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BACKWARD CLASSES

INDIAN EXPRESS, JUN 24, 2016

Solution is the problem

Dominant castes resent reservations, backward groups haven't fully benefited. There is no visible alternative

Christophe Jaffrelot

Marathas, Patels, Jats, Kapus and others are asking for reservations today, preferably through their recognition as Other Backward Classes. This demand reflects the challenges they are facing on the job market. Not only is the Indian economy not creating as many jobs as before (the number has declined from 7 lakh to 1.55 lakh from 2011-12 to 2014-15 in the eight sectors reviewed by the Labour Bureau), but wages in the private sector are much lower than in the public sector. On average, in 2011-12 daily earnings were almost 2.5 times higher in the public sector at Rs 945 against Rs 388 in the private sector. The gap will increase after the recommendations of the 7th Pay Commission are implemented. Certainly, this assessment needs to be qualified because salaries of government jobs are mostly attractive at entry-level. But they are also perceived as less demanding, more stable and as providing many social benefits.

However, one may wonder whether the inclusion of dominant castes in the OBC list is such a panacea. The first problem is that the public sector is shrinking: Government jobs which were 19.5 million in 1996-97 are about 17.6 million today. Certainly, the percentage of public jobs is higher in some states than in others — 16 per cent in Kerala to 1.2 per cent in Gujarat — but the national average is rather low at 4.5 per cent. It is also true that among government workers, groups A and B have continued to grow (24.1 and 27 per cent respectively between 2001-02 and 2011-12), but groups C and D have declined by 8.4 per cent over the same period, and these are the most numerous. According to the 7th pay commission, only slightly more than 1 lakh jobs were added every year in departments and ministries of the central government between 2006 and 2014. The stock of jobs of the state governments being 1.6 times that of the Centre in 2006, if they have recruited at the same rate, by and large, the public sector has been hiring 3 lakh

people a year in 2006-14 — when about 8 lakh young Indians were entering the job market annually.

Secondly, government jobs may not be the right solution for the dominant castes listed above because an increasingly large percentage of these jobs are occupied by contract workers who earn at least twice less than the directly employed ones. In 2014, a report prepared by the Indian Staffing Federation showed that at least 44 per cent of the government employees are now temporary — and their number is on the rise. Not only are their wages almost as low as those of the contract workers of the private sector, but they are deprived of social security benefits.

If we return to the Patels, Marathas, Jats and Kapus, this state of things is particularly resented by such caste groups which used to enjoy a prestigious status in the village and whose expectations are still high. In fact, some studies show that their job problem has much to do with the hiatus between their expectations and their skills: They want good jobs but are not very qualified. In a way, their problem is one of employability — which explains that joblessness is particularly pervasive among those who have degrees, but no real skill. According to the Employment and Unemployment Survey 2013-2014 of the ministry of labour and employment, the unemployment rate was above 15 per cent among the graduates and 2.5 per cent among the “not literates” of India — partly because some families can’t afford not to work.

If reservations are not a solution for the dominant castes, they still see them as a problem because of the advantages they give to OBCs who, according to some dominant caste leaders, do not deserve them. Many Patels, Marathas, Jats and Kapus would prefer reservations to be abolished — if they cannot benefit from them. Their argument needs also to be revisited.

First, OBCs have not taken away as many jobs as is suggested by the quota of 27 per cent that is supposed to go to them at the Centre and in most states. In fact, a quarter of a century after the

upholding of the Mandal Commission recommendations by the Supreme Court, this quota remains less than half filled at the Centre. According to the response a Chennai-based scientist, E. Muralidharan got from the government under the Right to Information Act, less than 8 per cent of employees of government ministries, departments and statutory bodies were from the OBCs in 2008 and about 12 per cent in 2015 — that is, only 9,040 people out of 79,483 posts. To paraphrase Arjun Appadurai, the anti-reservation movement truly reflects the “Fear of Small Numbers”.

Interestingly, 12 per cent of Central government jobs was exactly the proportion the OBCs already represented in the national bureaucracy in 1980 according to the Mandal Commission Report (Report of the Backward Classes (Mandal) Commission, 1980, Vol II, p. 92). Certainly, the data collected by Muralidharan are incomplete since many ministries and departments held back the information. But the only other available (and reliable) figure is not terribly different: It comes from the reply of minister of state, V. Narayanasamy, in Parliament in 2011, when OBCs formed 12.9 per cent of the IAS officers.

It is not only that quotas are not fulfilled, but in some places they are put into question. On June 3, a UGC directive indicated that the Central Universities (CUs) would have to implement the OBC quota only for assistant professors and not for professors or even assistant professors. This directive was all the more surprising as the number of OBCs among faculty members was still minuscule in the CUs: In 2011, according to Arun Kumar, a young researcher who has compiled the relevant data, they were only 245 out of 13,514 (including 4 professors and 4 readers). The situation was such that the Committee on welfare of the OBCs of the [Lok Sabha](#) had proposed a set of measures in December 2015. On June 14, the National Commission for Backward Classes (NCBC) rejected the UGC’s directive.

Others have raised their voice in favour of more positive discrimination for the OBCs. In April 2016, Union minister Upendra Kushwaha demanded reservation for OBCs in the judiciary and in February the NCBC had asked for legislation making it mandatory for private entities, including cooperatives, to reserve 27 per cent of all hiring to OBCs. These moves are understandable if one admits that positive discrimination was intended to help the OBCs catch up in socio-economic terms — as V.P. Singh explained in 1990 — simply because these groups continue to lag behind. For instance, according to the NSS, there are still only 4.7 per cent graduates among them, against 11.20 per cent in the “general” population.

With dominant castes resenting reservations (or asking to benefit from them) and OBCs claiming that they have not achieved their mission yet (and are not prepared to share their quota), tensions are bound to increase. But no party may dare to open this Pandora’s box without an alternative solution that could be agreeable to all the parties and this is not an easy task. After all, the judiciary has rejected the inclusion of the Jats in the OBC list by the government of Haryana and the Patel leaders have rejected the Economically Backward Classes formula of the Gujarat government.

BLACK MONEY

PIONEER, JUN 27, 2016

DECLARE UNDISCLOSED INCOME BY SEPT 30, IT IS LAST CHANCE: PM

Prime Minister Narendra Modi today asked people to declare their undisclosed income by September 30, making it clear that this is the last chance to avoid problems that will follow after the window of opportunity closes.

He said no questions would be asked about the source of the undisclosed income or assets if the declaration is made voluntarily by September 30.

"For those having undisclosed income, the government has provided a special chance to declare it by September 30," Modi said in his monthly radio programme 'Mann Ki Baat'.

He said by paying a penalty, those having undisclosed money can free themselves from various kinds of burden.

"I have promised that there will be no inquiry into the source of the undisclosed income and assets if the declaration is made voluntarily. That is why I am saying it is a good chance for becoming a part of transparent system," he said.

"Let me tell the countrymen that this chance is till September 30. Consider this as the last chance," the Prime Minister asserted during the programme.

He said he has told BJP MPs that if anybody faces any problem after September 30 for not abiding by the rules, no help should be provided to them.

"It will be better that you take advantage of the window provided and save yourself from the difficulties that you can face after September 30," he said.

Modi said there was a time when taxation rules were such that people would tend to avoiding paying taxes.

"But gradually, times changed. Now, for a taxpayer, it is not much difficult to abide by the government rules. Still, old habits die hard," he said, adding there are still people who feel that it is better to avoid paying taxes.

"My plea is that by running away from rules, we lose our peace. Any small person can harass us. Why should we let it happen? Why not ourselves give correct information to the government about our income, about our wealth? For once, dispose off the baggage of the past. I appeal to my countrymen to get free from this," he said.

CENTRAL GOVERNMENT

ECONOMIC TIMES, JUN 25, 2016

Promoting Hindi: Government's project lacks drive

NEW DELHI: Secretary Anoop Kumar Srivastava of the Department of Official Language, which pilots the promotion of Hindi in central government work, was in for a shock when he chaired a review meeting with 20 ministries on May 31. He was told that the Ministry of Home Affairs, under which the department functions, had itself not constituted a Hindi advisory committee headed by the Home Minister to oversee implementation of the language in its correspondence.

Such casualness underlines the challenge facing the Narendra Modi government for a target close to its heart that all central government correspondence in a major part of India and 75% of all file notes be made in Hindi. The Centre also wants bilingual ministry websites that open by default in Hindi. Modi himself speaks mostly in Hindi and the Prime Minister's Office website recently went multilingual. Minister of State in the PMO, Jitendra Singh, said this month the aim was to promote use of Hindi in the northeast and south India, too.

But five annual review meetings held by the department with all 87 central ministries and departments in batches between January 8 and June 9 show that most of them are way behind target. At least 20 departments have not even achieved 60% of their goal. Many don't have bilingual web portals. Some ministries did not even depute joint secretaries for the review meetings as mandated and sent junior officers instead, much to the displeasure of the secretary, who said it showed nonseriousness towards the task.

The Hindi struggle

The targets are clear: all letters issued in central government departments located in 10 Hindi-speaking states (Group A) and three other states — Gujarat, Maharashtra and Punjab (Group B) — should be 100% in Hindi, while in other states (Group C), the target is 65%. File notes across the board should be 75% in Hindi.

The reviews showed that the Department of Personnel and Training and major ministries such as coal, health, shipping and culture have not achieved half of the target (see graphic). In the

panchayati raj ministry, a shocking 0.07% of letters in Group C states were in Hindi. The percentage of file notes was as low as 19% in the health ministry and 12% in the minority affairs ministry. A few bright sparks in the micro, small and medium enterprises ministry and parliamentary affairs ministry showed above 90% compliance. But major work remains to be done in big ministries such as telecom, defence, petroleum and urban development, which hover at just about 60% target achievement.

The poor level of compliance persisted even though most departments claimed that almost all of their employees were proficient in Hindi, it was noted at the meetings. One of the worst-performing departments, DoPT, said all its employees knew Hindi but none of its 45 top officers did 70% or more of the work in Hindi, while 39 officers could not achieve even the 30% mark.

The website of the health ministry was found to have only 50% of its content in Hindi. Both these departments failed to send their representatives to a meeting held on May 31 and had to be called in on June 9. The department also found that while ministries, except including the MHA, had set up internal Hindi advisory committees headed by their respective ministers to oversee their performance, some such as civil aviation, DoPT and health had not conducted any meeting of these committees over the past year.

Four Secretaries in One Year

All is not well at the monitoring department, too. In the past year, it has seen four secretaries in the chair, making it one of the most unstable departments at the Centre.

"It is not considered a great posting. There are four secretary level posts in the home ministry this one is the least coveted. The rapid changes of secretary mean the officer is not able to focus on the job in the short term and priorities change with a new officer at the helm," a senior bureaucrat told ET.

Sample this: Sanjay Kumar Shrivastava was appointed the secretary on April 30 last year, five months after the previous incumbent retired and another officer held the post as an additional charge. Within four months, on August 28, Shrivastva was moved to the Cabinet Secretariat and Girish Shankar became secretary, moving from the tourism ministry. Shankar moved to heavy industries on February 11 and the department was again headless. On March 23, Hem Kumar

Pandey joined as secretary but he moved to consumer affairs on April 26. The present secretary, Anoop Kumar Shrivastav, came from the home ministry's border management division and has been in charge for about two months.

Google the Saviour?

So, what is the solution to ensure that government correspondence takes place in Hindi in departments that apparently lack the drive and motivation to push their employees? The answer seems to be Google. At each of the five review meetings held by the department, the National Informatics Centre held presentations for ministry officials on how they could get their staff to type in Hindi using Google Voice Typing.

"Most government officials know how to speak Hindi but struggle to write it. With adequate translators and Hindi typists not available in government, Google Voice typing is our best shot," an NIC official told ET, adding that many departments have adopted this.

There's another challenge stiff opposition from south Indian states, especially Tamil Nadu, to the Hindi push. The Centre says it is concerned only with Hindi usage in central departments and points out to lower targets for their offices located in the Group C states in the south and northeast. Many, however, expect that push may come to shove.

CIVIL SERVICE

HINDUSTAN TIMES, JUN 28, 2016

IAS is the first choice for most civil services toppers

Aloke Tikku, New Delhi

Delhi's Tina Dabi who topped civil services exams in the first attempt. (Ravi Choudhary/Hindustan Times)

Tina Dabi, the first Dalit woman to top the civil services examination, will not be treated as a general category candidate according to government data, which also shows that the Indian Administrative Service (IAS) was the first choice of most toppers.

A government order issued last week classified Dabi — allocated to the IAS — as a Scheduled Caste candidate despite her outstanding performance in the final examination. The bright political science graduate from Delhi's Lady Sri Ram College had topped the three-stage exam, scoring 868 out of 1750 marks. It was the highest this year. But a less than impressive performance in the preliminary examination continues to haunt her.

Dabi had scored less than the cut-off for general candidates. But she got into the shortlist for the detailed Main examination because the Union Public Service Commission (UPSC) relaxes the cut-off for candidates from reserved categories.

