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CIVIL AVIATION

ASIAN AGE, FEB 1, 2014

US aviation regulator downgrades India in air-safety ranking

The FAA downgraded India from Category I to Category II. This is the first time that India has been downgraded. The downgrade will hit flights to the US by Indian carriers. Currently, there are 28 flights a week — 21 by Air India and seven by Jet Airways.

The downgrade will make it difficult for the two carriers to expand their operations to other US cities. Air India flies to Chicago and New York while Jet Airways operates only to New York. The downgrade also means that Indian carriers could be subjected to more safety checks by the FAA. Each time an Indian aircraft lands in the US, it could, in theory, be detained indefinitely, till the FAA completes its checks.

Passengers may also be asked to report earlier than the current three hours for check-in to ensure that departures of Jet and Air India flights are not delayed.

The FAA move could also affect Air India's plans of joining global airline network Star Alliance, as some global airlines could argue that the DGCA is not in a position to carry out safety oversight work.

While the downgrade does not mean that these airlines are unsafe, it shows that the FAA's Indian counterpart — the Directorate General of Civil Aviation (DGCA) — is not adequately equipped to properly monitor the safety performance of Indian carriers.

Expressing "disappointment" at the move, Civil Aviation Minister Ajit Singh claimed that India had been downgraded as the aviation regulator was unable to meet two FAA requirements — hiring more trainers and every aircraft having a route-proving flight — out of the over 30 requirements which FAA had raised during its audits last year.

"India has started work on hiring more trainers with the Cabinet giving permission for recruitment of 75 more personnel. We will complete the process by March. The FAA has taken the step even as work is in progress and their report is based on old data," the Minister said.

Turbulence in the air

First time India has been downgraded

Implies DGCA not adequately equipped to monitor safety performance of Indian carriers
Could affect Air India's plans of joining global airline network Star Alliance

(This article was published in the Business Line print edition dated February 1, 2014)

INDIAN EXPRESS, FEB 6, 2014

Health ministry says sale of e-cigarettes in Air India flights embarrassing, violates law

[Abantika Ghosh](#)

SUMMARYThe ministry of health has written to Air India objecting to the sale of e-cigarettes in its flights.

The ministry of health has written to Air India objecting to the sale of e-cigarettes in its flights. The ministry says the sale through Air India's discount booklets, violates the Cigarettes and other Tobacco Products Act, 2003 (COTPA) and puts the government in an embarrassing position as it is the implementing authority for COTPA.

“It has been observed that Air India through discount booklets Air Bazaar, distributed on board Air India flight, is selling a tobacco-free “electronic cigarette” with a picture of a model smoking... it is also contrary to our policy of using public conveyance for health promotion messages,” says the letter from Shakuntala Gamlin, joint secretary in the ministry to Rohit Nandan, CMD of Air India.

The law prohibits any direct or indirect advertisement of a tobacco product. However, it is not clear if e-cigarettes are classified as tobacco product. The tobacco control department had earlier written to the drug controller general of India to classify e-cigarettes which are electronic products that deliver a shot of vapourised nicotine, as a drug under Schedule K of the Drugs and Cosmetics Act and regulate it accordingly. Usually, e-cigarettes consist of battery-powered heating elements and replaceable cartridges that contain nicotine or other chemicals.

The ministry also holds Air India’s sale of e-cigarettes to be in contempt of Supreme Court’s order of July last year when the court had said that the Central and the state would have to “rigorously implement” the provisions of COTPA.

A senior official of the tobacco control department, speaking on conditions of anonymity, said that COTPA has been invoked for e-cigarettes on the ground that it is applicable to any product that may encourage use of tobacco. A concentrated shot of nicotine does not actually do anything to prevent a tobacco habit and may in fact induce a return to smoking.

CIVIL SERVICE

TRIBUNE, FEB 5, 2014

Justice Mathur to head Seventh Pay Commission

Former Supreme Court Judge Ashok Kumar Mathur will head the Seventh Pay Commission, which will revise salaries of over 50 lakh Central Government employees and remuneration of 30 lakh pensioners.

“The Prime Minister has approved the composition of the 7th Central Pay Commission,” the Finance Ministry said in a statement on Tuesday. The announcement for composition of the commission comes ahead of imposition of model conduct which will come into force once the schedule for the general election due in April-May is notified.

The retired Supreme Court Judge, who had also headed the Armed Forces Tribunal, has been appointed chairman of the Commission.

The Commission has been mandated to submit its report in two years time and its recommendations would be implemented from January 1, 2016.

The other members of the Commission, include, Oil Secretary Vivek Rae (full time Member), NIPFP Director Rathin Roy (part-time Member) and OSD in Expenditure Department Meena Agarwal (Secretary). In September 2013, the Prime Minister had approved setting up of the 7th Pay Commission. The recommendations of the commission will benefit around 50 lakh Central Government employees, including those in defence and railways, and 30 lakh pensioners.

The government constitutes the commission every 10 years to revise the pay scales of its employees and often these are adopted by states after some modification.

STATESMAN, FEB 4, 2014

Parliament supports protection for ex bureaucrats

New Delhi, 4 February: Endorsing a move to provide certain shield to retired bureaucrats, a Parliamentary Committee proposes to support a provision in an anti-corruption Bill which makes it mandatory for an investigating agency to seek prior permission from the government before questioning them.

“The Committee is in agreement with the provision of the Bill extending the protection to the honest public servant who ceased to be government servant for the bonafide omission/commission during their term in office,” says the draft report of the Parliamentary Committee on Law and Personnel on the Prevention of Corruption Act (Amendment) Bill, 2013.

The committee is expected to consider the report for adoption in a couple of days.

According to the Bill, an investigating agency may have to seek prior permission from the government before questioning a retired bureaucrat in a corruption case.

The provision is aimed at protecting retired bureaucrats from frivolous complaints. At present, there is no legal provision for investigating agencies to seek prior permissions to quiz a former government employee.

The changes in the Prevention of Corruption Act will have a bearing on Delhi Special Police Establishment Act which governs the functioning of CBI.

Prior sanction of competent authority is proposed to safeguard public servants from the vexatious prosecution after their retirement or remittance of office in the bona fide omission or commission in the discharge of their official duty, the Bill says.

As per rules, probe agencies like CBI and others have to seek prior permission to launch investigation against an officer of the level of Joint Secretary and above.

The amended Bill fixes a time-frame of three months for the government to decide on a probe agency's request seeking sanction for prosecution against government officials.

An additional one month may also be given in case the government needs to consult the Attorney General or the Advocate General.

Congress vice-president Rahul Gandhi has been pushing the passage of six anti-corruption Bills as part of a "framework" for fighting graft.

DECCAN HERALD, FEB 2, 2014

Centre to hike DA by 10% for second time, will make it 100%

Centre is likely to announce next month a hike in dearness allowance by 10 per cent to 100 per cent, benefiting about 50 lakh employees and 30 lakh pensioners.

It would be the second double digit DA hike in a row. The government had announced a hike of 10 per cent to 90 per cent in September last year, effective from July 1, 2013.

According to an official source, the preliminary assessment suggests that dearness allowance hike will not be less than 10 per cent and would be effective from January 1 this year.

He said the exact percentage hike in DA could be calculated only when the revised all India Consumer Price Index for Industrial Workers (CPI-IW) for December is released on February 28.

According to the provisional data released by government on January 31, the retail inflation for factory workers for the month of December stood at 9.13 per cent.

As per practice, the government uses CPI-IW data of the past 12 months to arrive at a quantum for the purpose of any DA hike. Thus, the retail inflation for industrial workers between January 1 to December 31, 2013 would be used to take a final call on the matter.

"It would be 10 per cent this time and would be announced in March," Confederation of Central Government Employees President K K N Kutty told PTI.

"Besides, raising DA to 100 per cent, the government should revise the pay and merge DA with basic pay", he said.

As per practice, the DA is merged with basic pay when it breaches the 50 per cent mark. DA merger helps employees as their other allowances are paid as a proportion of basic pay.

Kutty informed the central government employees would go on a two-day strike from February 12 and demand pay revision which would be possible through constituting the 7th Pay Commission. The government has announced setting up of the commission last year.

He said: "This DA hike won't help much as actual rise in the cost of living is about 300 per cent as on January 1, 2014. But they would pay us 100 per cent as DA."

DECCAN HERALD, FEB 2, 2014

IFS officer gets rave reviews from Pranab Mukherjee

Shemin Joy: Bureaucrat took on corrupt elements in Haryana Forest Dept

The Haryana government's vindictive action against an Indian Forest Services officer has come a cropper again with President Pranab Mukherjee upgrading his annual appraisal to "outstanding" for two years, from the "zero" category the administration had given.

This was the fourth intervention of Rashtrapati Bhavan in six years in favour of Sanjiv Chaturvedi, who took on the Bhupinder Singh Hooda-led government on forest scams in the state and faced its ire. In October last year, Mukherjee had quashed the Haryana government's charge sheet against the officer. In January 2008, the President had revoked his suspension and in January 2011, major penalty proceedings against Chaturvedi were quashed .

Chaturvedi has been described by his immediate bosses as "honest and hardworking". They also said he "can perform better if allowed to work freely" and his attitude towards weaker section was "nice". However, these remarks were not accepted by the government, which wrote in his confidential report that "officer is a model of misconduct

and arrogant officer, habitual to use abusive and defamatory words to his seniors. He had no control on his work.”

