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BLACK MONEY

TELEGRAPH, OCT 29, 2014

Black money case: SC gets list of names, SIT action by Nov end

New Delhi, Oct 29 (Agencies): The Supreme Court on Wednesday asked a special team tracking black money abroad to examine a list of 627 Indian citizens with bank accounts in Switzerland and asked for a status report by end November.

A bench of Chief Justice H.L. Dattu, and Justices Ranjana Prakash Desai and Madan B. Lokur said only the chairman and vice-chairman of the Special Investigation Team appointed by the court would see the list. Both are former Supreme Court judges.

The Supreme Court, having compelled the government to share the list and hand over the black money probe, did not open the sealed envelope submitted by the government on Wednesday.

The envelope contained the Indian government's correspondence with French authorities, a status report, and the closely guarded list of 627 Indian account holders in HSBC Bank Geneva that had been leaked to French authorities in 2011.

Placing the documents before the bench, Attorney General Mukul Rohatgi said that details of account holders are of year 2006 which were supplied by the French government to the Centre in 2011.

He also informed the court that some people have accepted that they have accounts in foreign banks and have paid tax.

The bench allowed the Centre to put forth its grievances regarding various treaties with foreign countries before the SIT.

The bench said that the Chairman and the Vice Chairman of the SIT are former Supreme Court judges and they are not "layman" and they can decide on various issues arising out of black money probe.

"We will send the entire list to SIT and they can proceed in accordance with law. It is for them to take care of how to conduct further probe," the bench said.

Meanwhile, the apex court did not allow the plea of the Aam Aadmi Party chief Arvind Kejriwal to provide additional information on the issue to the SIT, saying that it will consider his plea on next date of hearing on December 3. The Centre in its affidavit on October 27, had disclosed eight names including that of Pradip Burman, one of Dabur India promoters, a bullion trader and a Goa miner against whom it has started prosecution for allegedly stashing blackmoney, saying that all the names of account holders cannot be disclosed unless there is a "prima facie" evidence of wrongdoing.

Rejecting the Centre's stand, the Supreme Court had on Tuesday ordered it to disclose all the names of Indian bank account holders abroad in a sealed envelope.

Rajkot-based bullion trader Pankaj Chimanlal Lodhya and Goa-based mining company Timblo Pvt Ltd and its five directors were among the names that figured in the list which was filed in the apex court by the government.

"The government is committed to disclose names of persons holding illegal money abroad. However, every account held by an Indian in a foreign country may not be illegal and the fundamental right of citizens to privacy under Article 21 of the Constitution cannot be ignored and has been recognised by this court," it had said.

It had urged the apex court to modify its earlier order directing it to reveal even the names of foreign bank account holders against whom no evidence was found for stashing black money saying the government may have problems entering into tax agreements with other countries.

"There is absolutely no intention on the part of the government to withhold information, including names of persons who have stashed black money abroad, but only to seek certain clarification that will enable the government to enter into agreements with other countries under which information relating to unaccounted money lying abroad can be obtained," it had said.

"The information received under these tax treaties and agreements will be disclosed after following the due process of law, in all cases where evasion of tax is established. The intention of the present government is clear and unambiguous.

"The government is keen to unearth black money held abroad and for that purpose it will use all diplomatic and legal means and also all investigating agencies to obtain information that can assist in such unearthing," the affidavit had said.

TELEGRAPH, OCT 28, 2014

SC sets Wed deadline for full list of those having black money abroad

New Delhi, Oct 28 (PTI): The Supreme Court on Tuesday gave the Union government an earful for trying to hold back the list of those with black money in banks abroad, and said all the names must be given to it by Wednesday in a sealed envelope.

It pulled up the government for seeking changes in the court's earlier order, pointing out that the previous government had accepted it.

"Why are you trying to protect people having bank accounts in foreign countries. Why are you providing a protective umbrella for all these people," the court asked.

"The order was passed in open court in the presence of Solicitor General and the new regime can't ask modification of order. We cannot touch our order and we won't change

even a word of it,” a visibly annoyed Chief Justice H.L. Dattu, who was heading the bench, said.

The bench rejected outright Attorney General Mukul Rohatgi's fervent plea that the government can disclose the names only after conducting probes on illegality of the bank accounts, and said the government should not do anything but provide all information to it.

The court said it would direct such probes, whether by the Special Investigation Team or agencies such as the Central Bureau of Investigation.

On Monday, the government had released the names of three businessmen on the list, but held back the rest.

On Tuesday, at the end of a 30-minute hearing, the Attorney General said the government has received 500 names of account holders from different countries such as Germany.

The Chief Justice asked the Centre not to indulge in any kind of probe by itself and said that investigation would never complete in his lifetime if the government were to do it.

“You do not do anything. Just pass information of account holders to us and we will pass order for further probe,” the bench, also which also had justices Ranjana Prakash Desai and Madan B Lokur, said.

”We can't leave the issue of bringing back black money to government. It will never happen during our time,” it said adding “Why are you providing protective umbrella to foreign bank account holders?”

The bench brushed aside the contentions of the AG that disclosing account holders' names would violate their right to privacy of those who have legitimate accounts and the names can be revealed only after a prima facie case of tax evasion is made out.

”You do not have to take interest in people (having foreign bank accounts). SIT will take care of it,” the bench said setting a deadline for tomorrow to place all those names.

The court directed the Centre not to give “one, two, or three names of account holders but the entire list supplied to it by the foreign countries”.

CIVIL SERVICE

ECONOMIC TIMES, OCT 28, 2014

Government to amend rules for state civil service officers

NEW DELHI: The government has decided to amend rules by not making it mandatory for state civil service officers, who has less than four years to retire at the time of their induction into IAS, to undergo a training.

After induction into the Indian Administrative Service (IAS) from the state civil service, in keeping with the provisions of IAS (Probation) Rules, 1954, two induction training programmes are organised every year by the Lal Bahadur Shastri National Academy of Administration (LBSNAA) at Mussoorie.

In majority of cases, state civil service officers have less than four years of service to complete before their retirement on superannuation. Often, the mid-career training and induction training overlap or are to be organised in close proximity.

"Availability of officers for such training frequencies poses difficulties for the states. The matter of delayed induction training in these cases attracts the provisions of IAS (Probation) Rules.

"These rules require reversion to the substantive posts in the state civil service for not undergoing induction training," the Department of Personnel and Training (DoPT) said in an order.

It is proposed to bring an amendment to the IAS (Probation) Rules, 1954 so that these difficulties could be resolved, it said.

The proposed amendments allows probationers, who have less than four years of superannuation at the time of their induction into IAS, not to be nominated for induction training, the DoPT said and sought comments on this proposed change by November 6.

ECONOMIC TIMES, OCT 28, 2014

Department of Personnel and Training plans to put up profiles of 23 civil services online

By Aman Sharma

EW DELHI: Are you more suitable for the Indian Administrative Service (IAS) or the Indian Police Service (IPS), or perhaps the Indian Revenue Service (IRS) that you may not have considered closely? Aspiring civil servants will soon be able to make a more informed choice as the Department of Personnel and Training (DoPT) plans to come up with detailed profiles of all 23 services by November 30.

This will help the candidates qualifying in the recently-held Preliminary Examination of the 2014 Civil Services Examination choose their preferred service on the basis of their

aptitude before they fill up their forms for the Mains Examination to be conducted early next year.

The DoPT's move follows realisation in the government that candidates selected through CSE do not indicate their preference for services in order of priority simply because they lack clarity about service conditions and career prospects of different services.

"Hence, sometimes a candidate is chosen for a particular service but quits the same after few years as he realises his aptitude was more apt for another service or he preferred working conditions of another service," a top DoPT official said on condition of anonymity.

The application form for the Mains examination mentions names of each service and asks for cadre preference of the candidates but without providing detailed profiles of different services. A committee headed by former UGC chairman Arun S Nigavekar in 2012 proposed that this form must contain elaborate information about each service and explicitly mention the rules about how service cadre allocations are made.

