day.

The British Election of 2015 may or may not be momentous - that judgment is possible in hindsight. However, it is unquestionably a fascinating election in which the issues are more significant than the discernible levels of public interest in them. At one time, it was believed that the future of the UK's membership of the European Union would play a big role in shaping voter choice. That certainly is what the jolly UKIP leader, Nigel Farage, hoped. However, as the campaign enters its last leg, Europe has been eclipsed by other concerns.

To my mind, this election centres principally - in England and Wales at least - on Britain's economic future. Cameron may be a bit too smooth and posh for a kingdom that has never ceased to fight its class wars, but history will probably judge him kindly - as the leader of a government that prevented Britain from going the way of southern Europe and even France. If there is greater measure of British self-confidence today, it is owing to the hard-nosed, anti-populist economic strategies pursued by the Cameron government over the past five years. The Cameron government has certainly built the foundations on which a new wave of entrepreneurship could rise.

Of course, no country likes to be told it is living beyond its means and that future growth can only come after a bout of enforced austerity. In Britain, there is a substantial body of people who believe that a minimum standard of comfortable living - sometimes at State expense - is both a right and an entitlement. The Cameron government questioned this premise, but without the robustness of Margaret Thatcher. This has made its appeal for those who have either been successful or are beginning to taste success. And, at the same time, it has been painted in ugly terms by those who failed to get on the growth bus and those who feel that the duty of a democratic government is to punish the rich and subsidize the less well-off. Cameron believes in modest taxation, more choice in education and a competitive National Health Service; Miliband seeks a heftier dose of taxation for the rich and lavish support for the public sector in health and education. These are two conflicting viewpoints that are being offered to the electorate.

What I find particularly interesting is that the ideological debate on the way forward has not been diverted by issues of performance. It says a lot for Cameron that while he is attacked for his beliefs and his upper-class profile, there are no substantial charges of incompetence levelled against his team. This is a pro-incumbency advantage that could come in handy in the final days of the campaign.

That's what the Conservatives are really banking on: the fear that a Left-wing Labour dependant for survival on a very Left-wing SNP would negate all the gains of Cameron's

austerity regime that has restored the UK's competitiveness. The SNP is not afraid of turning the clock back on fiscal responsibility and even reintroducing a slew of freebies. Having lost the independence referendum last year, it is now aiming to create a situation that would lead to the English actually welcoming the exit of Scotland from the Union.

There are two ways this can be prevented. Either Labour recovers dramatically in Scotland to bring the SNP tally below 30 seats. As of now this seems impossible. Alternatively, Conservatives register a late surge and win an additional 25 seats, thanks mainly to desertions from UKIP. If neither of these options is exercised by voters, Britain seems to be heading towards an era of unstable coalitions.

Britain, it would seem, can only be rescued if fear prevails over indifference.

RAILWAYS

BUSINESS STANDARD, APR 14, 2015

Railways in 'severe financial crisis', says Trivedi-led panel

Committee of MPs from both Houses raps neglect of sound functioning parameters, staff and system productivity, cost control

Sudheer Pal Singh

After two years of healthy operations, a severe financial crisis has again gripped Indian Railways (IR), says a parliamentary panel headed by former railway minister Dinesh Trivedi.

Rebutting the government's talk of a visible turnaround in operations, it has highlighted declining system productivity, rise in unit cost of operation and an unrealistic Operating Ratio (OR) target, based on "textbook solutions".

The 31-member panel, of both chambers, lauded IR for staging a turnaround to achieve 76 OR in 2007-08. "Unfortunately, it is again under a severe financial crisis. Its OR – money spent to earn Rs 100 — has deteriorated to 93.6, the ratio of net revenue to capital is 5.6 per cent and the surplus was only Rs 3,740 crore in 2013-14," the committee said in its 85-page report, presented in Parliament.

Actual earnings are likely to be short of the revised estimates for 2014-15 by Rs 2,500 crore and, thus, the projected improvement in OR might not materialise to any significant extent. The actual OR could be 92.5-93.5, it said.

