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DECCAN HERALD

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AGRICULTURE

DECCAN HERALD, MAY 18, 2016

Now, only science grads can sell insecticides

In a move to create employment avenues for nearly 1.5 lakh jobless youth, the Centre has ordered issuing of licences to sell insecticides only to agriculture and science graduates.

Existing insecticide dealers and retailers who are not science graduates will have to employ a person with the necessary qualifications if they want their licences to be renewed.

“Dealers and retailers have 2 years to comply with the new rules. If they fail, their licences will not be renewed,” Sanjeev Balyan, Minister of State for Agriculture, said here.

Balyan said the new rules were notified on November 15 last year and came into force from January 1 this year.

The rules were notified without much ado as the government had apprehensions of pressure from the powerful insecticide lobby that could have created hurdles in the process.

“A person who applies for the grant of licence to sell, stock or exhibit for sale or distribute insecticides shall possess or shall employ a person possessing a graduate degree in Agricultural Sciences or Biochemistry or Biotechnology or Life Sciences or in Science with Chemistry or Botany or Zoology as the minimum qualification,” the Insecticides (Amendment) Rules, 2015, said.

Licences

The minister made it clear that physics graduates will not be eligible for licences to sell insecticides.

Balyan believes besides creating job opportunities for such graduates, the move would also help farmers as they could expect a sale of insecticides on some scientific basis. “A person having a degree in agricultural sciences or relevant streams could better advise farmers on the use of insecticides. It will not be a purely commercial transaction,” Balyan said.

CIVIL SERVICE

FINANCIAL EXPRESS, MAY 16, 2016

Govt to allow staff to invest 50 per cent of NPS corpus in equities

Government employees who have 90% of assets under management under the National Pension System (NPS) will soon get a choice to invest up to 50% of their corpus in equities.

By: [Prasanta Sahu](#)

In the government sector, NPS contributions are equally split among the three selected pension fund managers (PFMs), who invest the money in a pre-decided manner with maximum equity exposure of 15%. (AP Photo)

Government employees who have 90% of assets under management under the National Pension System (NPS) will soon get a choice to invest up to 50% of their corpus in equities.

The Pension Fund Regulatory and Development Authority (PFRDA) is making the necessary changes in NPS rules, while also simultaneously building up investor awareness and market infrastructure, a senior official told FE.

“They (government employees) will also be allowed to pick up the pension fund managers of their choice, a move aimed at fostering competition in fund management and optimisation of returns,” said R V Verma, member (finance), PFRDA.

In the government sector, NPS contributions are equally split among the three selected pension fund managers (PFMs), who invest the money in a pre-decided manner with maximum equity exposure of 15%. Private sector subscribers are allowed to choose any PFM and could invest 50% in equity. “It (allowing 50% equity play to government employees) is under active consideration of the government,” said Verma.

The choice to invest more in equity will go hand-in-hand with the choice to select any PFM to government subscribers. This would lead to a more rational allocation of funds among PFMS and could ultimately end the monopoly of the three government sector PFMs (SBI Pension Funds Private, UTI Retirement Solutions and LIC Pension Fund).

The PFRDA is also enlarging information dissemination through various NPS stakeholders, undertaking capacity building across the segment and educating the subscribers.

The assets under management (AUM) of NPS, which was initially launched for government employees in 2004 and later extended to the private sector, has increased by 47% to ₹1.19 lakh crore at FY16-end from the year ago period. The number of subscribers rose by 40% to 1.22 crore during the period, partly helped by the additional ₹50,000 deduction allowed over and above ₹1.5 lakh under section 80C of the Income Tax Act.

While the compound annual growth rate (CAGR) returns for the subscribers under NPS since inception has been around 10%, it was about 7% in FY16 due to sharp decline in the stock market as well as fall in G-sec rates.

The Bajpai panel had recommended to bring parity in terms of both investment and choice-making between government and private sector subscribers of NPS.

	No. of subscribers	y-o-y chg.(%)	Assets under management (₹ cr)	y-o-y chg.(%)
Govt sector	1,15,22,511	39	1,08,247	45
Pvtsector	6,88,887	50	10,563	68
Total	1,22,11,398	39.6	1,18,810	47

TAGS: National Pension Scheme

DECCAN HERALD, MAY 19, 2016

Pre-2006 retiree IAS, IPS officers to get pension hike

IAS and IPS officers, who have retired before 2006, will get a hike in pension, in addition to the arrears, as the Centre has done away with a provision of 33-years of service for earning full pension.

The move comes after the Department of Pensions and Pensioners Welfare decided that the revised consolidated pension of pre-2006 pensioners shall not be lower than 50 per cent of the minimum of the pay in the pay band and the grade pay even if they had served for less than 33 years at the time of retirement.

Necessary orders directing concerned authorities to calculate the revised pensions in respect of central government pensioners, excluding retiree officers of three all India services -- Indian Administrative Service (IAS), Indian Police Service (IPS) and Indian Forest Service (IFoS) -- have already been issued.

It has been now decided that the same provisions "shall be applicable mutatis-mutandis (as mentioned in earlier order issued in this regard) to all India service pensioners of pre-2006", said a communique sent to all chief secretaries of state governments and union territories administration by the Personnel Ministry.

As per rules, a central government servant is entitled to receiving superannuation pension on completion of at least 10 years of service. With effect from January 1, 2006, pension is calculated with reference to average emoluments -- the average of the basic pay drawn during the last 10 months of service or last basic pay drawn whichever is higher.

Before 2006, for service of less than 33 years, amount of pension was proportionate to the actual service broken into completed half-year periods.

TRIBUNE, MAY 17, 2016

PRAKASH PANEL

Report leaves bureaucracy 'divided'

Senior IAS and IPS officers say 'vested interests misled the committee'

Home Secretary blamed

The information that has trickled out so far suggests the report apparently appears to be in favour of the IPS

It, however, points fingers at a handful of officers, including the then DGP

Several IAS officers have been named, including DCs of some violence-hit districts and the state Home Secretary

Blaming the Home Secretary is tantamount to blaming the government, including CM, who is the state's Home Minister.

Naveen S Garewal

The report by the Prakash Singh Committee that probed the acts of omission and commission by the government functionaries during the Jat agitation has divided the state police and bureaucracy.

Senior IAS and IPS officers expecting to be named for dereliction of duty have said “vested interests have misled the committee”. The government is in a fix over the issue of making the report public. A second confidential report giving the state intelligence a clean chit has come as a surprise, as it is a known fact that the state police were taken by surprise and the government had no inkling about the “pre-planned” acts of violence, forcing the police to abandon police stations and escape.

The information that has trickled out so far suggests that the report apparently appears to be in favour of the IPS, barring the pointing of fingers at a handful of officers, including the then DGP. At the same time, several IAS officers have been named, including DCs of some violence-hit districts and the state Home Secretary.

Blaming the Home Secretary is tantamount to blaming the government, including CM Manohar Lal Khattar, who is also the Home Minister.

Under the given circumstances, where the impression of saving the IPS officers and blaming those from the IAS is growing, several IAS officers have come out openly to raise questions on the report. After forming a judicial commission to unearth the truth behind the violence, the state would have conveniently chosen to keep the report confidential, but the Punjab and Haryana High Court's directive to place the report on record has put the government in a quandary.

The committee has not looked into the violence that took place on GT Road close to Murthal on the ground that an SIT is already probing it. Incidentally, the SIT is only probing the Murthal “rapes” and the violence against women and not other aspects associated with the arson, violence

and attack on commuters. Thus, the report is believed to have overlooked the most heinous act of violence during the agitation.

Almost all senior state BJP ministers have said a “conspiracy” was behind the violence. If this is true, the police failed to see it, which amounts to an intelligence failure. But this report has given the intelligence a clean chit. If there was no conspiracy, as one would believe in the absence of an intelligence failure, the BJP cannot blame the Congress and the INLD for being behind the mayhem.

As only one of these two theories can be true, the reported facts about the contents of the report leaves several questions unanswered.

EDUCATION

TIMES OF INDIA, MAY 17, 2016

Make yoga part of physiotherapy course, says UGC

NEW DELHI: University Grants Commission has written to all universities that yoga teaching may be included in bachelors and masters' programmes of physiotherapy.