The DoPT has now decided to implement this recommendation of projection of 'service profile' of various services participating in CSE, but by putting out the elaborate service profiles on its website by the end of November. "The candidate can hence make an informed decision on his preference and the government can get a correct candidate for the correct service," a senior official added.

ECONOMIC TIMES, OCT 28, 2014

Modi government readies to rope in private expertise from industry & academia for IAS

By Aman Sharma

NEW DELHI: Narendra Modi pledged to break up the established order during his election campaign — among his targets were corruption, black money, crony capitalism and the freeze on development. While he's been busy ticking items on his to-do list, one more can be added to this — the lock that the Indian Administrative Service has on key appointments.

The Modi government is preparing a policy note on throwing its doors open to private expertise from industry and academia.

By March 15 next year, the Department of Personnel & Training (DoPT), which comes under the direct charge of the prime minister, will draw up a framework on the process for getting candidates from "industry, academia and society" to compete for senior administrative posts. This could mean corporate executives as well as leading economists and academics joining the government.

Former cabinet secretary TSR Subramanian, himself a retired IAS officer, welcomed the move. "The government needs experts in the field of information technology and environment for certain posts — people who know water issues, air pollution and forests," he said.

"It is a multi-disciplinary government, which needs people from all disciplines — not just the civil service. We need administrators as well as managers," said Subramanian.

And what does he think of the resistance that is bound to come from the IAS lobby? "The country is larger than the IAS cadre," he added.

Only a prime minister with a clear political mandate, such as the one Modi has, can attempt to make headway on this, given the IAS lobby's influence. Key regulatory posts, such as the one for the telecom industry, have been filled by a succession of former IAS officers.

Reserve Bank of India governors were former IAS officers for many years until economist Raghuram Rajan was appointed last year amid stiff opposition from some in the top echelons of the civil service. A fresh Results Framework Document (RFD) released by DoPT on October 21 for 2014-15 incorporated the new target that it said was part of the BJP election manifesto.

ET was the first to report on June 29 that ministries were preparing fresh RFDs for 2014-15 to align these with the party's poll pledges.

The move could possibly break IAS' hegemony over the posts of joint secretary and additional secretary or even more senior designations, levels at which important decisions are taken.

The number of lateral entries into the government has nearly dried up in the past two decades, the previous notable ones being Manmohan Singh, Montek Singh Ahluwalia and Vijay Kelkar.

The personnel department's new RFD points out that the Second Administrative Reforms Commission (ARC) in 2008 as well as the Sixth Pay Commission in 2006, both during the previous government's tenure, had recommended widening the pool of candidates for selection to senior positions by allowing people outside the government system to compete for them. The Second ARC proposed lateral entries by opening the senior management cadre of additional secretary to aspirants from the private sector who could bring new skills to the government.

"Additional secretary is a leadership position from which one can aspire to reach the rank of secretary," the Second ARC had said.

The government may consider the creation of a Senior Executive Service (SES), as recommended by the Second ARC, which described it as a common theme in the

countries that have embarked upon reform of the bureaucracy in the past three decades. Such SES cadres are in place in Australia, Belgium, New Zealand, the UK, Netherlands and the US. The idea is to pick a small group of people for SES from which high-level government appointments can be made.

This group is open to applicants from outside the civil service as well as to serving officials and is carefully chosen on the basis of open advertisements and well-publicised talent searches. Such people are employed on contract and at higher salary levels than would be the normal course. Career progression in SES is determined by performance, the Second ARC report said.

A top DoPT official told ET that the idea was to "look beyond the civil service for candidates from the private sector with domain competency and experience" and cited the work done by former InfosysBSE 0.03 % chief Nandan Nilekani in setting up the Unique Identification Authority of India and making Aadhaar a reality.

ECONOMIC TIMES, OCT 27, 2014

Information and Broadcasting Ministry bureaucrats pen book for managers, civil services aspirants

NEW DELHI: Two serving bureaucrats in the Information and Broadcasting Ministry have co-authored a book which deals with the various ethical theories, values and dilemmas that confront administrators and managers and is also designed to be an aid for civil services aspirants.

The book, 'Ethics, Integrity and Aptitude', echoes the title of the newly-introduced general studies paper for the civil services main examination.

Authors Santosh Ajmera and Nanda Kishore Reddy said the book, which gives a holistic perspective on various ethical theories, values and dilemmas that administrators and managers may face, would also help in developing the right perspective on such matters among aspiring civil servants.

The book comes in the wake of UPSC introducing reforms in the process of recruiting civil servants with a view to creating more responsive and citizen-centric civil services.

The newly-introduced general studies paper on 'Ethics, Integrity and Aptitude', is aimed at testing the candidates' attitude and approach to issues related to integrity and probity in public life. It also seeks to ascertain their problem-solving approach to various issues and conflicts in society.

Ajmera and Reddy, both Indian Information Service officers of the 2008 batch, said the focus is now on evaluating in terms of ethical and moral dimensions the aptitude of the candidates for dealing with newer challenges on the basis of their decision-making capacity.

"Over the years, challenges before civil services have grown manifold and acquired multiple facets. A workforce created on the basis of 'Right Aptitude, Right Conduct and Willingness' to work for the betterment of society would enable the nation to overcome these challenges and march towards the dream of 'Developed India'. "Creating such a workforce thus becomes a crucial aspect of nation building," they said in a release.

Conceived and developed upon a strong theoretical base, the book has 100-plus case studies based on practical experiences and research from various government sources, the authors said.

HINDUSTAN TIMES, OCT 30, 2014

Aloke Tikku

The Narendra Modi government on Thursday ordered a ban on first-class air travel by top bureaucrats as part of its austerity drive to cut down on unnecessary expenditure and make the most of available resources.

The government also told ministries to reduce non-plan expenditure, barring them from making new financial commitments, purchasing new vehicles, creating new posts and holding conferences at five-star hotels.

Government expenditure is classified under two broad heads — plan and non-plan. Funds spent on creating assets through programmes and schemes come under plan expenditure, while non-plan expenditure refers to all spending, including establishment and maintenance activities of the government and the small-bore measures are aimed at cutting discretionary spending by 10% in the fiscal year to March 2015.

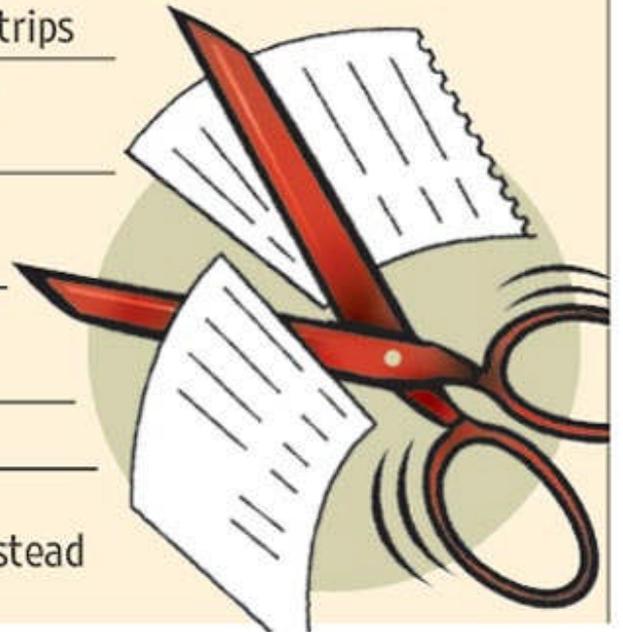
“In the context of the current fiscal situation, there is a need to continue to rationalise expenditure and optimise available resources,” said an order issued by expenditure secretary RN Watal that clamped down on secretaries flying first-class while travelling abroad. Last year’s austerity drive had advised them to avoid first-class travel, but quite a few ignored the suggestion.

Containing expenditure is central to the government’s aim to keep the fiscal deficit — shorthand for the amount of money the government borrows to fund its expenses — within the budgeted 4.1% of GDP in 2014-15.