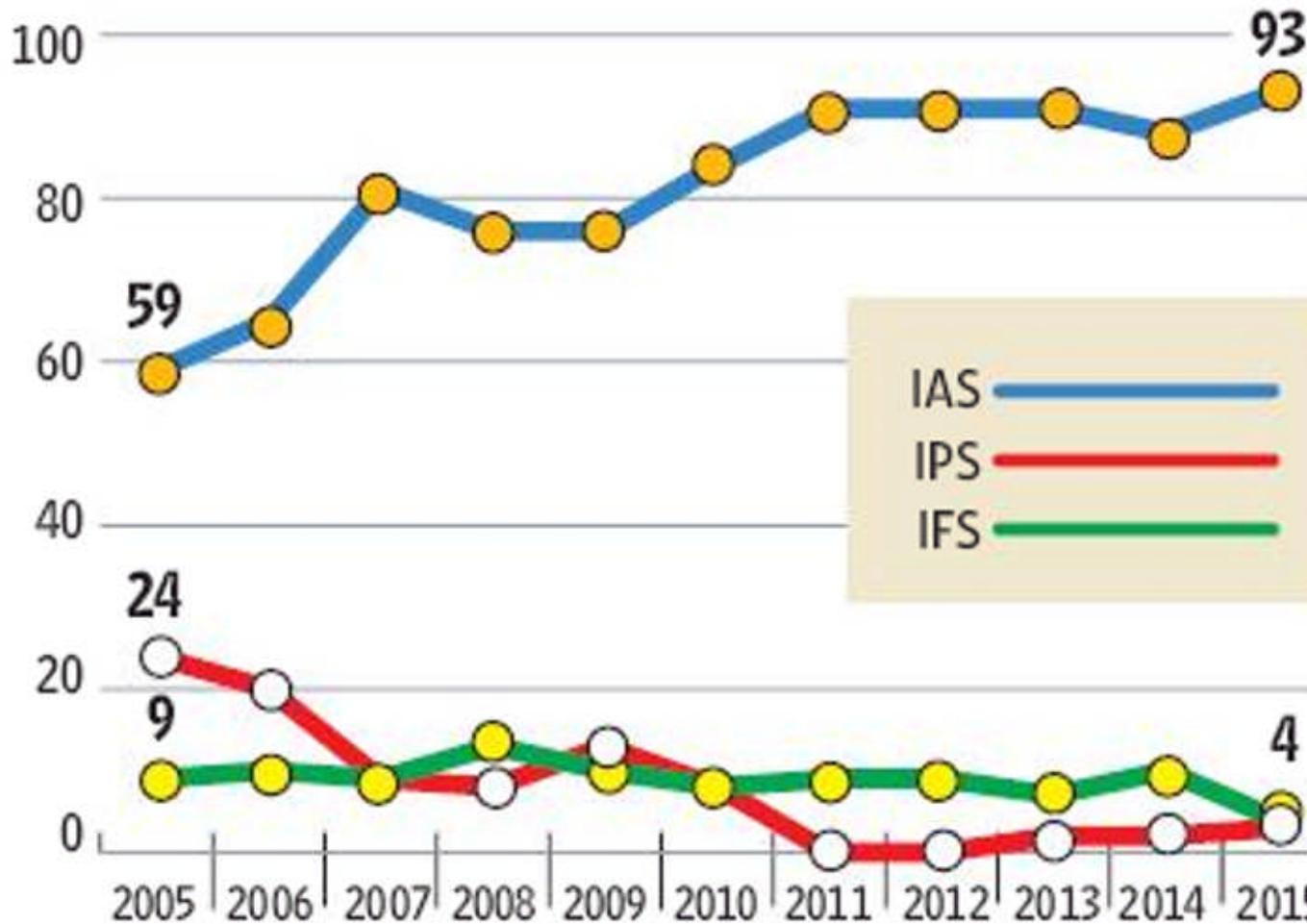
A government official said she was treated as an SC candidate due to this relaxed standard. The rule is that if candidates avail any concession or relaxation at any stage of the exam, they are treated as a candidate from the reserved category and not a general candidate.

Eight candidates from the Other Backward Classes (OBC) this year were treated as general category candidates since they did not avail any concession in the examination, considered one of the toughest. Nearly half a million young men and women sit for the examination that offers less than a one in 400 chance of success.

A quick analysis of the data also shows that the IAS — and not the Indian Police Service (IPS) or even the glamorous Indian Foreign Service (IFS) — was the first choice for most of them.

TREND OVER THE YEARS

Indian Police Service (IPS) and Indian Foreign Service (IFS) are not the biggest draws for successful candidates in the top 100



Just four of the top 100 successful candidates in the 2015 examination opted for the IFS. Another three were allocated to the IPS while 93 of the 100 candidates got into the IAS.

In 2014, only 84 of the top 100 candidates went for the IAS. There were 10 candidates who got the IFS and the remaining two the IPS.

Pointing to a trend over the last decade, a senior government official said instances of successful candidates who wanted to join the Indian Revenue Service — and not other premier services such as the IAS, IFS and IPS — appeared to be on the decline.

“This is a positive trend,” he said, recalling concerns that it was the prospect of making money and not public service that had attracted the officers to the IRS.

HINDUATAN TIMES, JUN 28, 2016

Govt to take up pay panel proposals, hike for central employees in offing

Central government employees can look forward to fatter salary cheques as the Union cabinet is likely to take up the 7th Pay Commission recommendations on Wednesday.

The commission has recommended an average 23.55% increase in their salary, allowances and pension, a move that will benefit 4.8 million staffers and 5.5 million pensioners.

The commission headed by justice (retired) AK Mathur had presented its 900-page report to finance minister Arun Jaitley in November 2015.

In January, the government had set up an empowered committee of secretaries headed by cabinet secretary PK Sinha to examine the panel’s suggestions. A secretariat has also been set up within the finance ministry to oversee the panel’s recommendations.

The cabinet is expected to discuss on Wednesday the Sinha committee’s report on implementation of the pay panel’s recommendations.

The salary hikes will be effective from January 1, 2016.

More cash in hand is likely to result in higher consumption by the government’s massive employee base, which accounts for a large segment of the Indian middle-class.

More demand could boost the economy through higher spending on assets such as cars and housing.

The government usually accepts the broad proposals for pay revision — due every 10 years and state governments usually respond with their own hikes.

The Centre's total salary and allowances bill for 2016-17 has been pegged at Rs 1.84 lakh crore, which is Rs 65,687 crore or 55% higher than last year's Rs 1.18 lakh crore. The higher wage bill for this year partly factors in the anticipated increase in employee remuneration.

The pay commission's recommendations say a fresh IAS recruit will get a basic salary of Rs 56,000 a month against Rs 23,000 currently, while a sepoy in the Indian Army will earn Rs 21,700 a month from Rs 8,460 at present. In addition, employees are paid dearness allowance and house rent among many other allowances.

If accepted, the new proposals will set Rs 18,000 as the minimum pay of an employee on the central government's rolls. At present, the minimum salary is Rs 7,000.

The total emoluments of a general helper — the lowest-ranked employee — amount to Rs 22,579, more than double that of his counterpart in the private sector, a study commissioned by the panel found.

The commission has proposed a change in the salary structure by doing away with the system of pay bands and grade pay and recommended "pay matrix". It has also called for scrapping overtime allowance and interest-free loans to buy motor vehicles.

HINDUSTAN TIMES, JUN 29, 2016

7th Pay Commission: How govt's salary, appraisal system works
B Sundaesan

With the Union cabinet set to take up the recommendations of the 7th Pay Commission on Wednesday, Hindustan Times brings you the low-down on the panel that decides how much central government employees earn.

What is a pay commission?

A pay commission is constituted by the central government once every decade to revise the salary structure of its employees. In addition to revising the salary structure, each pay commission has a term of reference (ToR), which broadly defines its focus. Pay commissions also decide pension payments.

For instance, the ToR of the 7th Pay Commission said salaries will be revised keeping in mind “rationalisation” and “simplification” of pay structures and “specialised needs of various departments”. The 7th Pay Commission was constituted in February 2014 and submitted its report in November 2015.

Who is covered under pay commissions?

According to the 7th Pay Commission, central government employees are all persons in the civil services of the central government and those who are paid salaries out of the consolidated fund of India, which is the account in which government collects its revenues.

Employees of public sector undertakings (PSU) and autonomous bodies, and gramin dak sevaks are not under the remit of the 7th Pay Commission. This would mean someone working in Coal India will not be covered.

What will happen to PSU employees?

PSU employees have separate pay scales depending on the undertaking they are working for. These PSUs specify salaries, perks and allowances for executive and non-executive employees. This means that two people working in different PSUs but on similar posts may have different salaries.

How many central government employees are there?

As of 2014, there were 4.7 million central government employees. Indian Railways has the highest number of employees at 1.3 million, followed by the home ministry and the defence ministry at 980,000 and 398,000 respectively. Defence ministry personnel refer to civil employees and not those engaged in the Indian Armed Forces, which employs 1.4 million persons.

What about pensioners?

As of January 1, 2014, there were 5.2 million pensioners. Out of these, 36% of the pensioners are from the Indian Armed Forces, followed by railways at 25%.

How are salary hikes calculated?

Pay commissions use the Consumer Price Index for Industrial Workers or CPI(IW), which is in place since 1958, to determine the required increase in salaries. The commission estimates the minimum pay based on the consumption figures of Indian households. This takes into account how much pulses, milk, cloth and other commodities are consumed in an average Indian household.

The rise in prices is reflected in the CPI (IW) inflation, which is used to calculate the dearness allowance (DA). Besides DA, the pay increase includes the rise in basic pay, house rent allowance and leave transport allowance among others. The final figure is the minimum pay that a central government employee gets.

What has the 7th Pay Commission recommended?

The 7th Pay Commission recommended the present system of grade pay and pay bands be replaced with an 18-level pay matrix that integrates assured career progression even if an employee has no prospects of promotion.

It also brought in parity between past and present pensioners for both civilian and defence personnel, though without explicitly correlating it to 'one rank one pension'.

It revised the minimum pay to Rs 18,000 per month, up from Rs 7,000. Almost 90% of this increase is for the dearness allowance (DA), with the rest being made up by other allowances. The 7th Pay Commission recommended a real increase of 14.3% in pay. This excludes the hike in dearness allowance.

What was the problem with the 6th Pay Commission pay scales?

The pay scale in place till the 7th Pay Commission had 19 pay grades split into four bands with 15 pay grades and four distinct scales for higher administrative grade (HAG) employees such as directors and cabinet secretaries.

The problem with this pay scale was that there was a significant difference between consecutive grade pays in different bands. For instance, if an employee is in Pay Band 2 with a grade pay of Rs 3,400, she will get a higher increment upon promotion than an employee of Pay Band 1.

How is the new pay matrix different?

By doing away with the pay bands and grade pay, the new pay matrix ensures that there are no abrupt jumps in salaries upon promotion in different pay bands.

It also revises the modified assured career progression (MACP) so that an employee gets an assured increase in salary throughout her tenure – a maximum of 40 years for civilian and 24 years for defence employees – in case there are no promotions. This increase has been pegged at 3%.

The 7th Pay Commission assigns 18 levels for designating the functional role in an organisation's hierarchy. For instance, a promotion may shift you from level 10 to 12, with a salary depending upon your experience.

What are the financial implications of the 7th Pay Commission?

The financial implication of 7th Pay Commission was pegged at Rs 1.02 lakh crore for 2016-17. Out of this, the salaries will account for Rs 39,100 crore (38% of the total), allowance for Rs 29,300 crore (29%) and pension for Rs 33,700 crore (33%).

The total financial effects of adopting the recommendations will be split between the union budget and railway, with the former footing almost 75% of the bill.

HINDUATAN TIMES, JUN 29, 2016

Officers' appraisal system flawed: Top babu Aloke Tikku

NEW DELHI: It isn't just school students who are getting a perfect score in Class 12 exams. So do Indian civil servants.

Cabinet secretary Pradeep Kumar Sinha conceded that the performance appraisal system for civil servants was in a bad shape, making it difficult to distinguish between performers and the inefficient, or the corrupt and the honest.

“We all know for sure that there are a number of officers who we all know are dishonest, or their integrity is suspect... The whole world knows but he has a vigilance clearance. How does this happen,” he asked a meeting of senior officers and vigilance administrators on Monday.

Sinha went on. “And when we are sitting in the government to place them or promote them through process of empanelment, we are really in a fix because vigilance clearance is there.”

“And nowadays everyone gets 9.5 or 10 out of 10 (in their performance appraisal). So how do you differentiate between the good and the bad, or the honest and not-so-honest,” he said.

It has been long acknowledged that the appraisal system was an unreliable barometer of an officer’ s abilities or performance but the government has not been able to fix it.

The previous Manmohan Singh government tried to deal with the problem by reworking the performance appraisal forms in 2007, requiring that officers be graded on a 10-point scale instead of five. But it did not really make a difference. Instead of rating their favourites as excellent, the senior officers just gave them a perfect or near-perfect score.

A study on performance appraisals conducted for the cabinet secretariat a few years ago found that the cut-off marks to shortlist civil servants for empanelment at the Centre often went into four decimal points.

One quick-fix pushed by the Narendra Modi-led PMO was to give greater importance to peer rating of civil servants. But there are concerns that an informal peer rating could be abused.