This was part of a series of decisions taken by the government after a meeting held by Prime Minister Narendra Modi to review the preparedness for International Yoga Day celebrations on June 21.

The HRD ministry, after accepting a report on yoga education by HR Nagendra, has asked UGC to incorporate yoga in the list of recognised degrees. Four central universities have been identified to implement the government's yoga education programme.

This includes Hemwati Nandan Bahuguna University (Uttarakhand) in the north, Visva Bharati in the east, Central University of Rajasthan or Central University of Gujarat in Gandhinagar in the west, Central University of Kerala, Kasargod in the south, Indira Gandhi National Tribal University, Amarkantak in central India and Manipur University in north-east.

Interestingly, among yoga universities and institutes whose expertise will be sought includes Swami Vivekananda Yoga Anusandhana Samsthanam, Bengaluru of which Nagendra is the chancellor. The list also includes Ramdev's Patanjali Yogpeeth (Haridwar), Dev Sanskriti Vishwavidyalaya (Haridwar), Morarji Desai National Institute of Yoga (New Delhi) and Kaivalyadhama Yoga Institute (Pune).

It has also been decided that a student can do Certificate Course in Yoga (CCY) and Bachelor of Science (Yoga) after Class XII. Students from any stream can do diploma in yoga. There will also be PG diploma in yoga therapy which can be done after medical graduation of four years or more.

The HRD ministry has also said that UGC should constitute a committee of experts in consultation with the ministry of AYUSH for creation of good quality text books and manuals for the syllabus.

STATESMAN, MAY 19, 2016

Teachers' body slams UGC notification

Teachers body Academics for Action & Development (AAD) has termed the UGC gazette notification of regulations as regressive and a death blow to the teaching community.

AAD has opposed the increase in teaching hours terming it a grave injustice towards the teaching fraternity.

As per the new regulations the direct teaching hours have been increased to 24 hours per week for assistant professor and 22 hours per week for associate professor in place of 16 hours and 14 hours per week respectively.

"This will adversely affect both the quality and efficiency of learning and teaching. The output will definitely deteriorate by such measures," said Rajesh Jha, spokesperson of AAD.

"On an average a teacher has been assigned an extra workload of ten to fifteen hours leaving very little time for preparing quality lecture and research activities," he said.

AAD said all the recent developments and amendments in regulations will reduce the requirement of teachers drastically and ad-hoc teachers working from years would be rendered jobless.

"CBCS has already reduced the vacancies in the universities drastically now the recent developments would prove to be a lethal blow for teachers," said Rajesh.

AAD said with the 3rd amendment, student feedback which has been made a mandatory part of API for promotions will prove to be counter-productive for both students and teachers.

"Not only this but contrary to the claims of MHRD, the API requirements for promotions have been made more stringent. Awarding points only on the basis of publications in UGC recognised journals or publishers will create more problems than solutions owing to the inadequacy of such a monopolising move in an emerging knowledge society," said Jha.

"Now the points are no more the screening points and they are to be subjected to the expert assessment," he added.

TELEGRAPH, MAY 19, 2016

Universities and outsiders - The unavoidable conditions of freedom

Prabhat Patnaik

The University of Hyderabad has for some time been preventing "outsiders", no matter who they are, from entering the campus, lest they talk to the agitating students. The Jawaharlal Nehru University administration has issued a circular on May 6 asking teachers and students "to avoid inviting people from outside the campus for any gathering or activity to press their demands". University campuses are thus being cordoned off to outsiders on the plea that whatever happens within these campuses should be resolved there without involving outsiders.

This may appear quite reasonable at first sight. Indeed the JNU circular states that "the best way to resolve the issues is through dialogue and discussion" (that is, without involving outsiders); and who can cavil at "dialogue and discussion"? It may even be argued that involving outsiders goes against the "autonomy" of the university which is a cherished objective of everyone engaged in academic activity.

There are, however, three fundamental flaws in this argument against involving "outsiders" in conflicts arising within universities. The first is that there is a power asymmetry within the university itself, which is structural in nature. The "authorities" are indeed *authorities*: they alone have the power to punish, and there are no internal checks and balances against their actions that are *statutorily enshrined*. Since a strike within a university, unlike in a factory, entails no potentially-crippling financial losses and hence has little effect, and since seeking legal redress against the arbitrary use of punitive powers by university authorities is time-consuming, expensive, and dicey, and hence of little practical help, if measures that transgress the law of the land, such as gheraos and violence, are to be avoided, then we are left with only one practical way of restricting the high-handedness of university "authorities". And that is by appealing to society at large to bring moral pressure on them in the event of such unwarranted use of their powers, which necessarily requires free interaction between the members of the university and political and social activists from "outside".

Cordoning off the campuses to "outsiders" becomes therefore a way of preventing the possibility of any such moral pressure, of virtually removing all restrictions on the use of punitive powers by the "authorities". Hence, the apparently reasonable "we-are-all-one-family-and-let-us-resolve-our-problems-through-discussions-without-involving-outsiders" argument, turns out on closer inspection to be a licence for the unrestricted use of punitive powers by the university authorities.

A second argument which adds to this is that there is no clear-cut jurisprudence with regard to what deserves punishment in the context of a university. There can be no two opinions of course on the proposition that "delinquent" behaviour must be punished; but the question is what constitutes "delinquent" behaviour. The expression of an opinion, no matter how different from

commonly-held positions, cannot possibly constitute "delinquent" behaviour in a university, whose *raison d'être* is to provide space for free expression of ideas.

But this illegitimate conflation, of the expression of an unconventional opinion with "delinquent" behaviour, is precisely what underlies the JNU authorities' "disciplinary action", including rustication, against a group of students who had the courage and the intellect to express such unconventional views. In a situation where no jurisprudence defining "delinquency" in the context of an academic institution exists in an explicit form, the possibility of arbitrary use of punitive powers by the "authorities" increases greatly; and, precisely for this reason, cutting off any recourse to invoking societal pressure of a moral kind, by preventing the involvement of "outsiders", becomes particularly objectionable.

The boundary between behaviour deserving of punishment and the expression of unconventional views needs to be drawn, and in a manner that commands wide acceptance. One way of doing so could be to say that any action which seeks to curtail freedom of discourse in a university, such as through the use of violence against any person or group, including on the grounds that it holds a different opinion, should be liable to punishment, while any action that occurs within the context of such a freedom of discourse should not be. But, on this criterion which is perhaps a reasonable starting point, it is not the students who are being punished in JNU that deserve punishment, but rather those who tried to prevent them from expressing their views. The fact that the very opposite is happening points therefore to the arbitrariness of the punishing "authorities"; and cordoning off the campus against outsiders can only serve to increase this arbitrariness.

This brings me to the third point. The reason the authorities in JNU have acted in the manner they have, treating the expression of a particular view as delinquency, is, by their own admission, because of the "perception" *in the outside world* that has been generated by the actions of the students who were freely expressing their opinion. In other words, the very "authorities" who are arguing against the involvement of "outsiders" are themselves influenced by the perception of "outsiders".

This is hardly surprising. In fact the "outsiders" *are already involved*: the television channel that put out a deliberately doctored video of the February 9 incident; the media in general which are interpreting the JNU events in their own way, and often with a wilful mischievousness aimed at arousing public anger against the institution; the government that, no matter how indirectly, appoints the vice-chancellor and influences his actions; and the phalanx of Hindutva forces that have no compunctions about destroying a precious academic institution, just as they destroyed a heritage monument some years ago, and that have been fulminating against this particular institution, day in and day out.

To say, at a time when *this* entire world of "outsiders" is trying to wreck an institution, that teachers and students, who are desperately trying to save it by keeping alive its traditions of freedom and tolerance, should have no "outside" contact, is to be complicit in this project of destruction. It is to suggest, even when the ban is apparently against all "outsiders", that one set of "outsiders", who are engaged in attacking the institution, can interfere in its affairs (which they would continue to do whether or not they visit the campus), but not another set to which the students and teachers can turn for empathizing with their position. Cordoning off the university

against "outsiders" therefore is an essentially discriminating act: it is an act of cordoning off only against one set of "outsiders", those who take positions based not on ideology and venom, but on evidence, gathered from free interactions with teachers and students through visits to the campus.