THE DON'TS

To reduce non-plan expenditure, govt plans to ban/restrict its officials from the following:

- Travelling first-class on overseas trips
- Holding conferences, meetings in five-star hotels
- Buying new cars, other financial commitments (purchases)
- Foreign study tours, unless funded by sponsoring agencies
- Creation of new posts
- Travelling for meetings; govt encourages video-conferencing instead



The move comes a month after Prime Minister Modi frowned at secretary-rank officers going on frequent foreign trips, saying they should travel only if sending a joint secretary- or additional secretary-rank officer does not serve the purpose.

However, the government made a few changes to earlier versions of the austerity drive to avoid unnecessary inconvenience and paperwork. For instance, it exempted security forces from the ban on buying new vehicles.

In the past, security forces had to seek the finance ministry's approval for every purchase. "This rule was a big impediment and slowed down our expansion," said a central reserve police force officer.

The finance ministry also relaxed the rule forcing all officers except secretaries to travel by economy-class, which will now allow officers of the rank of joint secretary and above to travel business-class. The ministry, while striking down the earlier rule that was often criticised as unnecessary, said departments would, however, not be given any more money than what is already budgeted.

"However, there would no bookings in first-class," Watal's memorandum said.

The government will also not entertain proposals for participation in study tours or conferences abroad except those that are fully funded by the sponsoring agency

PIONEER, OCT 30, 2014

POLITICAL UNCERTAINTY PUTS BABUS OFF DELHI

Key departments go headless as senior IAS officers reluctant to join city Govt

The political uncertainty in Delhi is not only taking a toll on infrastructural development for the past one year but is also hampering day-to-day functioning of the administration. Many senior duty posts are lying vacant as there is some reluctance among the bureaucrats to remain or join the Delhi Government, which was once considered to be a plum posting, due to political uncertainty.

Top sources told The Pioneer that around 12 senior IAS officers have stymied attempts by the Ministry of Home Affairs (MHA) to transfer them to Delhi. This comes at a time when some, who are being posted in the national Capital, are also trying to get out. "Due to the bureaucrats' reluctance, many posts in key departments are lying vacant hampering the work of the Delhi Government. As things stand, there is a shortage of 24 officials at the senior level in the National Capital," said the sources.

There are a total of 103 posts for IAS officers in the Delhi Government with 56 of them being senior duty posts (for those with 12 or more years of service).

For instance, 1985-batch officer Parimal Rai, who has completed his two years in Goa, is reluctant to join the Delhi Government. A 1984-batch officer Ramesh Negi, who is serving as Chief Secretary in Arunachal Pradesh, has also completed his two-year tenure outside Delhi but is not interested in coming back to Delhi. 1984-batch officer KK Sharma, who was posted as advisor to Chandigarh administrator, opted to join Central Government's Women and Child Development Department. Interestingly Sharma was lobbying for the post of Chief Secretary of Goa.

Satbir Silas Bedi, a 1986 batch officer has preferred to go on Central Deputation for five years. She is currently posted as Joint Secretary in the Human Resource Development Ministry. Dr Anand Prakash, a 1979-batch officer, is posted in Andamans as Chief Secretary.

Despite the MHA issuing his transfer order several months ago, he has not joined the Delhi Government till date. Delhi Chief Electoral Officer Vijay Dev was keen to join as advisor to Chandigarh Administrator. With the announcement of by-elections for three vacant seats in Delhi, the transfer of Dev is seemed to be put on hold. Keshav Chandra, a 1995-batch officer, who was transferred to the Delhi Government, also preferred to go to London on study leave. A 1984-batch officer Rajni Kant Verma has opted to VRS. Two senior officials- Dr MM Kutty (1985 batch and Jalaj Srivastava (1984 batch) have already gone to USA for special training.

The shortage of officials could be gauged as charges of 12 crucial departments that include Finance, Home, General Administration, Tourism, Planning, IT, Power, Social Welfare, Revenue, Higher Education, New Delhi Municipal Council and Chief Electoral

Office-have been without their heads and some of officials are holding dual charges to take care of day to day functioning.

It may be noted that Chief Secretary DM Spolia, is currently holding the charge of Planning, Finance and Vigilance departments in the absence of senior officers. A 1984-batch officer, Arvind Ray has been holding the additional charge of Home Department after its head Archana Arora, a 1983-batch IAS officer, retired on September 30. Ray is the Principal Secretary (SC/ST/OBC/Minorities), and Chairman and MD of Delhi State Financial Development Corporation.

SS Yadav, who heads Food and Supply Department as well as Directorate of Information and Publicity, holds the additional charge of the Tourism Department. Jitendra Narain is holding the dual charge of Secretary cum Labour Commissioner.

Similarly, Principal Secretary (Services) Shakuntala Gamlin has been given the additional charge of New Delhi Municipal Council Chairperson as current Chairman Jalaj Srivastava is going abroad for special training. Srivastava has been empanelled to the rank of Additional Secretary. She has also been given the additional responsibility of General Administration after 1983-batch IAS officer Lalmalsawma, who was heading General Administration, has been transferred to Mizoram.

After Principal Secretary of Power Department Arun Goyal, a 1985-batch IAS officer, has been transferred to Mizoram, Amit Yadav has been tasked to head the department. Yadav is already Chief Managing Director of Delhi State Industrial Development Corporation and Secretary-cum-Commissioner of Industries.

Similarly Education Department Secretary Anindo Majumdar has been given the charge of Technical and Higher Education from November 1 as Verma has opted for VRS. Transport Commissioner Gyanesh Bharti has been given additional charge of Divisional Commissioner of Revenue Department.

TRIBUNE, OCT 25, 2014

SC: Govt employee can't seek promotion after refusing it

A government employee, whose promotion is canceled owing to his refusal to accept it, cannot ask for it at a later stage, the Supreme Court has said.

The apex court set aside the order of the Madhya Pradesh High Court which had directed the state government to restore the promotion of one of its employees whose promotion was cancelled after he turned down the offer as he did not want to get transferred to some other place.

"As we find that it is the respondent himself who is responsible for cancellation of the promotion order as he did not join the promoted post, the impugned order of the high court is clearly erroneous and against the law," a bench headed by Justice J Chelameswar said.

The court passed the order on an appeal filed by Madhya Pradesh government challenging the high court order. — PTI

DEFENCE, NATIONAL

ECONOMIC TIMES, OCT 30, 2014

'Women officers in military component serve no useful purpose'

UNITED NATIONS: India has told the UN Security Council that it does not subscribe to the view that women should form part of the military component of peacekeeping missions, emphasising no "useful purpose" will be served by it.

"We do not subscribe to the view that women should form part of the military component of peace keeping missions. No useful purpose would be served if women become a part of military culture and glorified it.

"That said, we do feel that women can play an an important role in police functions," Ambassador Bhagwant Singh Bishnoi, acting Permanent Representative of India to the UN said Tuesday.

Speaking at the UN Security Council debate on 'Women, Peace and Security', Bishnoi noted that women bear a "disproportionately higher share" of the burden of conflict but have a marginal say on matters of war and peace.

"We are proud that the work of Indian Inspector Shakti Devi in an UN peacekeeping mission inspires others to follow her example in the quest to redress the disproportionate burden that women bear in times of war and conflict," he said about the officer who was recently awarded the International Female Police Peacekeepers Award for her work in Afghanistan.

Expressing concern over the human right violations linked to terrorism against women, Bishnoi underlined the importance of holding positions of influence by the women as a possible solution to the problem.

"This is a function of the gender imbalance in our societies reflected in positions of power and influence. It is, therefore, important to underline that equal participation of women in power structures and their full involvement in all efforts for the prevention and resolution of conflicts is essential for maintenance and promotion of peace and security," he said.

The Ambassador also underscored the need to specifically address the situation relating to displaced women and girls.

"The most egregious crimes against women in times of conflict, however, have been and are committed by irregular forces, often warring against governments. They obey no laws and are, as experience has shown, much more immune to sanctions than governments are," he said.

He also stated that India supports a recommendation that a gender perspective be integrated in policies relating to refugees and Internally Displaced Persons (IDP).