ECONOMIC TIMES, JUN 25, 2016

Centre says no to deputation of Delhi CM Arvind Kejriwal's handpicked officer as OSD

NEW DELHI: The Centre has shot down the deputation request of forest service officer Sanjiv Chaturvedi, whom Delhi Chief Minister Arvind Kejriwal wanted to be posted as OSD in his office, saying service rules bar such hiring. It said that Chaturvedi needs to first complete mandatory coolingoff period of three years before joining the Delhi government. Chaturvedi, a 2002 batch Indian Forest Service officer of Uttarakhand cadre, is working as Deputy Secretary in All India Institute of Medical Sciences (AIIMS). He had last year sought intercadre deputation to Delhi government. Delhi Chief Minister Arvind Kejriwal had on February 16, last year written to

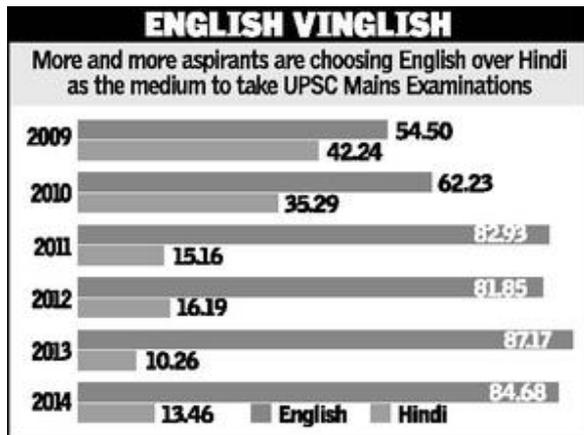
Union Environment, Forest and Climate Change Minister Prakash Javadekar seeking services of Chaturvedi as Officer on Special Duty (OSD) in his office. The Appointments Committee of Cabinet (ACC) has declined the proposal for intercadre deputation of Chaturvedi from Uttarakhand cadre to the Government of National Capital territory of Delhi, an order issued recently by Department of Personnel and Training (DoPT) said. The decision comes after an order by Central Administrative Tribunal on June 2 directing the ACC to decide within three weeks on the deputation of the officer. After his induction into the service, Chaturvedi was allocated Haryana cadre. However, he sought change in the cadre citing "extreme personal hardship". The ACC had approved the intercadre transfer of Chaturvedi from Haryana to Uttarakhand in August 2015. However, in February this year, Uttarakhand government rejected a representation of Chaturvedi seeking a NoObjection Certificate for intercadre deputation stating "if government of India grants waiver of cooling off condition, Uttarakhand has noobjection for intercadre deputation". As per rules, an officer can get central deputation or intercadre deputation only after the concurrence from both the state government concerned (the cadre state of the officer) and the Centre. Further, an officer must serve three years cooling off period between the two central deputation tenure. The central deputation tenure of Chaturvedi comes to end on June 28. The Ministry of Environment, Forest and Climate Change (MoEFCC) had earlier informed the ACC that Chaturvedi was yet to serve in his new parent cadre i.e. Uttarakhand. The Ministry had further added that on account of the different socioeconomic, political, cultural and geographical conditions from state to state, it was imperative for an officer to fully familiarise himself with the demand and constraints of his cadre in the formative stage of his career, in order to effectively meet the challenges of his cadre.

HINDU, JUN 24, 2016

IAS aspirants prefer videshi medium

SAMARTH BANSAL

Jump in number of students writing the UPSC mains in English



The number of students writing the UPSC mains exam in English has been disproportionately high over the last few years, analysis of UPSC data from 2009 to 2014 show.

Data was compiled from annual reports of UPSC by public information portal 'Factly', which they shared with *The Hindu*.

A significant jump was seen in the year 2011 when 83 per cent candidates took the mains exam in English compared to around 62 per cent in 2009. Corresponding to that, Hindi saw a steep decline – a drop of around 20 percentage points from 36 per cent in 2010 to 15 per cent in 2011.

Introduction of CSAT

This sudden change coincides with the introduction of the CSAT examination in UPSC prelims in 2011. This change was opposed by many, as it was argued that the new pattern was biased in favour of English-speaking students.

Note that data on the language chosen by candidates to write prelims is not available which makes it difficult to establish whether the jump is indeed indicative of a bias or if that is a consequence of more students taking the prelims exam in English.

Yogendra Yadav, social and political scientist, finds this trend concerning. Speaking to *The Hindu*, he said, "In India, language is one of the most significant markers of social inequality. Much of the social dominance is translated into language. The language of dominance – English – is now the dominant language and it is shocking to see this reverse in trend."

Mr. Yadav said that students coming to bureaucracy from Indian language medium bring along certain sensitivity and understanding of problems of ordinary people.

In the Indian Languages section, most students opted for Hindi in the period from 2009 to 2014, followed by Marathi. But the proportion of students opting for Hindi is on a decline; 66 per cent candidates chose Hindi in 2014 compared to 74 per cent in 2009. On the other hand, the

percentage of students choosing Marathi is increasing – from 5 per cent in 2009 to 9 per cent in 2014, with a peak in 2013 when 11 per cent chose the language. Note that apart from Hindi, only Marathi, Tamil and Telugu are chosen by more than 5 per cent of the candidates in the Indian language exam.

Engineers dominate

Data show that students with engineering background now comprise the bulk of selected students, overtaking humanities; 51 per cent of the recommended candidates in 2013 were engineers, compared to 30 per cent in 2009. Earlier, humanities students were the most successful.

BUSINESS STANDARD, JUN 24, 2016

Govt staff face two-year wait for allowance hike

Deferment to help Centre save Rs 60k cr

Arup Roychoudhury

The government may delay a revision of allowances recommended by the Seventh Pay Commission by two years to 2018-19, thus, saving close to Rs 60,000 crore. The empowered committee of secretaries, which is examining the Seventh Pay Commission's suggestions, is likely to present its report to the Union Cabinet for approval in early July on what recommendations the government can implement. While the pay and pension revisions look likely to be implemented for more than 4.7 million government employees, the revision in allowances could be delayed by two years. Officials ...

ECONOMIC TIMES, JUN 24, 2016

Bureaucrats fume over Subramanian Swamy's attack

NEW DELHI: Subramanian Swamy's latest attack on government officials has the bureaucracy seething, with some of them calling it an extremely 'demotivating' development that can lead to policy paralysis. "This is highly demotivating and demoralising for senior officials who are working over 12 hours a day through the year," said a senior government official. "No government can work if the bureaucracy is targeted like this." Another senior official ET spoke to wanted a stronger response from the government and raised the ghost of a UPAII type of policy paralysis if the bureaucracy is attacked like this. "Subramanian Swamy does not represent

the government, but attacks on the bureaucracy and institutions will lead to fear psychosis. We do not want to be in those times again when even routine decision was looked as suspicious, which may lead to policy paralysis," the official said. On Thursday, the BJP Rajya Sabha MP tweeted against Department of Economic Affairs Secretary Shaktikanta Das. Swamy had said in response to a tweet against Das: "I think there a property deal case pending against him (Das) for assisting PC (former finance minister P Chidambaram) swallow Mahabalipuram prime locations." Finance minister Arun Jaitley, who left for China early Thursday morning, strongly defended the senior bureaucrat in the ministry. "An unfair and false attack on a disciplined civil servant in the Finance Ministry," Jaitley tweeted. A day earlier, Swamy had called for the sacking of Chief Economic Advisor Arvind Subramanian for his testimonies to the US Congress and the US Trade Representative, and later added that he had a list of 27 people in the government who needed to be 'fixed.' Jaitley had on Wednesday strongly rejected Swamy's attack on CEA Subramanian. "The government has full confidence in the chief economic advisor... I would also add one more line from the point of view of discipline of Indian politicians to what extent should we attack those, the discipline and constraints of whose offices prevent them from responding and this has happened more than once," the finance minister said. Another official said wild and false allegations are hitting at the heart of the risktaking ability of government officials when the country is attempting to undertake structural reforms. "Unsubstantiated allegations made against government officers who do not have the right to defend themselves will make it very difficult for officers to function, take risks and perform," the official said, while calling for freedom for bureaucrats to respond to charges. "The government must permit officials to take Mr Swamy headon. If this is not permitted, he will bring the government of to a standstill," he added.

EDUCATION

HINDUSTAN TIMES, JUN 26, 2016

Thesis cheats beware! Academic plagiarism being made legal offence

Neelam Pandeyi

A law to make plagiarism a legal offence is being drafted by the UGC after a raft of plagiarism charges against central university vice-chancellors and teachers in the recent years. (Shutterstock)

The government plans to bring in a law to stop rampant plagiarism in academia, with punishment ranging from a warning to deregistration in the case of students and dismissal from service for teachers.

Higher education regulator University Grants Commission (UGC) is finalising a draft law — the first of its kind — that is likely to be sent to the human resource development ministry for further action by June-end. Official sources said the government intends to seek parliamentary approval for the law this year itself.

In the absence of a law, educational institutions deal with cases of plagiarism individually. Last year, the UGC made it mandatory for all universities to use anti-plagiarism software to check PhD theses.

There has been a raft of plagiarism charges against central university vice-chancellors and teachers in recent years.

Pondicherry University V-C Chandra Krishnamurthy quit last month after a prolonged standoff with the HRD ministry, which had kept her on compulsory wait following allegations that she plagiarised large parts of a book mentioned in her CV.

The ministry recently sought Hyderabad Central University V-C Appa Rao Podile's comments on allegations of plagiarism in research papers co-authored by him.

There have been similar charges against eminent scientists such as CNR Rao and RA Mashelkar in the past.

“A regulation is being prepared for prevention of plagiarism in higher education institutions that will focus on all categories, including students pursuing Masters, MPhil and PhD, and teachers at different levels,” said a senior UGC official.

Students will be let off with a warning if it is a minor case of plagiarism. But as the gravity of the charge increases, they may be barred from submitting a revised manuscript of their thesis or research paper for six months or even have their registration cancelled, said sources privy to the draft law.

“We want to ensure intellectual honesty and academic integrity. There are different levels of punishment depending on seriousness. It could be an advisory, a letter of displeasure, censure (of teachers), et al. In some cases, we are including a provision that such teachers or researchers will not be allowed to publish for a certain period,” said a UGC source.

Former Delhi University V-C Deepak Pental — who faced plagiarism charges that he challenged in court — welcomed the move but said the UGC should not do it in isolation and, instead, consult the Indian National Science Academy and Indian Academy of Science, Bangalore.

“UGC should form a committee to formulate what is plagiarism. Put academic work through plagiarism software. Cut and paste has become very prominent. Sometimes, people do it inadvertently too. We need to work hard against plagiarism and focus on preventive rather than punitive action. If some one still does it, the punishment should come from the universities though legal recourse should be open too,” he said.

ECONOMIC TIMES, JUN 28, 2016

PMO advises HRD ministry to give full autonomy to 20 'worldclass' educational institutions

NEW DELHI: The Prime Minister's Office has advised the human resource development ministry that 20 educational institutions the government hopes will attain global excellence standards should be given full autonomy. Of these, the 10 statesupported institutions are expected to receive public funding of up to Rs 500 crore each. An Expenditure Finance Committee note seeking Rs 5,000 crore for these institutions has already been moved. The institutes can be existing or greenfield (the latter for private institutions). The PMO had earlier intervened in favour of IIMs in the matter of autonomy for the institutions. For the 20 'world-

class' universities, first proposed in this year's Budget, the PMO has told HRD ministry that even a softer version of the regulation as practised by the University Grants Commission (UGC) should be relaxed further. Officials who spoke to ET for this report requested anonymity. Questions sent to PMO and HRD ministry did not receive any response. ET has learnt that PMO has strongly asked for greater autonomy in even the lightertouch regulation HRD had proposed for these institutions. HRD's separate rules — UGC (Declaration of Educational Institutions as world Class Institutions) Guidelines — allow these institutes to fix their own fees for foreign students and decide salaries for foreign faculty, as well as freedom to choose admission procedures. Existing universities don't have such freedom and are guided by detailed UGC rules. But PMO wants HRD to relax regulations even further and has advised the ministry that the new universities be given freedom to determine course structure, course duration, course credits and timetables. PMO also wants easier norms on foreign student intake (the ministry proposed that a maximum of 30% foreign students can be admitted) and the procedures on hiring faculty. PMO is also not fully in favour of HRD's proposal that these new universities face a penalty in the event they can't meet certain quality parameters in 1015 years. The PM's office is learnt to advised HRD that the time period must be longer for a fair assessment of whether a new university has emerged as worldclass. Finance Minister Arun Jaitley had announced in the 2016 Budget that "enabling regulatory architecture will be provided to 10 public and 10 private institutions to emerge as worldclass teaching and research institutions". Stay on top of business news with The Economic Times App. Download

HINDU, JUN 27, 2016

Crafting the joyless university

PULAPRE BALAKRISHNAN

A public audit of the UGC's functioning is required before it can do further damage to higher education

One phase of a long-standing stand-off between the University Grants Commission (UGC) and a section of our university teachers appears to have ended on June 16. As reported in the press, on that day the Government of India announced that it was acceding to all but one of their demands on the rules governing their functioning. Some peace would have been bought no doubt, but it cannot really further the principle that at the end of the day, after everyone's rights and responsibilities have been granted and codified, the experience of the university must be a joyful

one for our youth. There is some reason to believe that it is not always so in India today, and this is a pity.

Hours of contention

There are three components to the UGC's package governing the faculty. Of these, mostly two have proved to be bones of contention between the two parties. These have to do with the mandated workload for teachers and student evaluation of courses, including of the lecturer herself. But it is the third component that needs to be scrutinised for its suitability. This is the assessment of teacher performance on a range of activities, ideally centred on research, or what laypersons would recognise as the contribution made to the stock of our knowledge. As a measure of faculty performance, the UGC has devised the Academic Performance Indicator (API), which is the score the teacher has attained in all activities combined.

On the workload, having attempted to increase it by 25 per cent via a notification issued on May 10, the UGC has now climbed down and restored status quo, whereby a teacher has to undertake 16 Direct Teaching Hours a week. This may not appear particularly strenuous to the public, who are used to a 40 hour week! However, they may not be taking into account that every hour of lecturing, or even discussion, requires several hours of reading and preparation, these two being distinct tasks.

So how are we to arrive at what is a reasonable workload for our university teachers? I would have thought that it is obvious that in this globalised world of knowledge production, one approach would be to seek to approximate the global norm. Were we to do that, we would notice immediately that India's college teachers have to teach far too much. They teach more hours per week and for more weeks in the year than their counterparts, at least in the anglophone world. I shall explain how I arrive at this conclusion but first draw attention to the fact that with so much of teaching to do, they are left with little time to read for their classes, which directly impinges upon the quality of the lectures students receive.

This is as far as the dissemination of knowledge is concerned. We are yet to address the creation of knowledge. It is not only that a heavy load of teaching crowds out the time left for research, but too much of teaching deadens the intellect which requires leisure and solitude to flourish. So while the UGC's decision to not increase the workload may appear conciliatory, it must not lead us to overlook the possibility that the existing work norm itself may be unacceptably high.