Let me now come to the autonomy issue. University "autonomy" entails above all the preservation of freedom of discourse within it against all attempts, whether by the government or by interfering social organizations and political groups, to stifle such freedom. It does not entail barring physical interaction with all "outsiders". A university, being a part of society, must be necessarily open to social interactions with all "outsiders".

In fact, because it lives off public funds, JNU is accountable to society; and this is institutionalized under the JNU Act by having a court, as its apex body, where "outsiders", including members of parliament and prominent public personalities are represented alongside deans and other senior members, and selected representatives from within.

The court meets regularly and discusses matters very freely. In fact, after the Janata Party government had come to power in 1977, a court meeting had been held which was presided over by Morarji Desai, who was then the prime minister of the country and hence *ex officio* chancellor of the university. (The practice of having the prime minister as chancellor has been discontinued since then.) At that meeting, Desai had accused the university of being full of "Communists"; and, upon his doing so, several senior professors of the university, led by Sivatosh Mookerjee, a grandson of Ashutosh and nephew of Shyama Prasad, who had moved to the School of Life Sciences of JNU from Presidency College, Calcutta, had protested vigorously against any witch-hunt of faculty members on the basis of their political views. In the face of this resistance the matter had been dropped.

Morarji Desai had been prompted to raise the issue because he was then presiding over a cabinet of which the erstwhile Jana Sangh had been a strong constituent. Pressure from "outside" to subvert the freedom of discourse within JNU, even in a period when there was no Emergency, is therefore of long standing. It has now taken a particularly virulent form. Preventing "outsiders" from interacting with students and teachers of the university will mean not a reduction in this pressure but a succumbing to it. It will serve to cut the ground from underneath the feet of those who are fighting to preserve the autonomy of the university.

The author is Professor Emeritus, Centre for Economic Studies, Jawaharlal Nehru University, New Delhi

DECCAN HERALD, MAY 21, 2016

UGC tells varsities to grant degree 'in time'

The University Grants Commission (UGC) has warned varsities of "punitive action" if they fail to award degrees within six months after students clear the final exams.

The higher education regulator has cracked the whip after taking a "serious view" of a number of complaints from students reaching here from all over the country.

In a circular to the vice-chancellors of all universities, UGC secretary Jaspal S Sandhu cited the commission's 2008 regulations on awarding of degrees, saying it clearly stipulates: "The degree award date/s shall be within 180 days of the date/s by which the students are expected to qualify and become eligible for them. Yet, the commission has been receiving a number of complaints, representations and references from "different stakeholders" in higher education with regard to "some universities" not awarding degrees in time to their students enrolled in different programmes of study, he added.

Strict action

"The UGC has taken a serious view of this issue and will be constrained to take punitive actions as are notified in Regulation 9 of the UGC (Grievance Redressal) Regulations 2012 against university (if degrees are not awarded within the stipulated time frame," the UGC secretary said. The stipulated period of 180 days for awarding degrees is more than sufficient to "perform the task", he added.

Sandhu described the task of awarding degrees to qualified students as "one of the most fundamental and primary duties of a university""Withholding degree of a student who has successfully completed his tenure in the institution of his enrolment, for whatever reasons, amounts to constraining opportunities of a student," he said. He directed the varsities to "religiously follow" the UGC regulations and award students degrees within the stipulated time frame.

"Needless to say, getting the degree in time after having successfully completing a programme is an inviolable privilege of a student," the official added.

GOVERNORS

BUSINESS LINE, MAY 22, 2016

Kiran Bedi appointed Lieutenant Governor of Puducherry

BJP leader and former IPS officer Kiran Bedi was today appointed as Lt Governor of Puducherry, a post which was under the additional charge of Lt Governor of Andaman and Nicobar Island for nearly two years.

A Rashtrapati Bhawan communique said “the President has been pleased to appoint Ms Kiran Bedi, to be the Lt. Governor of Puducherry with effect from the date she assumes charges of her office.”

“I look forward to giving every bit of myself to the responsibility. I am there for the benefit of the country. I am here to give my best every day, each day. I am grateful for the government’s decision. They trusted me,” said 66-year-old Bedi, who is the country’s first woman IPS officer and who had led the BJP campaign for the 2015 Delhi Assembly polls without any success.

The appointment came three days after the Congress-DMK alliance won 17 seats in the 30-member state Assembly. AIADMK, which contested the elections on its own, won four seats while BJP could not get even a single seat.

The LG post in the Union territory had been lying vacant after the Narendra Modi Government had sacked UPA nominee Virendra Kataria on July 12 barely a year after he had been appointed. Lt Governor of Andaman and Nicobar Island Lt Gen Ajay Singh had been given additional charge of Puducherry.

Born on June 9, 1949, Bedi had led the BJP campaign in the 2015 Delhi Assembly elections but had to face the worst defeat in her maiden political innings with Arvind Kejriwal-led AAP winning 67 of the 70 seats.

An IPS officer of 1972 batch, Bedi had sought voluntary retirement from the service in 2007. She was then posted as Director General, Bureau of Police Research and Development.

A sports lover and an author, Bedi is a recipient of Ramon Magsaysay Award as well as UN Medal for outstanding service. She was one of the pioneers of anti-corruption crusade in 2011 along with Anna Hazare and Kejriwal against the then UPA government.

She also earned a law degree at Delhi University in 1988 and a PhD from IIT Delhi’s Department of Social Sciences in 1993.

HEALTH SERVICES

DECCAN HERALD, MAY 22, 2016

'NEET must for private colleges'

State govt institutions exempted this year

The Centre on Saturday clarified that the National Eligibility-cum-Entrance Test (NEET) for admission to medical and dental courses would be held on July 24 for all private, minority, deemed and other institutions.

The states, however, can conduct their own tests for admission to colleges run by them. An ordinance granting exemption to states for 2016 only is under way and awaits the President's assent, sources said.

The Cabinet on Friday is learnt to have cleared the ordinance giving states a chance to conduct their own common entrance test in the colleges run by them, keeping in mind factors like ongoing tests of state governments, parity of syllabus and regional languages.

"We brought the NEET as everyone is in its favour. Private colleges, deemed universities and minority institutions, however, will come under the purview of NEET. The second phase of the NEET would take place on July 24. Only state governments have been given exemption for a year," the sources said.

The government was keen to implement the Supreme Court order for holding NEET. The ordinance has been brought to address "certain practical issues" raised by the states, the sources further added.

As many as 15 states had raised objections to NEET. An NGO, that earlier approached the apex court for the implementation of NEET in 2016, has already said it will challenge the validity of the ordinance. The government is likely to rely on issues like parity in syllabus, use of local language as grounds for exemption to the states for this year.

INTERNATIONAL RELATIONS

TELEGRAPH, MAY 17, 2016

Blocking moves- China has not been made to pay yet for protecting Pakistan

Kanwal Sibal

China's repeated blocking of India's moves in the 1267 United Nations sanctions committee to include leaders of Pakistan's *jihadi* organizations perpetrating terrorist attacks against India reveals both the depth of its commitment to Pakistan and its scant regard for India's sensitivities. It also reflects China's thinking that it can manage relations with India largely on its own terms and does not have to accommodate India except where it is either cost-free or could further Chinese economic interests and bolster its position in multilateral parleys. Whereas our policy towards China is marked by great caution and even timidity, China deals with India from a position of strength laced with arrogance. India's diffident response over the years to its provocations has perhaps convinced China that it can get away unbruised from slighting India periodically.

China is willing to antagonize India even on the very sensitive issue of terrorism, on which the international community is becoming increasingly united on the need to combat it collectively. The earlier approach - marked by double standards and selectivity, and convenient distinctions between 'good' and 'bad' terrorists - is showing signs of change. Even countries like Saudi Arabia, seen as the cradle of extremist ideologies that spawn terrorism, are now positioning themselves in the vanguard of the fight against it. India has been able to obtain from countries like the United Arab Emirates (with traditional links to Pakistan) language on terrorism nuanced in our favour. Pakistan claims it is a major victim of terrorism itself and now, with the blowback from nurturing *jihadi* groups, proclaims that there are no 'good' or 'bad' terrorists.