Around 32,000 people were displaced from their homes by violent conflicts in 2013 per day and three quarters of the refugees and IDP population were women and children, Bishnoi said.

Bishnoi mentioned that India would contribute an all Female Form Police Unit for the United Nations Mission in Liberia.

EDUCATION

ECONOMIC TIMES, OCT 31, 2014

HRD ministry sets up panel to review IGNOU functioning

NEW DELHI: The HRD ministry has set up a committee under Gujarat University Vice-Chancellor Syed Bari to review the functioning of IGNOU.

The decision comes in wake of several complaints received against IGNOU VC and the parliamentary standing committee on HRD taking a grim view of how the varsity is being run. VC M Aslam has come under criticism for many of his decisions, including the scrapping of its community college scheme for the armed forces that left soldiers, airmen and sailors without certificates and diplomas.

TRIBUNE, OCT 25, 2014

UGC overlooks rules in forming panel for inspection of deemed universities

By Akshaya Mukul,

NEW DELHI: When the Supreme Court ordered inspection of seven deemed universities it had little clue how the University Grants Commission will dilute the process by disregarding its own rules.

UGC's inspection committee is headed by its secretary JS Sandhu and consists of OP Kalra of University College of Medical Sciences, Ramesh Dadich of ICSSR, SP Goyal, joint secretary, HRD ministry and Sunita Siwach, a UGC official.

This has happened despite UGC regulation of 2009 setting specific norms how to constitute an inspection committee to ascertain the financial needs of a university or its standard of teaching, examination and research, or for both. The regulation says the committee should consist of two serving or retired vice-chancellors of any central or state university; not less than three and not more than five members, at least one a woman; from amongst professors having special knowledge of the courses being conducted in the university; one member from National Academic and Accreditation Council. The regulation also says the committee should be headed by one of the two VCs.

HRD ministry sources justified the constitution of the committee on the ground that it is not a regular inspection committee but could not answer how HRD and UGC officials could be part of it.

It is not only the constitution of the inspection committee that is attracting criticism, now it has come out that the UGC committee that reviewed 41 deemed universities had actually put eight of them in the list to be disqualified as deemed university. But in the last minute, one university from Uttar Pradesh was moved out of the list.

HINDU, OCT 28, 2014

UGC should urgently look into faculty crunch: PM

Dr. Manmohan Singh said that the university system also needs to put much more emphasis on research. (File photo)

With faculty crunch impacting the quality of higher education in the country, Prime Minister Manmohan Singh on Saturday said the UGC and other stakeholders should “urgently consider” the issue and find innovative methods of resolving it.

The Prime Minister also noted that premier institutions of the country do not figure among the best in the world and that quality in general remains a “huge concern in the higher education sector”.

“I would urge UGC and other stakeholders in higher education sector to urgently consider the issue of quality and shortage of faculty and find innovative methods of resolving them,” he said at the Diamond Jubilee Celebrations of the University Grants Commission.

As per statistics, the IITs alone face a faculty shortage of close to 32 per cent and almost all the central universities in the country are confronted with shortage of teachers.

The Prime Minister said the university system also needs to put much more emphasis on research and more specifically on enhancing the number and quality of doctoral programmes.

“It is important to note that inter-disciplinary perspectives are the cornerstone of present day research. We must ensure that inter-disciplinary research takes firm roots in the culture of our universities. We must reverse to today’s situation where individual department largely operates as islands,” he said.

Dr. Singh also stressed on an environment of academic freedom in the university system, saying abilities to promote innovation and excellence in teaching and research require that institutes of higher learning have freedom to chalk their own course.

The Prime Minister, who himself headed the Commission as an academician in 1991, said though its contribution to higher education has been widely acknowledged over the last 60 years, “the best is yet to come”.

In the coming years, he said, the country needs to increasingly focus on employability along with three other Es such as expansion, excellence and equity as the government was committed to carry forward the work of strengthening the higher education system with “even greater energy and sense of purposefulness in the future”.

He said the recently launched Rashtriya Uchttar Shiksha Abhiyan (RUSA) programme recognises the importance of state higher education institutes which cater to a majority of the students receiving higher education in our country.

The programme aims to create 278 new universities and 388 new colleges and convert 266 colleges to model degree colleges by the end of the 13th Plan Period.

Drawing attention towards financing higher education, Dr. Singh said new models of financing higher education based on well established norms and improvements in the existing system of funding by Centre and the states are of "critical concerns" as support has declined in real terms.

"State universities in particular require focused attention and support to improve their quality of teaching and research," he said.

He also stressed on an urgent need for strengthening the university-industry interface to give a boost to research and development as it would give immense benefit both to the university system and Indian Industry at large.

"It may be worthwhile on the part of our university academics to make a detailed study of how this interface works in other countries so that we can replicate the international best practices," he suggested.

Noting that in the last 10 years, the Government has put "unprecedented emphasis" on education in primary, secondary and higher fields, he said the enhanced focus has began to show results in various fields while the gross enrolment ratio has almost doubled to 19.4 per cent.

The GER for women in higher education, in particular, has increased from 9.4 to 17.9 per cent during the same period, he said.

Spelling out the initiatives taken in the last 10 years, Dr. Singh said several new institutes including 23 new central universities, seven IIMs, nine IITs, 10 NITs, five Indian Institutes of Science Education & Research, four Indian IIT, and two Schools of Planning and Architecture were set up.

Making the higher education system more inclusive, he said OBC's were provided reservations in central educational institutions while new degree colleges in educationally backward districts were established. Besides, polytechnics were set up in un-served and under-served areas.

Leveraging on the potential of ICT, he said 400 universities and 20,000 colleges have been provided high speed broadband connectivity while under the National Program on Technology Enhanced Learning (NPTEL), web and video courses are being developed for engineering and humanities streams.

With the recent approval of the National Skill Qualifications Framework by the Union Cabinet to encourage skill development in a big way, he said the country now has an integrated and unified qualifications framework linking technical and vocational education on the one hand with general education on the other.

"It will now be possible for people who have acquired training through non-formal channels to get their skills certified and therefore get better opportunities in the formal job market."

While laying emphasis on inter-disciplinary research, he said a substantive research initiative should also be designed to specifically address issues of critical national importance like climate change and disaster management.

"Let me take this opportunity to reaffirm that our Government stands committed to putting in place appropriate policies and institutional structures for ensuring the academic autonomy of the institutes of Higher Education in our country," he said.

HINDU, OCT 24, 2014

Decolonising Maths education

C. K. RAJU

As Maths is compulsorily taught in schools, it sets a healthy democratic precedent to decide the nature of Maths education through a public debate which James Glover has initiated in his response ("Everything Vedic in Vedic Maths," Oct. 15) to my article ("Nothing Vedic in Vedic Math," Sept. 3). The claim that Maths "is ancient, hence Vedic" holds no water. How do we know it is ancient? Our actual source is a modern one: Bharati Krishna Tirtha. Tirtha never produced the relevant *parishishta*, even when challenged. How strange that not a single mathematician commented on these aphorisms for over 2,000 years. Such faith-based history — based solely on the word of one person — should be clearly separated from history based on evidence.

Second, if *everything* ancient is Vedic, what about the *anatmavada* of Buddhists or *carvak*? Accepting the denial of atman as "Vedic" knowledge damages the core philosophy of the Upanishads. Thus, stretching the meaning of the word "Vedic" just to save Tirtha's story has disastrous implications for Hinduism.

Besides, why is that label "Vedic" important? Is Vedic Maths to be taught because of the label or because of its practical value? If the latter, the misleading label "Vedic" should be dropped. If the former, or both, that would be a religious imposition.

A recent petition signed by 50 people and addressed to top educational administrators asks Maths to be taught in school only for its practical uses and in a religiously neutral way. Decisions on such issues should not be taken by some people designated "experts." They must declare any conflict of interests, and publicly explain the reasons for their decisions.