A constructive suggestion is made here. Instead of approaching the problem from the perspective of a mandatory number of teaching hours, it could be viewed within a framework that starts out by setting the number of courses a teacher must teach in a year. The global benchmark is four courses, two being taught in each of the two semesters. Nevertheless, this would yet leave open the issue of the number of hours of lecture per course. Again, globally, the norm would be no more than 40 hours per course. I understand that in some universities in India it is as much as 60

hours per course, no doubt determined by the number of hours lecturers must teach per year. This approach has the consequence that students are now forced to attend far too many lectures.

As with teachers, so too for the students, too many lecture hours can be a disaster. Passive participation kills all creativity as there is no responsibility imposed on the student to engage. The student's misery is compounded when the quality of lecturing is poor. The answer to both overworked teachers and deadened students is to drastically reduce the lecture hours. Back-of-the-envelope calculation based on the proposal that a teacher does four courses of 40 hours each in a year shows that India's teachers, under present UGC norms, are teaching approximately a 100 per cent more than their peers. The consequence of this for the quality of our universities can be imagined.

On constant evaluation

The second of the bones of contention between the UGC and the teachers concerns student evaluation of courses. Surely students must be given the opportunity to assess the instruction they receive, in particular the quality of lectures. While there is scope for immaturity here, the answer to this is to take the evaluations with a pinch of salt, not to scrap them. The university needs to know how the courses that it offers are perceived so that course correction is possible. There is no substitute for student evaluation here. Teachers must learn to treat this as part of give and take. There is no professional or ethical ground on which they can refuse to stand up and be evaluated by their students. The UGC is right to recommend student evaluation of courses, even though we may argue over the metrics.

Finally, the third aspect of governance of our universities by the UGC. The government's statement of June 16 makes no mention of it, though it is the most controversial component. Represented by the API, this prescribes minimum scores to be attained before a teacher can be considered for promotion. Mainly two elements are involved. One is the specification of a mandatory number of years to be spent in each category, between Assistant and full Professor, and the other is the assessment of research.

Both are problematic. There is absolutely no reason why the number of years of experience in a post should be a consideration in assessing a teacher's intellectual progress. Things had been done differently in India in the last century. C.V. Raman came into the university from government and Amartya Sen had been made a full professor when he was all of 23 years. They went on to win Nobel Prizes.

Rule by numbers

The least credible part of the API is the scoring of research. Scores are to be given to publications according to the journal in which they have been published, based on a schedule to be notified by the UGC. I had written in these pages, as soon as the present government was installed, why this is problematic and shall not repeat myself but state the reasoning proposed

then. Evaluating articles by the journals in which they are published prejudices their intrinsic worth by privileging the prestige of the journal over the quality of the article. Even though it is a reasonable conjecture that prestigious journals use high standards when publishing articles, it is not always the case that less prestigious journals do not contain very good work. The same goes for the UGC's privileging of "international" over the merely "national" journals. Finally, the API awards marks for projects undertaken, correlated with the money value of the grant amount. It encourages a form of academic entrepreneurship divorced from the pursuit of knowledge. All in all, the UGC's "rule by numbers", as the anthropologist U. Kalpagam has characterised governmentality in colonial India, has turned the university into a space in which teachers chase numerical targets to survive. The resulting neurosis cannot but spill over to the students.

For a full half-century India's hapless public have faced a continuing deterioration of our higher education system. The blame must be laid squarely at the door of the UGC, which has all along enjoyed unbridled power in the regulation of the universities with scant accountability. Its small-mindedness has succeeded in turning the Indian university into a wasteland, and it has got away with it. The irony is that while the Commission pressurises the universities to maintain standards by submitting themselves to rating, should its own record as regulator be assessed, it is unlikely to cover itself in glory. A public audit of the functioning of the UGC is required before it can do further damage.

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A heavy load of teaching crowds out the time left for research. Too much of teaching also deadens the intellect which requires leisure and solitude to flourish

STATESMAN, JUN 27, 2016

UGC on the mat

Exactly 60 years after it was founded, the University Grants Commission might have reached its sell-by date, if the report of a committee headed by former Cabinet Secretary TSR Subramaniam is any indication. The panel, which has been entrusted with the task of crafting a new national education policy, has few bouquets to offer to the regulatory authority in matters academic.

It has conveyed a blunt message through its recommendation that the UGC Act of 1956, under which the commission was set up, be allowed to lapse. While the response of the HRD ministry to the report is awaited, there is little doubt that the findings are an expression of no-confidence. Chiefly, the UGC has failed over time to implement its suggestions that are intended to ensure the quality of learning in colleges and universities throughout the country. Small wonder that

standards are woefully uneven, a fundamental problem that militates against periodic attempts to introduce a common entrance test for the post-graduate level.

The Subramaniam committee has underlined the need to abrogate the UGC Act as the first step towards revamping the functioning of the entity. It hasn't explicitly called for the abolition of the commission. As much is clear from its core suggestion-"The UGC could be revamped, made considerably leaner and thinner, and could be the nodal point for administration of the proposed National Higher Education Policy Programme."

While the contours of that programme are yet to be spelt out, it is clear that if the panel has its way, the functions of the UGC could be truncated considerably. If carried to its logical fruition, the UGC is likely to lose "its promotional and regulatory function".

Unmistakable is the fingerprint of the report-the purported regulatory authority has over the decades burgeoned to a behemoth entity, one that has failed to discharge its primary role.

On the face of it, its mandate has been intrinsically administrative rather than academic-its writ covers such nitty-gritty as recognition, accreditation, curriculum approval, disbursements of grants and so on. In the net, it has been increasingly immersed in academic administration, rather than academics per se.

Quite the most damning observation of the report has been its failure to monitor education. The quality of the search for learning has been accorded a relatively minor rating in the overall construct. To put it bluntly, this has defeated its raison d'etre-"The UGC has not succeeded in monitoring standards. Its credibility has been seriously dented by approvals given to a large number of sub-standard colleges and deemed universities".

The charge is critical enough for a thorough investigation not least because the UGC has consciously institutionalized a contradiction in terms. Its reform is direly imperative before the new education policy is formulated.

TRIBUNE, JUN 24, 2016

Collaboration in education: Open up more to foreign institutions

The regulatory body on higher education, UGC, has amended rules to encourage collaborations between Indian and foreign institutions. A little above 600 foreign institutions already operate in India from their home campuses through their liaison offices, mostly providing distance education. Such institutions may not be able to function under the new regulations that prohibit franchise or the liaison mode. So far, the University Grants Commission did not have a

framework to facilitate foreign collaboration in higher education. Only the All India Council of Technical Education had put in place regulations for collaboration with foreign institutions of technical education, but the response received was negligible; only seven institutions showed interest.

In April this year, NITI Aayog had suggested three routes to permit the entry of foreign education providers: a new law to regulate such operations; an amendment to the UGC Act of 1956 to let foreign universities in as deemed universities; and facilitating their entry by tweaking the UGC and AICTE regulations on twinning arrangements between Indian and foreign institutions to permit joint ventures. To begin with, the contesting issue under the amended regulation of the UGC is the requirement of higher accreditation by the NAC for eligibility of academic partnership. The Assessment and Accreditation Council itself has been involved in several controversies.

The ticklish question is: will foreign universities be willing to collaborate with local institutions under a highly regulated regime for higher education? And if greater autonomy is granted to foreign universities, Indian universities would also demand a level-playing field. Letting reputed foreign universities open their own campuses under a new law can help meet the growing demand for quality higher education, increase competition and subsequently improve standards of domestic institutions. This has been done by the neighbouring Malaysia, Singapore, UAE and Hong Kong to facilitate the acquisition of much sought-after foreign degrees at home. Top-ranking global universities have set up state-of-the-art educational facilities in these countries to provide affordable alternatives in their surrogate campuses. India too can open its shores for the good of its youth.

DECCAN HERALD, JUN 24, 2016

Strengthen them

Joselyn T Lobo

AUTONOMOUS COLLEGES

One of the features of the university system in India is the affiliation system where the parent university provides an umbrella-like cover to all the colleges of the region under its jurisdiction. Some of the universities have more than 800 colleges affiliated to them with the result that their entire time is consumed by routine administrative tasks, leaving little time for research, innovation and educational reforms.

Set up by the British during Lord Macaulay's tenure when colleges were few in number, the legacy of affiliation continues, probably in no part of the world except in India. The system is responsible for the major ills prevalent in our higher education system where freedom is stifled and colleges strangled by multiple regulations. An obvious answer to the problem is granting

of autonomy to more and more colleges, not just to lessen the burden of the universities, but to enhance quality of education.

First, let us look at the concept of autonomy itself. 'Autonomy' implies freedom—to explore, innovate and excel. 'Autonomous Colleges' have been given the privilege of adopting relevant curriculum, introducing innovations in teaching, learning and evaluation, in turn, enhancing the quality of education. Does it happen in reality? What are the problems faced by autonomous colleges in Karnataka? Is autonomy total or partial? We will address some of these issues.

The main features of autonomy are: a) freedom for syllabus framing; b) striving for innovation in teaching and learning; c) scope for introduction of new courses; d) devising innovative techniques of evaluating students; e) freedom to adopt admission procedures; and, f) being relevant to the needs and the times. The University Grants Commission (UGC) in its XI Plan Objectives provides for an autonomous college the freedom to determine and prescribe its own course of study and syllabus and redesign the course to suit local needs.

Besides, autonomy facilitates a credit based system including choice-based credit system. The term credit is used to describe the quantum of syllabus for various programmes in terms of hours of study. It indicates differential weightage given according to the contents and course duration the curriculum design.

Autonomous system, though in vogue since the late 1970s and 1980s, increased in number and importance only in this century—2004 onwards. There are 561 autonomous colleges (including engineering colleges) in the country in 23 states and Tamil Nadu has the highest number followed by Andhra Pradesh and Karnataka. Colleges in Tamil Nadu being under autonomy for over three decades – take for instance Loyola College, Chennai – are success stories and centres of excellence mainly on account of autonomy. Karnataka has 65 colleges as per UGC list of approved autonomous colleges, of which 18 are engineering colleges.

A two-day Karnataka State Level Conference, "Autonomous Colleges – Issues, Prospects and Challenges", organised by the Mangalore University deliberated on the issues and problems faced by autonomous colleges in the State. The conference provided a forum for exchange of ideas and discussion among policy makers, planners, academicians and stake holders.

The major problems faced by autonomous colleges are in relation to the parent university whose attitude may be described as 'step-motherly'. The common issues relate to a) structure of courses, credits, marks and continuous assessments, b) incorporating value-added courses in the marks card and other such certificates c) starting of new courses/ subjects d) promoting innovative courses and research in autonomous colleges, and e) financial issues like processing fee for degree certificate, registration fee.

As stated by the HRD ministry, many of the autonomous colleges, though imparting high level of education and having potential for research, are not allowed to grow as they are not permitted to work beyond the limits prescribed by the university system. It is in this context that the government had mooted a proposal to grant university status to 45 autonomous colleges.

Affiliation system

The conference unequivocally endorsed that the autonomy granted to colleges as an alternative model to the present affiliation system has immensely benefited the student and the society through quality enhancement and innovation. It gave a call to the regulatory agencies to motivate more eligible colleges to become autonomous.

To resolve the above and other issues, it is imperative that universities operate a separate window in the administrative set up to deal with problems of autonomous colleges. There is a need for universities to amend the existing statute governing the autonomous colleges for effective implementation of autonomous status as envisaged in the UGC guidelines. It is also essential that the state government issues common guidelines through the State Council for Higher Education with regard to the concept of autonomy.

The conference submitted a comprehensive document of deliberations including recommendations to UGC, state government and the universities. It was resolved to request the UGC to grant degree awarding status and also to upgrade eligible autonomous colleges as universities through specific guidelines. There is no point in granting autonomy every five years after periodic reviews for those already under autonomy for more than two decades. Such established colleges need to be given permanent autonomy or granted university status.

In March this year, a fact-finding committee headed by S N Hegde, former vice chancellor of Mysore University, visited autonomous colleges under the jurisdiction of Mangalore University to study the problems faced by autonomous colleges and suggest remedies.

Some positive outcomes are expected after the report is accepted. Meanwhile, it is imperative that the university and autonomous colleges work together for providing learner-centred quality education to the students. On its part, the government needs to assume a greater role in granting autonomy to more eligible colleges based on UGC guidelines.

To sum up, the parent university and state government should have a positive attitude and be pro-active. Let colleges decide 'what to teach, whom to teach, who to teach and how to teach'. Let autonomy be total as there is no meaning in partial autonomy.

(The writer is Dean, School of Social Work, Roshni Nilaya, Mangalore, an autonomous college under Mangalore University)

STATESMAN, JUN 24, 2016

[DU teachers demand rollback of PBAS/API](#)

Delhi University teachers on Thursday marched to the UGC office holding books demanding roll-back of the PBAS/API for their assessment and promotions. They also protested against the policies of the UGC and MHRD that cause alienation of teachers, flight of talent and destruction of higher education. They alleged that API is a quantified and bureaucratic method of teachers' assessment that has resulted in denial of promotions for the last eight years.

"It has also led to a severe decline in the quality of both teaching and research and a drop in the global ranking of Indian universities," said a Delhi University Teacher's Association (DUTA) press release. "DU's drop in global rank from 254 in 2007 to 490 in 2015 coincides with the API and a host of other ill-conceived academic experimentations. Denial of promotions has effectively destroyed parity between teachers and All-India Services where timebound promotion is given," said Nandita Narain, president DUTA.

The teachers also demanded filling up of vacant posts. "One of our major demands is the immediate and urgent filling-up of 5000 vacant posts following the correct reservation roster against which teachers have been kept ad-hoc, temporary and guest under conditions of great uncertainty, economic hardship and exploitation," said Rajesh Kumar Jha, Joint Secretary DUTA. "This has been done deliberately to cut costs and eventually downsize the university, as was attempted by the recent UGC Gazette Notification that arbitrarily changed the workload of teachers. Since the reservation policy was implemented in DU very late, the denial of permanent appointments has affected the marginalized sections the most", stated the press release.