In another appraisal, the accepting authority said his immediate bosses had overlooked crucial facts available in records. In a communication on behalf of the President issued on Friday, Inspector General of Forests (IFS Division) Rekha Pai said the zero grade awarded by the accepting authority, as well as the adverse remarks, were “expunged in totality with immediate effect”. After considering Chaturvedi's memorandum, Pai said orders of the reviewing authority would stand.

Chaturvedi approached the President after the state government downgraded his annual confidential reports (ACRs) or performance appraisal reports for 2010-11 and 2011-12, though his immediate bosses had bracketed him in the “outstanding” category.

In 2010-11, Chaturvedi had overachieved revenue targets by 130 per cent due to which the reporting authority gave him 9.5 out of 10 and the reviewing authority a nine.

However, the accepting authority initiated an altogether new ACR without recording any appraisal on the part of the officer and arbitrarily awarded him 3.5 out of 10, which is considered as zero according to rule.

For the next year, the officer again overachieved revenue targets by 120 per cent and the reporting authority gave him 8.75 out of 10 and the reviewing authority 8.5.

However, the accepting authority downgraded it to 3.5 again. The order said the President concluded that the adverse entries recorded by the accepting authority were “not found to be tenable and hence expunged”. The President said the accepting authority's reports should be “altogether discarded”.

The officer, who was transferred 12 times in five years, had alleged that he was first suspended and later the chief minister got a case of abetment to suicide registered against him after one of the accused in a scam ended his life. He also claimed that the state government kept the case open despite the investigating officer giving him a clean chit.

CONSTITUTIONS

HINDU, FEB 4, 2014

Interpreting a federal Constitution

ARGHYA SENGUPTA AND

The Andhra Pradesh Reorganisation Bill, 2013, which creates the State of Telangana, has been decisively rejected by the Andhra Pradesh Legislative Assembly and Council. This rejection, together with the recording of 9,072 amendments and expression of views on its various clauses by its MLAs, and 1,157 like suggestions by its MLCs, has brought the process of the creation of new States in India into renewed focus. As has been opined previously in the pages of this newspaper, the constitutional position in this context is straightforward: Article 3 of the Constitution vests Parliament with the power to form a new State, provided that the Bill creating such a State is introduced on the recommendation of the President and he has referred it to the legislature of the affected State “for expressing its views thereon.” This would suggest that the views of the Andhra Pradesh Assembly will have no legal effect; the formation of Telangana is solely the prerogative of the government of India. While this may indeed be the position of the law as it stands today, the unprecedented nature of the rejection of the Bill by the Andhra Pradesh Assembly requires the legal interpretation of Article 3 be reconsidered. Such reconsideration is also prompted by the changing nature of Indian federalism, aptly demonstrated by the curious situation of a Congress government at the State level defying its counterpart in power at the Centre.

Unprecedented rejection

The key distinction between this instance and earlier disputes raised in relation to the formation of a new State lies in the fact that never before has an Amendment Bill been rejected by the State legislature in question. Both in *Babulal Parate* (Supreme Court) and *Pradeep Chaudhary* (Supreme Court, 2009) seminal judgments of the Court dealing with the creation of Bombay and Uttaranchal respectively, the issue before the Court was whether it was open to Parliament to amend the final Bill after the State legislature had expressed its views on an earlier, unamended version. In both cases, the Supreme Court, adopting a literal interpretation of Article 3, held that there was no requirement that an amendment to a Bill forming a new State would also have to be referred to the State legislature concerned. Such interpretation is arguably correct — the proviso to Article 3 simply states that the Bill must be sent to the State legislature concerned for expressing its views within a specified period. The provision is silent on whether later amendments have to be referred, as well as on the effect that the views of the State legislatures will have. Thus read literally, even a wholesale rejection of the Bill can be ignored by Parliament, since Article 3 merely gives State Assemblies a consultative role — their views are not binding on Parliament in any way.

However, to treat the State’s views as carrying merely formal value, as has been widely suggested, would render the constitutional process of consultation entirely nugatory in a matter of national importance. The current proviso to Article 3 was introduced by the Constitution (Fifth Amendment) Act, 1955. Before this amendment, the President could

only introduce an Amendment Bill in Parliament after referring it to the State legislatures concerned for their views. This was a time-consuming process, allowing States to vacillate in responding, thereby frustrating the efforts of the government of India. This amendment was necessary to lay the groundwork for the smooth passage of the States' Reorganisation Commission Report that recommended a radical redrawing of State boundaries and creation of new States. By adequately circumscribing State power, it was felt that no single State could hold up the process of reorganisation.

But what if a State rejected the proposal to create a new State outright? Both the proviso to Article 3 as well as the Rajya Sabha debates prior to its passage are silent on this specific question. The reason for such silence is aptly demonstrated in a speech by MP Professor N.G. Ranga who said in the House, "I am glad really now that this Bill has come to be introduced instead of ... the Congress Party trusting itself to its capacity to get the local majorities, which are also Congress majorities, to express the views of the legislatures." (Rajya Sabha Debates, December 15, 1955). The proviso was thus brought in at a time when such disagreement between the Centre and States was not a real possibility. Neither did Parliament envisage nor did it legislate for such a situation. The rejection of the Telangana Bill by the Andhra Pradesh Assembly is evidence of a dramatically changed time. For the legal interpretation of Article 3 to ignore such change would be an anachronism. It would also be inconsonant with the Supreme Court's characterisation of the Constitution as "a living tree" capable of continuous growth with concomitantly changing scenarios.

Bommai case

Such reinterpretation of provisions of the Constitution that have bearing on its federal character has precedent. In terms of the legality of the imposition of President's Rule in States under Article 356, the Supreme Court in *S.R. Bommai v. Union of India* (Supreme Court, 1994) overruled its own precedent in the case of *State of Rajasthan v Union of India* (Supreme Court, 1977). While holding that the power of the President to impose President's Rule is not above and beyond judicial review entirely, the Court narrowed down the circumstances and the manner in which such powers could be exercised. The premise of this shift in constitutional jurisprudence was that the principle of federalism was part of the basic structure of the Constitution, and this principle could only be deviated from in exceptional and extraordinary circumstances, i.e. where constitutional rule was not possible in the State. In doing so, the Court recognised the pitfalls of a literal minded construction of the Constitution as was done in the *Rajasthan* case. In the absence of any checks on the exceptional power of the President to impose President's Rule and give federalism a go-by in the name of upholding the Constitution, the Court recognised that the Constitution itself could be subverted.

The Supreme Court's course correction in *Bommai* has a deeper lesson. That India's constitutionally envisaged federal structure has a strong centralising tendency is beyond question. Such a tendency is not unique to India. Federal states the world over — Canada, the United States, Australia — all display discernible centripetal forces irrespective of differences in their federal structure. But the decision in *Bommai* and now the Andhra

Pradesh Assembly's rejection of the Telangana Bill marks a significant change in this dynamic. It provides recognition to a more balanced union, with Centre and States seen increasingly as coordinate entities. At a time when the Chief Minister of West Bengal trumps the decision of the government of India to sign an international accord, the sole prerogative of the Central government, and the Chief Minister of Tamil Nadu prevents Sri Lankan cricketers from playing in Chennai despite them having valid visas for travel in India, such a reworked understanding of federalism in India is both realistic and pragmatic.

Towards a new federalism

In the face of such changes, to merely parrot an originalist constitutional vision of a strong Centre while interpreting legal provisions is to take a blinkered view. The centralising tendency in India's federal structure was adopted at a time when it was necessary to weld India's disparate elements together into a nation. This was a task for which the government of India was uniquely positioned and required a supporting constitutional architecture. Thus, the federal provisions of the Constitution were as much lofty vision as political strategy. Such strategy now requires a careful recalibration since such a tool for nation-building, if used unthinkingly, will be seen purely as central hegemony. Such forced unitarity will be more harmful than a genuine recognition of a more equal federal structure that is perfectly consonant with the idea of India.

This does not in any way mean that the Andhra Pradesh Assembly's views on the Telangana Bill should be the last word on the matter. Such an inference would be plainly unconstitutional. However, it is necessary that the Central government be required in law to adequately take into consideration the reasons why the Andhra Pradesh Assembly rejected the Telangana Bill. This obligation should be discharged in writing, demonstrating a proper application of mind with accompanying reasons as to why each recommendation has been accepted or rejected. Without such consideration, the Andhra Pradesh Reorganisation Bill, 2013, if passed, would seriously lack legitimacy and be inconsonant with the dynamic federal spirit of the Constitution.

(With inputs from Sakshi Aravind)

(Arghya Sengupta and Alok Prasanna Kumar are research director and senior resident fellow respectively, at Vidhi Centre for Legal Policy, a New Delhi-based legal policy think tank.)

The rejection of the Telangana Bill by the Andhra Pradesh Assembly must not be dismissed as having no legal consequences as that would render the constitutional process of consultation entirely nugatory

CRIME

ECONOMIC TIMES, FEB 4, 2013

Government asks states to implement SC order on death row convicts

NEW DELHI: The Centre on Tuesday directed all [states](#) to take "urgent suitable action" in implementing the Supreme Court's guidelines for safeguarding the interest of the [death row](#) convicts.

In a communication, the Home Ministry said the court had examined several individual death row cases and commuted capital punishment of the petitioners to [life imprisonment](#).

"You are requested to take urgent suitable action for implementing the orders of the [Supreme Court](#) in your state/ Union Territories," Joint Secretary in the Home Ministry S Suresh Kumar said in the communication accessed by PTI.

The Ministry said the apex court had said legal aid should be provided to the [convicts](#) at all stages even after the rejection of mercy petition.