A deadly cocktail

A cocktail of practical value and religious propaganda can have obnoxious consequences. Post-colonisation, Maths teaching in India blindly apes Western practices — a pity because most of that school Maths actually originated in India. Europeans also imported

it for its practical value. However, contrary to popular belief, the understanding of Maths is not universal. Indian *ganita* accepted empirical proofs. This differed from the European understanding of Maths as metaphysics. Hence, over centuries, the West adapted the imported Indian Maths to fit their metaphysics, which was linked to church theology. During colonisation, the West exported back this religiously coated mathematics, which is now taught globally.

Maths was considered especially suited to arouse the eternal soul since it was believed that it contains eternal truths. The belief in eternal truths in turn led to the Western belief that Maths is “perfect.” It was further thought that this perfection could be achieved only through metaphysics and not empirically. Today, Maths is 100 per cent metaphysics.

Imperfect Maths

The belief that Maths is perfect is certainly not universal. Indian tradition accepted Maths as non-eternal and imperfect. Most practical applications of Maths today, such as sending a spacecraft to Mars, are done using computers which do Maths “imperfectly.”

Teaching Western metaphysics spreads other biases. All systems of Indian philosophy, without any exception, accept the *pratyaksa*, or empirically manifest, as the first means of proof. This also applies to *ganita*. Science and engineering too prefer empirical proofs to metaphysics. So if Maths is done for its practical applications, it is better to accept empirical proofs in the subject. But present-day Maths teaches such proofs, hence all Indian philosophy, is “inferior.”

Does any of this make a difference to $2+2=4$? Yes. Why is $2+2=4$? Putting together two pairs of apples to show four apples is *erroneous* on formalism which disallows reference to the empirical. Formalism posits that $2+2=4$ can be “rigorously” deduced only metaphysically from, say, Peano’s axioms. Most people don’t know how to do that or even what Peano’s axioms are. Thus, most Western educated never even properly learn $2+2=4$. Since they are taught alongside that all other systems are inferior, they are compelled to rely blindly on Western authority for everything. This is by design. To put an end to this mental enslavement through indoctrination, education must be decolonised. The new government ought to focus on that.

EMPLOYMENT

TELEGRAPH, OCT 30, 2014

Dangerous withdrawal

Against the scrapping of employment guarantee

Prabhat Patnaik

The National Democratic Alliance government is planning to scrap the Mahatma Gandhi National Rural Employment Guarantee Act. The chief minister of Rajasthan, Vasundhara Raje, had already asked for the employment programme of the MGNREGA under which the state was obliged to provide employment on demand (failing which an unemployment allowance of a specified amount had to be paid), to be downgraded to a mere "food-for-work" programme, where the state provides employment only when it pleases and is not obliged to do so on demand. Now, the Union rural development minister, Nitin Gadkari, is introducing changes in the MGNREGA that amount to its virtual scrapping.

Gadkari is reportedly planning three changes. The first is to restrict the scope of the act to one-third of the total number of blocks in the country that are supposed to be the most backward. The MGNREGA had set up a *universal* scheme that gave every household the right to a maximum of 100 days of employment on demand. The plea that it is not necessary in two-thirds of the blocks, and hence should be restricted only to one-third, is a specious one, since households not requiring employment under the universally-applicable MGNREGA could always opt out, and did so in any case; the need for an independent specification of where employment has to be provided simply does not arise. What restricting the scope of the MGNREGA to only one-third of the blocks would do is not only to ignore claims of the unemployed poor in the two thirds of the blocks that would cease to be covered by it, but also to abrogate a universal right.

The second change that Gadkari is mooting is not so much a formal change as the institutionalization of a *de facto* attenuation that had begun even under the United Progressive Alliance-II government. Employment under the MGNREGA being demand-driven, the funds required for it in any year should be determined by the demand for employment rather than by some prior allocation; even if an allocation is made for budgetary purposes, it should be seen only as provisional, subject to revision depending on the demand for employment. Now, the UPA-II government, while reiterating this principle, did not actually spend more than the budgetary provision, even when the demand for employment was larger. It simply defaulted on timely wage payments in such cases. Consequently, wage arrears, for work already done, got carried over from one year to the next. And since the next year's budget also did not provide for such wage arrears, a rationing of wage payment became a routine phenomenon. Workers had to wait for long periods for payment for work already done, which again not only violated their rights, but also served to discourage them from applying for work under the MGNREGA. It discouraged state governments, too, from registering them, for fear of either having to pay wage arrears out of *their* budgets, or having to confront angry unpaid workers.

Gadkari is now seeking to institutionalize such a *de facto* roll-back of the MGNREGA. On September 29, the rural development ministry has sent a circular to the state governments, specifying what the allocations for each state under the MGNREGA was for the current year, and how much of the funds remained to be spent. The question of funds "remaining to be spent" in a programme whose budget is supposed to be demand-driven makes no sense, unless the suggestion is that the Centre will not provide any funds in excess of what remains to be spent. The NDA is thus brazenly rolling back a scheme that the UPA was quietly undermining.

The third change planned by Gadkari is to be understood in the context of this financial strangulation of the programme. The ratio of material to wage costs on MGNREGA schemes is not supposed to exceed 40:60. Gadkari wants to increase it to 49:51. This may appear innocuous, but it has two important implications: first, within any given budgetary allocation this would mean a smaller amount for wage payments, and hence a smaller provision of employment; and second, the increase in material costs entails bringing in contractors, and entrusting the employment schemes to a bunch of contractors, before whom the workers in need of employment would have to appear as supplicants, and to whom they would have to pay cuts out of wages.

These changes, in short, will simply finish off the MGNREGA as a rights-based programme. A climate of opinion for such an end is being created by spreading all sorts of canards about the programme. It is claimed for instance that it is a mere dole that does not create any assets. This is, first of all, untrue: a Planning Commission study finds that compared to the preceding employment programmes such as "food for work", the value of assets created per unit of expenditure under the MGNREGA has been nine times as much. Second, the MGNREGA being a rights-based programme, whether assets are created or not is irrelevant for its continuance. To be sure, assets should be created, but that requires better project formulation; a right of the workers cannot be snatched away if projects are ill-formulated. Third, calling MGNREGA employment a mere dole, which implies payment without work, is an astounding untruth, which can be propagated only by those who have little knowledge of ground realities but much animosity towards the labouring poor.

I have personally seen on visits to MGNREGA work-sites in Kerala the incredibly difficult work undertaken by those employed, such as standing waist-deep in muddy waters for hours on end for cleaning community tanks, or carrying debris (*malba*) for long hours and over long distances under a blazing sun for road construction projects. Since those doing such arduous work have included above all women and old people, I have been struck by the terrible conditions of life of the labouring poor in the country as a whole, if there is such desperation even in Kerala with its unmatched welfare schemes.

A second criticism that subtly invokes caste contradictions, between the intermediate and Dalit castes, laments that MGNREGA has hurt the peasantry by raising wage costs. This is a complete *non-sequitur*. Any improvement in the conditions of the rural workers must, if other things remain unchanged, hurt those who employ them. If this hurt is to be avoided, even as workers' conditions are improved, then other things must not remain

unchanged. In the present case procurement prices must be raised for the peasantry, and its inflationary impact negated through a larger food subsidy, paid for either through deficit financing or taxes upon the rich (who have been handed huge tax concessions of late in the name of development). MGNREGA, in short, need not hurt the peasantry. If it does, then that is because of an act of complicity on the part of the government.

But this propaganda is being used to roll back one of the most significant initiatives in favour of the poor in post-Independence India, whose significance can be gauged from the fact that it provides 2.5 billion person-days of work each year.

This rolling back is extremely disturbing for several reasons. The first and the most obvious one is the assault on the poor that it constitutes. The second is the poverty of the economics underlying such a roll-back. At a time when there is persistent absolute stagnation in industry, when the need is to expand the home market by giving purchasing power to the people, scrapping MGNREGA has the very opposite effect.

Even if we ignore the ethical unsoundness of a policy of fiscally-engineered redistribution of purchasing power in an inegalitarian direction, by curtailing spending on MGNREGA projects and increasing transfers to the capitalists to boost their "animal spirits", it nonetheless constitutes simply bad economics: no investment will be forthcoming from the capitalists unless demand increases in the economy, and demand, instead of increasing, will actually contract through such inegalitarian measures.