China also projects itself as a victim of terrorism in East Turkestan and seeks international cooperation for arresting individuals it claims are terrorists, which its reminder to India that the Uighur leader, Dolkun Isa, has a red corner Interpol notice signifies. It has got the sanctions committee to designate the East Turkestan Liberation Organization as a terrorist entity. India has endured Pakistan's sponsored terrorism for years. In the case of Pathankot, Pakistan had conceded that the terrorists had come from Pakistan and is investigating the involvement of Jaish-e-Mohammad cadre in the attacks. Subsequently, Pakistan's national security adviser seems to have alerted his Indian counterpart about some '*jihadi*' elements from Pakistan entering India for committing terrorist acts.

In this broad context, China could have joined the consensus in the UN sanctions committee to list Masood Azhar as a terrorist, particularly as the organization he heads has been on the list since 2001, and so has been its charity front, the Al Akhtar Trust since 2005. If JeM is a terrorist organization in the eyes of the UN, why its leader should be treated as a non-terrorist defies logic. China's expanding strategic commitment to Pakistan, as signified by the China-Pakistan economic corridor, the development of Gwadar as a potential naval base and so

forth, suggests that it may now want to avoid anything that would put Pakistan in the dock on terrorism to India's advantage. Last year, it had blocked India's move to put the spotlight on the circumstances in which Zaki-ur-Rehman Lakhvi, a mastermind of the Mumbai terrorist attacks, was helped financially to obtain a bail from Pakistan's court in what would have been a violation of resolution 1267.

China's explanations for its blocking moves are both duplicitous and patronizing. It claimed that India had "failed to provide enough information" in Azhar's case (and that of Lakhvi earlier). No other committee member, including the other four members of the security council, raised this objection. Faced with mounting indignation in India at China's political stand camouflaged as a technical requirement, China has now offered a different, and a more objectionable, explanation. Its spokesperson wants India and Pakistan to have direct communication and serious consultations on Azhar's listing on the specious ground that procedurally the 1267 sanctions committee "encourages" this between "countries that ask for the listing and countries where individuals covered in the listing come from and live in". This Chinese position has several implications.

One, China seeks dilution of the international dimension of Pakistan's terrorism against India by wanting to treat Azhar's listing as a bilateral affair between the two countries. By recommending that the two develop a consensus on the issue, it is placing *jihadi* terrorism in the context of India-Pakistan differences. It is deceitful in suggesting that India should persuade Pakistan to agree to Azhar's listing, implying that Pakistan, at our prodding, should admit that Azhar is a terrorist involved in the Pathankot attacks, cut short the legal process to investigate the involvement of Pakistan based individuals in the Pathankot attacks for which it has sent a joint investigation team to Pathankot, have Azhar internationally sanctioned even before any FIR has been registered by Pakistan in this case, and abandon its possible strategy of ultimately admitting, at best, low-level JeM involvement and not that of Azhar himself. Two, China's double game is to block India's bid at Pakistan's behest and simultaneously pretend that it is a neutral party in equal communication with both sides. This is another way to slyly shift responsibility on India's shoulders, as a victim, to resolve the terrorism issue with Pakistan, as the perpetrator, under China's benevolent eye. Three, China is adopting the position that the United States of America adopted until recently, namely, that Pakistan's terrorist attacks against India do not constitute international terrorism - which is why the Lashkar-e-Toiba was declared a terrorist organization at US's insistence only when its operations extended beyond the subcontinent - and should be seen in the India-Pakistan context. Naturally, China does not view Uighur 'terrorism' as something confined to China and Pakistan principally, without the need to involve the UN sanctions committee.

The procedural argument given by China misleads. The rules of procedure of the 1267 committee merely say that "Before a Member State proposes a name for inclusion on the ISIL (Da'esh) & Al-Qaida Sanctions List, it is encouraged, to the extent possible, to approach the State(s) of residence and/or nationality of the individual or entity concerned to seek additional information". First, China has conveniently omitted the clause, "to the extent possible", in its spokesperson's statement, and, second, it is distorting "additional information" to mean "serious consultations" with Pakistan. The procedures also say that a "criminal charge or conviction is not necessary for inclusion on the Al-Qaida Sanctions List as the sanctions are

intended to be preventive in nature". As of April 20, 259 individuals and 75 entities are on the 1267 sanctions list, located in Syria, in North Korea, ISIL-held territory, Iran and so on. If the Chinese position is to be accepted, the US, for instance, needed to be in "serious consultations" and find "suitable language" after negotiations with Iran, North Korea, Syria (countries with which it has no diplomatic relations) and ISIL to include individuals and entities from these countries and territories in the sanctions list. This is chicanery on China's part. We have not found a way yet to make China pay a cost for protecting Pakistan on the issue of terrorism against India. Unfortunately, we have made things worse for ourselves by the revocation of visas for Isa and others to attend a conference at Dharamsala.

The author is former foreign secretary of India sibalkanwal@gmail.com

JUDICIARY

TRIBUNE, MAY 23, 2016

Indeed, not infallible

PP Rao

The Supreme Court's verdict on criminal defamation not ideal

AS part of its golden jubilee celebration, the Supreme Court brought out a book, "Supreme But Not Infallible" — a collection of essays contributed by eminent persons. Whenever the court pronounces an unacceptable judgment, the words of David Pannick come to mind. In his book, "Judges", he says: "Judges are mere mortals but they are asked to perform a function that is truly divine." To err is human. Errors can be corrected by larger Benches. The author of the judgment is a highly, competent and respected judge. Even the best of judges sometimes deliver verdicts which are out of date.

The media voices public opinion immediately. The Tribune is one of the first national dailies to write a critical editorial, "Criminal defamation". The following headings of editorials in other newspapers are enough to feel the pulse. The Hindu: "A disappointing verdict"; The Indian Express: "Speak no evil"; The Asian Age: "A disappointing verdict".

Senior advocate, Dr Rajeev Dhawan, who along with me, Subramanian Swamy and others challenged the validity of Sections 499 and 500, IPC, responded saying that the defamation law went against the spirit of the freedom of speech. Satya Prakash, legal editor of The Hindustan Times, commented: "If justice hinges on truth, SC needs to reconsider its defamation verdict." More reactions on the same lines will follow. Dissatisfaction with the judgment is writ large.

One interesting feature of this case is, three national leaders who rarely see eye to eye with one another fought shoulder to shoulder, challenging the validity of the offence of defamation. Subramanian Swamy argued himself. Rahul Gandhi and Arvind Kejriwal were represented by lawyers. It was a big fight. The legal battle is lost, not the war. Hopefully, the verdict will be reconsidered sooner than later.

Another unusual feature is, though the case involved substantial questions of law as to the interpretation of Articles 19(1), (2) and 21 of the Constitution, requiring adjudication by a five-judge Bench, two judges decided it. Yet another exceptional feature is the Bench has expanded the scope of restrictions on the right to free speech, instead of widening the ambit of the right. Larger Benches have always expanded the scope of fundamental rights and narrowed the restrictions. For example, the right to freedom of speech and expression has

been held to include freedom of the media and the citizens' right to know the background of the candidates contesting at an election, their assets and liabilities, criminal antecedents and qualifications. In the very first case on freedom of speech and expression, filed by Romesh Thappar, a Bench of six judges had declared: "Very narrow and stringent limits have been set to permissible legislative abridgement of the right of free speech and expression, and this was doubtless due to the realisation that freedom of speech and of the press lay at the foundation of all democratic organisations, for without free political discussion no public education, so essential for the proper functioning of the processes of popular government, is possible." A Bench of two judges has now expanded the scope of restrictions on the ground of 'defamation', inhibiting freedom of speech.

In the 19th century, sitting in the cool comfort of Ootacamund, Lord Macaulay drafted the Indian Penal Code with a separate chapter on 'defamation', modelled on the law of England. Most laws of the Commonwealth countries, including India, have their roots in the Acts of British Parliament. The irony is even though British Parliament repealed criminal defamation in 2009, and enacted the Defamation Act 2013, providing for compensation for defamation, our Supreme Court has upheld this archaic colonial law, long after it was abolished in the land of its origin. Criminal defamation ought to have been buried deep when India became a democratic Republic.