Hence, Superintendents of Jail are directed to intimate the rejection of mercy petitions to the nearest legal aid centre apart from intimating the convicts.

It said the convict has a constitutional right under Article 72 of the Constitution to make a mercy petition and hence the rejection of the mercy plea by the President should forthwith be communicated to the convict and his family in writing.

It would be mandatory for prison authorities to facilitate and allow a final meeting between the prisoner and his family and friends prior to his execution.

Following the hanging of Parliament attack case convict Afzal Guru about a year ago, his family members had complained that they were not informed in advance about his scheduled execution at Tihar Jail in Delhi.

The family had said they received the information only after his hanging, that too through the media.

Facing flak, the Home Ministry had claimed that they sent a letter to Guru's family in Kashmir through SpeedPost which the family received a few days after his execution. Quoting the January 21 Supreme Court verdict, the Home Ministry said death row convicts were entitled to receive a copy of the rejection of the mercy petition by the President and the Governor.

It said solitary or single cell confinement prior to rejection of the mercy petition by the President is unconstitutional. Even though prison manuals of the states do have necessary rules, the court felt that the rules should not be interpreted to run counter to its ruling and violate Article 21 of the Constitution.

As and when a mercy petition is received or communicated by the state government after its rejection by the Governor, all necessary materials such as police records, judgements of the trial court, high court and the Supreme Court and all other connected documents should be called at once fixing a time limit without fail for rendering the same to the Home Ministry in one go and not in a piece-meal manner.

As a convict has a constitutional right under Article 161 to make a mercy petition to the Governor, he is entitled to be informed in writing of the decision on that mercy petition.

The rejection of the mercy petition by the Governor should forthwith be communicated to the convict and his family in writing or through some other available mode of communication.

A minimum period of 14 days was stipulated by the Supreme Court between the receipt of the communication of the rejection of the mercy petition and the scheduled date of execution. This is to enable the convict to prepare himself and settle his affairs and meet his family members for one last time or to avail any judicial remedy. As it is quite possible that some death row convicts might lose their mental balance, there should be regular mental health evaluation and appropriate medical care should be given to those in need, the Ministry said.

After the execution warrant is issued, the prison superintendent should satisfy himself on the basis of medical reports by government doctors and psychiatrists that the prisoner is in a fit physical and mental condition to be executed.

If the superintendent is of the opinion that the prisoner is not fit, he should forthwith stop the execution and produce the prisoner before a medical board for a comprehensive evaluation and shall forward the report of the same to the state government for further action.

Death row convicts should be provided with copies of relevant documents within a week of conviction by the prison authorities to assist in making mercy petition and petitioning the courts.

After the execution of death penalty, post-mortem would need to be mandatorily performed to ascertain the exact cause of death, it said.

DEFENCE, NATIONAL

TRIBUNE, FEB 5, 2014

Positive signs

Sikhs can wear turbans in the US military

PENTAGON has acceded to a long-standing demand of the Sikhs that they be allowed to wear turbans while serving in the US military. Sikhs wearing turbans have served in many parts of the world, including in the US military at one time. They wear turbans in military service of Canada and the UK. In the US, however, since the 1980s, a ban on articles of faith prevented Sikh soldiers from wearing turbans and maintaining uncut beards. Concerted efforts of advocacy groups, supported by US political leaders, did yield some positive results as and thus accommodation was made for Major Kamaljeet Singh Kalsi, Captain Tejdeep Singh Rattan and Corporal Simran Preet Singh Lamba. Two of them served in Afghanistan. Their services were recognised with a Bronze Star Medal and a NATO Commendation Medal.

The new guidelines will allow soldiers to wear religious clothing, like turbans and skullcaps, while on duty. They also allow for facial hair, body art and other expressions of religious belief. This is an acknowledgement of the diverse nature of the US military, which now has thousands of Muslims, Sikhs, Buddhists, and people of other religious denominations. Many organisations have protested against the military's policy, which they said, forces soldiers to choose between their religious beliefs and service in the military.

The policy revision, however, does not give blanket permission to wear articles of faith. In fact, there is an administrative process which will have to be followed, and thus soldiers will have to ask for permission to wear their articles of faith. The policy is being challenged by advocacy groups in the US. They are determined to effect changes that would truly open the door by making such approvals automatic, and not subjective. US citizens of Indian origin have proudly laid down their lives while serving the flag of their adopted nation. Now they will be able to serve, even as they maintain their religious identity.

EDUCATION

HINDUSTAN TIMES, FEB 4, 2014

Education providers need to rethink what is needed for a changing India

Since 2005, the Annual Status of Education Report (Aser) has been tracking schooling status and learning levels of a representative sample of children in each rural district in the country. One of the most distinct trends from this nine-year stretch of annual data is the increase in private school enrolment.

In 2005, the rural all India figure of children (age 6-14) enrolled in private schools was 18.7%. By 2013, this has risen to 29%. Clear geographic patterns are also visible. Private school enrolment is high in the north. All states from Jammu and Kashmir to Rajasthan and Uttar Pradesh, private school enrolment today ranges from 30% to 50%.

In the Northeast too, apart from Tripura, private school enrolment is high and growing. A decade ago half of all children in Kerala went to private schools, now it is seven out of 10. In all other states where private school enrolment was low a decade ago, a clear increase is visible. Where private school enrolment is low, private tuition is high, even in early grades. For example, in 2013, close to 70% of children attended paid tuition in Class 1 in rural West Bengal.

Putting together the private school enrolment figures and the data on tuition, it seems like close to half of all children in elementary schools in rural India get some form of private inputs into their schooling process.

Interestingly, while the debate on private schooling is polarised between euphoria and despair, the reality on the ground is actually much more mixed. Evidence points to two facts. The fraction of children in private schools who attend paid tuition classes is substantially higher than that of similar aged children in government schools — implying that parents of private school going children do not depend on private schools alone.

Studies using ASER data as well as other independent studies show that controlling for family background, parental education, additional expenditures on schooling and other factors much of the difference in learning outcomes between children going to private schools and government schools goes away.

So, how does one interpret all this data? Three immediate points come to mind. First, it is crucial to remember that regardless of school type, across the board, basic learning outcomes are very unsatisfactory. In 2013, even in a relatively high-performing state like Himachal Pradesh where 34% children attend private schools, there are still 25% children in Class 5 in private schools who could not read basic Class 2 level text. The comparable figure in government schools is 35%.

So even in private schools in one of India's best performing states, a significant proportion of children after five years of schooling did not know the basics. This is a hard

fact. What this points to — is the urgent need to take a serious re-look at how teaching and learning is organised, supported and delivered in private schools as well.

Second, parents seem to assume that ‘more is better’. With rising ambitions and aspirations, parents want more schooling (more years, early enrolment into formal schools) and more inputs (private enrolment, paid tuition) in the hope that it will lead to better outcomes. While the results from private schools may be marginally better, parental hopes and investments are certainly not being realised either in terms of learning outcomes or in terms of future livelihoods.

Third, in many ways, government is like parents. Although government priorities are now changing, for years the assumption has been that more teachers, more teacher training, more qualifications, more infrastructure, more entitlements will lead to better eventual outcomes. While this approach may have brought universal schooling it has not led to learning for all.

What is obvious though is that people in India are making strategic choices. Choices are based on available resources and information and on calculations about the potential and future of each child. Parents use interesting ‘blended’ strategies combining public provision of schooling with private inputs for enhancement.

Whether government or private, education providers need to have a deep rethink about what is needed for a changing India. At the household level or at the country level we spend substantial proportion of scarce resources on our children’s education. Our top priority should be to clearly define what we want our children to learn by what stage and then organise the allocation, provision and regulation of the education system in line with what delivers the best outcomes for all.

Large-scale models of effective delivery needed to be guided by evidence on ‘what works’. If the law of the land is to be truly followed, then education and learning need to be guaranteed in all schools — whether private or government. Otherwise, the implications for both equity and growth will be severe.

Rukmini Banerji works with Pratham and leads the Aser effort

The views expressed by the author are personal

ELECTIONS

DECCAN HERALD, FEB 2, 2014

EC sets terms for freebies in election manifestos

Ajith Athrady:

'Promises should be backed by means of funding'

Following the Supreme Court's observation that freebies promised by political parties in their manifestos shake the roots of free and fair elections, the Election Commission of India (EC) has directed that parties may make promises, but they should also back them up with rationale and funding means to ensure that they are not just gimmicks.

“The directive principles of state policy enshrined in the Constitution enjoin upon the state to frame various welfare measures for citizens, and therefore there can be no objection to the promise of such welfare measures in election manifestos. However, political parties should avoid making those promises which are likely to vitiate the purity of the election process or exert undue influence on voters in exercising their franchise,” said the latest draft guidelines for election manifestos issued by the poll panel.

But the commission put a rider to parties that “in the interest of transparency, a level-playing field and credibility of promises, it is expected that manifestos also reflect the rationale for the promises and the ways and means to meet the financial requirements for them”. The commission also said election manifestos shall not contain anything repugnant to the ideals and principles enshrined in the Constitution and further that they shall be consistent with the letter and spirit of other provisions of the Model Code of Conduct.

“Trust of voters should be sought only on those promises which are possible to be fulfilled,” said the draft guidelines.

The commission has asked all national and state parties to respond with their comments on the draft guidelines by February 7.

After that, the commission will issue final guidelines and formally incorporate them in the Model Code of Conduct, so that they will be applicable for all future polls, said a letter from the commission to all political parties.