There is a third and deeper reason for disquiet here. The MGNREGA enacted a right to employment that was in conformity with the directive principles of state policy contained in the Constitution. It gave the people, through a unanimous resolution of the Parliament, a basic right. This right, though not enshrined in the Constitution *per se* has nonetheless become a part of our Constitutional order. It is a moot point whether Parliament itself can, through a simple majority, take away that right in the future, for that would mean interfering with the Constitutional order. But, when the matter has not even come to Parliament, for the executive unilaterally to withdraw that right surely sets a dangerous precedent. It is analogous to the executive unilaterally ordering unlawful detention of persons, and should be resisted equally uncompromisingly.

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HEALTH SERVICES

BUSINESS STANDARD, OCT 25, 2014

Steven Johnson: Ebola's information paradox

Modern society is vulnerable to the threat of a pandemic because of the global connectedness of air travel; yet, we can alert the world to threats using a single smartphone

Steven Johnson

On August 28, 1854, a six-month-old girl known to history as "Baby Lewis" fell ill with cholera in the London neighbourhood of Soho, at that point one of the most densely populated, and poorest, neighbourhoods in the city. Bacteria from her stool contaminated a well on Broad Street, and within a matter of days, the most terrifying outbreak of cholera in the history of London had erupted. By the time it ended, several weeks later, one-tenth of the neighbourhood's population had died.

The story of the [Broad Street](#) outbreak is perhaps the most famous case study in [public health](#) and epidemiology, in large part because it led to the revolutionary insight that cholera was a waterborne disease, not airborne as most believed at the time. But there is another element of the Broad Street outbreak that warrants attention today, as popular anxiety about [Ebola](#) surges across the airwaves and subways and living rooms of the United States: not the spread of the disease itself, but the spread of information about the disease.

It was a full seven days after Baby Lewis became ill, and four days after the [Soho](#) residents began dying in mass numbers, before the outbreak warranted the slightest mention in the London papers, a few short lines indicating that seven people had died in the neighbourhood. (The report understated the growing death toll by an order of magnitude.) It took two entire weeks before the press began treating the outbreak as a major news event for the city.

Within Soho, the information channels were equally unreliable. Rumours spread throughout the neighbourhood that the entire city had succumbed at the same casualty rate, and that London was facing a catastrophe on the scale of the Great Fire of 1666. But this proved to be nothing more than rumour. Because the Soho crisis had originated with a single-point source - the poisoned well - its range was limited compared with its intensity. If you lived near the Broad Street well, you were in grave danger. If you didn't, you were likely to be unaffected.

Compare this pattern of information flow to the way news spreads now. On Thursday, Craig Spencer, a New York doctor, was given a diagnosis of Ebola after presenting a high fever, and the entire world learned of the test result within hours of the patient himself learning it. News spread with similar velocity several weeks ago with the Dallas Ebola victim, Thomas Duncan. In a sense, it took news of the cholera outbreak a week to travel the 20 blocks from Soho to Fleet Street in 1854; today, the news travels at nearly the speed of light, as data traverses fibre-optic cables. Thanks to that technology, the news channels have been on permanent Ebola watch for weeks now, despite the fact that, as the joke went on Twitter, more Americans have been married to Kim Kardashian than have died in the United States from Ebola.

As societies and technologies evolve, the velocities vary with which disease and information can spread. The tremendous population density of London in the 19th century enabled the cholera bacterium to spread through a neighbourhood with terrifying speed, while the information about that terror moved more slowly. This was good news for the mental well-being of England's wider population, which was spared the anxiety of following the death count as if it were a stock ticker. But it was terrible from a public health standpoint; the epidemic had largely faded before the official institutions of public health even realised the magnitude of the outbreak.

We hear it said constantly that modern society is uniquely vulnerable to the threat of a pandemic because of the [global connectedness](#) of air travel. Yet we rarely pause to consider the other side of our global connectedness: the speed of information, which has been increasing at a much faster rate over the past few decades than the speed of airplanes has. With the [H1N1](#) pandemic of 2009, for instance, a virulent new strain of the flu was identified in a rural Mexican community, and within a matter of days health organisations around the world had been notified, and were trained to identify the new virus.

Thanks both to technology and to the essential work of institutions like the [World Health Organisation](#) and the Centers for Disease Control and Prevention, we can alert the world to potential threats from a single smartphone. This is particularly true in countries, like the United States, with mature public health institutions, but it is also true in countries like Nigeria that were able to act quickly on early information about Ebola victims and contain the outbreak within weeks.

So this is the strange paradox of the modern epidemic: The speed of information is both our greatest defence against a true epidemic in a city like New York, and it is the source of constant, nagging anxiety that creates the - entirely incorrect - sense that we live in

unusually perilous times. A New Yorker or Londoner is far less likely to perish from an epidemic disease than he or she would have been 150 years ago. We are vastly less at risk and at the same time we are more worried - for the same reason.

Information travels faster than viruses do now. This is why we are afraid. But this is also why we are safe.

INTERNATIONAL LAW

HINDU, OCT 24, 2014

[Interpretation of international law](#)

SUHRITH PARTHASARATHY

The United States' supposed grand strategy to thwart the rampaging Islamic State (IS) is seemingly in a shambles. Reports indicate that IS has not only foiled the U.S.-led attacks thus far, but has also perpetrated massive defeats on the Iraqi army. What's more, the Syrian rebel coalitions that were working closest with the U.S. are also apparently beginning to turn against America.

The attacks in Syria against IS — an extremist Sunni organisation — and Khorasan — a mysterious, and far lesser known, network — began in the middle of September through a series of carefully planned air strikes; they were, to illustrate the magnitude of the assaults, the largest single operation by the U.S. military since NATO's intervention in Libya in 2011.

Invoking Article 51

The on-going acts of aggression on Syrian territory, by many accounts, might only be the tip of the iceberg. The consequence, however, of a prolonged battle, analysts say, could backfire miserably on the U.S. It could, for instance, further strengthen the militantly oppressive regime of the Syrian President, Bashar al-Assad. But, all of these practicalities apart, what has been most telling about the American attacks, are the almost-mundane inevitability of them all. As the journalist Glenn Greenwald observed, it seems “Empires bomb who they want, when they want, for whatever reason.”

Officially, although it seems to matter so little, the U.S. has sought to justify its attacks by invoking Article 51 of the United Nations Charter. “States must be able to defend themselves, in accordance with the inherent right of individual and collective self-defense ... when, as is the case here, the government of the State where the threat is located is unwilling or unable to prevent the use of its territory for such attacks,” wrote U.S. Ambassador to the U.N. Samantha Power in a letter to the U.N. Secretary General, Ban Ki-moon. “The Syrian regime has shown that it cannot and will not confront these safe-havens effectively itself. Accordingly, the United States has initiated necessary and proportionate military actions in Syria in order to eliminate the ongoing [IS] threat to Iraq”

While the attacks against IS have been sought to be justified as an act in exercise of collective self-defence of Iraq, the legal justification offered for strikes on Khorasan is different: those strikes are a response to what Ms. Power described as “terrorist threats that [Khorasan] pose to the United States and our partners and allies.”

Treaty and customary law

The international law on the use of force by states is governed both by treaty — the U.N. charter, to which the U.S. is a founding signatory — and customary law. The latter is a set of rules that acquire binding status by virtue of extensive practice by a number of states acting out of a sense of obligation over a sustained period of time. In this case, Ms. Power’s statements might look like legal justifications, but, in fact, they are almost completely shorn of reasonable basis under both treaty and customary law.

Insofar as treaty law is concerned, Article 2(4) of the U.N. Charter states that members shall refrain in their international relations from “the threat or use of force against the territorial integrity or political independence of any state” Therefore, any armed attack by a state in a foreign territory is prohibited unless otherwise permitted by the charter.

