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**TELEGRAPH**

**TIMES OF INDIA**

**TRIBUNE**

## CONTENTS

<b>CIVIL SERVICE</b>	<b>3-6</b>
<b>ECONOMIC AND SOCIAL DEVELOPMENT</b>	<b>7-9</b>
<b>EDUCATION</b>	<b>10-15</b>
<b>EMINENT PERSONALITIES</b>	<b>16-17</b>
<b>EMPLOYMENT</b>	<b>18-19</b>
<b>FINANCIAL INSTITUTIONS</b>	<b>20-21</b>
<b>FOREIGN INVESTMENT</b>	<b>22-23</b>
<b>GOVERNORS</b>	<b>24-30</b>
<b>HEALTH SERVICES</b>	<b>31-32</b>
<b>INDUSTRY</b>	<b>33-34</b>
<b>JUDICIARY</b>	<b>35-38</b>
<b>LABOUR</b>	<b>39-40</b>
<b>MONEY</b>	<b>41-43</b>
<b>POVERTY</b>	<b>44-45</b>
<b>PUBLIC ADMINISTRATION</b>	<b>46</b>
<b>RELIGION</b>	<b>47</b>
<b>SOCIAL PROBLEMS</b>	<b>48-51</b>
<b>TRANSPORT</b>	<b>52</b>
<b>URBAN DEVELOPMENT</b>	<b>53-55</b>

## CIVIL SERVICE

DECCAN HERALD, JUL 2, 2014

### **Modi shares personal number with top officials**

Prime Minister Narendra Modi's preference for direct interaction with top officials is well known by now.

But what is less known is that Modi is sharing his personal mobile number with key officials and political contacts, including governors of some key states, to maintain direct contact.

Modi often prefers to call Union ministers on their mobile phones for a direct input when he wants information, rather than waiting for his office to go through the "system" to reach out to whoever he wishes to get in touch with.

Even as some officials think that the prime minister may be bypassing their superiors and the hierarchy to reach them, others say Modi appears to "mean business" and wants "action" on areas that are his priorities, highly placed sources said.

Modi had told the officials at a meeting on June 4 that he was "accessible" to all and encouraged suggestions and ideas being sent to him.

The Prime Minister's Office, too, has said that bureaucrats were welcome to send in their ideas and suggestions directly to Modi through a section on the prime minister's website called "Interact with the Honourable Prime Minister".

According to Principal Secretary to the prime minister, Nripendra Mishra, Modi's objective is that new ideas for improving governance should flow to him in a rapid way.

Recalling his interaction with ministers and bureaucrats, Modi had said in his open letter on June 26 (on completion of one month in office) that his team had been making detailed presentations to him.

"I must share that these presentations have enabled a wonderful exchange of thoughts and ideas and we have come up with excellent road maps for various ministries and departments," he had said.

TRIBUNE, JUL 3, 2014

### **Don't tolerate carelessness, malpractices, SC tells PSCs t**

The Supreme Court has directed the public service commissions (PSCs) to fail all candidates who either committed malpractices in the qualifying examination or were careless in following the instructions for using the answer sheets.

A Bench comprising Justices Anil R Dave and Dipak Misra gave the ruling while disqualifying the candidates selected by the Tamil Nadu PSC (TNPSC) for the post of Class 1 officers as they had violated the instructions for using only blue or black pens and desisting from making any markings or indications on the answer sheets.

The SC noted that such violations indicated that the candidates were either careless or wanted to reveal their identities to the examiner by using unapproved inks, making markings or leaving out some pages blank.

“In either case, such a candidate cannot be selected. A candidate who is so careless that he does not bother about his own interest (by not reading the instructions) cannot be expected to become a good officer,” the Bench held.

“And if he has done it deliberately, then also he should not be appointed as an officer because one who plans such illegalities even before joining his service, cannot be expected to become a fair officer,” it explained.

“So, in either case, such a candidate cannot be selected for appointment as an officer and that too a Class-1 officer of any state,” the SC ruled.

TNPSC had recommended appointment of 91 such officers on the basis of the examination conducted following an advertisement brought out in 2000. Thousands of candidates had taken the examination and some of them had gone to the Madras HC even before the results were declared, alleging malpractices. Nevertheless, the state recruited them by saying that their appointments would be subject to the outcome of the court case.

ECONOMIC TIMES, JUL 3, 2014

### **Gujarat govt transfers 45 IAS officers; Ajay Bhadoo new secy to CM**

HMEDABAD: Gujarat government, in a late evening reshuffle today, transferred 45 IAS officers including Rajkot Municipal Commissioner Ajay Bhadoo who has been now appointed as the secretary to the Chief Minister.

Current secretary to the Chief Minister, Vijay Nehra, appointed only over a month ago after Anandi Patel took over as chief minister, has been made the new Municipal Commissioner of Rajkot.

Bhadoo has been given additional charge as CEO of Gujarat Infrastructure Development Board (GIDB).

The other transfers reshuffled district collectors, municipal commissioners and district development officers.

Surat Municipal Commissioner Manoj Kumar Das has been appointed as Joint Managing Director of Gujarat State Petroleum Corporation (GSPC).

Additional Secretary in the Home Department for Prohibition Milind Torawane has been transferred as Surat Municipal Commissioner. Collector of Mehasna, Rajkumar Beniwal has been transferred as District Collector of Ahmedabad.

District collector of Navsari, Sandhya Bhullar, has been transferred as Commissioner of Employment and Training and Ex-officio Managing Director of Gujarat Skill Development Mission.

**TIMES OF INDIA, JUL 1, 2014**

**I&B minister Javadekar catches officials coming late, sends them home**

NEW DELHI: About 200 employees in the I&B ministry were packed off on a day's casual leave after the minister, Prakash Javadekar, found them lagging in punctuality.

Javadekar went on a surprise check on Monday morning at 9:15 am to find vacant chairs across the four floors of the Shastri Bhavan that the ministry uses.

"The minister usually sits in the environment ministry in the morning and comes to Shastri Bhavan in the afternoon. But on Monday he came to his office in the I&B ministry by 9am. He then decided to check the offices only to find that many employees were missing," a source said.

Sources said the minister asked the "missing employees" to meet him. "He met almost 200 people in batches of 25-30 and let them off with a warning that they should be more punctual. He then asked them to take a day's casual leave," the source said.

After the minister's inspection, I&B secretary Bimal Julka also spoke to senior officials to emphasize on the need for punctuality among the staff. A circular was also issued to officials warning them that they would be liable for disciplinary action if found to be late again, the sources said.

**READ ALSO: Modi effect — Govt servants have to clock in on time, stay back late and even give up holidays**

The Narendra Modi government has been laying emphasis on punctuality so as to serve the people better. Earlier urban development minister Venkaiah Naidu too had conducted a surprise visit on June 13 to find many senior officials missing from their seats.

**HINDU, JUL 1, 2014**

**Intermingling of IAS/IPS officers from Telangana, AP likely**

V. GEETANATH

Increasingly, it looks like there is going to be intermingling of officers hailing from Telangana and Andhra-Rayalaseema regions, in both States. The Central government has, more or less, decided to maintain the all India service character of the officers chosen through the UPSC route for both States, indicated senior officials, wishing to remain anonymous. It means IAS/IPS plus other service officers should be ready to work in either of the States irrespective of their 'nativity'. Although there is a strong feeling among some of the officers to get posted in their respective regions, the Centre has apparently negated the 'options' part.

Instead, it is most likely going to direct the high powered committee looking into the allotment of all India service officers to follow the time tested formula of direct recruits and promotee officers in the two-thirds/one-third ratio. The ratio will be between those hailing from other States of the country and those hailing from A.P. and Telangana (outsiders/insiders) as well as reservations as per the quota for the Scheduled Castes and Scheduled Tribes. For instance, for every 100 officers – 67 will be direct recruits and 33 will be promotee officers. Out of the direct recruits, 22 will be 'insiders' and 45 'outsiders'. Then, the SC/ST reservations too have to be followed. While the sanctioned strength in united A.P, was 376, there were 292 officers at the time of the division. After division, Telangana had six promotee officers in excess of the allotted 138 officers whereas A.P. has 14 direct recruits in excess from a total of 168 allotted.

## ECONOMIC AND SOCIAL DEVELOPMENT

TELEGRAPH, JUL 1, 2014

### **AT THE RECEIVING END**

#### **Some reflections on the language of the new economics**

Sukanta Chaudhuri

For months and years, we have faced a barrage of articles, statements, TV chats, interviews, and so on, processing for popular consumption the dominant economic wisdom of the age. In India, such exercises have mounted since Narendra Modi's victory, indeed the prospect of it. This is not to target Mr Modi: we do not yet know how his policies will shape up, how his two avatars — the messiah of growth and the man of the masses — will adapt to each other. My concern is with the way a certain economic model, advanced by its powerful clientele, has fired the Indian middle class and now, it seems, penetrated deeper into society.

I am not an economist. I write as a citizen at the receiving end of such policies. But let me draw briefly on my own discipline, which concerns language. For the rhetoric of the new economics revolves around catchwords like 'growth', 'reform' and 'liberalization', in a verbal sleight-of-hand.

Is there anyone who does not desire the nation's growth? But the word has been hijacked by a particular model of wealth-creation based on aggressively free capitalism. If you contest such a model, to the exclusion of human indices and welfare measures, you are branded an opponent of reform. For 'reform' is an exalted term, sanctified from an earlier age when it meant eradicating social and — could it be? — economic differences. 'Liberal', too, has meant different, often opposite things over time, but it carries a feel-good air of approval.

It is for economists to debate the hard-core doctrine behind the words. But in the lay world of politics, the media and middle-class chatter, the doctrine is being sold by the emotive force of the words themselves, as one might sell perfume or chocolates. The idea has become a commodity, a product of the consumerism it advocates. In another perspective, it has become an article of faith no less than the opposite doctrine of communism. That too professed a scientific basis.

We are told that India voted in the recent elections with economic motives. Our jobless small-town youth agreed with our leading entrepreneurs on a government that would ensure their well-being through 'growth'. There would be more wealth, and everyone would have a morsel of the cake.

The catch lies in that 'and'. It involves the logical fallacy of the undistributed middle. Is the 'growth' implied in the two halves of the sentence one and the same? The humble youth who voted for 'growth' thinks that if there is more wealth around, some of it will reach him. He would be shocked to find himself working for lower wages on more straitened terms than before; to see health, education and transport services scaled down

or priced up; and perhaps, if he belongs to the poorest stratum, to find his lot actually worsen, at least in relation to the rest. Wide disillusionment of this nature would be a national disaster. The resultant discontent and instability would not be good for any growth.

Mr Modi is a sagacious man: he may not let this happen. He is moreover said to be an efficient administrator. If he retains half the current welfare measures but makes them work, the poorest Indian would be materially benefited. But he is under siege to the shrill rhetoric of growth governing the national discourse at the highest levels, with choric support from the articulate classes.

This is not to say we should retain each and every subsidy, or lavish state bounty on the affluent classes. I am simply noting the contradiction between the common man's expectation and that of the focused, influential partisans of 'growth'. It is incorrect to say the whole nation has been fired by a single vision: merely by a common rhetoric, interpreted in different quarters in radically different ways.

But am I not challenging current global wisdom? Let us take the broadly parallel case of Britain, which has swung from welfare-statehood to free-ranging capitalism in a relatively short span. After a long wait, it is registering some economic uplift and (as in America) a rise in employment. But people in full employment constitute a growing percentage of the poor. Tens of thousands of British families rely on food banks: their number is rising incrementally. Three thousand persons died of hypothermia (in plain language, cold) in the 2012-13 winter. Young people have been officially warned to expect a lower standard of living than their parents. There is a stipulated 'living wage', but it is not enforced by law. Even hospitals and prisons are contracted to private agencies. The pay of hospital administrators has risen four times as fast as the nurses', and British firefighters recently went on a 24-hour strike.