“While the commission agrees in principle with the point of view that framing of manifestos is the right of political parties, it cannot overlook the undesirable impact of some of the promises and offers on the conduct of free and fair elections and maintaining a level playing field for all political parties and candidates,” it said.

FINANCIAL INSTITUTIONS

BUSINESS STANDARD, FEB 1, 2014

Non-maintenance of minimum balance should not be charged, says RBI ATM charges to be renewed as well

The Reserve Bank of India (RBI) on Friday asked banks to discontinue the practice of levying penalty on non-maintenance of minimum balance in ordinary savings bank account, a move that may hit the fee-based income of banks.

“Banks may discontinue the practice of levying penalty for non-maintenance of minimum balance in ordinary savings bank accounts and instead consider converting such accounts to Basic Savings Bank Deposit accounts,” said RBI in the Annual Report of the Banking Ombudsman Scheme for 2012-2013.

Among the other action points for improving customer protection are: banks and Indian Banks’ Association (IBA) will revisit the ‘reasonableness’ of the proposed levy of charge for transactions done by customers at banks’ own ATMs. This comes at a time when banks, particularly public sector banks, were contemplating an increase in ATM transactions charges. Notably, on Thursday, RBI deputy governor K C Chakrabarty had said at an event in Mumbai that it would be "ridiculous" for a bank to charge its own customers for ATM services.

At present, there is no cap on free transactions at own-bank ATMs, while customers can use other banks’ machines up to five times a month without any extra cost.

RBI has also asked IBA to issue instructions at the earliest to banks to discontinue levy of pre-payment penalty on all floating rate loans and ensure that fixed rate loans are truly fixed and are not referenced to any floating rate benchmark.

Besides, banks have been asked to revisit the charges levied to ensure reasonableness, fairness and transparency in pricing. According to RBI, IBA will issue detailed operational guidelines to banks in this regard.

RBI said banks and IBA will formulate a policy on zero liability of customers in electronic banking transactions, where the bank is unable to establish customer-level negligence. “The onus of proving customer-level negligence would be on the bank and when such negligence is not established beyond doubt, the benefit of such doubt may be given to the customer. IBA and banks should strive to put in place policies, systems and processes to secure electronic banking systems, protect customer’s interest to bring it ‘on a par’ with traditional delivery channels,” RBI said.

RBI also asked banks and the IBA to work together to roll out a media campaign to create awareness about products and banks’ commitment to Fair Practices Codes.

“The Depositor Education and Awareness Fund and banks’ own advertisement budget may be used for the purpose,” said RBI.

STATESMAN, FEB 5, 2014

Banks or hundi

Narendra Modi's proposal on a Bank Transaction Tax is simply not going to make life easy. Instead it will create a bigger source of corruption. Yet we need to simplify the tax regime. The way forward would be to reduce personal income-tax. The consequent loss of revenue can be collected by imposing progressive excise duties on items of luxury consumption ~ BHARAT JHUNJHUNWALA

Narendra Modi has agreed to consider the proposal of doing away with income tax, excise duties, VAT and local taxes and replacing these imposts with a Bank Transaction Tax (BTT) which will be collected as a small percentage, say 2 per cent, of all transactions passing through the banking system. Simultaneously all notes above the Rs 100 denomination may be demonetised. This will make it difficult for people to undertake large transactions in cash. All transactions will be routed through the banks. The scheme begs the question whether BTT will lead to a decline or an increase in corruption.

The assumption underlying the proposal is that the business class will be happy to pay a small transaction tax if only to get rid of the tension. I happen to be a Marwari and belong to a business family. The proposal is not rational. A business man will always want to avoid paying taxes even if it is minimal.. They would be happy if the present 30-odd per cent taxation gets reduced to 2 per cent BTT; but they may yet avoid paying that nominal tax. There are so many ways in which they can evade the BTT. They can put in place a system of promissory notes or hundi. This is how the famous banker, Rothschild, had made a fortune.

A Jewish history website states: “In the 18th century, there was a Jew in Frankfurt-Am-Main by the name of Mayer Amshel Rothschild. He had five sons, so he sent each one to a different country. One went to London, one went to Paris, one went to Vienna, one went to Naples, and one stayed with him in Frankfurt. That created what we today call “international banking.” Because of the trust between the brothers, the Rothschilds created an international banking system.” One could deposit money with the Rothschilds in Vienna and receive an equal amount in Frankfurt. That is precisely how the hundi and hawala systems operate.

Businessmen can, if they wish, route their payments through hundi instead of through the banks. Tatas, Birlas and Premjis will issue hundis which will serve as an alternate currency. Payments will be made across the country without entering the banking system. Any attempt to stamp out this practice will spawn another cat-and-mouse game between

the evaders and tax collectors. That will be worse than the present system because it will be more diffused. Presently, excise duties are collected at the point of manufacture. Once an item enters the “white stream”, it leaves a trail to facilitate the collection of VAT and other taxes. The hundi system will leave no such trail and make it difficult to collect taxes.

The problem will afflict retail outlets. Say there is a TV manufacturer who is presently paying excise duty. The retail shop has to pay VAT because it has purchased goods on which excise duty has been paid. This check at the point of manufacture will be dismantled in the proposed BTT system. The manufacturer will be free to sell television sets to the retailer. He will only be required to pay BTT on money received through the banks. The retailer can, in turn, sell the TV set in cash to the customer, even if that is illegal. The consumer would be mighty happy doing so. He would save BTT of Rs 800 on a purchase of Rs 20k. And the money can be remitted by the retailer to the manufacturer by hundi. Thus a parallel cash economy will be created which will be very difficult to control because it will be very diffused. Presently all retail shops are forced to pay VAT because every TV set comes in the “white stream”. In contrast, evasion of BTT will have to be checked in every retail shop.

Another way to avoid paying tax would be to transport truckloads of cash in small denominations. A rough collection indicates that a payment of Rs 50 crore in cash would require 20 suitcases of notes of Rs 50 denomination. The cost of transporting these 20 suitcases from Delhi to Mumbai with an armoured carrier and guards would be, say, Rs one lakh. Against this, one would have to pay Rs 10 lakh as BTT. Any attempt to penalise such cash transactions would involve setting up of a police system and, in turn, create a huge source of corruption.

That precisely was the experience of Ghana in the 1980s. A World Bank report states, “The problems were compounded by a series of measures which shook the confidence of the public in the banking system. These measures included the demonetisation of 50 cedi (the basic monetary unit of Ghana) notes, the freezing of bank deposit accounts in excess of 50,000 cedis and the compulsory payment by cheque for all business transactions in excess of 1,000 cedis. The immediate response by firms and individuals was to re-channel their financial resources into the unregulated informal financial sector.” That is what BTT will do to India.

This tax will also deprive the economy of the benefits of trade. Today the goods pass through a large number of points ~ consignment agents, wholesalers and retailers. The goods are evaluated, sorted and distributed at every step. At present this does not involve additional taxation because VAT is collected only on the incremental value. In contrast, BTT will be collected at each point. Five transactions in the chain would lead to an imposition of BTT of 10 per cent. The business sector will try to avoid this by selling directly to consumers; or traders may collect cheques from consumers and pass them to

the manufacturer to deposit in its account. This will lead to a huge waste of time and energy. BTT is, therefore, simply not going to make life easy. Instead it will create a bigger source of corruption. Yet we need to simplify the tax regime. The way forward would be to reduce personal income-tax. Maybe the lowest slab could be raised to Rs 10 or even Rs 25 lakh. The consequent loss of revenue can be collected by imposing progressive excise duties on items of luxury consumption. Heavy excise duties and VAT may be imposed on luxury cars and air-conditioners.

The Goods and Services Tax should similarly be implemented with a progressive orientation, i.e. by providing for higher rate of GST on Harley Davidson motorcycles and lower rate on bicycles. The collection of income-tax should be simplified. Yashwant Sinha had introduced the “SaraI” form, which has been discontinued. It can well be reintroduced. We should not be under the illusion that tax collection will be effected easily. Kautilya had suggested that a spy system should be created to keep an eye on tax collectors; and another to watch the spies. Progressive taxation, simplification and harsh implementation are, therefore, urgently imperative.

The writer is former Professor of Economics at IIM Bangalore

HEALTH SERVICES

TIMES OF INDIA, FEB 5, 2014

Delhi govt gives marching orders to 16 hospital heads

Durgesh Nandan Jha

NEW DELHI: In a mammoth shakeup, the [AAP](#) government on Tuesday issued marching orders to medical superintendents of 16 hospitals, nearly 50% of the total 34 hospitals run by it. This includes the heads of Guru Tegh Bahadur and Lal Bahadur Shastri hospitals in east Delhi, Deen Dayal Upadhyay in west Delhi, B R Ambedkar in northwest and Janakpuri super-specialty hospital, among others.

While in most cases the outgoing MS has been replaced with another senior doctor from the same hospital, sources said in at least two cases, officials at the Directorate of Health Services have been appointed to run the hospital "with immediate effect":.

The government order, which was issued late in the evening, does not mention the reasons behind the reshuffle. Delhi health minister Satyender Jain told TOI that these were 'routine changes' aimed to improve the hospital management. "We wanted to give chance to new people," Jain said.

Sources told TOI that there were complaints many of the shunted officials. The health minister said unhygienic condition, overcrowding and the unavailability of essential medicines at the hospitals are some of the issues the government is focusing on, to begin with. He, however, refused to comment on corruption charges against some of the medical superintendents and whether that led to their ouster.