The first article of faith of Mahatma Gandhi was 'truth'. The motto of the Supreme Court is Satyameva Jayate (truth will triumph). However, Section 499, IPC, says truth is no defence to the offence of defamation, unless "it be for the public good". As a rule, subject to very few exceptions, truth ought not to be regarded as defamation at all. Instead of placing the burden on the complainant to prove that the offending statement is untrue, before issuing summons, the Penal Code requires the accused to prove not only that his statement is true, but also that it is for public good.

Subramanian Swamy demonstrated before the court how he was being harassed by being dragged to different courts in different corners of the country. The complaint against Rahul Gandhi was filed by an RSS member in far away Bhiwandi. For making unpalatable speeches, even mediapersons, actors and other public figures are exposed to motivated criminal prosecutions in far-flung courts. Whenever a complaint is lodged, the Magistrate tends to issue summons routinely, requiring the attendance of the accused in court in person, driving the accused to seek bail. The attendance of the accused is not at all necessary in court at that stage. The Form of Summons prescribed in the Code of Criminal Procedure gives the accused an option either "to appear in person or through pleader". The Supreme Court could

at least have issued a general direction to all Magistrates not to insist on personal appearance of the accused, except for recording his evidence in the trial and permit appearance through counsel.

Experience shows that most prosecutions for defamation are motivated by political or private considerations and are not in public interest. The only solace in the entire judgment is the mild observation that “summoning of an accused in a criminal case is a serious matter and criminal law cannot be set into motion as a matter of course. When the remedy of civil suit for damages is available, why should this undemocratic law be allowed to continue?”

This is not the first case where the Supreme Court has given a disappointing verdict. Another Bench of equally respected judges upheld Section 377, IPC, which penalises homosexuality. Now, a larger Bench of five judges is due to reconsider the issue. Earlier, a Bench of nine judges in Indra Sawhney’s case permitted reservations based on caste in government jobs and admissions to professional courses, with two judges — Justices Kuldeep Singh and RM Sahai — dissenting, saying that caste cannot be the basis for reservations under our Constitution which aims at a casteless society. Caste-based reservations obstruct the promotion of fraternity among all citizens. Forward castes are now pressing for inclusion in backward classes. The unity of the country is at stake.

The writer is an expert on constitutional law

DECCAN HERALD, MAY 21, 2016

Judicial activism, a dangerous trend

Union Finance Minister Arun Jaitley is not the first politician to raise the issue of judicial overreach which is upsetting the constitutional balance among the three organs of state – the legislature, the executive and the judiciary. Nor are politicians the only sections of people who are concerned with the increasing trend of the judiciary encroaching into areas where it has no mandate to enter and taking decisions and issuing orders which are for others to take. The idea of judicial activism, when it emerged in the public realm some decades ago, gained currency and some acceptance because it was considered necessary to correct the failings of the legislature and the misdeeds of the executive. But it has now grown into a situation where the idea of separation of powers, which should be considered a feature of the basic structure of the Constitution, is challenged. It is not good for the smooth functioning of parliamentary democracy.

The immediate issue which raised Arun Jaitley’s hackles was the Supreme Court’s directive to the government to create one more national fund to deal with the drought situation in the country. This amounts to taking over the budget-making powers of Parliament. There have

been too many such orders in the recent past. Courts ordered the shifting of IPL matches out of Maharashtra and an increase in the environmental tax in Delhi and told Air India to consider resumption of flights between Delhi and Shimla. Even a positive view of judicial activism cannot justify such orders. Activism can deteriorate into overreach if the judiciary considers itself the sole custodian of public interest, interprets public interest in its own fashion and seeks to force the legislature and the executive to implement its version of it. Strictly, it is not its remit to define public interest. It has only got to interpret the laws and decide whether they conform to the Constitution.

It is the judiciary's erroneous view that it is an autonomous system that made the Supreme Court invent the collegium mechanism for appointment and transfer of judges. It may be noted that judicial overreach gained more momentum and strength since the creation of the collegium mechanism. Parliament's move to restore the legitimate role of the executive in judicial appointments and transfers was wrongly thwarted by the Supreme Court, and this was in defence of the newly acquired powers which were not always well used. Judiciary, like all institutions in a democracy, should be accountable and know its own limits. It should not become a super parliament that frames laws and a super executive that seeks to implement them.

LABOUR

DECCAN HERALD, MAY 17, 2016

EPFO to provide 3-yr life cover to subscribers after job loss

"EPFO trustees, in the meeting expected next month, will take up and consider the proposal to provide insurance cover under its EDLI scheme to its subscribers for three years after losing job," a source said.

"The maximum sum assured under the Employees' Deposit Linked Scheme (EDLI) will soon be enhanced to Rs 6 lakh this month," the source said.

In September last, the Employee Provident Fund Organisation's apex decision making body Central Board of Trustees' (CBT) had decided to increase benefits under the EDLI scheme from Rs 3.6 lakh to Rs 6 lakh.

However, the decision could not be implemented because the notification to amend the scheme was not issued as it was stuck in law ministry

The source said, "The notification will be issued this month only to enhance the benefits under EDLI to Rs 6 lakh.

The proposal provides for voluntary retention of EDLI membership to subscribers at reduced rate of contribution for three years after losing job.

The employers are required to pay 0.5 per cent of basic wages of workers as premium for the insurance scheme for their workers. Workers usually lose membership or benefit of the scheme after quitting job.

EPFO manages a corpus of over Rs 8.5 lakh crore and its subscribers' base is over five crore at present.

LAW

TIMES OF INDIA, MAY 19, 2016

1,159 obsolete laws scrapped by Modi govt; 1,301 junked in previous 64 years

Vishwa Mohan

NEW DELHI: The Narendra Modi government may be facing the opposition hurdle in Rajya Sabha in enacting certain new laws, but its record of getting obsolete and redundant laws out of the statute book appears to be moving ahead without too much fuss.

Successive governments had repealed 1,301 such outdated laws in 64 years. But the present government has managed to weed out as many as 1,159 obsolete laws in less than two years.

Obviously, the opposition-dominated Upper House too had played its part when it passed those bills concerning repeal of the 1,159 central laws, including two dozen of them from the British era, that had lost relevance long ago due to enactment of other related laws, incorporating provisions of the earlier Acts, over the years.

RS had passed two such bills, repealing 1,053 Acts, during the recently concluded Budget session. While the passing of one — Appropriation Acts (Repeal) Bill 2015 — could repeal 758 old appropriation acts, the other one — Repealing and Amending (Third) Bill, 2015 — could weed out the other 295 Acts.

Laws on licence to kill and capture of wild elephants in certain circumstances, segregation and medical treatment of lepers, regulating the grant of titles to qualified persons in western medical science, prohibition of pledging of labour of children (child slavery), regulating recruitments of foreigners during pre-Independence period, agreement with Pakistan on exchange of prisoners, continuation of use of courts in Bengal, Assam and Punjab for those who migrated to Pakistan and power to regulate prices of newspapers are among others Acts which have been repealed.

There had been many more laws in the statute books which had been of no use as provisions of

most of the old Acts had already been incorporated in new legislations.

LOCAL GOVERNMENT

DECCAN HERALD, MAY 23, 2016

Time to empower mayors

,
CITY ADMINISTRATION

London has a new Mayor in Sadiq Khan. And it has made international news. Not just because he happens to be a Muslim and belongs to an immigrant minority community in Britain but mainly because he is expected to lead the transformation of London during the next five years.

In most western and several other cities across the world, the mayor is recognised as an important political leader who plays a key role in guiding the destiny of his or her city. Ken Livingstone who was mayor of London from 2000 to 2008 became famous for shaping a new transport policy and introducing the ‘congestion charge’ which has helped reduce traffic congestion and pollution in the central area of London.

Bloomberg who was elected mayor of New York for three consecutive terms from 2001 came out with a new plan to transform the city through “PlaNYC – a Greener and Greater New York” to fight global warming and protect the environment. His “Million Trees NYC” initiative reduced greenhouse gases by nearly 20%.