Teachers also alleged that denial of promotions and permanent appointments has made the teaching profession unattractive for future entrants and has led to an exodus of talented teachers. They said that the 'flight of talent' has resulted in a further decline in the quality of education imparted in public-funded institutions.

The rally was addressed by Sanjeev Jha, Aam Aadmi Party leader, who pointed out that his party had increased the budget for education, started teacher-friendly programmes and promised financial support for new courses started in the 12 colleges fully funded by the Delhi Government.

The DUTA alleged that the teachers were prevented from reaching the UGC by the police. After repeated unsuccessful requests to be allowed to place their books at the gates of the UGC, they marched to the ITO crossing where they formed a human chain and placed their books and publications. Several students' organizations also joined the rally.

STATESMAN, JUN 24, 2016

Educate India

Education was one of the key issues highlighted in the 2014 election manifesto of the Bharatiya Janata Party. The party said the current education policy was outdated and there was a need for a new road map for the 21st century. As Narendra Modi's government appointed a committee to draft a new education policy, expectations were high that the committee would reach out to all stake holders from village level primary schools to educational institutions at the state level to collect inputs.

The Committee for Evolution of the New Education Policy submitted its report to the Minister for Human Resource Development, Smriti Irani, on 27 May. She said that the charge of saffronisation of education was "water off a duck's back," because it was a charge levelled against every education minister of the BJP. However, Ram Shanker Katheria, Minister of State for Human Resource Development, asserted that saffronisation of education was good for the country and it would definitely take place. "We kept silent for such a long time and never accused anyone of anything. But today there is such a condition in this country that we need to create curriculum that increases the reputation and respect for India in the rest of the world," he said, and asked, "If our children do not learn about Maharana Pratap or Maharaj Shivaji, then who should they learn about, Genghis Khan?"

The first education minister of independent India, Maulana Abul Kalam Azad, had highlighted the role of education in the development of the country. In pre-independence India education was a luxury reserved for the rich and the influential and not for the hoi polloi. Education for all was the cry of the ruling Congress Party which strived for a uniform educational system.

The government established the National Council of Educational Research and Training in 1961 as an autonomous organisation to supervise and manage the implementation of educational policies. The first national education policy was implemented by the government of Indira Gandhi in 1968. It focused on the Right to Education as mandated by the Constitution for all children up to the age of 14. It also stressed on the quality of teachers' training and adopted the three language formula in the secondary education system.

The Committee for Evolution of the New Education Policy says in its report that in the last 30 years the focus of education in the country has been on enrollment, getting children into schools, and not on the quality of education. Enrollment has been achieved to a reasonable degree, but there has been a steep decline in the quality of education. Norms for learning should be enshrined in the Right to Education Act to improve the quality of education.

The report envisages a Central service that will be in charge of education management and also work as teaching cadre, policy makers and education researchers. Persons from the cadre would

progressively man the higher level policy posts both at the Centre and in the states like other all-India service officers. Though the report has been leaked to the media, Ms. Irani should explain why her ministry is reluctant to make it public or call for an open discussion.

ELECTIONS

STATESMAN, JUN 24, 2016

Electoral reforms-I

Saumitra Mohan

While the prophets of doom kept predicting the failure of Indian democracy because of its huge size and mind-boggling diversities, the country has not only survived in one piece but has over time grown stronger than before. Despite certain institutional weaknesses and structural problems, India showcases a vibrant liberal democracy thanks to the carefully nurtured democratic infrastructures and superstructures. And one major institution which has never failed us and has always stood the test of time is the Election Commission of India (ECI). Elections in India bring out the real character and strength of the world's largest democracy. Since the first general elections in 1952, democracy has been marching from strength to strength.

And EC has gradually been evolving and developing its own mechanisms, modalities, techniques, rules and norms to ensure an almost peaceful change of government at the national and provincial levels amidst an aura of cynicism and despondency. Today, EC is one of the most sought after Indian agencies for sharing its expertise and experience in the conduct of democratic elections across the world. However, critics and observers have been carping over the inherent problems in our electoral system and have accordingly suggested certain reforms to make our democracy stronger still.

The Election Commission has introduced several reforms from time to time in the conduct of elections which inter alia include a switchover from the ballot paper to the electronic voting machine (EVM), proxy voting for NRIs and those in the armed forces, introduction of the partial right to reject through NOTA (None of the Above) in keeping with Section 49 of the Representation of People's Act, 1951, induction of Voter Verifiable Paper Audit Trail (VVPAT) for reinforcing transparency in voting, introduction of Elector's Photo Identity Card (EPIC) to pre-empt impersonation and bogus voting, conduct of elections under the supervision of ECI Observers and Central Police Forces (CPF), use of information technology for improving the level of efficiency and transparency, a bar on contesting for convicted criminals and introduction of a Model Code of Conduct during the elections.

However, there are still certain areas that cry out for attention. A negative feature of EVM voting is that the contesting candidates or political parties get to know which polling stations have voted for them and which have not, something which was not possible in the ballot voting system as all the ballot papers of a particular constituency were duly bundled and mixed before they were actually counted.

The latter made it difficult to figure out the voting trends. However, one can easily ascertain from the EVM counting process, such as it exists, as to which set of voters has favoured a candidate or a political party thereby making it possible to identify the rival voters and victimize them in various ways. It is learnt that EC has already suggested to the Government of India the introduction of 'Totalizer' which would pre-empt any such negative eventuality of witchhunting the hapless voters for their democratic choice, as witnessed in many regions of the country. The EC's effort to cleanse the electoral system of the negative influence of money power will come to nought once it expects the candidates to spend their own money on election campaigns. Many political parties argue that if the EC expects a candidate to spend the permissible amount (Rs.70 lakh for a parliamentary constituency and Rs 28 lakh for an Assembly constituency on an average), then how does it expect them to marshal that amount for the campaign.

The political parties or the candidates are forced to indulge in corruption and corrupt practices because of the huge cost of an Indian election. Hence the suggestion offered by certain quarters that EC should not only increase the expenditure ceilings which are absurd given the size of constituencies, but they should also be customized to the nature and character of the constituency.

After all, the expenditure requirements of a rural or urban constituency or a big or small state can't be the same. Again, while the expenditure ceiling for an Assembly constituency is Rs.28 lakh, it is a meager Rs.70 lakh for a parliamentary constituency even though the latter covers seven Assembly constituencies. Therefore, these expenditure ceilings need to be staggered and customized after factoring the real expenditure requirements of the different constituencies.

A legal discrepancy is the fact that even if a contesting candidate exceeds the stipulated expenditure ceiling, he/she can't be disqualified as a legislator. In the ultimate analysis, the expenditure ceiling remains a paper tiger. Another very important proposal has been the statefunding of election expenses of candidates. While the proposal involves huge expenditure for a poor, developing country like India, a beginning can definitely be made with respect to election expenses of, at least, recognised national and state parties polling above a certain percentage of votes and meeting such other conditions as may be specified by EC. Funding of political parties by corporate houses or businessmen is also quite opaque. This needs to be streamlined and made further transparent for weeding out the influence of ill-gotten money and for ensuring a level playing field in our electoral system.

Another incongruity is the existence of undemocratic political parties in a democratic country. While all our political parties swear by democracy and democratic ethos, they themselves run some of the most undemocratic organisations in the country. Most of these parties seldom

conduct their organisational elections. Party posts are allotted as a favour from the party leaders. Elevation to any party's apex level is very opaque. By and large, party functionaries are selected rather than elected. Haryana has stipulated the minimum educational and other qualifications, including the provision of a sanitary toilet at home, for being eligible to contest elections to the local bodies. It has been argued that similar minimum qualifications, educational or economic, ought to be introduced for our legislators as well. The usual refrain is that if there could be minimum qualification for a peon or a clerk, then why not for our lawmakers who also hold such significant positions as Ministers, Chief Minister or Prime Minister.

Even though such a stipulation could bar a large percentage of our population from participating in electoral politics, the time has definitely come to start a debate on the advisability of such a qualification. The model code, which the EC enforces so strictly, is often overdone. And if elections are stretched over two to three months, the development projects almost come to a halt.. Even though certain essential projects are allowed, the approval procedures are so rigorous that more often than not many welfare schemes suffer. Such schemes and programmes, which have been announced and budgeted prior to the announcement of elections, should be allowed to be executed without any conditions. The announcement of new schemes by the interim government may continue to be banned. The time has come to trust the wisdom of voters to see through the machinations of the political class and be able to separate the chaff from the grain. (To be concluded)

STATESMAN, JUN 25, 2016

Electoral reforms-II

Saumitra Mohan

Post-poll violence is another major problem. It has often been noticed that voters and workers of opposition or rival factions/parties are victimized once the elections are over. Ergo, it has been suggested that the central police forces (CPF) should continue to be deployed for at least a month after the results are announced.

The Election Commission can consider introducing a model code after the elections so that cadres and workers of political parties coexist peacefully and operate without fear or favour after the polls. That code should incorporate a provision against vandalism during election-related bandhs, dharnas, or destruction of public property by political activists. It should also be made mandatory for the contesting candidates to ensure the removal of graffiti from the private properties. This is never done once the elections are over.

The Supreme Court's ruling should be strictly enforced and the onus to provide compensation against such defacement should be on the organisers of such politics of vandalism. Even though paid news is religiously monitored and guarded against as one of the important tenets of the model code, the Election Commission has found it very difficult to actually identify paid news by a section of the media. Paid or not paid, different media houses often appear to be hugely tied to the coat-tails of one or the other political party. Some of these media houses have often turned out to be interested players, betraying a bias against or in favour of a party. This is evident from the manner in which they present their stories.

The wide variations in the projections of an exit or opinion poll or an electoral survey also provide a tell-tale hint of their alignment with one or the other party. The EC's norms relating to paid news are silent on the party organs. This is an issue that needs to be clarified. So, EC should definitely come out more clearly and strongly against the direct or indirect identification of some media houses with parties in the spectrum. It has been noticed that EC effects a drastic transfer of officials before the election.

Often, these transfer orders are issued only a day or two before the election which, many believe, do not serve the purpose as they turn out to be cosmetic changes. As most of these transfers are made on the basis of unverified complaints, assumptions or presumptions, usually no disciplinary proceedings are initiated against any of these officers. As these officers are never given an opportunity of being heard or explaining themselves, the transfers not only harm their reputation but also violate the tenets of natural justice.

The officers transferred are forever tarnished for being aligned or prejudiced and their services are never taken for future elections because of the blot on their record. Another problem noticed during the recent West Bengal elections was the enforcement of Section 144 Cr.PC during the 48 hours before the elections. But the manner in which the proclamation was issued and enforced during the recent elections in the state was tantamount to the imposition of curfew on the day of voting.

The public is inconvenienced. Those who made the announcement regarding Section 144 were not suitably trained and often gave the impression of a curfew being imposed on election day, thereby dissuading many voters from leaving their homes to vote. Issued in the wake of heavy deployment and route marches by CPF, such a move further backfired. EC definitely needs to reflect and evolve a protocol for doing the same more discreetly in future to guard against overdrive. Compulsory voting has also been recommended by many given the apathy of a substantive number of voters to exercise their franchise. Many of us often curse the government of the day, but we ourselves have been found wanting in shouldering the responsibility bestowed

on us by the Constitution of India i.e. exercise of our franchise in favour of or against a particular candidate. After all, the vote determines the nature and character of the next Government.

Voting must be made mandatory in order to ensure a more representative government rather than put in place a government that rules on the basis of depleted voter support. A candidate should, at least, poll a minimum 51 per cent of votes before being declared elected. Since our first past-the-post system does not reflect the real mandate of the people, hence proportional representation could be considered to give our Parliament a more representative character. Parties that secure 40 per cent of the votes should have at least 40 per cent of the seats in the legislature. However, critics have warned against such a system because of its complications and unsuitability to the complexities of our plural society.

In the era of information technology and since the government has the fingerprints/iris of all citizens in the country through the Aadhar card, it has been suggested that EC should start exploring the possibility of online voting, making it possible for more and more citizens to participate in the electoral process from anywhere in the world. At least, the finger and iris prints should soon be implanted in the EPIC cards for removing any possibility of impersonation. As the fate of our democracy depends on the efficiency and effectiveness of the election machinery and the level playing field it ensures to the different stakeholders in the system, it is imperative for the Election Commission to initiate a discourse on some of these reforms to ensure that our elections truly are free, fair and peaceful.

EMPLOYMENT

TELEGRAPH, JUN 24, 2016

Two job schemes on cards - State govt move with eye on rural polls

SUBRAT DAS

Bhubaneswar, June 21: The Odisha government will introduce two self-employment schemes ahead of the panchayat polls scheduled early next year.

The first - styled as Biju Atma Nijukti Yojana - will cover unemployed semi-literate youths, and the second - the Special Employment Generation Programme - is aimed at traditional artisans.

Official sources said that under these two schemes, soft bank loans of up to Rs 5 lakh and subsidy up to 30 per cent would be provided to the beneficiaries. They would not be required to give any collateral security, mortgage or pledge of assets to secure the loan.

Official estimates reveal there are 1.75 crore youths in the 18 to 35 age group, which constitutes 42 per cent of the state's population. The state government plans to impart skill-development training to youths who haven't completed their matriculation .

"This target group will be self-employed under the micro, small and medium enterprises (MSME) sector," said a senior official of the MSME department.

The government aims to provide self-employment opportunities to 30,000 unemployed youths through 10,000 enterprises over the next five years. An estimated Rs 53 crore will be required for promoting 10,000 enterprises in that time.

Under the proposed scheme, an unemployed youth in the 18 to 40 age group with an annual family income of up to Rs 1.5 lakh (for urban areas) and Rs 1 lakh (for rural areas) will be eligible for a bank loan.

The upper age limit will be relaxed another five years for SC, ST, physically handicapped, minority community, ex-servicemen and women.