"Even if there is a complaint or charge against any of the officials, the government should prove it before acting against them. They can order time-bound inquiry if they so want," said the medical superintendent of one of the state-run hospitals who did not want to be quoted.

Most of the shunted officials were attending a meeting at the Delhi secretariat on Tuesday when they got to know about the transfer orders. "The chief secretary had called us for a meeting on hospital improvement where we discussed infrastructure development and computerization of medical records, among other things," said one of them.

This is the second major step taken by the health minister since formation of AAP-led government in the state. Before this, the health department has issued orders making it compulsory for doctors to prescribe medicines by their generic name instead of brands.

The state health minister said he is seeking suggestions on more steps that need to be taken to improve the city's health infrastructure through his mail id —

aapdelhihealth@gmail.com.

Officials said over 2,000 mails have been received and the suggestions include starting evening OPDs and super-specialty services like heart surgeries, transplants in the state-run hospitals.

ASIAN AGE, FEB 1, 2014

MBBS to be 1 yr shorter with early choice of field

There's good news for those wanting to study medicine. The duration of the MBBS course is expected to soon be shortened by a year. After following a "segmented curriculum" for years, the Medical Council of India (MCI) is considering a "competency-based" curriculum for undergraduate medical students.

The proposed curriculum focuses on developing skilled doctors through early clinical exposure, which is expected to result in shortening the duration of the existing five-and-a-half-year MBBS course.

The MCI academic council, which has been working on the new module, is expected to meet next week to finalise the new curriculum and send it to the government for final approval.

"The idea is to change the existing curriculum, which is not only segmented but lengthy as well, to a competency-based curriculum with a problem-based learning approach," Dr Ved Prakash Mishra, chairman of the academic council of the regulatory body, told this newspaper.

According to experts, the current undergraduate curriculum did not provide adequate skills at an initial level. Students will be allowed to choose a subject and carry on with the subject in detail rather than focusing on every subject in detail.

The changes are in line with the Lancet commission report of 2007 that proposed a global transformative model of education.

HINDU, FEB 1, 2014

Family history important in treating genetic disorders

Molecular geneticist Huda Zoghbi on Friday made a strong case for physicians to get as much knowledge about the family members of their patients as possible so as to help develop better treatments for various genetic and other disorders.

Delivering a talk on her research in the area of Rett Syndrome, a rare and devastating medical condition, she noted that her team had been able to increasingly get an insight into the disorder largely by going back and forth between trying to get better clinical understanding of the problem and a deeper study at the basic research level.

Mother of an 11-year-old child suffering from autism was among others who attended Professor Zoghbi's lecture at the Teen Murti auditorium here. The woman broke down while posing a question to the professor after the lecture and expressed how grateful she was to the research because it can help treat her child in a better way.

Paving the way for treatment of neurological disorders is what Prof. Zoghbi has been working on. An encounter with a young girl suffering from a neurological disorder inspired her to figure out the genetic origins of Rett Syndrome and to help people treat different neurological syndromes is now the main agenda of her research.

Prof. Zoghbi, who is presently Professor of Paediatrics, Neurology, Molecular and Human Genetics and Neuroscience at the Baylor College of Medicine, highlighted that the syndrome altered no less than 2,500 genes, resulting in a wide range of symptoms — from learning and memory deficiencies to motor dysfunction and convulsions. Her investigations have provided vital clues to the genetic and molecular mechanisms of other neurological disorders such as Spinocerebellar ataxia type 1 and Huntington's disease.

Speaking about Rett syndrome, the Professor said: "The lack or excess of the protein [MeCP2] in a human being causes symptoms like impaired memory and learning and social interaction, a peculiar wringing of hands, loss of balance and abnormal activity, all these are characteristic of Rett Syndrome."

She also shared information on other conditions, including autism, and MECP2 Duplication Syndrome, more common among males.

An animation in her presentation that sort of resembled the night sky with green star-like points flashing on and off, Prof. Zoghbi explained how neurons fired in a certain pattern, and in the case of the two MECP2 conditions how they fired in greater synchrony than in a normal person. This showed that the networks may be affected similarly, whether there was a lack or excess of the protein, she added.

"At the end of the day, how a network behaves accounts for the way a person behaves."

Prof. Zoghbi pointed out that though she and her team have been able to develop appropriate animal models for the disease and a roadmap that promises a good possibility for a treatment, it is still not clear as to when an actual therapy will be ready.

Narrating her journey from a paediatrician to an eminent medical researcher, she also recalled that a major challenge before her when she began her work was that unlike other genetic disorders this was a sporadic disorder with no apparent direct hereditary linkages.

Union Minister of Communication and Information Technology and Law and Justice Kapil Sibal, who did the honour of introducing Prof. Zoghbi to the audience, called for creating an international platform where scientists could collaborate on finding answers

to difficult questions such as Rett syndrome. The platform could be set up using the latest developments in the area of information technology.

Prof. Zoghbi delivered the lecture as part of the Cell Press-TNQ India Distinguished Lectureship Series. Co-sponsored by Cell Press and TNQ Books and Journals, it is aimed at bringing internationally renowned scientists face to face with the Indian scientific community.

Speakers featured previously as part of the series were Nobel winners David Baltimore, whose key contributions have been to immunology, cancer research and recombinant DNA research; Elizabeth Blackburn, who explored the telomere and its link with aging; and Shinya Yamanaka whose specialisation is stem cell research.

INTERNET

Pride of India

DECCAN HERALD, FEB 6, 2013

The appointment of Satya Nadella as the chief executive officer of Microsoft Corp is yet another recognition of Indian talent in technology and business.

He was actually being considered for the top executive position of the iconic software company along with another Indian, Sundar Pichai of Google. The fact that Nadella had his basic technology education from a university in Karnataka will also bring cheer to many. It is not the first time that Indians have reached top technological or managerial positions in ranking international companies. There are others like Indra Nooyi of Pepsico and Anshu Jain of Deutsche Bank who have made a mark as leaders. Many Indians have proved themselves as experts with remarkable domain knowledge of the areas where they work. But it is not specialised knowledge that propels people to top positions. It is a combination of knowledge, leadership power, innovative skills, personal qualities and interpersonal and communication abilities that makes a top leader. It should be a matter of pride for the country that it has many men and women who meet the most stringent leadership standards of the world.

Though Microsoft is an iconic company, it has lost its edge in many areas and it is for Nadella to give it a new direction and restore its prime status. It still dominates the personal computer market but the arrival of new devices like the smart phone and the tablet has posed a challenge. It is in competition with some of the best technology companies like Apple and Google. Its acquisition of Nokia has given it hardware openings which have to be explored further. A revival of the company will call for tough decisions at the technological and strategy levels.

Nadella is an insider, having been a part of the company for over two decades. He has run its cutting edge cloud computing division and knows its strengths and weaknesses. He may not have the unclouded vision of an outsider who can take an objective look at a company that needs to change. But the fact that the company has chosen him as its future leader after a long search underlines its faith in his abilities. Many start-ups and garage enterprises have grown into corporate giants on the strength of innovative ideas. But to give a fresh momentum to a leader which has stalled on the way and turn it around is much more difficult. That is the test and challenge for Nadella.

LABOUR

FINANCIAL EXPRESS, FEB 1, 2014

Karnataka IT gets labour law relief for another 5 yrs

The IT industry in Karnataka has been exempted from the purview of the controversial Labour Act for another five years starting from April 1.

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The IT industry in Karnataka has been exempted from the purview of the controversial Labour Act for another five years starting from April 1.

This issue had become a bone of contention between the industry and the state government as the exemption for over 10 ten years had come to an end in 2011. It was then given yearly extensions.

The IT industry in Karnataka was given an exemption from the Industrial Establishment (Standing Order) Act, 1946 governing labour relations but in 2013, the government was keen on bringing the sector under this law. The industry feared that bringing them under this purview would be the return of the “inspector raj” and they would be subject to unnecessary harassment.

ECONOMIC TIMES, FEB 4, 2014

EPFO meet to make Rs 1,000 monthly pension a reality

Govt will provide an additional Rs 1,217 cr to ensure minimum pension of Rs 1,000 starting 2014-15. Pensioners will get benefit with effect from April 1, 2014.

NEW DELHI: Trustees of Retirement fund body [EPFO](#) will decide tomorrow on amending the scheme to provide a minimum monthly pension of Rs 1,000, which will immediately benefit about its 28 lakh pensioners.

The Central Board of Trustees (CBT), the apex decision making body of EPFO, will also decide on amending [EPF scheme 1952](#) to raise the monthly wage ceiling to Rs 15,000 to cover more workers under its various social security programmes like Employees' Provident Fund (EPF) Scheme 1952, Employees' Pension Scheme 1995 (EPS-95) and Employees' Deposit Linked Insurance (EDLI) Scheme 1976.

At present, workers getting basic wages, including basic pay and [DA](#), of up to Rs 6,500 are covered under the ambit of Employees' Provident Fund Organisation (EPFO).

According to EPFO, the Finance Ministry has already approved the Labour Ministry's proposals for entitlement of minimum monthly pension of Rs 1,000 and enhancing wage ceiling to Rs 15,000 per month.

The government would have to provide an additional amount of Rs 1,217 crore to ensure the minimum pension of Rs 1,000 starting 2014-15. Pensioners are, therefore, expected to get benefit with effect from April 1 this year.

As per the agenda listed for the meeting, the trustees would meet on February 5 to approve the amendment in schemes run by EPFO to operationalise the two decisions.

The Central Board of Trustees (CBT), the apex decision making body of EPFO, had earlier approved the two proposals, following which the [Labour Ministry](#) pursued it with the Finance Ministry.