The OR had come down from 93.6 in 2013-14 to 91.8 in 2014-15 and is projected to improve to 88 this financial year. However, says the Trivedi panel, the OR for FY15 would have been close to 100 if IR made adequate provision for depreciation, based on the actual requirement of replacement of over-aged assets.

This "under-provisioning" is piling up delayed works of the order of Rs 41,871 crore. Appropriation for the development fund, used for taking up works for uninterrupted flow of traffic, had declined from Rs 7,800 crore in 2013-14 to Rs 1,305 crore in 2014-15.

"Under-provisioning for depreciation and the inability of Railways to generate enough cash flows for servicing and increased borrowings for financing of rolling stock have resulted in a sharp decline in track renewals, procurement of wagons, coaches and electric locomotives. Simply stated, the Railways are not generating enough cash flows for running as a going concern on a continuing basis," the report said.

These factors have adversely impacted system productivity, which had started falling

after 2012-13. The input cost per net tonne kilometre (NTKM) — the broad measure of systems productivity for freight operations — rose from 31.19 paise in 2011-12 to 32.61p in 2013-14, a deterioration of 4.5 per cent. Unit cost per passenger kilometre (PKM) has gone up from 22.82 to 23.21p, a decline of 1.7 per cent in productivity.

Further, NTKM per wagon day has come down from 9,261 in 2011-12 to 8,471 in 2013-14, wagon turnaround time has deteriorated from 5.08 to 5.13 days and NTKM per employee had declined from 0.55 to 0.53 in this period. “The Railways’ input cost per NTKM has gone up by around 15 per cent each in 2012-13 and 2013-14, one of the sharpest increases in unit cost of freight operation in recent years. Similarly, passenger unit cost has gone up 13.4 per cent in 2013-14 over 2012-13 but the Railways unfortunately appear totally unaware of this disturbing trend,” the report has said.

According to the panel, growth in passenger earnings of up to 18 per cent between 2012 and 2015 were achieved on the back of a sharp increase in fares and not due to improvement in throughput. “In their replies, IR admitted originating passengers grew by 2.4 per cent in 2012-13, dipped by 0.3 per cent in 2013-14 and 2.12 per cent in 2014-15 (till February). The passenger throughput is likely to fall rather more sharply by over 3.5 per cent from 1,159 billion PKM to 1,117 billion PKM as per traffic plan of 2015-16,” it said.

IR might get the benefit of the latest passenger fare rise, of June 2014, for the first three months of the current financial year but thereafter, the entire growth of nearly 19 per cent would have to be achieved through increase in the number of originating passengers and PKMs, which appears extremely unlikely, if not impossible, the committee said.

It also questioned Railways Minister Suresh Prabhu’s decision of not announcing new trains and projects. “No new trains is not a good idea. People living in remote, under-developed, tribal and hilly areas have been waiting for decades for a rail link,” Trivedi said.

On the ministry’s move to seek lending from multilateral institutions, the panel cautioned against falling into a debt trap and said IR must study the bankability of projects “in minute detail” before implementing any financing model.

BUSINESS STANDARD, APR 29, 2015

Railway union announces indefinite strike on 23 November

Workers to protest govt's plan to bring in private participation in railway projects and its FDI policy

National Federation of Indian Railwaymen (NFIR), a trade union body representing 77 per cent of Indian railways' 1.31-million workers, has called a nationwide strike from November 23 against the government's plan to bring in private participation in railway projects and the foreign direct investment (FDI) policy.

"The strike will bring to halt 19,000 trains across the nation beginning 6:00 am on November 23 impacting 20 million passengers. The call for the strike was announced at a massive protest today (Tuesday) outside Sansad Bhawan by NFIR," said the federation's press secretary S N Malik.

NFIR general secretary M Raghavaiah said around 100,000 central government employees - largely belonging to Railways apart from other sectors including defence - participated in the protest. "About 3.4 million central employees representing these sectors are part of this protest against FDI and public private partnership policy," he said.