The maximum project cost will be Rs 5 lakh for the manufacturing sector and Rs 2 lakh for the service sector. The beneficiary's contribution will be 20 per cent of the project cost for the general category and 10 per cent for the reserved category. Margin money assistance up to 30 per cent will be given to general category beneficiaries and 40 per cent to those belonging to reserved categories.

For the Special Employment Generation Programme, a bank loan up to Rs 5 lakh will be provided to traditional artisans such as spinners, weavers, carpenters, blacksmiths, potters, cobblers, barbers and washermen. The state government will provide margin money subsidy up to 25 per cent. It proposes to set up 7,850 units within five years (five units in each block of the state per annum) under the scheme to be implemented by the Odisha Khadi and Village

Industries Board.

"The objective of the scheme is to generate self-employment in rural areas and especially to promote tiny units for which bank finance was not available earlier," said president of the Odisha Khadi and Village Industries Board Tejeswar Parida.

Parida said the scheme was designed to pay tribute to Biju Patnaik, who had dreamed of panchayat industries as early as in the 1960s, during his birth centenary.

Opposition parties, however, alleged that the state government was trying to dupe unemployed youths with an eye on the approaching rural polls.

BJP state vice-president Samir Mohanty said there was nothing new in these schemes. "The then NDA government had launched a rural employment generation programme in 2000, which was subsequently changed to Prime Minister's Employment Generation Programme by the UPA government."

He said the state government had not provided funds in the budget for the so-called new schemes. "They are just trying to dupe people ahead of the panchayat polls," he said.

Former industry minister and senior Congress leader Niranjana Patnaik said: "The state has seen many schemes in the past 16 years but they have hardly had any impact on the economic condition of the people. Unemployment keeps rising. The new schemes of the government are only aimed at attracting votes in the panchayat polls."

HEALTH SERVICES

HINDU, JUN 28, 2016

Health care needs Skill India too

RAJMOHAN PANDA

‘Bengal doctor beaten up’, ‘Hospital ransacked by angry relatives’, ‘AIIMS doctor assaulted by patient’s relative, FIR filed’... over the last many years such events continue to make frequent headlines. The quality of care in health remains among the promises yet to be achieved.

The overwhelming focus on quantity of health care in India has long ignored a massive problem with the quality of health care that is delivered both through public as well as private institutions. However, it is in the last three years that there has been a lot of interest in the quality of health services in the country. This is an interesting development and long due, however the reasons behind this have not been well understood. Why has quality suddenly started occupying centre stage in the delivery of health-care services today? One reason is that private health care has suddenly exploded in the country in many forms, including the entry of corporate entities. The other reasons could be heightened expectations from new governments and easy access to health information.

More regulation no solution

If quality was such a simple thing to measure and account for, why has it not become an important element driving health-care services in the country? What measures have been taken to ensure quality in public as well as private health care? By and large, most policymakers feel that more stringent regulations can help ensure quality. This is countered by organisations like the Indian Medical Association which feels that overzealous regulation such as the Clinical Establishments (Registration and Regulation) Act will only complicate matters, increase cost and can be detrimental to affordable health care in a country such as India. It is without doubt that weak enforcement of regulation is a major impediment in ensuring quality of care. However, it is to be noted that the experience of developed countries in the West has proven that regulation, while a prerequisite, does not always ensure high-quality health care. The other important question to address is: are doctors and health-care workers always to blame for the lack of quality or is it a systemic problem that requires more resources?

These deficiencies in quality of care represent neither the failure of professional compassion nor necessarily a lack of resources. In fact, they result from gaps in knowledge, inappropriate applications of available technology or the inability of organisations to change. Health-care systems, public or private, have failed to align practitioner incentives and objectives to measure clinical practice, or to link quality improvement to better health outcomes. The Prime Minister’s ambitious Skill India Mission is a great initiative which needs to be applied with rigour to the

health sector. Without improving skills, expanding access through insurance mechanisms will not yield results.

Investing in quality

The Institute of Medicine, U.S., defines quality as “the degree to which health services for individuals and populations increase the likelihood of desired health outcomes and are consistent with current professional knowledge”. Given the proliferation of private medical colleges in India and poor quality of professional education, it isn’t difficult to understand why such violent episodes recur frequently. Outcomes also include patient satisfaction or patient responsiveness to the health-care system. Interestingly it is this angle which has been highlighted in recent times by the media. Although good outcomes are the objective of all health actions, outcomes alone are not an efficient way to measure quality for two reasons.

The first is the quality conundrum. A patient may receive poor-quality care but may recover fully, or a patient may receive high-quality care for a complicated illness (such as cerebral malaria or tuberculosis) and still not recover. Second, adverse health outcomes are relatively rare and obviously do not occur with every encounter. Efficiency is also another buzzword confused with quality — measuring and comparing hospital efficiencies require skill sets which are not easy to find and replicate all over the country.

Measuring quality has to move from away from a simple “public versus private” debate and a blame-game mentality so as to be an inclusive strategy that takes into account many of these themes. Measuring quality and not just outcomes in health care and making those data widely available to the public will help make better judgments. It will also hold policymakers accountable to the bottom line: improving the health and well-being of the population.

When countries invest in quality, an investment can be beneficial but can come at a cost. This is important to note. India has the potential to be a game changer in quality with use of low-cost technology to measure and improve quality of care in the health sector.

The Prime Minister’s clarion call for “zero defect” in “Make in India” shouldn’t be restricted to manufacturing alone; the quality of health-care services which affect citizens on a day-to-day basis is equally important as quality of products manufactured, and will help in branding India.

Rajmohan Panda is a senior public health specialist at the Public Health Foundation of India. His current interest lies in improving primary care and governance mechanisms in health systems for better health outcomes.

Deficiencies in quality of care result from knowledge gaps or the inability
to change

EUROPEAN UNION

HINDU, JUN 28, 2016

Why the British said no to Europe

JOHN PILGER

This was a vote by those angered and demoralised by the sheer arrogance of the apologists for the ‘remain’ campaign and the dismemberment of a socially just civil life in Britain

The majority vote by Britons to leave the European Union was an act of raw democracy. Millions of ordinary people refused to be bullied, intimidated and dismissed with open contempt by their presumed betters in the major parties, the leaders of the business and banking oligarchy and the media.

This was, in great part, a vote by those angered and demoralised by the sheer arrogance of the apologists for the “remain” campaign and the dismemberment of a socially just civil life in Britain. The last bastion of the historic reforms of 1945, the National Health Service, has been so subverted by Tory and Labour-supported privateers it is fighting for its life.

Nothing but blackmail

A forewarning came when the Treasurer, George Osborne, the embodiment of both Britain’s *ancien regime* and the banking mafia in Europe, threatened to cut £30 billion from public services if people voted the wrong way; it was blackmail on a shocking scale.

Immigration was exploited in the campaign with consummate cynicism, not only by populist politicians from the lunar right, but by Labour politicians drawing on their own venerable tradition of promoting and nurturing racism, a symptom of corruption not at the bottom but at the top. The reason millions of refugees have fled the Middle East — first Iraq, now Syria — are the invasions and imperial mayhem of Britain, the United States, France, the European Union and NATO. Before that, there was the wilful destruction of Yugoslavia. Before that, there was the theft of Palestine and the imposition of Israel.

The pith helmets may have long gone, but the blood has never dried. A nineteenth century contempt for countries and peoples, depending on their degree of colonial usefulness, remains a centrepiece of modern “globalisation”, with its perverse socialism for the rich and capitalism for the poor: its freedom for capital and denial of freedom to labour; its perfidious politicians and politicised civil servants. All this has now come home to Europe, enriching the likes of Tony Blair and impoverishing and disempowering millions. On 23 June, the British said no more.

The London class

The most effective propagandists of the “European ideal” have not been the far right, but an insufferably patrician class for whom metropolitan London is the United Kingdom. Its leading members see themselves as liberal, enlightened, cultivated tribunes of the 21st century zeitgeist, even “cool”. What they really are is a bourgeoisie with insatiable consumerist tastes and ancient instincts of their own superiority. In their house paper, the *Guardian*, they have gloated, day after day, at those who would even consider the EU profoundly undemocratic, a source of social injustice and a virulent extremism known as “neoliberalism”.

The aim of this extremism is to install a permanent, capitalist theocracy that ensures a two-thirds society, with the majority divided and indebted, managed by a corporate class, and a permanent working poor. In Britain today, 63 per cent of poor children grow up in families where one member is working. For them, the trap has closed. More than 600,000 residents of Britain’s second city, Greater Manchester, are, reports a study, “experiencing the effects of extreme poverty” and 1.6 million are slipping into penury.

Little of this social catastrophe is acknowledged in the bourgeois controlled media, notably the Oxbridge dominated BBC. During the referendum campaign, almost no insightful analysis was allowed to intrude upon the clichéd hysteria about “leaving Europe”, as if Britain was about to be towed in hostile currents somewhere north of Iceland.

On the morning after the vote, a BBC radio reporter welcomed politicians to his studio as old chums. “Well,” he said to “Lord” Peter Mandelson, the disgraced architect of Blairism, “why do these people want it so badly?” The “these people” are the majority of Britons.

The wealthy war criminal Tony Blair remains a hero of the Mandelson “European” class, though few will say so these days. The *Guardian* once described Mr. Blair as “mystical” and has been true to his “project” of rapacious war. The day after the vote, the columnist Martin Kettle offered a Brechtian solution to the misuse of democracy by the masses. “Now surely we can agree referendums are bad for Britain”, said the headline over his full-page piece. The “we” was unexplained but understood — just as “these people” is understood. “The referendum has conferred less legitimacy on politics, not more,” wrote Mr. Kettle. “...the verdict on referendums should be a ruthless one. Never again.”

The kind of ruthlessness Mr. Kettle longs for is found in Greece, a country now airbrushed. There, they had a referendum and the result was ignored. Like the Labour Party in Britain, the leaders of the Syriza government in Athens are the products of an affluent, highly privileged, educated middle class, groomed in the fakery and political treachery of post-modernism. The Greek people courageously used the referendum to demand their government sought “better terms” with a venal status quo in Brussels that was crushing the life out of their country. They were betrayed, as the British would have been betrayed.

Perpetual forgetfulness

On Friday, the Labour Party leader, Jeremy Corbyn, was asked by the BBC if he would pay tribute to the departed Mr. Cameron, his comrade in the “remain” campaign. Mr. Corbyn fulsomely praised Mr. Cameron’s “dignity” and noted his backing for gay marriage and his apology to the Irish families of the dead of Bloody Sunday. He said nothing about Mr. Cameron’s divisiveness, his brutal austerity policies, his lies about “protecting” the Health Service. Neither did he remind people of the war mongering of the Cameron government: the dispatch of British special forces to Libya and British bomb aimers to Saudi Arabia and, above all, the beckoning of world war three.

In the week of the referendum vote, no British politician and, to my knowledge, no journalist referred to Vladimir Putin’s speech in St. Petersburg commemorating the seventy-fifth anniversary of Nazi Germany’s invasion of the Soviet Union on 22 June, 1941. The Soviet victory — at a cost of 27 million Soviet lives and the majority of all German forces — won the Second World War.

Mr. Putin likened the current frenzied build up of NATO troops and war material on Russia’s western borders to the Third Reich’s Operation Barbarossa. NATO’s exercises in Poland were the biggest since the Nazi invasion; Operation Anaconda had simulated an attack on Russia, presumably with nuclear weapons. On the eve of the referendum, the quisling secretary-general of NATO, Jens Stoltenberg, warned Britons they would be endangering “peace and security” if they voted to leave the EU. The millions who ignored him and Mr. Cameron, Mr. Osborne, Mr. Corbyn, Mr. Obama and the man who runs the Bank of England may, just may, have struck a blow for real peace and democracy in Europe.

John Pilger is a journalist and film-maker.

The most effective propagandists of the ‘European ideal’ have an insufferably patrician class for whom metropolitan London is the U.K.

DECCAN HERALD, JUN 25, 2016

Brexit: EU, Britain face hazy future

Britain’s exit from the European Union has come as a shock to the global financial markets and world leaders, including Prime Minister David Cameron, who was caught off-guard by a strong frustration of his people against the EU hegemony. The Brexit risks range from yet another recession for the world economy similar to 2008, to the rise of economic nationalism that could shape the emerging global order. The pounding of Pound Sterling and meltdown in the stock markets are reflections of a great panic among the global investors who dread to walk on an uncharted path for a turbulent journey. The fears of ‘Me too’ among other EU members and

break up of Scotland from the United Kingdom add to the pain of the markets which see greater political challenge in Brexit than the Lehman Brothers–triggered financial crisis of 2008.

India too would feel the pinch from the contagion in terms of outflows, but as RBI Governor Raghuram Rajan has said, the money would go somewhere and if India plays its cards well, it could well turn the biggest financial event in the recent times into an opportunity. That could happen only if additional pace is generated in domestic reforms like passage of the Goods and Services Bill and cleaning up of the banks' books. Thankfully, India's macro indicators like current account deficit, foreign exchange reserves and the monsoon-led economic recovery should stand the country in good stead to face the headwinds. While it is too early to take a long-term call, one possible fall-out could be reversal of the crude oil prices, adding to India's macro strength. However, over 800 Indian companies which have invested heavily in UK will have to re-draw their business plans over the next couple of years. Politically, it is clear that Britain and the EU are staring at an uncertain future. The vote to exit EU not only changes Britain's relationship with the EU but also deals stunning blows to the cohesion of the EU and of Britain. Britain's exit will weaken the EU. It could have a domino effect, encouraging euro-sceptic and nationalist parties in other EU countries to push for similar referendums. These could culminate in more countries loosening or breaking bonds with Brussels, threatening the very existence of the EU. Britain too must brace itself for enormous changes. Heads can be expected to roll, in addition to Cameron's, who had campaigned for remaining in the EU. A split in the Conservative Party too cannot be ruled out. More importantly, Britain's unity is at risk as the result could boost demands for Scottish independence. Also at peril is an inclusive Britain. As part of the EU, it was relatively open to immigrants. That will now change. Britain's future as a multi-racial and diverse society seems bleak.