According to sources, after the nod given by the CBT, headed by the Labour Minister Oscar Fernandes, the two proposals would be put before the Union Cabinet for approval as the government would have to make provision of funds for the purpose.

The move to ensure Rs 1,000 minimum pension under [EPS-95](#) will immediately benefit about 28 lakh pensioners including five lakh widows. There are about 44 Lakh pensioners.

The other proposal for raising wage ceiling under EPF Scheme from Rs 6,500 to Rs 15,000 is expected to bring in 50 lakh more workers under the ambit of schemes run by EPFO.

Besides, the [trustee](#) would also consider a proposal to raise the retirement age of organised sector workers to 60 years under EPS-95.

At present, under EPS-95, the EPFO subscribers cease to be a member of the pension scheme after attaining the age of 58 years and can apply for fixation of his/her pension thereafter.

However, there is no age bar for contributing to the EPF and EDLI schemes run by the EPFO.

The [CBT](#) is also expected to deliberate on a proposal to withdraw two years bonus under the pension scheme provided to subscribers after rendering 20 years of pensionable service.

The Finance Ministry in its memorandum to Labour Ministry has proposed these amendments in the EPS-95 after giving its concurrence for providing a minimum entitlement of Rs 1,000 minimum monthly pension under the scheme.

The Finance Ministry is of the view that raising the retirement age for this purpose will help subscribers accumulate a bigger corpus while delaying the pay-out by two years.

Besides, the trustees will also consider the proposal for changing the methodology of computing the pensionable salary.

It is proposed to calculate pensionable salary on the basis of average salary of last 60 months instead of 12 months presently.

The pensionable salary is used for fixing pension of the EPFO subscribers after attaining the age of 58 years.

OMBUDSMAN

HINDU, FEB 4, 2014

Delhi Cabinet clears Lokpal Bill

SOWMIYA ASHOK AND

The Delhi Cabinet on Monday cleared the ‘Delhi Lokpal Bill, 2014’ that aims to bring all public servants– from the Chief Minister to all Group D employees – under its ambit with no safeguards or “special privileges” extended even to the Chief Minister’s Office. The Bill will be tabled in the Assembly to be convened on February 13 without sending it to the Home Ministry for approval as has been the convention so far.

Urban Development Minister Manish Sisodia hailed the passage of the Bill as a “historic moment” and told reporters that the Bill ensures time-bound investigations and filing of charge sheet.

The Bill also guarantees legal protection to whistleblowers and witnesses who will speak up against corruption.

HINDU, FEB 7, 2014

‘Delhi Lokpal Bill unconstitutional without Centre’s approval’

J. VENKATESAN

Delhi Chief Minister Arvind Kejriwal’s move to introduce the Jan Lokpal Bill in the Assembly without the Centre’s approval will be a violation of the constitutional mandate and the provisions of the Transaction of Business of the Government of National Capital Territory of Delhi Rules, 1993.

Legal opinion

This is the legal opinion Solicitor-General Mohan Parasaran has given to Lt. Governor Najeeb Jung.

Highly placed sources said the Lt. Governor sought the law officer’s opinion after the Chief Minister wrote to him on January 31, indicating that his government planned to bring in the Bill in the Assembly. Mr. Jung wanted to know from the Solicitor-General whether its introduction without sending the legislative proposal to the Centre accorded with the Transaction of Business of the GNCT of Delhi Rules, 1993, whether the proposal “involves any constitutional infraction” and whether it was in tune with the mandate of Article 239AA (special provisions with respect to Delhi).

Mr. Parasaran replied that Parliament had passed the Lokpal and Lokayuktas Act, 2013, and many of the provisions would obviously be overlapping with the Jan Lokpal Bill sought to be presented before the Delhi Assembly.

“Since there is already an existing law made by Parliament..., the Jan Lokpal Bill... has to be necessarily placed by the Lt. Governor for consideration and grant of assent by the President to avoid any repugnance.” In the absence of presidential assent, the law could never come into force, Mr. Parasaran said.

“A Bill, if enacted and if it involves expenditure from the Consolidated Fund of the Capital, shall not be passed by the Assembly unless the Lt. Governor has recommended to the Assembly the consideration of the Bill.”

Its provisions will overlap with the Lokpal and Lokayuktas Act, Solicitor-General tells Lieutenant Governor

POLITICAL PARTIES

TELEGRAPH, FEB 3, 2014

A LONG WAY TO GO

The emerging economic and social agenda of the BJP

Commentarao: S.L. Rao

The Bharatiya Janata Party has a prime ministerial candidate. He has made the 2014 election campaign into a one-man show. His party has not yet announced the full contours of its economic and social programmes. Narendra Modi has, in an election speech, stated important objectives, with no details. Nor has he said how he will go about implementing them. In its earlier tenure, the National Democratic Alliance saw good but uneven growth, privatization and disinvestment of public enterprises, removal of administered prices for petroleum products; it focused on infrastructure (roads and power), and limited social programmes, especially in education (Sarva Shiksha Abhiyan). These will no doubt again feature in the BJP's programme if it forms the government in 2014.

The United Progressive Alliance, over its 10 years of office, has some major economic and social achievements. Growth on average has been at record levels. The poor have benefitted from many social programmes, as indicated by the improvements in India's human development indicators. The UPA I had five years of macro-economic balance and growth and withstood the global financial crisis in its last year. Growth enabled higher tax revenues net of states' shares (in rupee crores, 439,547 crores in 2007-08, 534,094 in 2010-11, 771,071 in 2012-13, and as percentage to GDP for the same years, 8.18, 7.70 and 7.59). At the same time, social expenditures rose sharply (on major subsidies — food, fertilizers and oil products — from rupee crores, 67,498 in 2007-08 to 135,508 in 2010-11 and 216,297 in 2012-13, or as percentage of GDP, 1.35, 2.21 and 1.87). In addition, there were massive farmer debt write-offs by the UPA I (around Rs 80,000 crores), and on fresh social schemes — rural employment guarantee, rural health mission, the new food security bill as well as old ones like the Sarva Shiksha Abhiyan. The UPA's expenditures have soared. Fiscal deficits (Centre and states) as percentage GDP rose in these years from 4.09 to 7.88 and 8.09, and average inflation was at 4.8 per cent, 8.6 per cent and 9.0 per cent. Food prices have been rising more steeply since 2011. Savings (especially by households), as well as domestic and foreign investment, have also been weak. Portfolio investments have been erratic and helped to cause much volatility in the rupee's foreign exchange value. The UPA neglected macro-economic balance in order to significantly increase social expenditures. These were poorly managed and implemented, leading to an estimated half of intended beneficiaries not getting the benefits, and the theft of funds by officials. A direct cash transfer of benefits has been mooted to improve their delivery, but the roll-out maybe years away.

In spite of good growth in three of the five years of the UPA II, high inflation has corroded the buying powers of the urban poor and middle classes. The rural poor have benefitted by the employment guarantee scheme (wherever it reached beneficiaries). Rising support prices for grains, sugar, cotton have made surplus producers better off.

Industry has had poor growth in spite of the thrust into rural markets. Social programmes, leasing of natural resources, infrastructure expenditures have vastly increased corruption. The Jawaharlal Nehru National Urban Renewal Mission and innovative public-private projects with the government paying only “viability gap funding” in infrastructure resulted in a spate of projects in roads, metros, captive coal mines for power projects, as well as in new mega power projects. However, delays in government clearances (land acquisition, environment and forests), shortages of coal and gas led to the stranding of over Rs 500,000 crores worth of projects. This also weakened bank finances. The UPA has done little to curb black money, bring overseas illegal holdings back, and introduce methods to reduce corruption and investigate and punish the corrupt.

Do the BJP and Modi understand the issues and possible directions for dealing with them? Modi has so far only listed some of what he would do as prime minister. He has not put it in a framework of problems and policies to tackle them. Apart from the NDA’s earlier initiatives (fiscal balance, privatization and disinvestment, infrastructure investments, market determined petroleum product prices), he has said he will aim at improved economic efficiency and better implementation. Will he rationalize subsidies, expenditures on them, and better target them? The UPA’s social programmes, which have wasted huge funds and encouraged corruption, must be rationalized. All this requires more professional management. He must drastically reform the administrative services to improve individual accountability and punish malfeasance.

To accelerate direct benefits transfer to bank accounts, Modi must improve the Aadhaar delivery and millions of micro bank branches. He must improve public-private partnerships and ensure accountability of all concerned government departments for time-bound clearances. He must encourage private investment in agricultural infrastructure like warehouses, cold stores, refrigerated transport, rain water harvesting, water storage, canals and the like. He must get the government out of agricultural marketing. Price policies must not stimulate more grains production. To bring large increases in agricultural production, the BJP must accelerate clearances for genetic modification. Farm labour shortages in many states are attributed to the Mahatma Gandhi National Rural Employment Guarantee Act. While guaranteed employment and living for agricultural labour is good, it must not be allowed to affect farm production adversely. Some link between farm labour and the MGNREGA is required.

The NDA, in its six years in office, saw no attempt to restrict black money creation and the large holdings

overseas by Indian citizens. Like the Congress and other political parties, the BJP is unlikely to close the routes (investments from Mauritius free of capital gains tax, participatory notes), that will enable its politicians to use them for laundering illegal earnings and holding money abroad. Corruption will certainly not cease. However, improved implementation, better systems and individual accountability with severe penalties for malfeasance, could reduce it. So will the flurry of anti-corruption legislation by the UPA help speedier investigation, prosecution and punishment?