Can we think of any such examples in India? There might be some commissioners of the city corporations who tried to bring about some changes in their brief tenure before they are transferred out but it is difficult to identify mayors who made name. Not because we have no individuals who can measure up to the task but because the system does not provide the environment for city leadership to flourish. The Indian mayor is a powerless entity with a tenure of office ranging from one year in cities like Bengaluru to two and half years in Mumbai and five years in Lucknow and Bhopal.

The mayor’s duties are confined to presiding over Council meetings and participating in ceremonial functions. Even where the term is five years, the mayor lacks authority except to some extent in Kolkata where there is a Mayor-in-Council system. The city administrative structure in India is fragmented and works in silos. Urban public services are provided by multiple authorities and there is no focal point of leadership and accountability. Although the 74th constitutional amendment aimed at decentralisation of powers to the urban local bodies, the state government still plays a dominant role in city administration. You often find it is the chief minister or the minister for urban development who takes major decisions pertaining to cities. May be because wealth is concentrated in large metropolitan cities and urban resources, particularly land command high value. The fact remains that the state leaders

are reluctant to share their ‘urban’ power.

One of the important questions facing the country today is how to make our burgeoning cities liveable by ensuring at least the minimum civic services like safe water, sanitation, good quality roads, public transport and housing. The central government has launched ambitious schemes such as Swacch Bharat Mission, AMRUT and Smart Cities Mission aimed at urban transformation.

Though well intentioned, their successful execution requires able leadership, apart from enormous resources and institutional capacity. Besides money and manpower, what we need is a set of governance reforms which will put in place a unified city administrative structure, ensure transparency and accountability, facilitate public participation and catalyse efficient delivery of urban services.

5-year term

In the first place, we must have a system of directly elected mayor which is prevalent in most metropolises in the world-London, New York and Paris in the west or Jakarta, Bangkok and Tokyo in Asia etc. He must have a term of five years and executive powers with appropriate checks and balances and assisted by a small committee, somewhat like a cabinet. Secondly, the city planning function must be brought under the mayor who must set the vision for the growth of the city.

The mayor must also be made the coordinating authority of all the city level functions performed by different agencies like the water supply and sewerage board, the electricity company, the public transport corporations etc. Third, it is absolutely essential to introduce professionalism in city management. Urban planning, infrastructure development, environmental protection, financial management and application of technology require well qualified professionals and recruitment rules must provide for inducting them.

In his recent thought provoking book, *If Mayors Ruled the World*, Benjamin R Barber says that cities and mayors who run them are the best forces of good governance. He further argues that cities which are not burdened with issues of borders and sovereignty are better equipped to meet the challenges of our times like terrorism, climate change, drug trafficking and poverty than nation-states which are becoming dysfunctional.

City to city collaborations and continent spanning urban networks “constitute a layer of global governance with a transformative impact on urban and global problems”. The author cites the example of C-40 network of global cities addressing the issue of climate change and how it is on track to reduce carbon dioxide emissions by 248 million tonnes by 2020.

With urban population projected to reach 500 million by 2031 and urban areas contributing over 60% to our GDP, visionary leadership is crucial to the task of fixing our cities-from potholes and sewers to traffic and garbage. We need leaders who can inspire confidence among the people. They must of course be empowered to deliver goods and also be held accountable. Power and responsibility must go together.

The mayor should be recognised as the leader of the city. He must head the Vision Group for the city, not the chief minister who will have no time even to chair its meetings. Isn't it strange that the recently constituted Vision Group for Bengaluru did not include the mayor first? The entire elected body of 198 members has no representation and even the commissioner has been made only an invitee.

In all major cities of the world, it is the mayor who represents the city in all important events and activities. It is time the Indian mayor gets her due.

(The writer is former chief secretary, Government of Karnataka)

POLITICS AND GOVERNMENT

DECCAN HERALD, MAY 22, 2016

Mamata steamrolls all her opponents

Aloke Banerjee

The year-long blizzard of propaganda could not shrivel her prospects. Disturbing TV visuals of her ministers taking bribe, collapse of a Kolkata flyover killing over 20 people prior to the election had little impact on the results in West Bengal as Mamata Banerjee stormed back to power for a second consecutive term, leaving many political pundits baffled and fumbling for words to explain her unbelievably massive victory both in terms of seats and vote share.

How can one explain Mamata's triumph? Is the mandate a 'yes' in favour of her government's development activities or a 'no' to a hastily conjured alliance of two ideologically opposed partners, the Left and the Congress? The story contains both.

The 'no' factor

Trouble was brewing within the Left-Congress alliance since its inception. Many CPM leaders, from the Polit Bureau to the district committees, were ideologically opposed to the idea of joining hands with the Congress. It is no longer a secret now that many Left voters chose NOTA (None Of The Above) instead of an alliance candidate. Similarly, a large number of Congress supporters refused to vote for Left candidates, they voted for the Trinamool instead. In short, neither the arithmetic nor the chemistry worked for the alliance.

The Left-Congress partnership emerged too late, barely two months before the polls, giving it too little time to bloom. Also, after repeated electoral debacles, first in the 2011 Assembly polls and then in the municipal and Lok Sabha elections, the powerful organisation of the Left, which won them so many elections in the past, collapsed completely. So, while Trinamool workers were busy campaigning in the villages, the Left leaders had little option but to use air-conditioned studios of news channels as their primary vehicles of campaign.

The silent voters, whose votes finally determine the outcome of every election, did not trust the alliance. Many believed the Left-Congress bonhomie would not last long even if the alliance came to power. As a result, the government would fall, requiring another round of elections. These silent voters chose stability and voted for the Trinamool.

The Muslim community influenced electoral outcome in at least 80 of the 294 seats by supporting the Trinamool. The Left could be credited for preventing communal riots, but they virtually did nothing for the Muslims during their 30-year rule. True, Mamata promised much

and delivered little, but unlike the Left, she delivered something, felt the Muslims, particularly those in the rural areas.

Finally, the Left-Congress leaders' expectations on the possible swing in the BJP's vote share in their favour went horribly wrong. True to their calculations, the BJP's vote share came down from 17% to 10%, but the swing entirely favoured the Trinamool.

The 'yes' factor

Strange though it may sound, but many of the accusations against Mamata in fact helped her. The Trinamool was accused of running a "syndicate raj" in West Bengal. True, the syndicates fleece realtors, supply low-grade building materials at prices much higher than the market rates, but syndicate members, mostly men in their 20s and 30s, have no other source of livelihood.

There are at least 30,000 syndicate members in the Rajarhat-New Town area alone, and the Left-Congress alliance's promise of action against syndicates if they came to power worried these young men and they worked body and soul to ensure a Trinamool victory. Syndicates exist in all urban areas in Bengal and all of them worked for the Trinamool. Similarly, the Opposition's charge that the government was wasting tax payers' money to give donations to the local clubs alienated the club members, who doggedly worked to ensure Mamata's victory.

On the other hand, in spite of the financial constraints and the resulting shoe-string budget, Mamata's government successfully implemented a slew of development projects, particularly in the rural and semi-urban areas. In spite of repeated incidents of violence against women, Mamata managed to win them over by distributing cycles to girl students. Owning a cycle in a village is like possessing a Maruti car in a city. Interestingly, the idea of distributing cycles was floated by a chief secretary during the last leg of the Left Front rule, but the proposal was bluntly shot down by the then finance minister Asim Dasgupta.

Finally, distribution of rice at Rs 2 per kg came as Mamata's masterstroke. Better road connectivity, availability of water and medicines increased the Trinamool's vote share. Though corruption was clearly visible, local Trinamool leaders were pardoned by the rural voters. Issues like the Saradha chit fund scam, Narada sting operation, flyover collapse and campus violence eroded the Trinamool's vote share, but the erosion was confined to urban seats and every Narada-tainted minister won, albeit with a lower margin.

So, where does Mamata go from here? Insiders say Delhi is her next target. If the Third Front takes shape after the Uttar Pradesh elections, she hopes to play a major role at the Centre. Till then, she will concentrate on the next panchayat election in West Bengal to further consolidate her position.