TIMES OF INDIA, JUN 24, 2016

Britain votes to leave European Union in historic divorce: BBC

LONDON: Britain has voted to leave the European Union, the BBC said based on **voter tallies** from Thursday's referendum, an outcome that would set the country on an uncertain path and deal the largest setback to European efforts to forge greater unity since World War Two.

World financial markets dived as counting from 304 of 382 areas showed a 51.5/48.5 split for leaving. Sterling suffered its **biggest one-day fall** of 9.4 percent against the dollar on market fears the decision will hit investment in the world's 5th largest economy, raise questions over London's role as a global financial capital, and usher in months of political limbo.

The euro slumped nearly four percent against the dollar on concerns a 'Brexit' vote would do wider economic and political damage to what would become a 27-member union. Investors poured into safe haven assets including gold, and the yen surged.

In an early mark of international concern, Japan's top currency diplomat Masatsugu Asakawa said he would consult with Finance Minister Taro Aso on how to respond to the market moves, describing the foreign exchange moves as very rough.

Yet there was euphoria among Britain's eurosceptic forces, claiming a victory they styled as a protest against British political leaders, big business and foreign leaders including Barack Obama who had urged Britain to stay in the bloc.

"Dare to dream that the dawn is breaking on an independent United Kingdom," said Nigel Farage, leader of the eurosceptic UK Independence Party.

"If the predictions are right, this will be a victory for real people, a victory for ordinary people, a victory for decent people...Let June 23 go down in our history as our independence day."

He called the EU a "doomed project".

Asked if Prime Minister David Cameron, who called the referendum in 2013 and campaigned to stay in the bloc, should resign if Britain voted for Brexit, Farage said: "Immediately."

Quitting the EU could cost Britain access to the EU's trade barrier-free single market and mean it

must seek new trade accords with countries around the world. President Barack Obama says it would be at the "back of a queue" for a US pact.

The EU for its part will emerge economically and politically weakened, facing the departure not only of its most free-market proponent but also a member country that wields a UN Security Council veto and runs a powerful army. In one go, the bloc will lose around a sixth of its total economic output.

Cameron is expected to formally report the result to his European counterparts within days and prepare negotiations for the first exit by a member state from the EU - an exit he has said would be irreversible.

The British leader called the referendum in 2013 in a bid to head off pressure from local eurosceptics, including within his own party. Initially billed as an easy ride, the vote has now put his political future on the line. Party ally Boris Johnson, the former London mayor who became the most recognizable face of the "leave" camp, is now widely tipped to seek his job.

Opinion polls had see-sawed throughout an acrimonious four-month campaign, but the Remain camp edged ahead last week after a pro-EU member of parliament, Jo Cox, was shot and stabbed to death. The attack shocked Britons and raised questions about whether the tone of the debate was fuelling intolerance and hatred.

In the end though, the pro-EU camp was powerless to stop a tide of anti-establishment feeling and disenchantment with a Europe that many Britons see as remote, bureaucratic and mired in permanent crises.

TORN APART

Britain, which joined the then European Economic Community (EEC) in 1973, has always been an ambivalent member. A firm supporter of free trade, tearing down internal economic barriers and expanding the EU to take in ex-communist eastern states, it opted out of joining the euro single currency or the Schengen border-free zone.

Cameron's ruling Conservatives in particular have risked being torn apart by a slow by steady rise in euroscepticism ever since differences over Europe triggered the ousting of former Prime Minister Margaret Thatcher in 1990.

World leaders including Obama, Chinese President Xi Jinping, German Chancellor Angela Merkel, NATO and Commonwealth governments had all urged a "Remain" vote, saying Britain would be stronger and more influential in the EU than outside.

Yet the four-month campaign has been among the divisive ever waged in Britain, with accusations of lying and scare-mongering on both sides and rows on immigration which critics said at times unleashed overt racism.

It also revealed deeper splits in British society, with the pro-Brexit side drawing support from millions of voters who felt left behind by globalization and believed they saw no benefits from Britain's ethnic diversity and free-market economy.

The murder last week of lawmaker Jo Cox, a former aid worker and ardent Remain campaigner, by a man shouting "Britain first" shocked the country and gave the pro-EU camp a temporary boost.

But in the end, concerns over uncontrolled immigration, loss of sovereignty, remote rule from Brussels and a protest vote from working class northern voters appear to have trumped almost unanimous warnings of the economic perils of going it alone.

"People are concerned about how they have been treated with austerity and how their wages have been frozen for about seven years," said John McDonnell, finance spokesman for the opposition Labour Party, which had favoured a Remain vote.

"A lots of people's grievances have come out and we have got to start listening to them."

Surveys on public attitudes across the EU have for years shown growing disenchantment with European integration, a project that began in the 1950s as a common market for steel and coal

but which over the years offered members the chance to join up to a single currency and do away with old national borders.

Yet while it has become a feature of everyday life seen in everything from EU-sponsored student exchanges to rules on mobile telephone roaming charges, the EU lost public support over its handling of the 2009 sovereign debt crisis that inflicted painful austerity on much of the south of the continent and left many citizens in northern countries resentful at having to fund bailouts.

Right-wing British eurosceptics seized on the euro zone crisis to argue that Britain was "shackled to a corpse".

Aside from Denmark-ruled Greenland, which left the EEC in 1985 after a row over fishing rights, Britain is the first country to leave the EU, and even EU officials say it takes the continent into uncharted territory.

EU affairs ministers and ambassadors from member states gather in Luxembourg by 10 a.m. (0800 GMT) for routine talks that will provide the first chance for many to react. A regular EU summit has been pushed back to next Tuesday and Wednesday, when Cameron may trigger Article 50 of the EU's treaty, the legal basis for a country to leave, setting in motion two years of divorce negotiations.

Even less clear at this stage is what sort of relationship Britain will seek to negotiate with the EU once it has left.

To retain access to the single market, vital for its giant financial services sector, London would have to adopt all EU regulation without having a say in its shaping, and pay a substantial contribution to Brussels coffers for market access, as Norway and Switzerland do. EU officials have said UK-based banks and financial companies would lose automatic "passport" access to sell services across Europe if Britain ceased to apply the EU principles of free movement of goods, capital, services and people.

Aside from trade, huge questions now face the millions of British expatriates who live freely elsewhere in the bloc and enjoy equal access to health and other benefits, as well as some 2 million EU citizens who live and work in Britain.

Core founding members of the EU such as France and Germany will be wary of making life too easy for Britain for fear of encouraging eurosceptics across the continent to call for referendums in their countries.

French Economy Minister Emmanuel Macron said last weekend that "when you're out, you're out", insisting Britain could expect no preferential treatment. German Finance Minister Wolfgang Schaeuble has issued similar warnings.

Both countries, whose painful post-war reconciliation formed the basis for the future union of Europe, must now deal with buoyant anti-EU parties at home, with the Alternative fuer Deutschland in Germany and the Front National in France.

FINANCIAL INSTITUTIONS

ECONOMIC TIMES, JUN 24, 2016

RBI releases vision document for 2018

MUMBAI: Imagine a world when you can just swipe a card or touch a button on your mobile phone to buy a bus ticket or to pay toll at a toll booth or to make a payment at a merchant counter. If the Reserve Bank of India's Vision Document on Payments and Settlements System, which was released on Thursday, is to be believed all this might become a reality by 2018. The RBI report says that it would frame policy that would increase access to mobile banking services even to non smart phone users in multiple languages. To give boost to electronic transactions RBI would review guidelines relating to mobile banking, white label ATM, National Electronic Funds Transfer (NEFT), and prepaid instruments which include mwallets, prepaid cards and paper vouchers. The banking regulator listed out unified payments interface (UPI) an online platform for peer to peer mobile payments, electronification of the panIndia toll collection system and automated fare collection in mass transit systems to together promote interoperability and increased accessibility of digital payments. The RBI initiative stems from a sharp jump in electronic transactions. Data released by RBI shows the value of mobile banking transactions rose four times to Rs 4,02,204 crore in 201516 over the previous year, while the value of transactions through mobile wallets stood at Rs 49,014 crore in 201516, more than double that of the previous year. The central theme of RBI report revolves around "increasing adoption of electronic payments, particularly those driving ecommerce and mcommerce, there is a growing demand for "faster? payment services which, in turn, facilitate ease in doing financial transactions." In an effort to get more retail payments to be made digitally, the RBI also wants to encourage banks to install point of sale (PoS) terminals where payments can be made through a swipe of a card at kirana shops, healthcare centres and even government centres. Further through the implementation of the Bharat Bill Payments System with NPCI, the RBI wants to ease the process of bill payments.

HOUSING

STATESMAN, JUN 25, 2016

DDA notifies unified building bye-laws

The Leader of the House in the South Corporation, Subhash Arya, on Friday said that the new unified building bye-laws 2016 approved by the Government has been notified by the DDA vide a Gazette notification received Thursday. It offers a slew of benefits to the plot holders in respect of constructions and additions/alterations.

According to him, the new bye laws have in fact provided a number of reliefs to the plot holders apart from permission to extend covered area in the form of balcony etc. Arya elaborated in the public interest certain provisions of the new bye-laws.

He stated that there will be no need of seeking any permission for installation of lifts in the existing buildings. Further lift area will not be included in the FAR. In the below 500 sq.mtr. plots, the door of the lift is allowed to be in front of the stairs.

The size of balcony has been allowed to be increased from 3 feet to 5 feet. In case of construction of basement, maximum level of ground floor above basement shall be 5 feet instead of the earlier 3 feet. One toilet in stilt parking and another on the roof will be allowed in the residential plots. DG room, CCTV room and AC room have been allowed to be constructed in the set back and open area in the residential plots above 105 sq.mtrs; these constructions will not be taken into account of FAR.

The compounding fee on extra coverage of 13.50 mtr. has been substantially decreased. "Earlier it used to be in lakhs of rupees. It will be only in thousands, in certain cases such extra coverage will be exempted. Architectural elements such as loovers, and wall projected up to 900 mm paragolas, toerh, sunshade elements should be free from FAR and ground coverage. It will be allowed to install 6 ft. high screen in the outer side of the water tank.

The staircase in all buildings other than the residential plot will not be included in the FAR," said Arya. Saral scheme for residential plots up to 105 sq.mtrs (125 sq. yards) will have to provide information and deposition of applicable charges with the application and not required any formal permission for construction from the department.

JUDICIARY

PIONEER, JUN 27, 2016

STRENGTHEN THE JUDICIAL SYSTEM

Sankar Sen

The judiciary is crippled by a lack of manpower and infrastructural support but it will take time to bring them up to the necessary level. In the meantime, there are other measures that can be taken immediately to lighten the case load and make the system more efficient

In April, while addressing the conference of the Chief Ministers and Chief Justices of High Court, the Chief Justice of India made an emotional and almost tearful plea for appointment of more judges to resolve millions of pending cases in the courts across the country. This will, he said, do justice not only to the poor litigants but also restore confidence among the foreign investors whom the government is trying to attract.

It is a fact that the number of judges in the country is inadequate to cope with the staggering pendency of cases in different courts. The cancer of pendency and consequent delay in their disposal has crippled and paralysed the criminal justice administration in the country.

According to PRS Legislative's Research's report, 32 million cases (civil and criminal) are pending in courts and out of them 58,000 cases are pending in the Supreme Courts and 42 lakh in various High Courts and 2.8 crore cases in sessions and subordinate courts. Pendency of cases has increased in last 10 years in the Supreme Court by 148 percent and 53 percent in High Courts.

The fact cannot be gainsaid that increase in the number of cases is not matched by an increase in the number of judges. There are 10-12 judges per million people in the country while in advanced countries there are 50 judges per million. The apex court is itself running short of its required strength by 6 judges and 464 vacancies exist in various High Courts.

However, increase in the number of judges, though urgently necessary, is not the only answer. Some urgent institutional and systemic changes are called for. The critical test to be kept in mind is not the judge-population ratio but the judge-docket ratio.

Docket refers to the list of cases to be tried and is an accurate indication of the work load of a judge. In India, the docket ratio per judge for proper and minor matters is 987 whereas it is 3,235 per judge in the US. The answer perhaps lies in effective court management which, unfortunately, has not been seriously attempted in India.

The Arrear Committee, headed by Justice VS Malimath, in 1990 identified the various causes of accumulation of arrears in the High Courts. According to the Committee, litigation explosion, inadequacy of staff attached to the High Courts, inordinate concentration of work in the hands of few members of the Bar, lack of punctuality among the judges and inadequate supply of the copies of judgements were some of the causes for pendency.

The Law Commission as well as the National Police Commission in their reports had suggested various measures that can be applied to reduce the huge backlog of cases in the courts. Some of the immediate steps that can be taken without delay or difficulty are:

First, many petty cases, particularly under the Motor Vehicles Act, form a big bulk of pending cases for want of appearance of the accused persons and witnesses who get dispersed after detection of the offence. There should be ticketing system for on-the-spot disposal of the trafficking offences which will help in a big way reduction of cases pending for trial in the courts.

Second, there should be periodic review at different levels of every police case pending in the court for more than one year from the date of filing of the charge sheet. A decision should be taken whether it will be in public interest to continue with the prosecution of the case may be withdrawn.

For example, in property cases, that involve first offenders or wherein the value of the property is less than Rs500, should be considered for withdrawal, with the consent of the complainants. The Law Commission in its 154th Report (1996) endorsed this recommendation and said “the periodic review of the pending cases can be undertaken with a view to striking many of them out from the court's calendar”.

There is often unacceptable and avoidable adjournment of cases both at the stage of trial, appeals and remissions. Though Section 301 CrPC provides for holding of the trial proceedings as expeditiously as possible, it is an open secret that there is enormous delay in the disposal of cases because of frequent adjournments. When the session's trials begin it must be heard day-to-day till the end. Non-availability of witnesses or counsels should be no ground for adjournments. Indeed, the pursuit of perfection in courts has led to near-collapse of the system.