There are many reports of questionable dealings in high places, depriving the exchequer or patently impairing public interest: they may not constitute corruption as there is no law against them. Last month, the governor of the Bank of England — surely no rabid leftist — made a remarkable plea to reverse the growing inequality in Britain and the United States, calling on the nation's financiers to look beyond immediate monetary gain as their sole end.

I cite this instance not to gloat but to warn. The British State is still vastly more ordered than ours, even its truncated welfare services beyond our dreams. Whatever the ethics of its high finance, it is free of ground-level corruption in daily life. Given this contrast, one shudders to think of the consequences if a comparable economic regime is unleashed in this country.

I would not be misunderstood. Like many others, I welcomed the opening up of the economy in the 1990s, dispelling the malign stagnation of the licence-permit *raj*. In Bengal, we also suffered from ideologically glossed inertia, with meagre advancement under party patronage. The benefits of the new order are too real to deny or to forgo: it



has brought a measure of affluence and security to millions of Indians. But it has left our poorest citizens virtually untouched, and offered others only a narrow conditional benefit, stifling the very

aspirations it induced. It has recoiled on some of its marginal beneficiaries, like the victims of fraudulent finance companies and cash-crop small-holders driven to suicide. It has hardly enhanced the status and dignity of the common Indian, and the new wealth has spawned appalling corruption.

The apologists for 'growth' argue they did not have free scope, that the harm from a moderate exercise would magically turn to good if carried to extreme. But if someone fails our trust over a thousand rupees, we would not trust him with ten thousand without some evidence of a change of heart or at least of strategy. The experience of other countries suggests that without some course correction, a blind charge down the same track might trample too many people underfoot, even some who may appear to be riding high.

Above all, it may deprive us of the very features of the West that induce us to follow their path: their relatively ordered society, their varying but often appreciable level of social services, the dignity and respite from petty corruption they seem to offer the common citizen. Such a condition was not created by their current dispensation but by earlier, often very different means. Today's rulers are drawing on this legacy, sometimes in ways that threaten its survival.

Implanted on our unequal, violent and still feudal society, an unchecked neo-liberal economy can work havoc, laying aside even the pretence (and sometimes the actual benefit) of the old populist rhetoric. In the process, the most pernicious elements of the traditional order are acquiring a new predatory zeal in the power play of caste, gender and communal tension, worked through increasingly naked greed, violence and thuggery (or at least the open defence of such) higher and higher up the power ladder. Our economic dream is taking the path it did in the American West in the 19th century.

A nation's social and economic policies cannot be the object of an academic exercise. In a democracy, they are finally shaped by the dreams of the common citizen. The rich and powerful, in turn, try to shape those dreams by self-serving strategies. It took us half a century to emerge from one such dream. Let us look around with wide-awake eyes before we lapse into another.

The author is Professor Emeritus, Jadavpur University

## EDUCATION

TIMES OF INDIA, JUL 2, 2014

**UGC sets riders for deemed varsity promoters to become chancellors**

[Vishwas Kothari](#)

PUNE: The University Grants Commission (UGC) has set a slew of riders while relaxing the criteria for the appointment of chancellors of deemed universities in the country.

From its earlier stance that promoters or owners of the societies that promote deemed universities, cannot be chancellors of such institutions, the UGC has now decided that promoters, owners or their close relatives can be appointed as chancellors provided that the institution concerned meets a certain set of conditions.

Three of the conditions under the relaxed norms say that the institution must have been conferred with deemed university status for 25 years or more, it must have a valid 'A' grade from the National Assessment and Accreditation Council (Naac) and an 'A' grade from the P N Tandon panel appointed by the HRD ministry in 2009 to review the status of deemed universities across the country.

And to top it all, the promoter, owner or his/her relative must be an eminent educationist or a distinguished public figure to be eligible for appointment as chancellor.

A decision relating to these relaxed norms was taken at the 501st meeting of the commission held on June 13 under the chairmanship of UGC chairman Ved Prakash. Vice-chairman H Devaraj, secretary to HRD ministry Ashok Thakur and seven members of the commission, besides secretary J S Sandhu, financial advisor Upamanyu Basu and director Vikram Sahay, attended the meeting.

The criteria relating to the appointment of chancellors of deemed universities are mentioned in clause 5.2 of the UGC (Institutions Deemed to be Universities) Regulations, 2010.

On January 10, the UGC had discussed a bunch of amendments proposed by the HRD ministry to the 2010 regulations, following a feedback exercise the ministry had undertaken with stakeholders. The commission then decided to stick to its stated position that promoters or owners cannot be chancellors of deemed universities.

The commission took up the ministry's suggestions once again for discussion at the June 13 meeting and resolved in favour of relaxing the provisions under clause 5.2 of the 2010 regulations to the extent of the revised conditions. "The existing regulations may be amended accordingly," the resolution passed by the meeting stated.

Box: Commission's revised position

Promoter/owner of societies that promote deemed universities or his/her relative may be permitted for appointment as chancellor provided:

\* The institution has attained deemed university status for 25 years or more

\* It has a valid 'A' grade from Naac

\* It has been given 'A' grade by the P N Tandon committee appointed by the HRD ministry in 2009 to review deemed universities

\* The candidate is an eminent educationist or a distinguished public figure  
Effect on deemed universities in city

\* The commission's latest decision is of significance for the six deemed universities located in and around Pune. Two of these institutions are publicly funded organizations and the remaining four - Symbiosis International University (SIU), Bharati Vidyapeeth University (BVU), D Y Patil University (DYPU) and Tilak Maharashtra Vidyapeeth (TMV) - have been established by privately funded societies. As of now, none of the four privately funded institutions meet the UGC's relaxed norms for appointment of chancellors

\* The TMV is the oldest of the four institutions, having attained its deemed university status on April 24, 1987, ie, 27 years ago. However, the TMV was listed among the 44 institutions with 'C' grade by the Tandon committee and is currently fighting out the matter in court

\* Of the remaining three, the BVU attained deemed university status in 1996, the SIU in 2002 and the DYPU in January 2003. While all these institutions have a valid NAAC 'A' grade, they fall short of the 25-year criterion

TIMES OF INDIA, JUL 3, 2014

**UGC roots for special attention to teachers' education**

[Vishwas Kothari](#)

PUNE: Chairman of University Grants Commission (UGC) Ved Prakash has appealed to the vice-chancellors of all universities to extend their personal attention to matters related to strengthening and improvement of teachers' education in the university campuses.

Aligning teachers' education courses with the regulatory provisions of the National Council for Teacher Education (NCTE), promoting and running integrated teacher education programmes (TEPs), creating revised modules for refresher as well as orientation training for teacher educators and encouraging and supporting specialization

within the domain of teacher education are some of the steps Prakash has listed in his letter sent on June 30.

The move assumes significance in the wake of a growing concern about the quality of teaching at higher education institutions. The UGC chief's letter has been posted on the commission's website. "We are yet to formally receive the letter but we will go through the suggestions before taking a call on initiating the required steps," a senior official from the University of Pune's education and extension department told TOI on Tuesday.

The UGC chief has also called for special efforts to strengthen postgraduate programmes in the education department besides ensuring that teacher education curriculum is aligned with the National Curriculum Framework for Teacher Education (NCFTE), 2009 of the NCTE.

"The UGC has been regularly taking up the matter of strengthening of existing education departments and establishment of new education departments in all universities. In fact, all the universities which are receiving grants from the UGC were requested to include the proposal for establishment of education departments in their XII Five Year Plan proposals," Prakash stated.

"In this context, I request for your personal attention in ensuring the suggested steps to promote teacher education," the UGC chief appealed to the VCs. He has also called for a feedback from the universities on the suggested measures.

In a separate letter to the directors of the academic staff colleges (ASCs), who are responsible for teacher education in the university system, Prakash has sought steps to include teacher education related activities in the ASC calendar and significant slots for refresher and orientation programmes for teacher education. This also includes modules for training teacher educators with the involvement of senior teacher educators.

### **Towards Strengthening Teacher Education**

Align existing curriculum with national curriculum framework for teacher education  
Teacher education courses should be in line with regulatory provisions of NCTE  
Promote and support specialization in teacher education  
Strengthen postgraduate courses in education departments  
Devise ways and means for running integrated courses in teacher education  
Revised modules for refresher and orientation training for teacher educators

BUSINESS LINE, JUL 2, 2014

**Orphaned by our education system**

MEGAN REED

Cutbacks in funds for hostels under the Sarva Shiksha Abhiyan have pushed children of migrants out of schooling

Brick by brick Create the facilities to put them back in school T Vijaya Kumar

The seasonal migrant labour population of India is estimated by some scholars to be as high as 100 million. They face barriers in accessing social services and settling permanently in urban areas; they often prefer to keep their link with the village, especially during the agricultural season. As a result, they “circulate” between their villages and various “destination areas” for work, spending significant portions of the year away from home.

While migration can open new economic possibilities for families, it also comes with high risks. These risks are disproportionately felt by the children of migrants who are often compelled to travel to worksites with their parents. Some have estimated that around six million school-aged children in India participate in family-based labour migration every year. Millions more are impacted indirectly, forced to take on most of the household responsibilities in their parents’ absence. Unfortunately, neither the Central nor state governments have made migrant children a priority.

### **Student hostels**

Consider the case of the migratory hostel programme run by the Sarva Shiksha Abhiyan (SSA), the flagship programme for universalising elementary education. The idea is simple but effective: at the request of the local school, students who would otherwise be forced to migrate with their parents are allowed to stay in the primary school building for the six-month migration period. SSA provides for two wardens hired from the community, meals, and some basic supplies. The programme is cost-effective because it uses facilities that are already available at the local school. Besides, children can focus on their studies and stay within the safety of their own villages.

Unfortunately, due to a “change in priorities”, the Central government has decided to deny funding to Rajasthan’s 80 migratory hostels for the upcoming year. Closing this programme — a small component of SSA’s budget — will have deep repercussions for many vulnerable families in Rajasthan.

Evidence from my fieldwork in southern Rajasthan, as well as a review of social protection strategies for migrants, shows that “source-based” intervention, such as setting up migratory hostels, in the areas where migrants originate are needed to prevent child migration and child labour.

The urban areas of central Gujarat have long been a popular destination for poor migrants from Scheduled Tribe communities from Rajasthan, Madhya Pradesh and Gujarat itself. They work in the brick kiln, construction, cotton ginning and agricultural industries.

### **High numbers of women**

A 1997 study on migration in the area led by David Mosse found that 42 per cent of the migrant workforce from the Bhil area was female. My survey in villages in Banswara district of southern Rajasthan revealed that 75 per cent of women and 82 per cent of men had migrated to Gujarat for work at least once in their lifetime. While almost all ST families in this area own some land, their landholdings are small and often unproductive. Massive deforestation in the region has also limited opportunities for these communities which, at one time, sustained their livelihoods off the forest.

While some have been able to harness their earnings from migrant labour to move ahead economically, most remain burdened with economic insecurity and indebtedness to local moneylenders. Nor has the Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS) had much effect on the migration patterns of families in southern Rajasthan.

While 79 per cent of adults surveyed reported that they had participated in the scheme, only a few families said it had impacted their migration behaviour; 75 per cent of adults who reported they had migrated within the past year had also participated in MGNREGS at least once.

Reliance on migrant labour as a livelihood strategy has major costs to the family. For instance, among the most marginalised communities, the whole family must migrate to the worksite because they have no place to leave their children in the home village. The Prayas Centre for Labour Research and Action estimates there are 8,40,000 out-of-school children at brick kilns alone. In Banswara, 34 per cent of the migrant households had taken at least one child with them to worksites that year. Even five-year-olds start working in the brick kiln industry where the piecemeal wage system encourages child labour.

### **Risks to children**

Children brought to worksites face the risk of injury, illness and exploitation, while missing out on educational opportunities. Various NGOs, many with funding by the American India Foundation (AIF), have piloted educational outreach for children at worksites. Worksites cannot be easily made into education-friendly environments, however, making any benefits from such interventions marginal. Accordingly, AIF, which supports migratory hostel programmes for high-migration areas in three states, has shifted its Learning and Migration Programme (LAMP) from a dual focus on source and destination areas to one entirely source village-centric.