NFIR has also demanded immediate withdrawal of a recent report by NITI Aayog member Bibek Debroy on resource mobilisation for Indian Railways, which has recommended roping in private sector participation.

SOCIAL PROBLEMS

HINDU, APR 24, 2015

Juveniles need reform, not prison

ARLENE MANOHARAN

SWAGATA RAHA

SHRUTHI RAMAKRISHNAN

The Cabinet has decided to treat 16 to 18 year olds as adults for ‘heinous’ offences. This assuages post-Nirbhaya rage but strongly violates the rights of the child

FLAWED ASSESSMENT: “When maturity cannot be measured accurately, it would be a travesty of justice if children accused of breaking the law are sent to an adult prison.” File photo shows the juvenile accused (face covered) in the Nirbhaya case, in New Delhi.

By clearing amendments to the Juvenile Justice Act and allowing juveniles between the ages of 16 and 18 to be tried and punished as adults for ‘heinous offences’ (offences that are punishable with imprisonment of seven years or more), the Cabinet on April 22 sounded the death knell for juvenile justice. It consciously overlooked the Parliamentary Standing Committee Report that found the transfer system proposed under the Juvenile Justice (Care and Protection of Children) Bill violative of India’s constitutional mandate and its international obligations under the United Nations Convention on the Rights of the Child. The Committee had been particularly critical of the drastic approach of the Ministry of Women and Child Development, stating that “one must not forget that juvenile justice law is based on a strong foundation of reformation and rehabilitation, rather than on retribution”. It recommended that all clauses proposing “differential treatment of children between 16 and 18 years of age needs to be reviewed.”

Despite this, the Cabinet has approved the transfer system. The Press Information Bureau release states that the decision to transfer will be based on an assessment of whether “the crime was committed as a ‘child’ or as an ‘adult’”, to be undertaken by the Juvenile Justice Board that will have psychologists and social experts. What it does not spell out is that a child tried as an adult will end up in prison.

Can’t determine cause and effect

The edifice of the proposed system stands on three flawed assumptions: children are as culpable or blameworthy as adults; it is scientifically possible to determine maturity and mindset beyond reasonable doubt; and the transfer system will effectively deter juvenile crime and enhance public safety, particularly of women.

Advances in neuroscience and studies by the Research Network on Adolescent Development and Juvenile Justice at the MacArthur Foundation, U.S., show that the human brain undergoes key physical changes from the ages of 16 to 18, and this continues right until the mid-20s. This evolutionary process of the brain primarily

concerns risk-assessment behaviour that is directly tied to what we term as “maturity”. Though persons in this age group may ‘know what they are doing is wrong’, it has been shown incontrovertibly that they are unable to act on that knowledge and restrain themselves. This is precisely because at this stage they underestimate risk, are susceptible to negative influences, and lack foresight. Their ability to understand legal processes and make decisions is not the same as that of adults. This is endorsed by an internationally renowned expert in child and adolescent psychiatry, Shekhar P. Seshadri, Department of Child and Adolescent Psychiatry, NIMHANS, Bengaluru. Professor Seshadri explains that “adolescents are less culpable than adults because adolescent criminal conduct is driven by transitory influences that are constitutive of this developmental stage. By nature of their psycho-biological profile, adolescents are greatly influenced by their environment, and too immature to weigh the consequences of their actions.” This predisposes them to poor decision-making — a key factor that distinguishes them from adults. But, just as they can be influenced negatively, they can also be moulded in the right way. To try and punish them like adults and send them to prison would grossly violate their right to equality.

Latest research by Bonnie and Scott (2013) shows that individualised assessments of adolescent maturity are not possible and suggesting it can be done would mean “exceeding the limits of science”. The assessment thus proposed is fraught with errors and arbitrariness and will allow inherent biases to determine which child is transferred to an adult court. When psycho-social maturity or mental capacity cannot be measured accurately, it would be a travesty of justice if children accused of breaking the law are transferred to the adult system and ultimately sent to an adult prison based on such a flawed assessment.