None can ensure complete justice and the objective of the court should be that the system must work. The Law Commission in its 154th Report recommended that every criminal court shall send a return in a prescribed performa to the Chief Justice of the High Court stating the particulars of the cases in which adjournments were granted by them during enquiry or trial of cases with details thereof.

It is a matter of regret that the courts in the country have, by and large remained untouched by the management revolution of the 20th century and information revolution of the present century. Computers have not been used successfully to improve the court management. There should be provision of e-filing in all the courts, starting from the sessions and above. All judgements and records should be uploaded online. Court notices, summons in petty cases, service of documents to be made online wherever possible. These steps will go to reduce delay, corruption and result in eradication of misplacement of files.

Today, of the three branches of the state, judiciary is still held in respect by the people. But there is gradual erosion of public respect for the judiciary for a variety of reasons. The main danger to the judicial system is from within. Bad appointments and poor supervision are taking their toll.

The National Judicial Accountability Commission controversy highlighted the need for transparency in the appointment of judges and rejigging of the collegium system.

A former justice of the Supreme Court Ruma Pal has aptly said that the “process by which a judge is appointed to a High Court or elevated to the Supreme Court is one of the best kept secrets of the country”. The judiciary must also discourage frivolous public interest litigations and seriously reconsider whether it wants to continue with the practice of long court vacations, in the face of criticism from all quarters.

(The writer is former Director General of the National Human Rights Commission and former Director of the National Police Academy)

POLITICS AND GOVERNMENT

DECCAN HERALD, JUN 25, 2016

Kejri wants referendum on statehood

Pointing at the UK referendum on quitting European Union membership, Chief Minister Arvind Kejriwal on Friday said a referendum on full statehood for Delhi shall be held soon.

“After UK referendum, delhi will soon have a referendum on full statehood,” tweeted Kejriwal, whose party had promised full statehood to the Union Territory in its Assembly election manifesto.

Kejriwal first floated the idea of referendum on statehood last year but the plan did not move forward, with the Centre not showing any interest in conceding the demand.

The Chief Minister’s renewed push for statehood is likely to add to the friction between the Aam Aadmi Party government and the Centre, which have sparred frequently over transfer of bureaucrats and control over Delhi Police.

At present, the AAP government is in the process of collecting public response till June 30 on a draft statehood bill it uploaded on its website.

RAILWAYS

INDIAN EXPRESS, JUN 29, 2016

Railways links promotion of top officers to department's income

The KPIs for the officers have been set against five broad categories of performance linked directly to the health of Indian Railways.

Written by [Avishek G Dastidar](#)

Railway Minister Suresh Prabhu

From now on, promotion and career progression of top officers of the Indian Railways will depend on how much money they have helped the national transporter make and how much physical assets they helped create during a year.

Bringing in a private sector-like appraisal system for the first time for senior government officials, the Railway Ministry under Suresh Prabhu last week issued formal orders to make a set of Key Performance Indicators (KPIs) part of the Annual Performance Appraisal Reports or APARs of General Managers, Divisional Railway Managers and departmental heads in zonal railways. They will now be weighed against a scale of 100 marks, which means now a senior railway officer's performance will be quantifiable, instead of a subjective assessment done by his or her superiors.

The KPIs for the officers have been set against five broad categories of performance linked directly to the health of Indian Railways. These categories are: operational and financial performance, capacity enhancement, capacity utilisation, asset reliability, and manpower training and upgrade.

Under financial/operation performance, how much freight has been carried by a zone and how many passengers it has handled will carry maximum weightage — 10 marks each.

The Railway Ministry has been methodical in devising the system. As part of the process, zonal and, in turn, divisional units were asked targets for the year, which they themselves furnished after much deliberations. Now, each General Manager, DRM and departmental head will be judged against his/her own targets.

DECCAN HERALD, JUN 25, 2016

Rlys to introduce optional insurance for passengers

Train passengers will have to opt for it at the time of booking

Indian Railways will roll out an optional insurance scheme for rail passengers in August this year.

Passengers will have to opt for it at the time of booking the tickets. An amount of Rs 20 to Rs 30 will be charged for the facility.

Under the scheme, the next of the kin of a passenger will be paid Rs 10 lakh if he/she dies or becomes permanently disabled during accidents. The injured will be paid up to Rs 7.5 lakh depending on the severity of injuries.

The insurance cover would be in addition to the statutory compensation given in case of train accidents. The existing provisions make Indian Railways liable to pay Rs 4 lakh in case of death and permanent disability. For injuries, the amount will vary from Rs 32,000 to Rs 4 lakh.

The Railway Ministry will also announce additional ex gratia when an accident occurs. The optional insurance coverage will not be affected by any of these payments. Optional insurance is currently available for air travellers.

“It is likely to be rolled out in August. Railway Minister Suresh Prabhu has given the go-ahead and details are being finalised. The insurance company is being selected through tendering,” Railways spokesperson Anil Kumar Saxena told DH. According to the amended Railway Act, the railway administration has also become liable to pay compensation for loss of life or injury to bona fide rail passengers, who become victims of untoward incidents such as terrorist acts, violent attacks, robbery, dacoity, shootout or arson by any persons in or on any train carrying passengers, waiting hall, cloakroom, reservation or booking office, platform, any place within the precincts of a railway station or the accidental falling of any passenger from a train carrying passengers.

TRIBUNE, JUN 24, 2016

Govt to set up rail regulator independent of Railway Ministry

To work under Finance Ministry

The Centre has moved to set up the Rail Development Authority, which will not only be independent of the Ministry of Railways, but will also function under the Finance Ministry

The move is seen as a precursor to clip the wings of the all-powerful Railway Board, which will recommend the passenger and freight fare and also lay the roadmap for transformation of the national carrier

Mukesh Ranjan

In a step preceding the government's plan to junk separate Rail Budget, the Centre has moved to set up the Rail Development Authority (RDA), which will not only be independent of the Ministry of Railways, but will also function under the Finance Ministry.

Initially, the government had planned to constitute Rail Tariff Authority (RTA), which had limited role of only fixing passenger and freight tariff. "The government has changed the name of the Rail Tariff Authority to Rail Development Authority to give it a much larger mandate on the lines of the independent regulators in the insurance and telecom sectors," a source said.

Now as the decks have been cleared for the proposed authority, a proposal to this effect is ready and all set to go to the Union Cabinet for its nod. "As part of the reforms within the Railways, the proposed authority is likely to be set up under the Finance Ministry. A cabinet note is ready to be taken up at the earliest," the source said.

Incidentally, as a logical follow-up, the Railways is also gearing up to change its accounting system. "The setting up of the RTA is being undertaken along with the exercise of accounting reforms to allow the proposed body to know exactly how much is being spent to transport a passenger or goods so that it could recommend realistic fare revision," the source said.

Moreover, the move to set up the authority is also seen as a precursor to clip the wings of the all-powerful Railway Board, which will not only recommend the passenger and freight fare, but also lay down the roadmap for the transformation of the national carrier.

The proposed body will also credibly weed out the "existing paradox" in the Railways where the national carrier is both the partner and customer in case of projects being executed under PPP (public-private-partnership) mode and also the arbitrator in case disputes.

“The Ministry of Railways had placed a concept note on setting up of the RDA in public domain about six months ago and the feedback shared by cross-sections of the stakeholders was examined before finalising the proposal,” a senior Railways official said.

SPEECH

HINDU, JUN 24, 2016

Hate-free speech vs. free hate speech

V. RAMASUBRAMANIAN

While the European experience suggests that there is a lack of clarity on what constitutes hate speech, it is perhaps safer to err on the side of freedom than caution

On May 31, 2016, Facebook, Microsoft, Twitter and YouTube, which are involved in the European Union Internet Forum, formulated a Code of Conduct on countering illegal hate speech online. Even while declaring that they take pride in promoting and facilitating freedom of expression, these information technology (IT) companies shared the commitment of the European Union member states to tackle illegal hate speech. In an act of balancing competing interests, the IT companies set out in the Code of Conduct several public commitments, some of which are: (i) To have in place an effective process to review notifications regarding illegal hate speech on their services so that they can remove or disable access to such content; (ii) To review the notifications for removal of illegal hate speech in less than 24 hours; (iii) To educate and raise awareness with the users about the types of content not permitted under their Rules and Community Guidelines; (iv) To encourage via partnerships with civil society organisations the provision of notices and flagging of content that promotes incitement to violence and hateful conduct.

The coming together of these IT companies to formulate a code of conduct was the culmination of a series of events. On March 22, 2016, Brussels was rocked by three bomb explosions, which left 32 persons dead and over 300 injured. Immediately, the European Union Ministers for Justice and Home Affairs issued a joint statement on March 24, 2016. Among other things, this statement emphasised the need to intensify the work with IT companies, notably in the European Union Internet Forum, to counter terrorist propaganda and to develop by June 2016 a code of conduct against hate speech online. This is the genesis of the Code of Conduct formulated on May 31, 2016.

Moves to curb hate speech

As a matter of fact, the European Parliament and the Council of Europe had already issued Directive 2000/31/EC, generally known as “Directive on Electronic Commerce”, on June 8, 2000 whereby the member-states were required to take measures to fight against incitement to hatred on grounds of race, sex, religion or nationality. The directive imposed a limited liability upon intermediary service providers, if, upon receipt of actual knowledge or awareness of illegal activities, they didn’t act expeditiously to remove or to disable access to the information concerned.

For historical reasons, Europe has not been able to adopt a more liberal approach towards hate speech like the United States. After the Holocaust, European countries were compelled to take preventive steps. On March 7, 1966, the International Convention on the Elimination of All Forms of Racial Discrimination was adopted. Since Article 4 of the convention requires member states to criminalise the dissemination of ideas based on racial superiority or hatred, many European nations adopted legislation aimed at curbing hate speech. Learning from past experiences, the Council of Europe issued in 1993 a Declaration and a Plan of Action on combating racism, xenophobia, anti-Semitism and intolerance. A Commission set up pursuant to the Declaration found a steep increase in the number of racist websites in Germany and circulation of anti-Semitic material in the Netherlands.

On December 15, 2000, the European Commission against Racism and Intolerance recommended to the Council of Europe to include the suppression of hate speech by way of a protocol in the Convention on Cybercrime. But the United States opposed it, as a consequence of which the protocol was removed. But on November 7, 2002 the Committee of Ministers of the Council of Europe adopted an Additional Protocol. The Additional Protocol imposes a liability primarily upon individuals who actually post racist contents on the Internet, but limits the liability of intermediary service providers who serve as mere conduits of speech. The Additional Protocol as well as the European Directive on Electronic Commerce make it clear that intermediary service providers have no duty to monitor conduct/content. The service providers are not liable for the information that they store, provided they have no actual knowledge of the illegal activity and they act swiftly to remove or disable access to information upon being notified.

The above developments had a direct impact upon the manner in which the European Court of Human Rights (ECHR) looked at hate speech. In 1976, the ECHR stood on the side of free speech, by declaring in *Handyside v. United Kingdom* that freedom of expression is applicable not only to information or ideas that are favourably received or regarded as inoffensive or a matter of indifference, but also to those that tend to shock, offend and disturb. But in 2012, the same ECHR took a U-turn in *Vejdeland v. Sweden*, involving neo-Nazis who unlawfully entered a school and placed in the students' lockers hundreds of pamphlets condemning homosexuals, by upholding a Swedish law that prohibited criticism of homosexual behaviour.

Lack of clarity

To a large extent, there is lack of clarity on what a hate speech is. The Code of Conduct formulated on May 31, 2016 adopted the definition of "hate speech" as found in Framework Decision 2008/913/JHA of November 28, 2008, to mean all conduct publicly inciting to violence or hatred directed against a group of persons or a member of such a group defined by reference to race, colour, religion, descent or national or ethnic origin.

But still there is confusion at the ground level as seen from some interesting cases. In England, a preacher named Andrew Alderson was arrested for simply reading out extracts from the Bible in

public and the owner of a cafe was directed by the police not to display verses from the Bible on a television. In Ireland, a complaint was lodged against a bishop who gave a sermon about the growing culture of godlessness in the country. A television network in Spain was fined for publicly supporting traditional family ties and criticising homosexuality. In a rather bizarre incident, a friendly conversation between the owners of a hotel and a guest practising a different religion, on the supremacy of one religion over the other, resulted in the owners of a hotel being arrested and charged with a “religiously aggravated public order offence”.

Therefore, on the question whether to allow free speech including hate speech or to allow only hate-free speech, it would be better to adopt the approach of former U.S. President Woodrow Wilson who said: “The greatest freedom of speech is the greatest safety, because if a man is a fool, the best thing to do is to encourage him to advertise the fact by speaking.”

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YOGA

INDIAN NEXPRESS, JUN 25, 2016

Panjab University to hold 2 yoga sessions on campus daily
Earlier, only one yoga session was being organised in the morning.

After the success of the International Yoga Day event, the Panjab University has now decided to hold two yoga training sessions on the campus daily.

Earlier, only one yoga session was being organised in the morning. However, following demands from yoga participants, the authorities have now decided to hold the yoga session twice a day, PU vice-chancellor Arun Kumar Grover said on Friday.

Grover, while interacting with the yoga participants at PU Shooting Range in the morning, highlighted the benefits of yoga in modern day lifestyle.

The morning daily yoga training sessions will be organised from 6am to 7am at the PU Shooting Range and evening yoga training sessions will be organised at the PU Community Centre, Sector 25, from 6pm to 7pm.

A PU spokesman said the yoga sessions are being organised by the PU directorate of sports as an outreach programme of the university. The yoga sessions are open for students, teachers, alumni, and general public. Anyone can come and train oneself in yoga by attending any of the two sessions being organized in morning and evening, he added.