With both parents migrating, there are increasing incidences of child-headed households in southern Rajasthan. In their parent's absence, children as young as 12 must manage all household responsibilities and care for younger siblings, leaving them little to no time to attend school. Many schools I visited had a dropout rate of around 25 per cent.

Many of Rajasthan's 4,10,957 out-of-school children have exited due to migration pressures. Re-integrating them into the school system is done through the SSA's special

training programmes (STPs), bridge courses to prepare them academically for entry into the age appropriate standard in school. This is a daunting task both for the hired contract teacher and for the students, who may have already been in the workforce for a few years. It is not surprising, therefore, that many STPs fail. During the year I conducted fieldwork in Banswara, over a third of the STPs in the district had to be shut down. The most successful STPs were the ones with residential facilities like the migratory hostels.

Since migration-induced dropouts account for much of the out-of-school population, particularly in the ST areas, it makes sense to invest in dropout prevention. The migratory hostels, as well as the Kasturba Gandhi Balika Vidyalaya programme of girls' residential primary schools, have both proven to be effective in preventing migration-induced dropouts. Research across India is beginning to piece together a picture of an increasingly mobile labour class. Addressing the risks faced by this population, especially those felt by the children, must be made a key priority in order for India to meet its development targets.

This article is by special arrangement with the Center for the Advanced Study of India, University of Pennsylvania. The writer is a CASI research coordinator. She was a 2012-13 Fulbright-Nehru student research fellow

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## EMINENT PERSONALITIES

PIONEER, JUL 4, 2014

### **THE MAN AND HIS CONVICTION**

Anirban Ganguly<sup>3</sup>

Syama Prasad Mookerjee never bowed to Nehruvian pressures when it came to the larger good of the country

Making an assessment of Syama Prasad Mookerjee's life and personality, sometime in 1959, S Radhakrishnan, then Vice President of India, had perhaps come nearest to describing the essential and defining character trait of the late leader, when he wrote that "in his public life", Mookerjee, "was never afraid of expressing his inmost convictions."

Such a dauntless power, the philosopher statesman argued, was becoming rare because of the rising habit in our public life of maintaining an unconcerned, or interest-induced silence in face of oppression, injustice or plain lies. "In silence", Radhakrishnan reminded his readers, "the cruelest lies are told. When great wrongs are committed it is criminal to be silent in the hope that truth will one day find its voice. In a democratic society one should speak out, especially when we are developing an unequalled power of not seeing what we do not wish to see."

It was his capacity to speak out and to hold out the truth against the overwhelming and forceful unilateral blinkers that the Nehruvian establishment sought to impose on the newly emerging democratic polity in India, that made Mookerjee stand out among his peers and leave a lasting impression on those who came in touch with him or formed part of his multifaceted national action.

Mookerjee struck as outstanding even those who did not necessarily subscribe to his politics. The legendary British Quaker, pacifist and Gandhian, Horace Alexander, for instance, considered him to be "after Rajagopalachari", the "ablest man in Indian politics", one of those rare leaders who combined in himself energy, political expediency and realism. Alexander hoped that India would rather have more of Mookerjee's kind of political realism than a certain opacity that would soon become the hallmark of the Nehruvian epoch

His ability to strike out a new path or line against the prevailing tendencies and notions of the age endeared him to many a leading mind of his era. An overwhelmed Rabindranath Tagore saw the coming of "a veritable change of climate over" the "educational world" in the country and "the dry branch that had withered away at the wintry touch of Western influence festively putting forth fresh foliage", when Mookerjee, as Vice-Chancellor of the University of Calcutta, hammering away at calcified colonial convention, invited him to deliver the Convocation Address in Bengali in 1937.

Mookerjee's contribution in other fields, apart from politics, was striking as well, bringing him out as a leader with a vision that was in tune with a rising and an aspiring India. Under the exigencies and rigours of quotidian politics and under the compulsions of an *idée fixe* when it comes to his ideological formulations, these other aspects of his thoughts and contemplations have often been overlooked or obscured.



His keenness to see cutting-edge research in the field of nuclear energy, for example, was an expression of his will to see India self-reliant. In 1948, while inaugurating the Institute of Nuclear Physics in Calcutta, Mookerjee displayed a deep insight into the future of India's energy needs when he said, referring to the “peace-time applications of atomic energy” that “it places in the hands of man a source of power limitless in quantity, transportable to every region of the world and usable for every need of mankind.” In trying to harness this mighty source of energy, Mookerjee pointed out, “India cannot remain a mere spectator, particularly when she has all the raw materials in plenty for the development of atomic energy” and especially when “within our own lifetime, we may find the results of atomic energy research affecting all the phases of human life.”

But Mookerjee was perhaps his eloquent best when dilating on the theme of Indian education. His convocation speeches delivered all across India and over decades read like a veritable discussion on the challenges, potential and future of Indian education. They reveal a mind in relentless quest and pursuit of educational excellence in India, a mind which dreamt of re-igniting and unleashing the deeper dimensions and potentials of the essential Indian mind, long cramped within the confines of an alien education framework.

He was hinting at a future framework and goal of indigenous education in a free India when Mookerjee told a young audience that Indian universities, if they were to “play their role in the rebuilding of new India, must not regard themselves as exclusive institutions which exist apart from the currents of the country's life” and would have to “saturate” their alumni with “lessons of India's history and civilisation” and “instill into them unity and reason, strength and dauntlessness, and inspire them with skill and knowledge and teach them to apply themselves” to national service.

It is as a tribute to Mookerjee's indomitable conviction and irrepressible democratic spirit that for the first time since independence, this July 6, his 113th birth anniversary, the political thought and vision that he launched and strove to establish against overwhelming odds has finally assumed unalloyed power and primacy. Such a decisive change does present an opportunity of finally drawing-up his vision of India in freedom.

## **EMPLOYMENT**

**TIMES OF INDIA, JUL 1, 2014**

### **UK introduces law giving employees legal right to ask for flexible working hours Flexi-time can boost productivity**

UK's new law to empower all employees with a legal right to ask their employers for flexible working hours is a sensible move as it provides society with economic benefits that come if the workforce is happier and therefore more motivated. Moreover, flexi-time will cut commutes and therefore traffic jams, stress and urban pollution — leaving people with more time they can utilise productively. With 21st century communications technology which makes virtual tele-presence possible, there is no reason why everyone must physically commute to office for work to get done.

The law is based on the assumption that when employee morale is high, productivity goes up and attrition falls. The UK government estimates it will bring in overall economic benefits of 475 million over the first decade. The law is not one-sided. Employers need to consider requests of flexible working hours in a "reasonable" manner and can turn down requests if it creates additional costs or is not in sync with customer demands. The law has built-in flexibility to strike a balance between needs of a modern family and UK's attempt to create a competitive business environment as it comes out of an economic downturn. More importantly, it recognises a modern economy's competitiveness depends on productivity gains, which cannot come about with an unhappy or time-stressed workforce.

Earlier, UK provided only parents in the workforce with flexible hours. The new law extends the benefits to other categories of workers — which makes sense as non-parents may feel discriminated against. For instance, young workers looking for additional training are expected to benefit from the broad definition of flexible working. UK has introduced a progressive law which recognises psychological factors that play a role in the economy. It is a move rooted in common sense and should be emulated across the world.

### **COUNTERVIEW**

#### **It will cost the economy dear**

**Pyaralal Raghavan**

UK's effort to more than double the number of employees enjoying flexible hours and those working from home is an experiment that will cost employers as well as the economy dear, and ipso facto employees too. No doubt many of the top global companies have introduced flexible timing and allow telecommuting to their employees for some time now. But they are more of a fad than a real option. Work often requires close and personal interaction between persons within and across departments, including frequent brainstorming for quick decisions. This is only possible within normal office premises.

Apart from these structural issues the dispersion of work to homes of employees has

other drawbacks which can prove costly for both employers and employees. Employers will find it difficult to improve employees' morale and there can also be a loss of team spirit and synergies which can prove costly for the company. Ensuring quality of work and sticking to deadlines also becomes a difficult proposition. Companies will have to spend more on quality checks and monitoring the progress of work.

Simultaneously attending to personal household work and professional work can have a debilitating long-term impact. Isolated work spaces restrict chances of learning on the job through close interaction with peers and through observation. Keeping up on office commitments becomes an issue as mundane daily chores make work very tedious. Multitasking personal and official work takes a toll on professional competencies as employees are unable to compete and excel. Staying cooped up at home 24x7 can also play havoc with employees' commitments and even with their personal lives. So the overall impact of the move will be disastrous for employees, employers and the economy.

## FINANCIAL INSTITUTIONS

BUSINESS LINE, JUL 2, 2014

**Using ATMs outside the home branch network may cost you**

SATYANARAYAN IYER

**IBA suggests to RBI that customers should be charged**

The Reserve Bank of India is in the process of deciding if banks can charge a fee for using automated teller machines (ATMs) to withdraw money outside the home bank ATM network.

Home bank network means ATMs of the bank in which you have an account.

The Indian Banks' Association (IBA) has suggested to the RBI that customers who withdraw money from other banks ATMs should be charged.

A Krishnakumar, Managing Director, State Bank of India, said, "The IBA has made a request to the RBI to rationalise ATM charges in urban and metro areas."

If accepted, this would mean that customers will have to pay a fee for using ATMs other than the home branch ATM for withdrawing money from the very first transaction (against five free transactions allowed in a month now at other bank ATMs). According to estimates, this charge could be as high as Rs. 20 per transaction.

This issue took centre-stage late last year after the law enforcement authorities directed banks to provide security at their ATMs, after a woman was attacked in Bangalore.

When the noise for providing security got shriller, banks came together and proposed to increase the charges on ATM transactions to meet their "expenses."

After a hue and cry, it was decided that the IBA will further study the issue and make appropriate recommendations to the RBI for approval.

India's largest lender, the State Bank of India, has over 42,000 ATMs in its network. According to Krishnakumar, the bank's ratio of ATMs to debit cards is 1:2,500. The corresponding average for other banks is 1:1,700.

### **Shortage of ATMs**

This shows that there is a marked shortage in the number of ATMs in the country, where only 40 per cent of the population has access to formal banking services.

Even if banks intend to scale up their ATM networks, it appears that there are not too many ATM makers.

“There are a limited number of ATMs made in the country. We may have aspirations but what can we do if there is not enough supply,” Krishnakumar said.

People often go to ATMs of other banks for reasons of proximity, ease of operation and operability. It is in this backdrop that the proposal to hike charges for ATM transactions should be viewed.

(This article was published in the Business Line print edition dated July 2, 2014)

## FOREIGN INVESTMENT

BUSINESS LINE, JUL 7, 2014

### **India needs export-oriented FDI**

GEETHANJALI NATARAJ/ABHIRUP BHUNIA

China's model – foreign investment with export obligation – is the way to go

Golden chance Get FDI into gems and jewellery pv sivakumar

In his address to the joint session of Parliament, President Pranab Mukherjee emphasised three distinct but closely related economic policy thrusts — FDI, jobs and manufacturing.

The talk of encouraging investments, including by foreign investors and boosting labour-intensive manufacturing, is not new. Arvind Panagriya and others have attributed India's poor show in manufacturing to the lack of suitable policy to make use of its abundant unskilled labour force.

Deploying the country's labour force should not amount to subjecting them to exploitation or curtailing the democratic rights of workers; well-intentioned but archaic labour laws have, however, had a contrary effect.

The problem is one of means and ends. Current labour laws require firms to obtain government permission to sack employees, even if they are unproductive, and this law applies to all manufacturing firms of a decent scale.

Besides, firms find it difficult to exit in the face of financial loss, unprofitability or any other good reason to shut shop. These restrictive clauses discourage firms to invest in Indian manufacturing.

### **Export obligation**

The way out is to reform labour laws and solicit export-oriented FDI (EFDI) in Indian manufacturing. For sufficient jobs to be created for the teeming mass of low-skilled workers, India needs to become a good place to manufacture and export. It has to become a hub for global export of manufactures, and not just domestic consumption.