Jail doesn’t reduce violent crime

Despite ample evidence that punitive laws do not improve public safety or deter juvenile crime, the government is bent on importing a failed Western model. The independent Task Force on Community Preventive Services set up by the U.S. Centre for Disease Control reviewed scientific evidence on the effectiveness of transfer laws and concluded that: “...transfer policies have generally resulted in increased arrest for subsequent crimes, including violent crime, among juveniles who were transferred compared with those retained in the juvenile justice system. To the extent that transfer policies are implemented to reduce violent or other criminal behaviour, available evidence indicates that they do more harm than good.” The U.S. is now closing down prisons and redirecting funds to community-based treatment programmes.

Instead of dealing with the root causes of juvenile crime, such as poverty, broken families, unregulated access to pornography, or the failure of the child protection system, the government seems to be blindly targeting adolescents. This is surely an erroneous strategy to protect women or to assuage the public outrage after the Delhi gang rape,

given that these juveniles will graduate from adult prisons as a much higher risk to the community.

Tragically, the grave human rights violations inherent in the transfer system were recognised by the multi-party Parliamentary Standing Committee, but dismissed entirely by the Ministry responsible for protecting children.

On being informed about the proposed law, a young boy who journeyed through the juvenile justice system said, “We learn everything from adults. From people who take drugs, we learn to take drugs; from people who make bombs, we learn to make bombs. And that is what we will learn when you send us to jail. So, if you send us to jail, we will become like them.” Another young woman, a victim of trafficking who went on to do the same to a 12-year-old-girl herself, said, “Please do not kill our spirit and hopes by sending us to jail. Help us, guide us, advise us, support us and show us the right path — don’t condemn us to a life in jail”.

With the Ministry and the Cabinet having turned their back, all hopes are pinned on Parliament to do what is right for India’s adolescent children.

(Arlene Manoharan, Swagata Raha and Shruthi Ramakrishnan are from the Centre for Child and the Law at the National Law School of India University, Bengaluru.)

We must deal with the causes of juvenile crime, the poverty, broken families, and a failed child protection system, rather than blindly seek punitive justice

HINDU, APR 24, 2015

Unequal scales for juveniles

It is unfortunate that the government seems determined to introduce legal provisions to ensure that children between the ages of 16 and 18 are tried as adults if they commit heinous offences such as murder and rape. Ever since a juvenile offender was given a ‘light’ sentence in the Delhi gang rape case of 2012 under the existing child-friendly laws, there has been a clamour to treat juveniles involved in heinous crimes as adults. A fresh Juvenile Justice (Care and Protection of Children) Bill introduced in the Lok Sabha last year contained clauses that many child rights activists and groups disapproved of. A Standing Committee of Parliament recommended a review and reconsideration of all clauses that sought to carve out an exception for children in the 16-18 age group and subject them to the rigours of regular criminal procedure. However, the amended Bill now cleared by the Cabinet retains the clause that provides that when a heinous crime is committed by one in this age group, the Juvenile Justice Board will assess whether the crime has been committed as a ‘child’ or as an ‘adult’. The trial would take place on the basis of this assessment. The present framework classifies offences as petty, serious and heinous and treats each category under a different process. The government claims that

since this assessment will be done with the help of psychologists and social experts, the rights of the juvenile would be protected. It remains to be seen if enough numbers of such professionals would be available across the country to make this work.