The NDA must not allow its *swadeshi* hang-up, which led it to oppose foreign direct investment in retail to stall other FDIs. Modi has said that defence industries must be opened. FDI and foreign trade (imports as well as exports) must be encouraged.

In tackling deficit reduction, a NDA government must revamp direct and indirect taxation. Modi mentioned increased emphasis on states to implement programmes, and so fund transfers to states will increase. The NDA must spell out its administrative methods for tighter monitoring and evaluation. Introducing the direct tax code and the goods and services tax must be the priority. A clear enunciation of programmes for the poor to get more opportunities for advancement is essential while revamping existing social programmes.

Neither Modi nor the BJP has a structured approach as yet with regard either to its economic or social policies for the poor. For example, a NDA government should not bemoan rural-urban migration as going away from a mythical pastoral Ram *rajya*. Instead, it must invest in infrastructure for roads, public transport, housing, health and education, for both old and new migrant populations in cities and towns. Migration for better livelihoods must be encouraged. But migrants must be enabled to live in decent conditions.

The ‘demographic dividend’ from a growing young population must be polished to prevent it from becoming a ‘demographic disaster’. Modi must detail his plans. Universal education, more schools, colleges and technical institutions, with better teachers and other facilities; private schools, colleges and universities; education and subsistence allowances for poor students; no restrictions by community, caste or gender; all these must be part of his detailed plans. Modi flaunts the Gujarat model of institutions and budgets for training in skills. These must be vastly expanded nationally. So also must investments in public health (sanitation, safe drinking water).

India is much more complex than Gujarat. Modi is yet to show that he understands and can deal with this complexity.

POLITICS AND GOVERNMENT

PIONEER, FEB 3, 2014

HARISH RAWAT GETS HIS DUE AS U'KHAND CM

Nearly 42 years since he started his political career as a gram pradhan, Harish Rawat's long-cherished dream finally came true on Saturday as he was sworn in as the eighth Chief Minister of Uttarakhand on Saturday.

Rawat was administered the oath of office by Governor Aziz Qureshi at Raj Bhawan along with a 11-member Cabinet all of whom were Ministers in the Vijay Bahuguna Government.

Rawat, who had missed out being Chief Minister after Congress' victory in Uttarakhand in 2012, however, still had had some anxious moments before being elected the Congress Legislature Party leader as a number of MLAs supporting Bahuguna delayed their participation in the meeting.

The AICC General Secretary Janardan Dwivedi set aside all speculations by making a formal announcement that the party president Sonia Gandhi approved Rawat's name. It was Rawat's zeal to be active in State politics that had led him to even revolt against the Congress after he was overlooked for the CM's post in 2012. The party appointed Bahuguna due to his proximity to 10 Janpath. Rawat was then pacified with a Cabinet portfolio in UPA-II.

Rawat was made MoS Labour and Employment in 2009 and later MoS for Agriculture and Food Processing Industries. In July 2011, he was made MoS for Parliamentary Affairs.

Born in a Rajput family on April 27, 1947 in Almora, Rawat, who has a degree in law, has been regarded as a hardworking leader and remained active in national politics too due to undisputed leadership image from the Hill State.

After remaining a trade unionist for long and then a member of Indian Youth Congress for several years, Rawat shot into fame by defeating BJP veteran Murli Manohar Joshi in 1980. In 1977, Rawat became a Youth Congress district president due to his proximity with Sanjay Gandhi, who was calling the shots within the party then.

Ahead of the Lok Sabha elections, Rawat's appointment is sure to infuse fresh energy into the party in the State, political pundits feel. More so, after Bahuguna's image took a severe beating due to his handling of relief operations following the flash floods. It was against this backdrop that Bahuguna was asked by the party high command to step down in a bid to salvage the party's prospect in the Hill State.

PRESIDENTS

TRIBUNE, FEB 5, 2014

President needs to observe decorum

Pranab Mukherjee forgets that he is only a constitutional head

Kuldip Nayar

PRANAB MUKHERJEE would have been a natural successor to Dr Manmohan Singh after he stepped down as Prime Minister. Precisely this was the reason why the person who had wide contacts was kicked upstairs. Sonia Gandhi's determination to make her son, Rahul Gandhi, Prime Minister came in the way of Mukherjee's political ambitions.

It was up to Mukherjee not to accept the post of President. But when he announced that he would not contest the election in 2014, it became clear that he was exasperated, waiting in the wings. Sonia Gandhi readily accepted the position because he had himself cleared the deck for Rahul Gandhi. Mukherjee had taken it for granted that the key role he had portrayed as a fire-fighter during the troubled times that he could not be ignored for having served the dynasty relentlessly.

Unfortunately, Mukherjee has not adjusted himself to the institution of President. He should refrain from making such remarks as he could do as a politician. I have not liked the dharna by the Aam Aadmi Party's Chief Minister Arvind Kejriwal on the demand of transferring two police officials who had reportedly insulted his Law Minister Somnath Bharti.

But Chief Minister Kejriwal has set a bad precedent by letting his Law Minister off the hook. He should have left it to the state Chief Secretary to deal with the "defiance" by the police officials. His defence is that he did not violate the Constitution. It is a strange logic when he threw to the wind the very letter and spirit of the Constitution which has given all powers to the executive of which he is only a figure head.

The Chief Minister's defence that his dharna was not unconstitutional does not wash. He does not realise that the middle class, his forte, wants an orderly administration and feels let down over the tactics like dharna by the state Chief Minister. But why President Mukherjee should comment on political matters is really beyond me. Mukherjee has been making speeches verging on politics from day one.

He has been commenting on problems confronting the nation as if he is presiding over the affairs of the country. His Republic Day broadcast beats them all and has naturally evoked some angry comments. Several political parties like the Communist Party of India (CPI) have characterised the speech as political.

What President Mukherjee says is generally correct. For example, his remarks that populist anarchy is no substitute for governance or that there is a rising trend of hypocrisy in public life are correct. But he forgets that he is only a constitutional head and has to

observe the decorum which the elected Parliament and state legislatures expect from a person who occupies that position.

No doubt, he finds politics a familiar turf but he left it when he was elected President. His grievance with Congress president Sonia Gandhi may be genuine. But that is between her and him. The nation is not concerned with what goes on in a political party.

President Mukherjee's comment that the "government is not a charity shop" is criticism of the promises that the government makes to draw electoral support. All political parties do so. Mukherjee was in the Cabinet of Prime Minister Indira Gandhi when she raised the slogan of "Garibi Hatao". The Manmohan Singh government has doled out favours to the DMK to sustain its support.

It is an open secret how the CBI case against Mulayam Singh Yadav was withdrawn to get his party's support. Mukherjee was part of the government when there was a quid pro quo to save Prime Minister Manmohan Singh's government from falling. If President Mukherjee felt so strongly, as his criticism indicates, why did he not speak out at that time? His opposition would have mattered because he was a senior leader.

For example, his recovery of tax retrospectively dried up foreign investment. As Finance Minister, he should have anticipated the adverse effect his decision would have on investment. Even today when reasons for stagnation are adumbrated, Mukherjee's name is mentioned repeatedly. He lives in the luxury of Rashtrapati Bhavan, while the nation is paying the price for his follies.

Mukherjee was a minister when Mrs Gandhi had stopped sending any paper to the then President, Giani Zail Singh, who differed with her on Punjab. What Mrs Gandhi did was a violation of the Constitution. I wish Mukherjee had raised his voice then. The office of President is an institution which should not be disfigured. Yet political leaders do that. That Mukherjee should also be doing so is a sad commentary on his sagacity and those like him.

Yet another example is that Mukherjee's silence when Mrs Gandhi imposed the Emergency in 1975. She delivered a severe blow to the institutions which her father, Jawaharlal Nehru, had fostered. Mukherjee was then a close collaborator of Sanjay Gandhi, an extra constitutional authority. The worst aspect of the Emergency was that morality was banished from politics. There was fear which made the then President, Fakhruddin Ali Ahmed, to sign the proclamation even before the Cabinet gave its approval.

My experience is that a Prime Minister pays scant attention to a President. The Constitution framers, who preferred parliamentary democracy to the presidential form of government, have laid down what the President can do. But this has been nullified over the years because the Congress takes the President's wishes for granted. By making political speeches, the occupant of Rashtrapati Bhavan only aggravates the problem.

There is a very thin line dividing the right and the wrong, moral and immoral. Institutions are ought to protect that line. It is easy to say from the pulpit that such and such thing is dangerous to the country. However correct President Mukherjee's observations may be, he should introspect whether what he did as a Cabinet minister was correct, not only legally but also morally. The ball is in his court.

SCIENCE AND TECHNOLOGY

HINDU, FEB 7, 2014

Paralysis in science policies

V.V. KRISHNA

In the last few years, the government has announced a number of policies in science and technology which include bills on patents, specialised innovation universities and regulatory measures. These are supposed to power India's growth engine via science and technology and, at the same time, enable the country to keep pace with the comity of nations. Unfortunately, the Manmohan Singh government's policy paralysis is not just confined to the social and economic sectors, but also manifests itself quite prominently across various segments of science and technology institutions including research in universities. The failure of the government in this area stems from poor governance mechanisms, as from low priority accorded to science and technology in the overall budget.