EFDI has the potential to transport India to the industrial economy league: a stage which it allegedly jumped — wrongly, as we now realise — to become a post-industrial service-based economy.

In India, foreign affiliates accounted for only 5 per cent of total exports in 2001, when in China foreign invested enterprises made up 50 per cent of total exports. In fact, in China, export obligation is mandatory for foreign investors, whereas it is not so in India.

It is important that export obligation for FDI is introduced in India to enhance exports. EFDI also responds to quality physical infrastructure — and this is where we need to do

some serious work. In infrastructure, massive state investments with help from private sector partners can rescue us from the present sorry state.

Given that uninterrupted power and seamless transport infrastructure are two crucial demands of the manufacturing sector, it is a good sign that energy and infrastructure form the core of the new cabinet's economic policy focus.

Once infrastructure is in place, the trade and transactions costs will automatically reduce, giving a further boost to manufacturing and exports.

### **Twin track approach**

In terms of labour cost, India is not at a disadvantage relative to China or East Asia. India's wage levels are more or less at par with these economies. India has among the best stock of raw material in the world, notably in coal and iron ore, and an abundance of workers. Hence, as far as factor endowments are concerned, India has everything that should form the bedrock of a thriving manufacturing sector.

The problems, however, have cropped up in the form of shoddy infrastructure and policymaking. The Government should focus on labour intensive manufacturing for the vast swathe of low to medium skilled populace, and simultaneously undertake a national skills mission, boost R&D spending and infuse greater quality into education at all levels.

The need of the hour is a synchronisation of India's export and FDI policies. This can be achieved by increasing FDI in export oriented sectors such as gems and jewellery, light engineering goods, textiles and so on.

As of now FDI in India is concentrated in telecom, infrastructure and financial services. Eventually rising exports, on the back of growing EFDI, will help India address its troubling trade deficit, just as China has done.

The writers are with Observer Research Foundation and Institute of Economic Growth, Delhi

(This article was published in the Business Line print edition dated July 7, 2014)

## GOVERNORS

ASIAN AGE, JUL 1, 2014

### **M.K. Narayanan steps down as governor**

West Bengal governor M.K. Narayanan resigned on Monday, joining the list of Congress appointees who have quit Raj Bhavans after the BJP government came to power at the Centre.

Goa governor B.V. Wanchoo is set to be next in line.

Mr Narayanan, 80, a former IB director and former NSA under Prime Minister Manmohan Singh, was questioned by the CBI recently as a witness in the AgustaWestland VVIP helicopter deal.

Mr Wanchoo, who is also likely to be examined on that deal, may quit soon.

ECONOMIC TIMES, JUL 4, 2014

### **Dr D Y Patil appointed West Bengal's acting Governor**

KOLKATA: President Pranab Mukherjee today appointed Bihar Governor Dr D Y Patil as acting Governor of West Bengal following M K Narayanan's resignation.

"The President has accepted the resignation of Shri M K Narayanan, as Governor of West Bengal and has appointed Dr D Y Patil, Governor of Bihar, to discharge the functions of the Governor of West Bengal, in addition to his own duties," a release from Rashtrapati Bhawan said.

It said that until regular arrangements for the office of the Governor of West Bengal were made, Patil would be in charge.

Narayanan had resigned on June 30 after being prodded by the new NDA government to quit.

The 80-year-old Narayanan, a former IPS officer and Director, Intelligence Bureau and the National Security Adviser, was appointed Governor in January 2010. His tenure was to end on January 15, 2015.

HINDUSTAN TIMES, JUL 4, 2014

### **Keep the governor out of politics**

### **[Murlidhar Chandrakant Bhandare](#)**

News reports that the Union home secretary has been calling governors appointed during the term of the UPA government and asking them to resign are worrying. This not only demeans the constitutional office of the governor, it is also violative of the law laid down by the Supreme Court.



The gates of Raj Bhavan do not automatically open and close after a change of government. The residents of Raj Bhavan are not required to make way for new governors each time a general election is held.

Clarity on this issue comes from a Supreme Court constitutional Bench, which gave a judgment on this on May 7, 2010, in the BP Singhal vs Union of India case.

A BJP MP, Singhal had, ironically it now turns out, challenged UPA 1's decision to prematurely remove the governors of [Uttar Pradesh](#), [Gujarat](#), Haryana and Goa in 2004. The governors had been appointed when the Vajpayee government ruled.

The Bench held a governor could not be removed on the grounds that he was out of sync with the policies and ideologies of the party in power at the Centre. Nor could he be removed on the grounds that the government had lost confidence in him.

The court held the powers under Article 156(1) to terminate the tenure of a governor by withdrawing the pleasure of the President could not be exercised in an arbitrary, capricious or unreasonable manner.

Under Article 156 (3) of the Constitution, governors are appointed for a term of five years. The Sarkaria Commission stated that the governor's tenure should not be disturbed except very rarely, and that too for some extremely compelling reason.

UPA 1 had committed the same mistake. Now, to repeat the mistake after a Supreme Court judgment on the same issue is an inexcusable blunder. Yet, within a month of coming to power, the foremost agenda of the BJP government seems to be appointing its own candidates as governors.

Some have resisted, but four governors — of Uttar Pradesh, Chhattisgarh, Nagaland and [West Bengal](#) — have resigned, succumbing to this illegal threat of their removal.

The Constitution gives us three pillars for the effective functioning of our democracy and rule of law.

They are the legislature, the executive and the judiciary. The governor is the head of both the legislative as well as the executive wings of the state. She, or he, takes an oath to protect and defend the Constitution and the law. Governors have a duty to impartially assist the President of India.

The most important aspect of the office of the governor is that she, or he, has to be apolitical. Once appointed, governors must forget about their party affiliations and act independently on the merits of each issue. Once I became governor, I forgot my association with the Congress.

HM Seervai, the great legal luminary, has written: "The Governor is not an agent of the President. He has a dual role, the first is that of the Constitutional head of the state

bound by the advice of the Council of Ministers. The second is to serve as a vital link between the union and state governments ...”

Let us respect the foundations of the Constitution.

(Murlidhar Chandrakant Bhandare is a former governor of [Odisha](#). The views expressed by the author are personal.)

ECONOMIC TIMES, JUL, 1, 2014

### **Mizoram governor Vakkom B Purushothaman to take additional charge of Tripura**

AGARTALA: [Mizoram Governor Vakkom B Purushothaman](#) will take who [additional charge](#) of [Tripura](#) today. Purshothaman who arrived here this morning, took a guard of honour from the security forces at the Rajbhavan in the presence of Chief Minister [Manik Sarkar](#) and other members of the council of members. Purusothaman was later introduced to the ministers and other dignitaries by the Chief Minister. He will take oath of office and secrecy at the lawn of the Rajbavan in the evening at 5 PM. The term of the previous Governor [Debananda Konwar](#) had expired on Saturday last.

HINDU, JUL 3, 2014

### **Ram Naresh Yadav sworn-in Chhattisgarh Governor**

Madhya Pradesh Governor Ram Naresh Yadav was today sworn-in as the Governor of Chhattisgarh.

Chief Justice Yatindra Singh of the Bilaspur High Court administered the oath of office to Mr. Yadav in a function organised here at Raj Bhawan.

He has been given the additional charge of Chhattisgarh following the resignation of former Governor Shekhar Dutt.

Speaking to the reporters after the ceremony, Mr. Yadav said he will make efforts to bring Naxalites into mainstream and ensure their role in development of the State.

“I will discuss the issue (naxalism) with both Centre and state... I will make efforts to bring them into national mainstream and ensure their role in the development of the state,” he said.

He further stressed for the development of Chhattisgarh and call upon the people to contribute for the growth of the State.

“I congratulate the people of the state and extend my best wishes to them. I wish the state marches ahead on the path of development for which I will deliver my role from here to Centre,” he added.

Chief Minister Raman Singh, Leader of Opposition T.S. Singhdeo, Cabinet Ministers Brijmohan Agrawal, Ramsevak Paikra, Ajay Chandrakar, Rajesh Moonat, Punnulal Mohile, Kedar Kashyap, Ramsheela Sahu and senior officials were present on the occasion which was conducted by Chief Secretary Vivek Dhand.

The office of the Governor was lying vacant after Mr. Dutt tendered his resignation last month. He had taken charge as the Chhattisgarh governor in January 2010. PTI

‘Will make efforts to bring Naxalites into mainstream’

**HINDDU, JUL 7, 2014**

**Gujarat Governor transferred**

VINAY KUMAR

Gujarat Governor Kamla Beniwal was on Sunday transferred to Mizoram for the remainder of her term, a Rashtrapati Bhavan communiqué said.

Vakkom Purushothaman, Governor of Mizoram, was shifted and appointed as Governor of Nagaland for the rest of his term. However, Mr. Purushothaman will continue to hold the additional charge of the office of the Governor of Tripura.

According to the communiqué, Rajasthan Governor Margaret Alva will discharge the functions of the Governor of Gujarat, in addition to her own duties, until regular arrangements are made. Her tenure finishes in August.

Among the names doing the rounds for appointment as Governors are BJP leaders Kesri Nath Tripathi, Lalji Tandon from U.P., Kailash Joshi from Madhya Pradesh, V.K. Malhotra from Delhi, O. Rajagopal from Kerala and Balramji Dass Tandon from Punjab. Eminent jurist Soli Sorabjee, who served as the Attorney-General during NDA rule, was also said to have been shortlisted.

**HINDDU, JUL 7, 2014**

**Governors in the firing line**

SANJAY KUMAR

The subject of the removal of Governors of different States, an issue which made headlines some time ago, may have been put on the back burner, but it does not seem to have gone into cold storage.

The controversy over the removal of Governors has receded into the background only because the issue which has hogged the limelight recently is the government’s rejection of the name of Mr. Gopal Subramaniam, recommended by the Supreme Court collegium for appointment as a judge of the Supreme Court, on account of adverse reports by the Intelligence Bureau.

**Precedent**

The government is now adopting a policy of wait and watch to see if the Governors whom it wants removed resign on their own in due course of time. The Governors of five States, M.K. Narayanan (West Bengal), B.L. Joshi (Uttar Pradesh), Shekhar Dutt (Chhattisgarh), Ashwani Kumar (Nagaland) and B.V. Wanchoo (Goa) have already resigned, while the terms of two others, H.R. Bhardwaj (Karnataka) and Devanand Konwar (Tripura), ended recently; pressure is being built up by the government to force the others to resign.

The Governor is appointed by the President of India on the advice of the Council of Ministers for the period of five years. Unlike the President of India, there is no procedure for the impeachment of a Governor, but he/she could be removed by the President on the advice of the Prime Minister on grounds of gross delinquency, namely corruption, bribery and violation of the Constitution. But the practice has been different from what is laid down in the Constitution; Governors have been removed only due to a change of government without citing any substantial reason.

One should not be surprised by the Narendra Modi government's initiative to remove Governors. There is precedent. Even in the past, Governors appointed by previous governments have been removed by the new government on assuming office after elections. The new governments have expended energy on removing Governors and appointing their own men as new Governors.

The practice of dismissing Governors with the change of guard at the Centre began in 1977 when the Janata Party came to power after routing the Congress and took a decision to replace Governors appointed by the previous regime. Incidentally, in 1977, the decision/recommendation of the then Prime Minister, Morarji Desai, and his Cabinet to dismiss Governors was sent back by then acting President B.D. Jatti without signing it. Though the government managed to remove the Governors, as the acting President Jatti was constitutionally bound to sign the order when it was again sent back to him, it came as an embarrassment for the Janata Party government which had just assumed office.

### **No formal communication**

The practice of replacing the Governor by the newly elected Central government did not stop and different governments kept indulging in the practice.

But what comes as a surprise is the manner in which the initiative for removal of these Governors was undertaken. While none of them has got any formal communication from the government to step down, it is the Home Secretary Anil Goswami, who is asking them to resign, on behalf of the government. To the surprise of all, this is being done over the phone. The government is trying to use the bureaucracy for this unconstitutional work/move while trying to keep a safe distance so that the government can emerge clean in case of a hue and cry.