Article 51 of the U.N. Charter represents the general exception to this rule. It preserves every nation-state’s “inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations,” until the Security Council intervenes. Provided however that any such response ought to be immediately reported to the Security Council.

Here, given that the Assad government has offered no express authorisation to the U.S., the attacks are, without question, in violation of Syria’s sovereignty. Therefore, the aggressors ought to necessarily look towards the exceptions to the prohibited use of force under the U.N. Charter in justifying their actions.

The International Court of Justice (ICJ), as Kevin Jon Heller, a professor of criminal law at The School of Oriental and African Studies (SOAS), London, has pointed out, has taken a staunch view on the subject; it has held that Article 51 of the U.N. Charter permits acts in self-defence against non-state actors (such as IS and Khorasan) only in limited circumstances. In both *Nicaragua v. the United States*(1986) and the Advisory Opinion in the case of the Palestinian Wall (2004), the ICJ ruled that an action is justifiable under Article 51 only where the non-state actor’s armed attacks are attributable, in one way or another, to the state whose territorial integrity is being infringed. In this case, therefore, the U.S. will have to show that the acts of ISIS, and Khorasan, are attributable — either explicitly or implicitly — to the Syrian government.

America’s purported justification for the attacks, flowing from Ms. Power’s letter, however involves no such analysis. Instead, it merely states that because Syria is unwilling or unable — it doesn’t tell us which — to prevent the use of its territory for attacks by IS and Khorasan, the U.S. is justified in invoking its collective right of self-defence.

‘Unwilling’ test

The problems with such an explanation are various. First, the “unwilling or unable” test that the U.S. seeks to invoke, as much as it would like us to believe otherwise, has no valid basis in international law. It neither finds any mention in Article 51 nor has it been

accepted by a sufficient number of nation-states for it to acquire the status of customary law. As Prof. Heller has observed, international law has evolved tremendously since 9/11, but it may not have changed as much as to justify attacks against non-state actors purely because the host state is unwilling or unable to quell such an actor.

Second, even if one were to assume that the “unwilling or unable” test has acquired legal imprimatur, the attacks by the U.S. in Syrian territory remain on flimsy ground. Syria has offered no explicit consent for such attacks, and has certainly not stated that it is either unwilling or unable to counter the threat of IS. Quite to the contrary, the Syrian Foreign Minister, Walid al-Muallem, who is also the country’s Deputy Prime Minister, has said, “Any strike which is not coordinated with the [Syrian] government will be considered as aggression.” In furtherance of the same statement, Mr. al-Muallem told the U.N. General Assembly that the attacks by the international community must be within “the frame of full respect of national sovereignty and in conformity with international conventions.” These statements, as are self-evident, are expressions neither of unwillingness nor inability. As the French President, François Hollande, put it at a press conference following the U.S.’s initial air strikes in Syria: “We’re very concerned with the aspects of international law. We’ve been called in by the Iraqis; we’re not called on in Syria.”

Illegalities

Third, and possibly most frighteningly, as Mr. Greenwald has reported, it isn’t merely the fact that the U.S. has failed to show any evidence of an imminent attack on its homeland, which is worrying. It is that the Khorasan Group, that the U.S. originally referenced, might well be a figment of its imagination. Thus far, America has failed to display any proof that the Khorasan actually exists.

To make matters worse, the White House has also confirmed that a standard that President Obama announced as part of a supposed U.S. drone policy, which would see the country launch drone strikes only when there was a “near certainty” that there would be no civilian casualties, would not apply to air strikes against IS.

Just as it failed to do with Russia’s military intervention in Ukraine earlier this year, it is quite clear that the international law against the use of armed force — embodied in Article 2(4) of the U.N. Charter — has fallen short of constraining, or even as much as defining, the ongoing attacks by the U.S. in Syria. It is possible that most civilised nations consider the American attacks as legitimate and necessary, even if illegal. But, if that were the case, shouldn’t such illegality matter more when it assaults the very foundation of our international legal order? And do not these attacks further negate any semblance of legitimacy that international law still enjoys? Sovereignty, once upon a time, used to be inviolable.

If the lack of a global uproar against the American intervention in Syria represents a tacit acceptance of the necessity for these attacks, the question still remains: why is international law so weak as to be incapable of producing a lawfully tailored solution to

counter the Islamic State's most gruesome threats, including a potential genocide of Yazidis?

Asking these questions at a time such as this might appear, to some, imprudent. But it is important for countries that often seek to occupy a moral high ground when other countries indulge in illegal military interventions to set good examples. Maintaining a workable international legal order requires the most powerful countries to set the correct precedent; if the U.S. is indeed justified in using force in Syria, then it ought to offer a legally tenable defence for its participation in the conflict.

When Barack Obama assumed office as the U.S. President, many believed that his administration would correct the policies of the disastrous Bush regime. But the Obama administration might well have created far more dangerous dogmas, as its vacuous defence of the attacks on Syrian soil shows. If countries treat these justifications by the U.S. as edicts, the already parlous state of international law could suffer far greater dents.

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POLITICS AND GOVERNMENT

TELEGRAPH, OCT 24, 2014

PICKY WITH HIS SYMBOLS

Modi's critics must find a new stick to beat him with

Swapn Dasgupta

In many ways the aftermath of the elections in Maharashtra and Haryana was a case of the dog that didn't bark. Imagine, for the sake of argument, that the assembly elections in the two states had been held at the beginning of the year, before the general elections. The favourable outcome for the Bharatiya Janata Party would have witnessed a frenetic round of breast-beating. Concerned notables would have been eloquent in expressing their dismay at the communalization of Indian politics and the consequent marginalization of the so-called secular parties. Tears would have been shed over the apparent decimation of the Idea of India. Analysts would, in particular, have been disturbed by the fact that even the internal schisms of the 'Hindu Right' hadn't prevented the Bharatiya Janata Party and the Shiv Sena — both pro-*Hindutva* parties — from occupying first and second place and securing a combined total of 48.5 per cent of the popular vote in Maharashtra, India's second largest state after Uttar Pradesh.

Instead, what we witnessed were run-of-the-mill discussions in the TV studios, some quiet gloating of the anti-Narendra-Modi media that an outright majority eluded the BJP in Maharashtra and some genuine anguish over the uninterrupted decline of the Congress. What was significantly missing was the hoary secular-communal discourse that had dominated the airwaves only a few months earlier.

Indeed, even the feeblest attempts to invoke the threats to an earlier secular consensus were punctured by the alacrity with which Sharad Pawar's Nationalist Congress Party offered unconditional support to the BJP, even before all the results were in. Maybe the offer was akin to an anticipatory bail application, but what was significant was that the apparent communal credentials of the BJP weren't a deterrent. The secular cause was further muddied when the NCP let it be known that the Congress had mooted a proposal for the erstwhile United Progressive Alliance partners to support a minority Shiv Sena government from the outside.

Conventional alarmist wisdom had deemed that the victory of the BJP in May 2014 and the installation of Modi as prime minister would have a devastating effect on the 'secular fabric' of India. Going by this caricatured perception, there would be a thrust towards making India culturally monochromatic. The merchants of fear deemed that there would be a drive towards making Hindi-speaking obligatory and vegetarianism compulsory. By implication it was suggested that all minorities would be under threat and that Muslims would become increasingly beleaguered and hemmed into ghettos.

I am not exaggerating. You just have to read the petitions expressing fears of a Modi *raj* signed by worried *Guardian* and *New York Times*-reading Indians resident overseas that

surfaced just prior to the voting in the general elections to realize that some people had psyched themselves into believing that a Modi *sarkar* equalled Indian fascism.

It is not that the immediate aftermath of the election didn't witness any inter-community

tension. Western Uttar Pradesh, which is fast becoming a communal tinderbox, witnessed communal riots of middling and low intensity. There was a lot of fuss over alleged love *jihad* campaigns involving Muslim boys ensnaring Hindu girls into relationships and subsequent conversions to Islam. Some BJP hotheads, looking for shortcuts to popularity, even chose to persuade national leaders into making love *jihad* the main subject of street politics in Uttar Pradesh. In Gujarat, after more than a decade of peace, Vadodara witnessed Hindu-Muslim clashes during Navratri, courtesy some inflammatory messages circulated over WhatsApp. And, in Srinagar, there was the unseemly sight of a group of habitual protesters flashing the flag of the notorious ISIS of Iraq and Syria.