It should not be forgotten that making children face an adult criminal court would mar the prospect of their rehabilitation. The Supreme Court has not seen any special reason to amend the present juvenile law. Nor did the Justice J.S. Verma Committee, which made far-reaching recommendations on the legal framework for treating sexual offences, suggest such changes. The government should stick by the U.N. Convention on the Rights of the Child, which treats everyone up to 18 as a child. To the government's credit, it has held some consultations with stakeholders before finalising its latest draft. It has heeded the Parliamentary Committee's objection to Clause 7, and dropped the arbitrary provision that a person who had committed an offence when aged between 16 and 18 but was apprehended only after crossing the age of 21 would be treated and tried as an adult. However, this is not enough. The government would do well to drop its attempt to have a differential system for those involved in 'heinous offences'. Instead, it should pursue the other forward-looking aspects of the bill, which has welcome features for the care and protection of children that can help them significantly through provisions such as those for foster homes and a better-regulated adoption mechanism.

URBAN DEVELOPMENT

HINDU, APR 24, 2015

What makes cities really smart

FEROZE VARUN GANDHI

Rather than grandiose plans, smart cities should focus on just three things: transportation, e-governance and easy land titling

providing connectivity: “For a sustainable city, public transport has to be the main artery.”
Picture shows a view of Hyderabad.

There is no one definition for India’s proposed smart cities. The Ministry of Urban Development provides benchmarks for various services — maximum commute time should be 30 minutes in medium-sized cities and 45 minutes in metros; water availability must be 135 litres per capita per day; 95 per cent of homes should have shops, parks, primary schools and recreational areas within 400 metres, and so on. The proposed cities range from Varanasi to Dholera to Amravati, covering brownfield and greenfield areas. Benchmarks would be different for both; given lack of significant Internet penetration, brownfield smart cities cannot, for instance, focus on skyscrapers or lavish promenades first.

City planning has undergone several changes since Independence. In the 1950s, regional planning and the city master plan grew in importance, but stayed divorced from the complex realities of a poor, independent, post-colonial country. While urban poverty rose, master plans fetishised about leisurely, low-density, spread-out cities, and obsessed over removing slums. This “high modernism” resulted in plans for newer cities. The National Commission on Urbanisation identified 329 cities called GEMs (Generators of Economic Momentum), which were further divided into National Priority Centres and State Priority Centres. Urbanisation was expected to grow along those corridors.

Bhubaneswar and Chandigarh were especially planned to represent modern India, emblems of “a new town, a symbol of India’s freedom, unfettered by traditions of the past” (Nehru, 1948). A ‘garden city’ with no high-rise buildings, Chandigarh’s wide boulevards broke the city into self-sufficient sectors, promoting liveability and exclusion.

However, the structure had its failures. Chandigarh’s urban planning was defined by an “absence of local authority, a lack of understanding of the local culture and values on the part of the planners, and the history of the region.” (Kalia, 1985, 135). In a survey of 21 cities in the Annual Survey of India’s City Systems (2014, Janaagraha Centre), Bhubaneswar and Chandigarh came close to the bottom in quality of life. Bhubaneswar scored low in urban capacities and resources as well as in transparency, accountability and participation.

Over time, national plans grew more reactive, and stuck to managing things as they were. A desire for better, cleaner, inclusive cities remained unfulfilled. We renamed more cities than building new ones.

The idea of a smart city, for most of the 20th century, was science fiction. But cities can now integrate critical infrastructure such as roads, rails, subways and airports; optimise resources better; and plan preventive maintenance. Given India's finance crunch, any smart city we plan should focus first on three things: urban transportation, e-governance and land titling.

Urban transportation

For a sustainable city, public transport has to be the main artery. With metro systems viable only in large cities, integrated bus services will be primary. While the National Urban Transport Policy, 2006, pushed for public transport to rise from 22 per cent to 60 per cent, only 30 major Indian cities out of 90 have an in-place bus system. Even Delhi, with its extensive metro, faces significant gaps in its efforts to provide cross-sectional connectivity, with just 6,500 buses instead of 20,000. India's bus services continue to be hamstrung by limited or declining fleet sizes, loss-making services, inadequate resources, poor service quality and ignorance about modern vehicle technology.

Cities should design bus routes to ensure multi-modal integration. A city-level Unified Metropolitan Transport Authority, backed by legislation, should facilitate coordinated planning and implementation of transport projects. We need an intelligent software to improve systems for vehicle location, collecting online fares, priority signalling for buses, and real-time bus information. Cities should also set up Traffic Information Management Control Centres for effective enforcement and monitoring of traffic rules.