More than the surprising manner in which this has been initiated, what is even more perplexing is the double standards of the Bharatiya Janata Party (BJP) on the issue. After

coming to power in 2004, the United Progressive Alliance (UPA) government initiated the process of removal of four Governors, Vishu Kant Shastri (Uttar Pradesh), Babu Parmanand (Haryana), Kidar Nath Sahani (Goa) and Kailashpati Mishra (Gujarat), which BJP leaders Mr. Lal Krishna Advani and Mr. Atal Bihari Vajpayee opposed and forced a discussion in the House under Rule 193. The UPA's move was described by Mr. Vajpayee as a "big blow to democracy" while Mr. Advani called it "dangerous." Now, Union Home Minister Rajnath Singh is keen on the removal of Governors appointed by the previous UPA government. Is this not a blow to democracy? Is this not unethical? We know that there is a change in generation, from Mr. Advani to Mr. Rajnath Singh, but does such a generational change also mean a change in the party's ideology? If this is the case, why is the removal of Governors being done using the backdoor approach rather than the government being actively involved in this effort?

### **Court ruling**

The ruling party must be reminded that the party is not only going against its own stand which the party leaders took a decade ago, but is also overruling the decision/judgment of the five-judge bench of the Supreme Court, headed by Chief Justice K.G. Balakrishnan, in May 2010 on the issue of the removal of the Governor of a State. The judgment emphasised that "The Governor cannot be removed on the ground that he is out of sync with the policies and ideologies of the Union government or the party in power at the Centre. Nor can he be removed on the ground that the Union government has lost confidence in him." It is true that the same judgment also provided an exception that the government can initiate the process of removal of the Governor by first building a case file citing reasons for the removal of the Governor.

Does the new BJP government want to use that clause of exception to remove a Governor? If the government wants to exercise this exception clause, the least it would have to do is to write to the President spelling out the reasons for wanting his/her (Governor's) removal. But it seems the government is trying to bypass all these steps, remove the Governor by an indirect method and initiate moves to come out clean in case there are issues over the move, as no letters have been exchanged or notices sent. But I am sure there is still potential for the government to face embarrassment as such a file/request for the removal of the Governor can be sent back by the President to the government in the first instance though, the President is bound to sign it if the file is re-sent to him — as it happened in 1977.

The BJP could have easily avoided this controversy, as the term of H.R. Bhardwaj (Karnataka), ended only recently while the term of Governor Kamla Beniwal (Gujarat) will end in a few months' time.

In this case, without acting on anyone, the new government would not have had a problem on its hands unlike now. That would have left the government to work out the removal of the Governor of Kerala, Sheila Dikshit, the Governor of Rajasthan, Margaret Alva and the Governor of Maharashtra, K. Sankaranarayanan. The government could

have avoided getting into this controversy either by initiating steps for the removal of only a couple of Governors or by initiating this early next year.

Though most previous governments have indulged in such practice, the new BJP government could have easily refrained from such a move and set an example of good governance. It has certainly missed a golden opportunity to present itself before the people as being a government with a difference.

(Sanjay Kumar is a professor and director, Centre for the Study of Developing Societies.)

The government is trying to use the bureaucracy for this unconstitutional work/move while trying to keep a safe distance so that it can emerge clean in case of a hue and cry.

In pressing for the removal of UPA-appointed Governors, the BJP must be reminded that it is not only going against its own stand which its party leaders took a decade ago, but is also overruling the decision/judgment of the Supreme Court in 2010 on the issue of the removal of the Governor of a State

## HEALTH SERVICES

**HINDU, JUL 3, 2014**

**An overburdened public sector and an exploitative private sector**

CHAPAL MEHRA

The government needs to engage the private sector in restructuring delivery of health services

Restructuring the system: Until we choose to change the way the poor access health care, it is unlikely that we will be able to change their poverty status. Picture shows Riang tribal children being treated for malaria in north Tripura.— Photo: Ritu Raj Konwar

Poverty and its alleviation has been, perhaps, the most recurrent theme in India's political discourse since independence. Yet, an oft-ignored fact for those interested in poverty alleviation is that catastrophic health expenses are the biggest reason for pushing individuals and families into poverty. The poor cannot afford to be sick because they cannot afford to get well.

This raises some critical questions. Why do the poor have such dismal access to healthcare? Why is it that our investments in the health system are so unimpressive? Perhaps the most critical question is this: why do close to 70 per cent of India's sick, mostly belonging to the poor or lower middle class, choose to go to the private sector when there is ostensibly free healthcare in the public system?

### **Lacunae in the system**

A study done a decade ago answered some of these questions. It clearly demonstrated the lacunae in the public health system including poor quality of care, long waiting lines, patient maltreatment and neglect. The patients that chose to go to the private sector did so for a perceived quality of care. What does this tell us? First, sick people, however poor, need diagnosis but they also need a sense of care. Second, the poor are discriminating, if uninformed, consumers of services including health care. They will pay to get care which gets them back to work rather than wait.

Yet sickness is such a state that even the most discriminating consumers can be exploited. Imagine you are a poor person living in an urban slum with a cough and fever. After ignoring it for weeks you decide to seek help. Initially you try the government health centre. This, you realise quickly, is not an option if you are a migrant worker or a daily wager. So you end up in the private sector. In all probability your local slum doctor will be a quack. The treatment you will receive will possibly be inappropriate. You may feel better briefly or get sicker with time — it's a matter of time. But you will go back because your options and time are both limited.

If you are lucky and can afford it, you might actually get to see a real doctor, though not necessarily with the best outcomes. For starters, you may be asked to do a battery of tests. The tests can be done only from particular labs to ensure reliable quality and kickbacks.

If the tests are clear, pray to whichever god you worship. If, however, you have a common disease like tuberculosis, the nightmare has just begun.

If the realisation that you have TB or another such ailment doesn't terrify you, the expenses will. By this time you will have probably spent your savings and are in or about to be in debt. However, there is still no guarantee of appropriate treatment or complete recovery. If you do get the right treatment, the drugs may have side effects and you may not be able to work for days. This will make you poorer. Additionally, you will need a diet that you may never be able to afford. At this point, you will have few choices — either to discontinue treatment, go further into debt or go to the public sector — and wait.

This journey is instructive in many ways about the poor's ability to access healthcare. For one, the common man cannot really access the public health system easily. Though well intentioned, it is overburdened and slow and insensitive. It needs investment and possibly a complete restructuring to make it accessible. The alternative is an exploitative private sector, where appropriate diagnosis and treatment and recovery is not necessarily guaranteed.

### **Ending the trust deficit**

It's important at this point to ask what the role of government in this is. Is the goal of the public sector disease control or just providing free health services? If it is the former, then the efficiency, the quality of care and the accessibility of the public sector has to improve. The government needs to restructure how it plans and delivers services and also how these services are perceived by the consumers. The trust deficit must end.

Similarly, the private sector must be innovatively engaged to become part of the solution. The government must ensure that this sector is regulated and monitored effectively. The overuse of diagnostics, over-the-counter sale of drugs and the rising numbers of quacks must be checked immediately. The onus is more on the government to build a mutually beneficial relationship with the private sector.

To the cynics this may seem impossible, but it is not. Previous experiments provide valuable lessons in all these areas. There is enough national and international expertise available to help us relaunch public health services.

Finally, beyond the technicalities we must be guided by the simple realisation that until we choose to change the way the poor access health care, it is unlikely that we will be able to change their poverty status. They will continue to be vulnerable and sick but also consequently poor.

(Chapal Mehra is an independent New Delhi-based writer.)



## INDUSTRY

BUSINESS LINE, JUL 1, 2014

### **India, China sign pact on industrial parks**

ANANTH KRISHNAN

Pact is an 'enabling framework', details to be worked out  
Strong ties Vice-President Hamid Ansari with Chinese President Xi Jinping before a meeting at the Great Hall of the People in Beijing on Monday. AP

India and China on Monday formalised an agreement to take forward the setting up of China-dedicated industrial clusters in India, with an aim to boost Chinese investment in infrastructure and manufacturing.

The agreement, signed during Vice-President Hamid Ansari's visit to Beijing, was, however, short on details. With China still considering at least four locations for setting up its first parks, officials described the MoU as more "an enabling framework" rather than a concrete agreement.

The MoU also did not mention whether the proposed clusters would be given any preferential policies, only saying that benefits would be "no lower than that envisaged under the prevailing policy frameworks in India such as Special Economic Zone (SEZ), National Investment & Manufacturing Zone (NIMZ), and existing policies of the State Governments, as applicable".

Officials hope that the agreement will send a strong signal to Chinese firms that India is open to investment, particularly in infrastructure and manufacturing.

Commerce and Industry Minister Nirmala Seetharaman, who met with her counterpart Gao Hucheng for talks here on Monday morning, said there was "immense scope" for Chinese investment, "not just for manufacturing but many sectors where the Chinese have an advantage". "Whether manufacturing or railways, we could always find out more such areas where Chinese investments can be encouraged," she said.

### **Market access sought**

During her meeting, Seetharaman also called on China to improve market access for Indian firms here, particularly in sectors such as pharmaceuticals and IT where companies have complained of an opaque regulatory framework. She made the point that the widening trade deficit, which touched \$31 billion last year out of two-way trade of \$65 billion, was unsustainable. According to the MoU, an Industrial Park Cooperation Working Group, made up of equal number of representatives from both the countries, will be set up to identify and agree upon the detailed modalities, with four locations already being considered by China. The group will meet alternately in each country and periodically review progress.

### **MoU on hydrological data**

The agreement was one of three MoUs signed following Ansari's talks with his counterpart Li Yuanchao. Both countries also signed an MoU on the provision of hydrological data and for a first ever training exchange programme for officials of both countries, between the Lal Bahadur Shastri National Academy of Administration (LBSNAA), Mussoorie and the China Executive Leadership Academy (CELAP) in Shanghai.

China has agreed to allow Indian hydrological experts to conduct study tours in Tibet to monitor the flows of the upper reaches of the Brahmaputra, in an apparent move to assuage India's concerns about on-going dam projects on the upper reaches of the river – known as the Yarlung Zangbo in Tibet.

China has in the past been sensitive about allowing access to Tibet, and Indian hydrological experts have, as yet, not formally visited the region. China also agreed to extend provision of hydrological data from May 15 to October 15 every year on a daily basis, adding 15 days to an earlier agreement. The data will be provided by three stations, at Nugesha, Yangcun and Nuxia in Tibet on the main stream of the river.

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

## JUDICIARY

TIMES OF INDIA, JUL 1, 2014

**Reform judicial appointments**

**Arghya Sengupta**

**Subramaniam affair highlights opacity of screening process for Supreme Court judges.**

In a TV interview following his decision to withdraw his consent to be appointed judge of the Supreme Court under controversial circumstances, senior advocate Gopal Subramaniam remarked, "Gopal Subramaniam is completely irrelevant to the issue..." The decision by the president to appoint three candidates recommended by the collegium for Supreme Court judgeship and not appoint him, the collegium's fourth recommendation — on seemingly flimsy grounds if leaked reports are to be believed — has led to severe criticism of the government for compromising the independence of the judiciary.

But as Subramaniam rightly pointed out, the manner of his non-appointment raises larger concerns. These involve revisiting the consultative process prior to the appointment of a judge, from whose loopholes much of this controversy stems.

The responsibility for formulating and controlling this process lies with the Supreme Court. The ill-conceived creation of the collegium by an apex court in the Second Judges' Case (1993), the opacity of its functioning and the hubris of the judiciary in considering itself the sole guardian of judicial independence in India are chief culprits for a process that is indefensible as a matter of constitutional law and shrouded in uneasy secrecy in practice.

The formulation of the consultative mechanism, as it operates today, was not intended by the Constitution's drafters. Appointment of judges was envisaged as an executive function; the Chief Justice of India, as an apolitical authority, would have a consultative role. In fact, B R Ambedkar went as far as to say that consultation with the CJI should not be viewed as requiring his concurrence since that would give him a veto over appointments.