Falling behind R&D

Ever since the United Progressive Alliance (UPA) came to power, Dr. Singh has promised to increase the gross domestic expenditure on research and development (GERD). He committed two per cent of GDP and reiterated it every year since 2007 at the annual session of the Indian Science Congress Association (ISCA). In the last nine years, Indian GERD to GDP either stagnated at 0.9 per cent or even relatively declined adjusted to inflation; 58 per cent of GERD is consumed by the strategic sectors (atomic energy, defence and space research) and about 29 per cent is met by the private sector. So, what is left for civilian R&D, spanning a dozen or so science agencies, is rather pathetic. Look at what is happening in Asia! The Chinese GERD witnessed a dramatic increase from one per cent to 1.84 per cent of GDP in the last decade. In 2012, Japan spent 3.26 per cent, South Korea 3.74 per cent, and Singapore 2.8 per cent. After a decade, the government announced a new Science, Technology and Innovation Policy 2013 or STIP 2013. The scientific community and the nation were left disappointed as the government had failed to fulfil its earlier commitment. There has been no commitment to increase public R&D. The government will only match the private R&D investment to bring it to the level of two per cent of GDP. When is this going to happen?

Realistic goals?

The new policy envisages "positioning India among the top five global scientific powers by 2020," increasing the number of full-time research and development personnel by two-thirds within five years, and increasing publications from the current 3.5 per cent of global share to around seven per cent by 2020. Not only this, the policy aims at increasing the publication record in the world's top one per cent of journals fourfold. India has already fallen behind China and emerging economies on these indicators. For instance, India produced three times the science output of China in the 1990s with a comparable GERD. Today, China has overtaken India by more than three times. It is the same in the case of patents. Why have we fallen behind so much? This is not unrelated to

massive R&D investments by China in the last decade. The continuing policy paralysis in science and technology is visible across various segments of S&T. Even after the Fukushima disaster, Dr. Singh has been relentlessly battling for new nuclear plants costing several billions of dollars in the coming decade. The newly inaugurated plant complex at Gorakhpur, Haryana, is estimated at Rs.23,502 crore. According to research studies, just 25 per cent of the future nuclear budget for renewable energy sources (wind, solar, biomass etc) will generate almost double the energy planned in a more sustainable manner. Ninety per cent of water in India is consumed by agriculture, yet we have no inclusive energy-water policy. The list runs across several sub-sectors. Let us look at two of them.

R&D in higher education has been the prime victim of policy paralysis. There are over 600 universities and 30,000 colleges with a GERD of around 18. Though universities contributed 52 per cent of the total national research publication output in the last decade, they were allocated a dismal 4.1 per cent of GERD. In fact, this has been the case for six decades since independence. Universities in the Organisation for Economic Co-operation and Development (OECD) 25 countries accounted for 20 per cent and Japanese universities accounted for around 15 per cent of GERD in the last decade. Even Chinese universities increased their share of GERD from five per cent in the 1990s to 12 per cent currently. The neglect of research in higher education has led to very low research intensity; 90 per cent of our universities end up as teaching institutes where research is given a low priority for lack of funds. Policy measures to increase research intensity in universities and nurture them to attain world-class standards in China, South Korea, Singapore and Japan were a part of their respective national innovation strategies since the 1990s. Such policies enabled two to six universities in these countries to be listed in the World's Top 100 University Rankings in recent years. India could not register even one. Just four to five universities figure in the list of 400 or 500. STIP 2013 is silent on strengthening research in higher education. Ninety per cent of the National Knowledge Commission's recommendations remain unimplemented as much as the proposal to create 14 innovation universities. Until the higher education sector is given its due importance in the national innovation system and allocated at least 10 per cent of GERD, it will continue to remain sub-critical at the national level and we will fall behind our Asian neighbours.

Innovation

After the President of India declared 2010–2020 the “Decade of Innovation,” STIP 2013 proposed new schemes such as the “Risky Idea Fund” and “Small Idea Small Money.” The government launched the India Inclusive Innovation Fund (IIF) under the Public-Private Partnership (PPP) model, with the government chipping in with just two per cent of the budget. But private partners have hardly evinced any enthusiasm to invest in this scheme. Is the government serious? The policy paralysis in science and technology innovation can be seen from the dismal amount of money allocated to a dozen innovation schemes under the Department of Science and Technology (DST) and the Department of Scientific and Industrial Research (DSIR). Out of the total budget of Rs.2,998 crore given

to the DSIR in 2011, only Rs.155 crore went to innovation schemes. And, of the Rs.2,349 crore given to the DST in 2012, only Rs.57 crore went to innovation schemes.

With 90 per cent of Indian labour in the informal sector and faced with dwindling fortunes of rural agricultural activity, millions will migrate from the rural to urban areas in the coming decade. The UPA government launched a number of schemes such as the Mahatma Gandhi National Rural Employment Guarantee Scheme; Bharat Nirman; Indira Awaas Yojna; Jawaharlal Nehru National Urban Renewal Mission; Health Mission, among others. Besides problems underlying their governance and implementation, which are well known, they lack an institutional framework to infuse employment potential with skills, training and grass-root innovation. There is hardly any serious policy perspective or thinking to create institutional avenues for vocational training to infuse skills to labour in the informal sector. There are about 7,500 Industrial Training Institutes (ITIs) with the overall intake capacity of 75,000. With the growing demand for technicians and an expanding informal sector, one can imagine the task ahead. Long-term solutions to problems here are so complex and are becoming even more interconnected. We have so far failed to evolve any strategy to connect with these schemes at the “bottom of the pyramid.” IIF is a good scheme if it gets off the ground with a full budget. In any case, such schemes managed by corporate fund managers are relevant more at the “middle of the pyramid” and not the “bottom.” We urgently need to build and strengthen intermediary institutions to forge linkages between formal and informal institutional structures. It is time the government wakes up to addressing the impending S&T policy paralysis before it is too late.

(V.V. Krishna is professor in science policy, Centre for Studies in Science Policy, School of Social Sciences, JNU, Delhi.)

Neglect of research in higher education has led to very low research intensity. Ninety per cent of our universities end up as teaching institutes where research is given a low priority for lack of funds

WOMEN

HINDU, FEB, 4, 2014

Panel recommends 50% quota for women in decision-making bodies

AARTI DHAR

Suggests a separate panel to study status of Muslim women

Making out a strong case to formulate a National Policy and Action Plan to end violence against women, a government-appointed panel has recommended 50 per cent reservation for women in all decision-making bodies and an overhaul of the criminal justice system to ensure justice for women.

Suggesting that a separate panel be appointed by the government to study the status of Muslim women in the country, the High Level Committee on the Status of Women in India, in its preliminary report, said upgrading the Minister of Women and Child Development to Cabinet rank would reflect the government's concern on women's issues.

Calling for an increase in resources, the panel said a large amount of resources was being directed towards child development in the Ministry.

It said the Parliamentary Committee on the Empowerment of Women must examine the gender implications of all proposed legislation and the National Commission for Women, as an apex body responsible for and answerable to 50 per cent of the population, must go beyond 'reactive interventions' to fulfil the proactive mandate of studying, recommending and influencing policies, laws, programmes and budgets to ensure full benefits to the stakeholders.

The government had in February 2012 set up a High Level Committee to undertake a comprehensive study to understand the status of women since 1989 and evolve appropriate policy interventions based on a contemporary assessment of women's needs.

The 14-member committee, headed by Pam Rajput, submitted a preliminary report to the Ministry here on Monday.

Focussing on the need to bring about major changes in the criminal justice system, the report suggests initiatives ranging from a more gender sensitive enforcement machinery to greater awareness of different legislation and their inter-connectedness, along with accountability for securing women's rights.

- Panel for a separate law against female infanticide
- Recommends that a campaign spreading awareness against gender violence be included in school, college curriculum

YOUTH

HINDU, FEB 5, 2014

Heavy burden on the young

With one million more young people joining the ranks of the jobless in 2013, the world's youth are facing a disproportionate burden, says the latest report of the International Labour Organisation. The Global Employment Trends report 2014 also records slow progress of late in reducing levels of vulnerable employment and working poverty, a result of the continued impact of the 2007-08 financial and economic crisis. The 13.1 per cent rate of unemployment in the 15-24 years age-group globally is more than twice that among the adult population. This is a particular concern in India where people below 25 years of age constitute more than 50 per cent of the population. Equally worrying is the finding that the number of youth who are neither in employment nor in education or training is on the rise in many countries. Again for India, the overwhelming majority (around 90 per cent) of the workforce in the unorganised sector lacks even the basic social protection that is necessary for the reproduction of labour. The whole scenario has to be viewed against the ILO's projection that employment will continue to expand at a slower pace than the labour force, resulting in a shortfall of some two million jobs annually over the next five years. As much as 45 per cent of all new job-seekers will be from East and South Asia, the region that already lags behind on several indicators that are critical to human development.

The year 2013 seems to have been especially bad, with as many as five million people joining the ranks of the jobless. The figure also lends greater substance to claims regarding uneven recovery from the crisis in the last decade. One comparison in the report is instructive: whereas monetary stimulus in the aftermath of the crisis induced aggregate demand, a rising share of the additional liquidity has not been feeding into the real economy. It is almost axiomatic that slow growth and low levels of job creation reinforce one another, a fact overlooked by fiscal conservatives. If anything, the need to make provision for unemployment and other relevant benefits for large segments of society that are out of work put paid to attempts by governments to balance budgets — not to mention other deleterious consequences. Strong social protection measures will not only promote the overall interests of the workforce and the economy in general in the medium term, they will also lay the foundation to face the demographic transition over the next two decades. This is expected to result in a large increase in the numbers of the elderly as a proportion of the overall population, presenting new challenges for policymaking.