Financing this will require significant restructuring. A dedicated Urban Transport Fund, as seen in Ahmedabad, Bengaluru and Jaipur, should seek to generate inflows through advertisement revenue, additional vehicle registration fees and congestion taxes to fund new projects. A special purpose vehicle (set up in collaboration with the municipal corporation, city and private players), as seen in Indore and Jabalpur, could manage bus operations.

Better e-governance

The Indian government has experimented with various e-governance initiatives, most of which have failed to materialise, given poor cyber security and significant privacy and data protection risk. But the implementation of a secure ICT Infrastructure, comprising wireless hotspots, wi-fi networks, and fibre optic Internet delivery at home, remains fundamental.

E-governance could learn from these examples. The U.K.'s "Tell us Once" service allows citizens to inform public authorities about birth, death or significant life events just once. San Francisco's DataSF.org displays public transportation arrival and departure times, recycle zones, crime patterns and more. Service requests for pothole repairs can be tweeted. Sweden has verksamt.se, both for entrepreneurs and for citizens to use theme-based portals on healthcare, taxation, etc. All procurement and invoicing is conducted electronically, restricting corruption.

Land titling

Providing affordable housing remains a critical challenge. This has been exacerbated artificially by poorly conceived Central, State and municipal regulations, leading to land prices that are much higher than intrinsic levels. Urban development projects still have to undergo a lengthy approval process — developers have to spend two-three years getting permissions from nearly 40 departments.

Titling issues and the lack of property rights information make this worse. While the law requires compulsory registration of the sale of land, it does not ask the registration authority to verify land history or ownership from the seller, weakening buyer protection and acting more as a fiscal instrument for the state, instead of a statutory support of certainty to title. Cities recognise presumed ownership to land, a questionable claim, which can be challenged on many fronts.

A smart city would provide formal digitised recognition of property titles, along with increasing transparency and registered brokers, cutting down long search times and high costs of acquiring real estate. A less cumbersome process of accessing land records through the Department of Registration would increase its use, while helping to show actual transaction prices. Further, land inventory needs to be mapped comprehensively, and be accessible to buyers.

Globally, many countries offer streamlined online processes and incentives to facilitate affordable housing — these can include tax deductions, density bonuses, direct subsidies, land grants, land use changes etc. Many countries such as Malaysia and Canada have revamped their administrative requirements through fee waivers and fast-tracking procedures.

Smart cities can make daily life easier for residents simply by automating routine functions, and providing a basic transportation and housing network. Grandiose visions can be kept for later.

(Feroze Varun Gandhi is a Member of Parliament, representing the Sultanpur constituency for the Bharatiya Janata Party.)

Cities can integrate critical infrastructure such as roads, rails, subways and airports; optimise resources better; and plan preventive maintenance

STATESMAN, APR 24, 2015

Mamata renames 6 cities

West Bengal Chief Minister Mamata Banerjee on Thursday renamed six townships in the state, officials said.

Of them, Siliguri will be known as Teesta, a major river in North Bengal, and Bolpur as 'Gitabitan', a popular compilation of songs of Rabindranath Tagore.

The twin industrial towns of Asansol-Durgapur will be known as 'Agnibina', a collection of poems by poet Kazi Najrul Islam.

Gajaldoba in Malda district has been rechristened as 'Mukta Tirtha' while Garia near this metropolis will become 'Uttam City', after the late matinee idol Uttam Kumar, the officials said.

Banerjee renamed Kalyani, the township in Nadia district developed during the time of Bidhan Chandra Roy's chief ministership, as 'Samriddhi'.

A seventh satellite township, 'Viswa-Bangla' will come up later near the Eastern Metropolitan By-pass in the city to house government employees, official said.

Banerjee had also renamed several stations in metro railway in the city when she was Railway Minister.