However, given the history of executive assertion of its role in appointments during the Emergency and insidious interference thereafter, the Supreme Court in the Second Judges' Case arrogated the power of appointing judges to itself. The argument for a more significant role for the judiciary in appointments may have been justified by the exigencies of the time. But the manner of such arrogation is the core reason for the unsatisfactory operation of the collegium process of appointment, as palpably demonstrated in the latest episode.

The creation of the collegium was an act of judicial law-making. Not only is there no warrant for creation of a collegium in Article 124 of the Constitution that governs judicial appointments to the Supreme Court, but the decision also turned the envisaged consultative process on its head — the consultee, the CJI, along with a collegium of senior justices would now have primacy in all judicial appointments; the executive would henceforth act as a glorified clearing-house for the collegium's recommendations. This is a reading unsupported by any known canon of constitutional interpretation.

Its meaning and import was clarified in the Third Judges' Case (1998) which specified the size of the collegium and outlined the procedure to be followed. This judgment is even more remarkable. Written almost like a policy brief, it conspicuously lacks any semblance of legal reasoning. Its result has been to establish by judicial diktat its own supremacy over appointments, killing any genuine consultative element between collegium and executive in appointment procedure. Demise of consultation together with lack of alternative checks and balances on the collegium has led to two perverse consequences.

First, it has given rise to a simplistic binary of the judiciary being at the vanguard of judicial independence protection, with the executive viewed as an inveterate adversary. While experience may have justified this to an extent, elevating it to the level of dogma is simply hubristic. The judiciary is thus unsurprisingly reaping what it sows.

Second, such hubris has resulted in a complete dereliction of norms of transparency in functioning and accountability for choices made by the collegium. No published criteria are followed by the collegium for choosing judges, little is known about shortlisting procedures and no reasons are communicated for its decisions.

This opacity has time and again resulted in questionable choices. Those critical of the government for not accepting Subramaniam's recommendation would be well-served in recollecting certain past episodes. Justice A P Shah, a man of erudition, was never appointed to the Supreme Court for inexplicable reasons; Justice A K Patnaik, a fine judge, had his elevation curiously delayed; and most egregiously Justice P D Dinakaran was recommended for Supreme Court judgeship despite facing severe questions about his integrity. In all these instances it was the collegium and not the government which exercised its choice, seemingly for extraneous reasons.

None of this absolves the government of accountability if indeed it has acted mala fide in not processing Subramaniam's recommendation. However, to speculate solely on the government's intentions as most have done, would be to miss the wood for the trees.

Consultative processes are founded on the possibility of disagreement; such disagreement is an effective check on the prejudices of any single functionary. In establishing a process that allows no genuine room for disagreement, the Supreme Court propounded a

mechanism for appointments that is unjustifiable as a matter of constitutional law and counterproductive in practice. If there is one key lesson that emerges from the Subramaniam episode, it is to reform the mechanism for judicial appointments that makes the process genuinely participatory — unlike the charade that passes in the name of constitutional law today.

The writer is founder and research director, Vidhi Centre for Legal Policy.

STATESMAN, JUL 3, 2014

### **Govt has right to be consulted on SC judge: Prasad**

A day after the Chief Justice of India R M Lodha sharply criticised the Central government's "unilateral" move to "segregate" the name of the former Solicitor General Mr Gopal Subramaniam from three others over their appointment as the Supreme Court judges as recommended by the apex court Collegium, the government today defended its decision to return the recommendation relating to Mr Subramaniam in this regard.

"In the process of appointment (of judges), government has got the right to be consulted. And whatever opinion government has given, is based upon cogent, proper and sound grounds," the Union law minister Mr Ravi Shankar Prasad told reporters here, even as he declined to elaborate on the executive's reservations against Mr Subramaniam.

Mr Prasad was responding to questions over the strong displeasure voiced by the CJI Mr Justice Lodha yesterday in the case of Mr Subramaniam's recommended appointment as a Supreme Court judge. Stung by the government's move, Mr Subramaniam had withdrawn his consent for appointment as a judge of the top court.

Mr Prasad maintained that the government has the right to be consulted in appointment of judges in the higher judiciary.

The law minister, however, asserted that the government has the "highest regard" for the judiciary, the Supreme Court and the CJI.

"I want to reiterate very firmly that the Narendra Modi government has the highest respect for the judiciary. The independence of the judiciary, including the Supreme Court, is an article of faith for this government. We have the highest respect for the Chief Justice of India," Mr Prasad said.

Seizing on the CJI's criticism, the Congress today accused the Modi government of allegedly playing "vendetta politics" and undermining the independence of judiciary.

Withdrawing his consent for appointment as a Supreme Court judge, Mr Subramaniam recently accused the Modi government of "brazenly" ordering the CBI to "scrounge" for

“dirt” against him to scuttle his elevation. Mr Subramaniam had claimed that he was being “targeted” because of his independence and integrity. He charged that his role as amicus curiae in the Sohrabuddin case could have been the reason for the government's opposition to his elevation to the apex court.

Meanwhile, the Attorney General Mr Mukul Rohatgi reportedly said the Subramaniam episode was an “unsavoury controversy” which has now come to an end. “The CJI has made his own comments because he was not here and came back from abroad on June 28 only. It is his own feeling...”

TRIBUNE, JUL 3, 2014

### **A well-deserved rebuke**

### **Chief Justice Lodha gives Modi govt the right message**

CHIEF Justice of India R.M. Lodha should be commended for standing up to the executive, asserting that the independence of the judiciary is non-negotiable. The people in general and the executive in particular needed to be given this message after the Modi government's mishandling of the aborted appointment of Gopal Subramaniam as a judge of the Supreme Court. If the government had reservations about former Solicitor General Subramaniam's elevation, these should have been placed in public domain with back-up evidence. Instead, motivated reports were planted in the media, raising doubts about Subramaniam's suitability for the post. The eminent lawyer, who could have become India's Chief Justice in due course, withdrew in disgust his consent to be a judge.

Subramaniam has his own reasons — which should be respected — for not starting his innings at the Supreme Court with a controversy. But by withdrawing his candidature, and acting in haste, he has helped the government achieve its objective of sidelining inconvenient persons. More than ever before the judiciary now needs independent-minded judges like him. His role as amicus curiae in the Sohrabuddin case, which put Gujarat encounters under the Supreme Court watch, has come in the way of his career.

Chief Justice Lodha's displeasure at the executive's unilateral segregation of Subramaniam's case from the three others will be shared by all right-thinking people. The President of India swiftly cleared the three appointments, apparently without asking for or assessing the reasons for the withholding of the fourth name. Whatever the flaws of the present system of judges appointing judges in a non-transparent manner may be, it is still prevalent and should be respected. The executive on its own cannot veto a collegium recommendation without assigning valid reasons. The UPA tried to replace the collegium system with a broad-based selection process but could not get the relevant Bill through. The BJP manifesto talks of a judicial commission for top-level appointments. The controversy leaves the Modi government with a dented image and the public on alert for judicial freedom. In Chief Justice Lodha the nation has a strong guardian.

## LABOUR

INDIAN EXPRESS, JUL 4, 2014

**Build-up to Budget: Min Rs 1K pension for EPFO subscribers likely to be notified ceiling for the EPFO is expected to help atleast 50 lakh workers.**

### SUMMARY

The Union Budget next week is expected to announce the long-pending minimum monthly pension.

In some cheer for over 8 crore formal sector workers, the Union Budget next week is expected to announce the long-pending minimum monthly pension of Rs 1,000 for members of the Employees' Pension Fund.

In addition, an announcement on increasing the monthly wage ceiling from Rs 6,500 to Rs 15,000 for mandatory contributions to the Employees' Provident Fund Organisation is also on the cards in the Union Budget on July 10.

According to official sources, the two proposals that were approved in February, will be notified immediately after that. Without a formal notification, the measures can not be implemented.

Though the previous government had approved the proposals, they have been stuck in limbo ever since and have not been notified because of the model code of conduct that was in place for the elections.

Union labour minister Narendra Singh Tomar had earlier this week also said that the two proposals would be implemented within a fortnight.

A higher wage ceiling for the EPFO is expected to help atleast 50 lakh workers who will get access to retirement benefits while the Rs 1,000 monthly pension will immediately benefit 28 lakh pensioners.

Meanwhile, the NDA government's revival of pending labour law amendments is also expected to find a mention in the Budget, though the Bills to the effect will only be moved later in the year, possibly during the Winter Session.

"The Budget will be keenly watched by investors and it will indicate the government's interest in liberalising decades old labour laws. But the process has to follow due consultation and the amendments can only be tabled after four to five months," said a senior government official.

Over the last two weeks, the labour ministry has brought out of cold storage a large number of pending Bills including amendments to the Factories Act, the Minimum Wages Act and the Apprentices Act.

It is also working on a National Employment Policy as well as doing away with visits by physical checks by labour inspectors through an online portal for filing and monitoring compliance to labour laws.

**FINANCIAL EXPRESS, JUL 4, 2014**

**Labour Reforms**

[Manmohan calls for labour law reforms to boost employment](#)[Staffing cos fight labour law blues](#)[EPFO finds govt body violating PF law, kick starts cross-country check](#)[Can't allow you to be held back: Rahul's new tune to India Inc](#)

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Given that new jobs will drive almost 75% of poverty reduction in the future, as per From Poverty to Empowerment, a McKinsey report, Rajasthan amending the Apprentices Act to make it easier for industry to create jobs is a move that the rest of India would do well to emulate. Moving to make hiring easier both for employers and job-seekers by easing compliance and compensation norms, Rajasthan has set a template for labour reforms—in June, the state had also amended the Contract Labour Act, the Factories Act and the Industrial Disputes Act, providing much-needed flexibility to employers in hiring contractual labour.

There is no denying that the lack of reforms in the labour law have severely crunched organised employment. The McKinsey report found that states with flexible labour laws had a higher proportion of the labour force in organised employment than those that had a rigid set—in 2010, the former had 35.3% of the workforce in the organised sector versus the latter's 23.2%. Organised sector employment, typically seen in big firms with high employee strength, deliver better wages—globally, firms with 2-48 employees had an average annual wage (in 2005 dollar terms) of \$587 while those with a strength of more than 200 had an annual average wage of \$2,699. Given how a Crisil report warned earlier this year that slowing economic growth was eroding jobs—while 50 million new non-farm jobs will be needed in between FY12 and FY19, if growth remains low, only 38 million will actually materialise in the period. Given how little sense it makes to continue with outdated labour laws and restrict job creation further, states must hurry along the path that Rajasthan has shown.



## MONEY

FINANCIAL EXPRESS, JUL 1, 2014

### **Shutting the black money window**

[T V mohandas Pai](#)

There are numerous estimates about the quantum of black money in the Indian economy. Various reports and assessments made over the years estimate the black money amount at 20% or even at 100% of the GDP. Addressing the strong concerns expressed by the Supreme Court, Parliament and the Indian public at large, the former finance minister Pranab Mukherjee presented the White Paper on Black Money in May 2012.

If only the finance minister had looked out of his window to see the major sources of black money generation, he could have taken action to reduce it before presenting the report.

The main source of black money generation in India is real estate transactions. It is primarily done through undervaluation of land and built property to evade capital gains tax and very high transaction cost, primarily stamp duty. The National Capital Region and Mumbai lead in such transactions. For over 60 years, the government has just spoken about the menace of black money but done precious little to root out the causes.

It is suggested that, as in the case of shares of listed companies, in case of property held for three years there should be a full exemption for a period of five years, before further review. This would result in the true value being declared, full receipts getting into the formal economy, the establishment of correct value and, over a period of time, receipts being subject to taxation. Clearing up major amount of black money from the real estate sector would have a massive impact across the country. Revenue loss would be minimal as exemption is provided on reinvestment and the extent of evasion would be limited.

It is also suggested that in order to make investment in land and real estate attractive and to eradicate black money, the transactions should be made VATable.

Another major source and major challenge is gold. Reports indicate that Indians own some 25,000 tonnes of gold and add another 800-900 tonnes every year. The estimated value of gold is \$1.2 trillion. Sadly, despite huge stock, the local sales are very low and additional requirements are met through even higher imports.