The most serious incidents that have the potential of creating new and dangerous sectarian complications have occurred in West Bengal. Ostensibly, the bomb factory in Bardhaman that was unearthed after a series of accidental blasts centre on a threat to national security and relations with neighbouring Bangladesh. However, the wilful underplaying of the threat posed by Islamist extremists targeting the Awami League government and the suggestion that Bangladeshi networks were involved in money laundering operations in West Bengal have put the state government in the dock. The belligerent defensiveness of the chief minister, Mamata Banerjee, and her cynical relationship with an extremist fringe have, in effect, contributed to an already growing communal divide in the state. However, the factors that have contributed to the new schisms are located within the state and the wider neighbourhood. There is no suggestion that the Modi government has played a divisive role.

The larger theme that emerges five months after Modi assumed charge in Delhi is that the priorities of both the government and the populace are not on issues of identity. Since becoming prime minister, Modi has undertaken many new and extremely ambitious programmes. The rationale behind the initiatives is the larger economic regeneration of India and improving the quality of life of its people. Whether it is the 'Make in India' initiative, the Ganga cleaning programme and the Swachh Bharat crusade, the appeal cuts across regional, caste and religious divides. This is in synch with the BJP's attempt to create a new support base that is based on aspiration, energy and a negation of old-style vote-bank politics.

It is true that most of these initiatives still have a long way to go. To that extent, the huge surge in BJP support is based on an endorsement of the direction of governance and leadership style rather than a verdict on performance. Yet, the mere fact that existing political alignments were dramatically altered in an assembly election, where local factors and identity matter far more than they do in Lok Sabha elections, suggest a yearning for what appears to be purposeful governance and clear decision-making.

Those who judged (and still judge) by his inability to prevent the riots in Gujarat assuming horrible proportions believe that communal polarization is at the heart of Modi's politics. They would attach huge importance, for example, to the prime minister not hosting an *iftaar* in Race Course, quite forgetting that he didn't bother with a Diwali party either. Likewise, the fact that Modi didn't roundly denounce some of the more extreme utterances of Yogi Adityanath, now the presiding *swami* of the Gorakhnath temple, has attracted unfavourable comment. But this strategic silence was offset by his most public repudiation of communal polarization: his call for a 10-year moratorium on divisive issues in his Independence Day speech from Red Fort.

The truth that many of Modi's critics have been slow to grasp is that, unlike conventional politicians, the prime minister is very picky with his public symbolism. The usual Amar-Akbar-Antony symbolism preferred by Bollywood has given way to something that is less contrived and, more important, modern. Modi the prime minister has chosen to be markedly different from Modi the indefatigable election campaigner. The style is still evolving and it would be premature to attempt a rigid definition of the new style. All that can be said with a measure of certainty is that Modi is loath to woo India's religious minorities on the basis of their faith. He will court Aamir Khan for his Swachh Bharat campaign not because he needs a token Muslim face but because the actor's larger profile fits the role of a promoter of a social cause. Modi may not be a secularist in the same way as Jawaharlal Nehru was, but he is disinclined to practice either tokenism or religious politics.

The deafening silence surrounding the secular-communal divide is among the most positive consequences of last week's assembly polls. Modi's critics must find a new stick to beat him with. The old one has been blunted.

POSTAL SERVICES

ECONOMIC TIMES, OCT 29, 2014

NEW DELHI: The government will soon launch the revamped Kisan Vikas Patra (KVP) besides some new saving instrument programmes for the girl child as well for the physically challenged person, a senior finance ministry official said on Tuesday.

"We are going to launch the revamped KVP soon again in the form of saving instrument," Rajat Bhargava, Joint Secretary (Budget) in the ministry finance said at an event here. "Similarly, the government of India is also going to launch some new saving instrument programmes for girl child as well as for the physically challenged person who has not been covered so far (under the programme)," Bhargava added.

Finance Minister Arun Jaitley, in the Budget speech, had said he will re-introduce the KVP, which was a very popular instrument among small savers. "I plan to reintroduce the instrument to encourage people, who may have banked and unbanked savings to invest in this instrument," Jaitley had said.

PUBLIC ADMINISTRATION

HINDU, OCT 24, 2014

The tasks of governance

It is not often that a first-time legislator gets to be Chief Minister. In Haryana, Manohar Lal Khattar was chosen by the Bharatiya Janata Party for the top job not for his legislative experience or administrative expertise, but for his organisational skill and political savvy. Mr. Khattar joined the BJP from the ranks of the Rashtriya Swayamsevak Sangh, where he was an active pracharak, and was put in charge of the party's affairs in several States in the last two decades. In Haryana, his inputs went into the BJP's making and breaking of alliances with some of the regional parties — the Haryana Vikas Party, the Indian National Lok Dal and the Haryana Janhit Congress. With every new alliance the BJP grew stronger, until in the latest Assembly election it found the confidence to fight on its own. At least some of the credit for the party's growth in the State at the expense of its allies should go to Mr. Khattar. In many ways, this is a reward for Mr. Khattar, a form of recognition for his efforts to overcome the BJP's weaknesses in Haryana. It is also an expression of gratitude by the Narendra Modi-Amit Shah team to Mr. Khattar for his having worked closely with them. Mr. Modi was himself an organisation man before he became Chief Minister of Gujarat, and he would have seen Mr. Khattar as embodying some of his own abilities that go beyond mere tact and rhetoric.

In choosing Mr. Khattar over other aspirants, the BJP also signalled that it was not getting into the game of playing the Jat card in Haryana. Jats constitute a dominant caste group in the State, and large sections of them now form the backbone of the Indian National Lok Dal led by Om Prakash Chautala, which finished second behind the BJP. But for the BJP, as for the Congress, the support base is more diverse, and the choice of Mr. Khattar reflects this fact. As is the normal practice in the BJP, the candidature was proposed and endorsed by the principal rivals for the Chief Minister's post. While State party chief Ram Bilas Sharma proposed his name, Captain Abhimanyu was among those who seconded the proposal. Mr. Khattar will now have to shift his focus to governance from political manoeuvres. Haryana is a small State, but the challenges for the new government are formidable. Food security, employment opportunities, rural development and prevention of female foeticide are issues that cry out for attention — more than cow slaughter or free pilgrimages, which too figured in the BJP's election manifesto. Mr. Khattar in office is soon going to realise that expanding the support base as an Opposition party is easier than consolidating it as a ruling party. After the smooth takeover, he must focus on governance and meeting the expectations behind the mandate.

SOCIAL PROBLEMS

HINDU, OCT 24, 2014

Six-month cooling period must before divorce: Bombay HC

VINAYA DESHPANDE

Even if a couple has signed mutual consent terms, there has to be a six-month waiting or cooling period before a divorce is granted, the Bombay High Court has upheld recently. It was hearing an appeal filed by a woman, seeking time to reconsider her decision of divorce.

The family court had allowed divorce to the couple within five months of signing the consent terms. The woman challenged the family court order before the Bombay High Court.

“From the analysis of the Section (13B of the Hindu Marriage Act), it will be apparent that the filing of the petition with mutual consent does not authorise the court to make a decree for divorce. There is a period of waiting from 6 to 18 months. This interregnum was obviously intended to give time and opportunity to the parties to reflect on their move and seek advice from relations and friends.

“In this transitional period one of the parties may have a second thought and change the mind not to proceed with the petition,” the Division Bench of Justices V.K. Tahilramani and A.R. Joshi observed.

The husband had sought divorce in the year 2013, on grounds of cruelty. The couple subsequently agreed for mediation, and drew mediation settlement terms on February 14, 2014. After the terms of settlement were agreed on, the husband filed an application seeking dissolving of marriage. It was granted by the family court on July 30, 2014.