(The writer is a senior journalist based in Kolkata)

TELEGRAPH, MAY 23, 2016

Jayalalithaa sworn in as CM for 6th time

Chennai, May 23 (PTI): AIADMK chief J. Jayalalithaa took oath on Monday as Chief Minister for the sixth time at a function in which leaders of the rival Dravida Munnetra Kazhagam were also present, breaking a practice of the rivals keeping away from the other's ceremonies.

Jayalalithaa, 68, along with 28 others including her trusted lieutenant O. Panneerselvam took the oath of office and secrecy in the name of God in Tamil. The oath was administered by Governor K. Rosaiah.

The All India Anna Dravida Munnetra Kazhagam chief retained 15 of her ministers who were in the previous cabinet and recruited 13 new faces including three women.

Union Ministers Venkaiah Naidu, Pon Radhakrishnan, Lok Sabha Deputy Speaker and senior AIADMK leader M Thambidurai and Jayalalithaa's aide Sasikala were seated in the front row.

DMK treasurer M.K. Stalin, former DMK Ministers EV Velu, Ponmudy, party MLAs Sekhar Babu, Vagai Chandrasekhar and Ku Ka Selvam also attended the ceremony. For decades both AIADMK and DMK leaders had kept away from the oath-taking ceremonies of rivals.

Amid slogans of "Puratchi Thalaivi Amma Vazhga (Long live revolutionary leader Amma) by AIADMK supporters, Jayalalithaa stepped into the decorated Madras University Auditorium in her trademark green saree.

Slogans hailing the party chief also echoed the venue when she signed the documents after taking oath.

Arrangements had been made for live telecast of the ceremony in many parts of the state with giant LED screens being placed at vantage points.

While Jayalalithaa took oath alone, others were sworn-in in groups in a brief ceremony lasting less than 30 minutes.

At the venue, she was welcomed by top state government officials led by Chief Secretary K. Gnanadesikan with a bouquet of flowers.

Later, when Governor Rosaiah arrived she welcomed him with a bouquet and introduced her Cabinet colleagues in keeping with the protocol.

Ministers in the outgoing Cabinet Natham Viswanathan, Vaithilingam, newly elected MLAs, Lok Sabha and Rajya Sabha MPs of the ruling party were also amongst the audience.

The ministers retained were O. Panneerselvam (Finance), Eddapadi K. Palaniswami (Public

Works), Sellur K. Raju (Cooperation), P. Thangamani (Electricity), SP Velumani (Municipal Administration), D. Jayakumar (Fisheries), CV Shanmugam (Law, courts), KP Anbazhagan (Higher Education), MC Sampath (Labour), R. Kamaraj (Food and Civil Supplies), C. Vijayabaskar (Health), SP Shanmuganathan (Milk and Dairy), RB Udhaya Kumar (Revenue), KT Rajenthra Balaji (Rural Industries), and K.C. Veeramani (Commercial Taxes).

Those retained include ministers in the outgoing Cabinet such as Jayalalithaa's trusted lieutenant O. Panneerselvam.

Others like CV Shanmugam, who had a stint during 2011-16 and were dropped later, have also found a place in the cabinet.

The new faces are Dindigul Srinivasan (Forest), V. Saroja (Social Welfare), KC Karuppannan (Environment), OS Manian (Textiles and Handlooms), Udumalai Radhakrishnan (Housing), R. Duraikannu (Agriculture and Animal Husbandry), Kadambur Raju (Information), Benjamin (School Education), Vellamandi N. Natarajan (Tourism), S. Valamathi (Backward Classes and Minorities Welfare), VM Rajalakshmi (Adi Dravidar Welfare), M. Manigandan (Information Technology), and MR Vijayabaskar (Transport).

PRESIDENTS

TIMES OF INDIA, MAY 20, 2016

Rashtrapati Bhavan to turn into smart town

New Delhi: Rashtrapati Bhavan has tied up with technology major IBM to develop the President's Estate into a smart township. President Pranab Mukherjee on Thursday inaugurated an Intelligent Operations Centre (IOC) and launched a mobile app 'Monitor' which will use technology for effective use of water management systems, power, waste disposal and horticulture.

Speaking on the occasion Mukherjee said, "The smart township can be a replicable model which can be adopted in other parts of the country through citizens' engagement, public and private sector participation and deployment of intensive technologies." He said that Rashtrapati Bhavan was in the process of replicating its experience by applying and transferring knowledge and expertise to five villages in an adjoining state. "We will try to convert these villages into model smart villages by following a convergence model.

"We will facilitate the establishment of linkages between expert bodies, administrative agencies and relevant state/ district level organizations. This will lead to the leveraging of different stakeholder expertise in finding unique solutions to the varied problems at the village level," he said.

On the occasion, secretary to the President Omita Paul announced institution of awards to keep the Smart President's Estate a dynamic and inclusive platform.

PUBLISHING

DECCAN HERALD, MAY 22, 2016

Now, a new platform for unpublished writers

R Krishnakumar

Anybody can write. Better still, anybody can get published. That's the line on which valmeeki.com, a Kochi-based virtual publishing start-up, is building its client base. Valmeeki, perhaps, becomes a natural choice for the name here, considering the adi kavi's celebrated transition from robber to writer. Over the 10 months since its formal launch, the group has published 300 titles; 250 of them in Malayalam, 30 in Kannada and 20 in English.

The Valmeeki team draws from potential in a digitised world where everyone seems to have a story to tell and from statistics – 20 million mobile subscribers are added every quarter, 42 % preferring regional content. It's about finding new contexts to the business of publishing but more about offering people new spaces to express themselves.

Kuruvilla Chacko, CEO of valmeeki.com, talks about these people – an office help who writes poetry during her off-work hours, a retired All India Radio employee who came over with plays he wrote 2 decades ago, a football player-fan who penned down his thoughts on the Beautiful Game – rebooting aspirations to write.

The publishing house has also opened up new avenues for the traditional writer to connect with a new generation of readers, without having to go through the rigour of existing publishing set-ups. "Even on the internet, getting a new writer tagged to a platform like, say, Kindle, won't take him or her far because the writer will be lost among the tens of thousands who are already there. We had to come up with a publishing space in tune with the times. We are not just offering a marketplace for the writers to sell their work; we are here to represent them and promote their careers," says Chacko.

About 80 % of the titles are by new or self-published writers. A Valmeeki team scouts for talent through blogger networks and other sources; writers also approach the team seeking help. The second phase involves editorial screening and digitisation before the books are converted into a compressed format.

Valmeeki offers proof reading, editing support, DTP typing and cover designing at a service cost. The editorial team rates the content but doesn't reject the works. Through its mobile app Valmeeki, now on Google Playstore, the publishing house makes available the titles, to be purchased and downloaded. The promoters say apps for Apple iOS and Microsoft Windows Store are being readied. By the end of May, the titles will also be available on the group's website. There are titles available for free; the priced titles come in the Rs 10-Rs 100 range. The

writers are offered up to a 50 % royalty as a share in revenue. “In 3 to 4 weeks, we hope to come up with a new revenue model. The downloads could become completely free but revenues would be generated from advertisements on the pages. Eventually, this will be a set-up where neither the writer nor the reader is going to spend money,” says Chacko.

The Valmeeki founder team consists of Chacko, an engineer and travel writer, Vishnu M Unnithan, Director – Operations, Suhair Zain, Director – R&D and Vishnu G P, Director – Technical. KITCO, a public sector engineering consultancy firm, holds a minority stake in Valmeeki and functions as a mentor for the group. The publishing house has a Mysuru-based team member who identifies emerging writers in Kannada.

Valmeeki has also managed to get on board established Kannada writers including T K Dayanand’s 'Baudelaire na glasu' (Baudelaire's Glass) figures in the list of titles). In Malayalam, eminent writer K L Mohana Varma has shown interest in publishing with Valmeeki. “For established writers, virtual publishing comes with possibilities of reaching out to a new, large readership. It also allows them to experiment with language and work with new narrative formats,” says Chacko.

The publishing house, still, has raw, untested writing talent in focus. A conference it organised at Thiruvananthapuram in October last year had doubled as an introduction to the concept, generating interest among aspiring writers.

Changalakilukkam – a 3-volume work on elephants in Kerala – is one of Valmeeki’s most popular titles, clocking a combined 6,000-plus downloads. A couple of Indian English titles have registered more than 1,000 downloads as well.