It is suggested that gold and bullion held by individuals and declared in wealth tax returns and held for over three years should be exempt from capital gains tax. Capital gains tax receipts from sale of gold are limited. This move will ensure that gold sales do take place,

gold is recycled, local sales increase and imports come down. It would also imply that idle assets would come into circulation and cleanse the system. The government can experiment on this for five years. It will make India a price setter and not price taker globally and enlarge the gold business.

Both these changes would reduce black money generation and cleanse the system. Policy should encourage honesty and back honest citizens. This will also lead to large-scale reporting of wealth.

(Assisted by Rajesh Moorti)

The author is chairman, Aarin Capital Partners

HINDUSTAN TIMES, JUL 4, 2014

**Lokpal and Lokayuktas Act is worse than the disease it is trying to cure**

**[Ashok Kapur](#)**

The Lokpal and Lokayuktas Act, 2013, is worse than the disease it is trying to cure: Corruption. In the Keshvananda Bharati case, the Supreme Court (SC) defined the basic structure of the Constitution — it ruled that only the Constitution was sovereign and no other State organ could violate it.

All laws must conform to the Constitution and any Act that violates this will be a dead letter.

Two features of the Constitution are relevant in this discussion: ‘separation of powers’ and ‘basic norms of democracy’. The first stipulates that neither the executive nor the judiciary can encroach upon the other’s turf and the ‘basic norms’ means that all executive authorities are accountable.

The lokpal, an executive authority, is not accountable to anyone. This is a violation of the norms of democratic functioning and its selection by a panel comprising, inter alia, sitting judges of the SC, is unconstitutional. The panel will be an administrative committee under the control of the executive.

Even the fact that the lokpal will be a multi-member body headed by the chief justice or an SC judge is unconstitutional.

Essentially, the lokpal will be an investigating agency, which will probe complaints under the criminal code. But the code exclusively entrusts the police with such powers. The judiciary does not supervise police probes. It comes into the picture only after the investigation is finished.

Once the lokpal police complete the probe, the charge-sheet will be submitted in the court of a special magistrate — a member of the subordinate judiciary. If the

investigation were to be supervised by SC judges, it is unlikely the accused would get any justice in the subordinate magistrate's court.

At present, the SC and high court judges enjoy immunity from any parliamentary scrutiny. Once the judiciary allows itself to be dragged into executive functioning, this immunity will be unavailable.

The Constitution confers concurrent writ jurisdiction on high courts (and the SC): A citizen can approach an HC if an executive authority violates her fundamental rights. The HC can summon any official to appear before it.

If SC judges start acting as executive authorities, and a citizen approaches an HC, it may have to summon SC judges. That would be a constitutional anomaly. The lokpal Act says that not less than 50% members must be appointed on the basis of their caste or community. This is nothing but a caste-based quota.

If the lokpal asks the Centre to suspend an under-investigation public servant, the government will have to comply. In the case of central services and all-India services, the President is the appointing and the disciplinary authority. But this clause means the President will be bound by the directions of the lokpal.

In sum, the lokpal will be an extra-constitutional authority.

(Ashok Kapur is a former IAS officer. The views expressed by the author are personal.)

## POVERTY

BUSINESS STANDARD, JUL 7, 2014

**Every third Indian poor, says new poverty formula**

**But pace of poverty eradication quicker in the three years to 2011-12**

SANJEEB

A new panel has found that 29.5 per cent of India's population was poor in 2011-12 against just 21.9 per cent estimated under the previous methodology which had drawn sharp criticism from various quarters. In absolute terms, 363 million people were below the [poverty](#) line that year, higher by about 93 million over 269.8 million estimated earlier.

However, the poverty rate - the number of poor as a proportion of the population - came down swifter in the new estimates prepared by the panel headed by former Prime Minister's Economic Advisory Council chairman [C Rangarajan](#) than calculated earlier on the Suresh Tendulkar methodology.

The Rangarajan panel recently submitted its report to the government.

A greater number of people were classified under poverty in 2011-12 as the Rangarajan committee raised the poverty line compared to that fixed earlier, officials said. The Rangarajan panel says anyone spending up to Rs 47 a day in urban areas and Rs 32 in villages would be considered poor as of 2011-12. The Suresh Tendulkar methodology had pegged these levels at Rs 33 in urban areas and Rs 27 in villages. By either method, poverty was reduced during 2009-10 to 2011-12 (the first three years of the second UPA government).

For 2009-10, the Suresh Tendulkar methodology had pegged the poverty line at Rs 22 in villages and Rs 29 in urban areas. These were raised to Rs 27 and Rs 40, respectively, by the Rangarajan committee.

As many as 91.6 million people were lifted out of poverty, according to the Rangarajan panel report, during the period as there were 454.6 million poor in 2009-10. The estimation based on the Suresh Tendulkar methodology had earlier shown that 84.9 million people came out of poverty since the number of poor stood at 354.7 million in 2009-10. The poverty rate fell by 8.7 percentage points in this period under the Rangarajan formula against a 7.9 percentage point fall under the Tendulkar methodology.

This was also the point made by the previous regime - that whichever methodology one looked at, poverty was reduced during its rule - highlighting that its welfare schemes such

as [NREGS](#) worked. However, officials did not give comparative figures to assess if the poverty rate declined faster under the UPA or the earlier NDA regime. The pattern is the same for rural and urban India, but the Rangarajan panel shows poverty was much underestimated in urban areas previously.

As many as 53.1 million people in urban parts, constituting 13.7 per cent of the population, were estimated to be poor in 2011-12 by the earlier estimate.

By the new methodology, poverty in absolute numbers was almost twice as high at 102.5 million, constituting 26.4 per cent of the urban population.

The poverty numbers are based on the National Sample Survey Office ([NSSO](#)) report on the consumption expenditure for 2009-10 and 2011-12.

So, which side should one look at: the absolute number or the rate of decline in poverty? "Both absolute numbers and the rate of reduction in poverty are important," said former [Planning Commission](#) member and poverty estimation expert Abhijeet Sen.

Notably, the Rangarajan panel made a sharper revision in the poverty line in urban areas than in rural areas. So, while the line was raised from Rs 27 (Tendulkar committee method) in 2009-10 to Rs 32 in 2011-12 in rural areas, a rise of 18.5 per cent, the line for urban areas was raised from Rs 33 to Rs 47, representing an increase of 42 per cent.

According to the Tendulkar committee method, the poverty line in urban areas was 22 per cent higher than in rural areas in 2011-12, but the same was 47 per cent according to the Rangarajan panel.

"The Rangarajan panel seems to have gone back to the Lakdawala panel report (on which Tendulkar made improvements) so far as poverty lines are concerned," Sen said. Using the Lakdawala panel method, the poverty line was fixed at Rs 11.87 per day per capita expenditure in rural areas, lower by 51.2 per cent compared to Rs 17.95 in urban areas in 2004-05.

Officials said the Rangarajan panel suggested that poverty ratios should be disengaged from entitlements under various social security programmes. This means that entitlements for, say, the Food Security Act should not be based on the number of people below the poverty line but on some other methodology such as, say, the social and caste census.

## **PUBLIC ADMINISTRATION**

DECCAN HERALD, JUL 2, 2014

### **Govt tweaking order to appoint secys, OSDs**

**The government is tweaking its earlier blanket ban on appointing private secretaries and Officers on Special Duty (OSDs) who served in previous governments.**

The order was issued following Prime Minister Narendra Modi's instruction that no minister should appoint officers who served UPA ministers as private secretaries or OSDs.

However, the wording of the directive, about private secretaries or OSDs who served in "previous governments" led to confusion. If one goes by the phrase, even those who served in the previous NDA regime would not be eligible to be considered for posts in ministers' offices.

To clear this anomaly, the government is now tweaking the directive, sources said. The plan is to only ban the appointment of private secretaries and OSDs who served more than three years in the UPA government.

Meanwhile, the Appointments Committee of the Cabinet, led by the prime minister, on Tuesday cleared the appointment of Nitesh Kumar Jha as Officer on Special Duty to Union Home Minister Rajnath Singh.

Appointments of two other OSDs, for Civil Aviation Minister Ashok Gajapathi Raju and Railway Minister D V Sadananda Gowda, were also cleared.

## RELIGION

TIMES OF INDIA, JUL 3, 2014

### **China bans Ramzan fasting in Xinjiang**

[Saibal Dasgupta](#)

The local government in Xinjiang had earlier asked its employees to refrain from observing Ramzan saying fasting can hurt their health.

BEIJING: China has ordered schools and government offices in the northwest Xinjiang region to ban fasting during the ongoing holy month of Ramzan.

The ban orders are being issued through websites of schools and government agencies in the region as well. "Civil servants and students cannot take part in fasting and other religious activities," said Turfan city's commercial affairs bureau on its website.

The local government in Xinjiang had earlier asked its employees to refrain from observing Ramzan saying fasting can hurt their health.

"We remind everyone that they are not permitted to observe Ramadan fast," the state-run Bozhou Radio and TV University said on its website. "We would enforce the ban on party members, teachers, and young people from taking part in Ramzan activities."

The Chinese Communist Party and the local government in Xinjiang discourage large prayer meetings and gatherings due to fears of separatism.

The fasting ban orders are believed to have come from Beijing's Public Security Bureau. A weather bureau in Qaraqash County in western Xinjiang cited "instructions from higher authorities" while asking "all current and retired staff not to fast during Ramzan".

"China taking these kinds of coercive measures, restricting the faith of Uighurs, will create more conflict," exiled World Uyghur Congress spokesman Dilxat Raxit said in a statement. "We call on China to ensure religious freedom for Uighurs and stop political repression of Ramzan."

## SOCIAL PROBLEMS

HINDUSTAN TIMES, JUL 3, 2014

**Satya Prakash**

The police can no longer “automatically” arrest the accused under the “dubious” anti-dowry law, the Supreme Court ruled Wednesday, expressing concern over the misuse of Section 498A of IPC by disgruntled wives against in-laws and husbands.

### **Bride files dowry case against groom’s family on wedding day**

The court asked state governments to ensure that the police didn’t go on an arresting spree -- as was the practice -- in dowry harassment cases.

The attitude to arrest first and then proceed with the rest was "despicable" and must be curbed, it said. The police would have to give reasons and proof to magistrate before making an arrest, the court said.

A bench of justice Chandramauli Kumar Prasad and justice Pinaki Chandra Ghose said Sec 498-A was introduced to combat harassment of women at the hands of husbands and his family. “The fact it is a cognisable and non-bailable offence has lent it a dubious place of pride amongst the provisions that are used as weapons rather than shield by disgruntled wives,” the bench said.

Driving home the point, the court, quoting crime statistics, said nearly a quarter of those arrested under Sec 498A in 2012 were women, most of them mothers and sisters of the husbands.

Added to the Indian Penal Code in 1983, 498-A provides for maximum imprisonment of three years and fine while the maximum sentence under the Dowry Prohibition Act, 1961 is two years with a fine.

“As the arrest curtails freedom, brings humiliation and casts scars forever, ...we believe that no arrest should be made only because the offence is non-bailable and cognisable,” the court said, asking the police to shun their colonial mindset.

Magistrates, too, would have to put on record that the reasons given by the police justified detention, the court said. The failure to do so would invite departmental action and amount to contempt of court.

The order came on a petition filed by a man from [Bihar](#) seeking anticipatory bail in a dowry harassment case filed by his wife.

Concerned over its abuse, the Law Commission and Parliament’s standing committee on home affairs had recommended that offences under Section 498A IPC be made compoundable i.e. husband and wife should be allowed to settle the dispute between themselves.



INDIAN EXPRESS, JUL 1, 2014

**There is zero tolerance**

**By: Brinda Karat**

The zero tolerance policy on sexual assault declared by the Narendra Modi government faced an early test when an additional district court in Jaipur issued a notice to a Central minister to appear before it in a rape case where he has been named as one of the accused.

The right thing would have been for the minister to step down till his name was cleared. But not only does he continue in office, he flaunts his proximity to top leaders in government at the Centre and in his state. It has been put out that they consider the charges to be a fabricated Congress conspiracy.

In fact, investigations by the All India Democratic Women's Association indicate that the girl is a tragic victim of what can be described as cross-party "case fixing" and even worse, "victim fixing". This happens in cases of sexual assault, when men of different political parties are seen to be involved in the same case or similar cases, and there is a conspiracy of silence among the parties concerned to suppress the case. In this particular case, apart from the BJP minister, important men linked to the Congress have also been named by the victim.

The girl is from Haryana, one among three daughters. She was married to a man from Ganganagar in Rajasthan. The marriage is said to have turned out to be a façade for exercising control over her and for pushing her into sex slavery. Within a few months, in 2011, the husband and his younger brother allegedly took the girl to Jaipur and offered her as a sexual bribe for favours from important people, a thank-you gift for benefits received. Banned from contact with her family, she was allegedly taken from one rented house to another, all subsequently identified by her to the police, sometimes drugged, more often beaten into submission, trafficked for the sexual gratification of those with power.

She escaped in October, fled to her home in Haryana, registered an FIR and a statement under Section 164. Contrary to the lies being spread that the whole thing is an "afterthought" since she had not reported it earlier, the FIR describes how she was "drugged and made into a call girl". The list of men she named include a businessman known to be close to a top Congress leader in Rajasthan, an office bearer of the Youth Congress and a leader of an important caste-based organisation. Also included was the name of the then MLA of Ganganagar and now minister of the Modi government.

Demands for the minister's resignation today by the Congress are hypocritical and self-serving. It was the Ashok Gehlot government that, seemingly to protect its own people, called the case fabricated and sabotaged the investigations. The case occurred around the same time that Rajasthan was rocked by the Bhanwari Devi case, in which a senior minister and leader of the Congress and others of the ruling party were accused and jailed for Bhanwari Devi's murder. It may have been felt that this case would have further damned the government. They seem to have been helped by the tacit support, for obvious reasons, of the BJP.

In any country which claims to be democratic, when there is the slightest evidence that men in power have been involved in a case such as this, the entire machinery should automatically spring into action to help the victim in her struggle for justice. But in this case, as in so many others in India, it would seem that punishment of the criminals depends almost entirely on the courage of the victim to stay the course, when she is not helped, but obstructed at every turn.

It took 18 years for the child victim in the Suryanelli case to get a semblance of justice. As she shuttled from court to court, she had to hear the worst abuse about herself. A high court judge held that she should have escaped and that she did not, which meant that whatever happened was with her consent. This was about a 15-year-old victim of sex trafficking, forced to have sex with 40 men, helpless, traumatised. What a shameful judgment. She fought to get it overturned and succeeded, but every party in the alliance in power at the time did what it could to sabotage the case.

Why? Because she had named an important leader of the ruling party. He never had to face an investigation, never had to face a court, yet he was exonerated. Around the same time, another very senior leader of one of the alliance partners was also implicated in the exploitation of a minor girl. He too was protected by the government. This happened in Kerala. The bright young woman poet in Uttar Pradesh who named an important minister who had been sexually exploiting her was brutally murdered by him. Her sister and mother, who fought her battle for justice, were threatened and terrorised till the court intervened and sent him to jail. But other political parties also remained silent. In Haryana, when Gopal Kanda, a minister in the Bhupinder Singh Hooda government, was accused of sexually exploiting a young woman employed by him, who tragically committed suicide, why were the main opposition parties silent? There are many such examples.

It is very rarely that a girl caught in such a web can extricate herself and live to see her tormentors behind bars. With the entire might of the state against her, a girl fighting her own battle gets tired. She gets tired of being looked at disapprovingly, she gets tired of being gossiped about, she gets tired of being confined at home as though she has an infectious disease, she gets tired of the fear, of the indignity of unending court appearances. Once she is victimised, everything that happens is beyond her control except her own courage. How long will it be the shoulders of the victim that have to push the wheels of justice to make them move?

It is easy for the prime minister to refuse to meet a girl because among the accused is a minister in his own government. It is easy to call her names. But then it should also be known that there is zero tolerance not for the exploiters, but for victims who dare to break the conspiracy of silence. The Modi government, in its very first test on its approach to cases of sexual assault, has been found wanting. The struggle for justice for the victim is on.

Join it.

The writer is a member of the CPM politburo and patron, AIDWA  
express@expressindia.com

## TRANSPORT

**BUSINESS LINE, JUL 3, 2014**

**Electrifying governance**

R SRINIVASAN

The debate over electric rickshaws exposes the hollowness of the establishment's 'pro poor' stance

Union Minister Nitin Gadkari is in the eye of a storm after announcing at a rally last week in the capital that electric rickshaws will not come under the ambit of the Motor Vehicles Act and will, therefore, not be illegal to operate.

The controversy over whether or not the minister has an interest in a company manufacturing these rickshaws has overshadowed a much more important issue — the complete lack of say the poor and the under-privileged have in policymaking. Of course, the ostensible reason for the move was, naturally, for the benefit of the poor. After all, these rickshaws, increasingly ubiquitous on Delhi's roads, are operated by poor migrants. And their users are mostly in that 'sandwich' class — out of outright poverty, but liable to slip back into it at any moment.

These contraptions, operating with a small electric motor and offering cramped seating for four to six persons, offer them a cheap ride. For between Rs. 5 and Rs. 10 a go, one could get a quick, point-to-point ride of a couple of kilometres, in a noiseless, pollution-less vehicle. Good for them, good for the environment and good for the Government which did not have to spend a penny in creating, operating or subsidising a public service.

But the poor had nothing to do with the move. The rickshaw operators are a sizeable vote-bank. With elections due in Delhi soon, the BJP wanted in. Besides, the Congress in Delhi had made them illegal, so bonus points there too.

Of course, these rickshaws are sometimes a nuisance, and not being under any law means they neither have registrations, nor do the drivers have licences. But simply promising to not throw the might of the State at these vehicles does not give the Government any bragging rights. Do the owners get bank loans to buy them? No. Are there charging stations where they can recharge? No. Are drivers and passengers protected by insurance? No. Do their owners get carbon credits for reducing pollution? No.

What governance are we talking about, then?

R Srinivasan Associate Editor

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## URBAN DEVELOPMENT

STATESMAN, JUL 7, 2014

### Urbanising India

**Despite the looming tectonic shift towards urban habitat, this nation does not have an inclusive urban philosophy and political thought. Since urbanisation concerns people, their lives and livelihood, it should have a distinct character, culture and ethos**

**MG DEVASAHAYAM**

Prime Minister Narendra Modi's government is fast-tracking policy decisions. In the sphere of urban development, "the government will build 100 cities focussed on specialised domains and equipped with world-class amenities. Integrated infrastructure will be rolled out in model towns to focus on cleanliness and sanitation. By the time the nation completes 75 years of its Independence, every family will have a pucca house with water connection, toilet facilities, 24x7 electricity supply and access." Very ambitious indeed! Urban Development Minister Venkaiah Naidu is working on a road map to take this agenda forward. Sensing big business opportunity, the global networking solutions company, Cisco Systems, wants to partner India in setting up smart cities and industrial corridors.

With the country fast heading towards a 50:50 rural-urban distribution of population slated for the middle of the present century, this ambition cannot be faulted. The question is whether there is required philosophical underpinning because cities are not mere buildings and amenities but meant for people with flesh and blood. With India's urban population in a few decades exceeding the total of the USA and the European Union, this becomes critical.

Chandigarh was India's first experience in planned urbanisation and I was the city's administrator and estate director in the mid-Seventies. The ethos of the city was outlined by Prime Minister Jawaharlal Nehru when he visited the site in 1952 to dedicate the city to the people of India: "Let this be a new town, symbolic of the freedom of India, unfettered by the traditions of the past, an expression of the nation's faith in the future."

The 'philosophy' of Chandigarh was spelt out in 1959 by the expatriate architect Le Corbusier ~ "When the following operation has been started in the city; obtaining the money, buying of the necessary land, framing of the first by-laws permitting the beginning of construction, selling of the first plot, arriving of the first inhabitant, etc., etc., a phenomenon is born: it is the appreciation in the value of the piece of land. A game, a play, has begun. One can sell cheaply or at a high price; it depends on the kind of tactics and the strategy employed in the operation. One phrase must be affirmed: good urbanism makes money; bad urbanism loses money".

Corbusier mixed up ‘urbanism’ with ‘real estate’ development for self-financing purposes. Pursuit of this ‘philosophy’ has made Chandigarh an elitist and exclusive habitat despite mid-course correction done in the mid-Seventies. A similar trend has been seen in the rest of India during the last few decades. Urbanisation is basically the movement of population from rural to urban areas and the resulting increasing proportion of a population that resides in urban places. Urbanisation is a two-way process because it involves not only movement from village to cities and change from agricultural occupation to business, trade, service and profession but also change in the migrant’s attitudes, beliefs, values and behaviour patterns. Facilities like education, healthcare, employment avenues, civic facilities and social welfare are the reasons that are attracting people to urban areas.

Despite the looming tectonic shift towards urban habitat, this nation does not have an inclusive urban philosophy and political thought. Since urbanisation concerns people, their lives and livelihood, it should have a distinct character, culture and ethos. It was author Jeb Brugmann (2009) who truly defined ‘urbanism’ as “a way that builders, users and residents co-design, co-build, co-govern and combine their activities to support ways of production and living that develops their shared advantage.” India being a low-income economy, ‘urbanism’ should be the guiding philosophy.

‘Urban shared advantages’ are the three basic elements that make cities ‘magnets of productivity and prosperity’ ~ economies of density, scale and association. Density is the concentration of people and their activities that enhances the sheer efficiency by which an economic activity could be pursued. ‘Scale’ is the increase in the volume of any particular opportunity, producing what we call ‘economies of scale’ that makes activities attractive or services profitable. The scale and density of interactions among people with different interests, expertise and objectives then combine to create the third basic element ~ economy of association that exponentially increase the variety of ways and efficiency with which people can organise, work together, invent solutions and launch joint strategies for urban advantage.

Urbanisation in India does not get the leverage of these urban advantages to the full because it does not practise urbanism of inclusive and shared development. When communities self-organise ways of designing buildings, organising space, arranging urban functions, and governing development in wards and zones to make specific kinds of production very efficient, and specific kinds of living very affordable and productive, this is called “community-based urbanism.”

In urbanism, the focus shifts from opportunistic development of individual plots, buildings and gated-settlements to community-disciplined development of wards and zones with specialised strategies to secure social and economic advantage in the city. The informal sector, that contributes over 75/80 per cent of urban employment, which is now

in the periphery of urban planning, would be mainstreamed and be at the core of such forms of urbanism.

The advantage of this approach is that its production of many micro and small-scale units and the mixing of units of different sizes to co-locate residential, commercial, and small manufacturing functions makes it accessible to low-income populations, and it creates efficient, productive, and governable units of the growing city. The disadvantage is that the approach tends to be based on incremental, cash-flow based building, and is therefore investment-poor. But this is not irresolvable.

As cities grow, inclusive urbanism gets abandoned giving place to commercial commodification ~ producing, selling and purchasing generic built-units (square-foot) adopting industrial batch production approach. This is the hallmark of today's technology/globalisation-driven urbanisation which is both exclusive and expansionist, keeping majority of citizens away from the 'development-stream' and allocating scarce economic and environmental resources to the select few. This has become a common phenomenon in urban India under UPA rule and it appears that the NDA government is also moving in that direction, only faster.

Urbanisation sans urbanism makes cities 'brick & mortar real estate' entities rather than vibrant human settlements. Hence the present disjointed and disoriented urban governance system that has been the bane of sustainable and equitable spatial planning and development. Cities and urban habitats being 'engines of economic growth' need vibrancy if democratic and participatory decision-making is to take place. For this to happen, the philosophy of urbanism should be accompanied by political thought that is democratic, decentralised and participatory.

This was the intention of the 74th Constitutional Amendment Act (1992) which has failed to take off.

The writer is a retired IAS officer