Valmeeki also proposes to act as a literary agent for select writers and publish their works, based on their popularity on the apps. “More downloads mean more prospects of getting published. Typically, we have a cut-off at 2,500 downloads, based on which we decide to go ahead with plans to publish the work. Changalakilukkam could be our first title to get a traditional release,” says Chacko. The publishing house is also exploring possibilities in graphic novels, journals and unpublished movie scripts.

Valmeeki could contribute to the publishing industry change, the kind which a surge of new-generation filmmakers effected in the Malayalam film industry a few years ago. But an endorsement of the anyone-can idea could also mean a compromise on quality. Chacko feels that a set-up which offers exposure to new writers and promises to do away with the “delays and hassles” of regular publishing cannot be too stringent on the quality of content.

“We do get really bad pieces of writing but we don’t reject them. We rate them low and relegate them in terms of visibility. The way we see it, it’s about providing opportunities to everyone; for us, it’s just a matter of some space in KBs,” he says.

URBAN DEVELOPMENT

STATESMAN, MAY 23, 2016

Kolkata's ground zero

KP Bhattacharjee

Close to two months after the collapse of the NoThe Road flyover, there is no statement yet from the West Bengal government on the reasons for the tragedy and the responsibility thereof. The matter was a major issue during the recent Assembly elections.

Sluggish indeed has been the investigation, the restoration work and the task of clearing the area of the debris. On April 15, the Chief Minister addressed an election rally at Satyanarayan Park Rs close to the disaster site Rs for her party's candidates in Jorasanko and Shyampukur. Many among the locals were not interested in hearing the speech; instead they blamed the government for the disaster.

They felt that it is the government's responsibility to execute the project and to ensure its safety. There have been reports in the press about the change in design and details of the flyover over the past five years. A new contractor, IVRCL, had been engaged with the approval of the state government and its agency, KMDA. IVRCL had engaged sub-contractors (allegedly close to the ruling party) to do the actual construction work.

The present government is therefore responsible for design and decisions (technical and non-technical) that led to the collapse. It must reveal the facts and name the organisations, government and private, that are responsible for the collapse.

Action must be taken against them as per the law of the land. A discussion is required on the proper layout, design and supervision of this project because very little data is available in the public domain. It is not possible to discuss the technical facts and figures; these are with the government agencies and the contractor who had been engaged.

The decision to construct this flyover was taken in 2005 by the previous government; however, as per records, the then administration, through its letter dated October 17, 2005 changed the contractor and the project was awarded to KMDA, which was the main government agency in-charge of the project. IVRCL was then assigned to carry out the construction. The project has been delayed by ten years, during which time there have been changes in design, layout and cost

of construction.

The real estate syndicates allegedly worked as sub-contractors. These are among the critical issues that ought to be investigated and made public. Citizens have the right to obtain information on a public project on such matters as its justification, its design, its cost, its time-frame, name of the contractor, the name of the government agency and the officer incharge of the project.

Any changes in any one of these aspects must be brought to the notice of the people. Any specific information sought by the public must be made available. It is important to hold a public hearing in the locality before finalizing the layout and design. This affords an opportunity to the residents to express their opinion. Many of them are now complaining that the beams of the flyover are dangerously close to their homes. They would have raised objections had they known about this earlier. This flyover covers more than three-fourth of the roadspace, and the cantilever arm of the beams are within a foot of the veranda and rooms of many buildings.

Such a layouts hould not have been approved by the authorities. The system of collecting information on “project affected people” (PAP) is very important; it is invariably followed in the case of projects constructed with loans from the World Bank and IBRD. In view of the fact that the flyover covers three-fourths of Vivekananda Road, the planners should have investigated whether it could have been built on some other road or even as an underground link. These options need to be examined before construction starts.

The state governments hould have informed the public as to why it had dropped the earlier contractor; what was the provocation for appointing another contractor; whether there would be any cost escalation for it is public money after all. And the public has the right to know these details. In reality, what has probably taken place is the looting by the so called friends and syndicates spawned by the ruling party. There are national codes and statutory guidelines for the construction of roads and bridges.

A tender document is prepared for such a project, mentioning the technical tests that need to be carried out, the specifications and costs and other terms and conditions in order to complete the project as per technical standards and to execute it within the estimated cost. The most important aspects are the design, specifications, use of quality materials and testing of such materials, such as test certificates of the steel used.

The test reports must be prepared and checked by the supervising engineer; “cube test” for concrete must be carried out and the reports verified. Kolkata is dotted with flyovers. It is time to

consider whether there are alternate ways to improve urban transportation. A fairly common and inexpensive option is to improve the present traffic operation and management system of the city and its periphery. As experts have stated, there is no efficient traffic system in the city. Clearing the congestion is merely a 'fire-fighting arrangement'.

There is a need to install CCTV on all major roads. Kolkata needs to find alternatives to the flyover and the Metro. Both are expensive propositions, a drain on the public exchequer. No wonder the World Bank declined to provide a loan to the Metro Railway. The citizens must be kept in the loop and involved in all public projects not least because these projects are undertaken with public money.

WOMEN

DECCN HERALD, MAY 23, 2016

Draft policy must act on marital rape

India's draft National Policy for Women, 2016, marks an important step towards improving the situation of women in the country. The previous policy was formulated 15 years ago and was thus out of tune with the times. The new policy reflects better changing ideas, perceptions and approaches to gender roles and relations in the country and worldwide. It marks a shift away from a welfare approach to one that is "welfare with a heavy dose of rights." Hitherto, policies on women were based on perceptions of them as objects of charity and beneficiaries of programmes aimed at uplifting them rather than as individuals with rights. While the 2016 policy does not go far enough in embracing a rights-based approach, it takes a few steps in that direction. It extends greater recognition for women's reproductive rights by taking measures to regulate surrogacy and shifting the focus of family planning policies from female sterilisation to male sterilisation. It makes care of children, the sick and elderly the responsibility of both women and men and, to this end, calls for paid leave and other facilities for both. Importantly, the 2016 policy shines the spotlight on single women. Single women face numerous problems in our society, including social isolation, difficulty in securing housing or admission to school for their children etc. Besides recognising them as independent entities rather than as extensions of male relatives, the 2016 draft policy calls for setting up of social protection mechanisms to address their vulnerabilities and create opportunities.

While the 2016 draft policy is reported to have drawn on a cross-section of expertise, it is unfortunate that it has not incorporated key recommendations made by the High Level Committee on the Status of Women in India that was set up in 2013. It had suggested criminalisation of marital rape and decriminalisation of sex work, but the 2016 draft policy ignores the recommendations. Minister for Women and Child Development Maneka Gandhi has sought to justify the draft policy's silence on marital rape by claiming that in 99.9% of the cases, women do not use laws against rape and that the government cannot intervene on a matter that is "sensitive" and "complicated." These are flimsy, untenable and dangerous excuses to avoid protecting women against violence. It weakens the very foundation of the draft policy by upholding patriarchal values.

Simply consulting civil society, experts and activists before finalising the 2016 policy on women will not do. The government must include their suggestions. The policy should be forward looking. Its primary goal must be empowering women rather than endorsing outdated norms.

YOGA

PIONEER, May 19, 2016

‘OM’ NOT A MUST DURING YOGA DAY, VENKAIAH NAIDU DISPELS DOUBTS

Union Urban Development Minister Venkaiah Naidu on Wednesday said chanting of “Om” during yoga sessions on the International Yoga Day on June 21 is not mandatory. “Do not make yoga controversial. ‘Om’ is not mandatory. Yoga is a great ancient Indian art which will discipline both the body and the mind,” said Naidu in a tweet.

Naidu’s comments come after reports about a Central Government circular that proposed chanting of ‘Om’ and recitation of Vedic mantras before the 45-minute yoga session on June 21.

Earlier, the AYUSH (ayurveda, yoga, unani, siddha and homeopathy) ministry too said no attempt be made to create a controversy over the International Yoga Day, as no one will be compelled to chant “Om”.

“There is no compulsion to chant ‘Om’ before the yoga session. It is completely voluntary and one can remain silent. No one will object,” AYUSH ministry joint secretary Anil Kumar Ganeriwala had told IANS.