

EDITORIAL

Dear Reader,

It is a matter of great pride for each of us that sixty four years after the first elections were held in independent India the Election Commission continues to ensure free and fair elections in a country of our size, scale and complexity. However, while the EC has done a stellar job in holding largely free and fair elections there is still room for us to enhance the electoral process. Our cover story in this issue of Policy Watch highlights some of the policy interventions that may be required to ensure that we continue to give ourselves a truly representative democracy. Of course this evolution must be viewed via the prism of the core objectives of the Indian electoral system – true representation and widest participation – and the latter must address the need for ease of registration and voting. The current CEC has proposed the use of the Aadhar database to de-duplicate the electoral lists – a proposal that needs to be evaluated more closely as a number of questions still remain unanswered on the sanctity of the Aadhar database itself. Of course no discussion about wider participation can remain complete without talk of internet voting. While Gujarat and Estonia have experimented with it, security experts across the world remain skeptical about Online Voting Systems as they have not been able to identify a fool proof solution that marries the contradictory requirements of voter anonymity and the need for ‘paper trails’ that demonstrate the veracity of the voting process. While these changes require a more technical evaluation the CEC has also brought back the debate on the “First Past the Post System” – we do hope that this cover story will set off a wider and more informed debate on all these issues as each of these changes could have deep ramifications on the democratic processes and future of the country.

The headline of the week raises the issue of India’s regressive policy on same sex couples. This time on view on the world stage as India voted with Russia, Iran, Saudi Arabia and Pakistan to prevent staff benefits to same sex couples working in the United Nations.]. Although the Congress party and its leaders have spoken out against Section 377 repeatedly, the current dispensation has made its views on the issue very clear and by voting in this manner at the UN, the government has ensured that India is now keeping company with some of the world’s most narrow minded and regressive nations.

This issue of Policy Watch also looks at a study by the Indian Institute of Management, Ahmadabad, on the efficacy of one of the key elements of the rights based approach – the Right to Education. While Delhi, MP and Rajasthan were among the states that led the country in successful implementation of the RTE, there were a number of laggard states which reported less than 2% implementation of EWS seats. Lack of awareness among parents, society, schools and even government authorities emerged as key reasons why some states saw such poor implementation records. The report also touched upon inclusion and other social issues that we need to focus on as a society, so that children can truly benefit from this rights based approach. Of course one of the obvious gaps in the implementation of the RTE is that the systems and processes that should have ensured justiciability are not being implemented strongly, and therefore there is no real recourse for children who find that they’re Right to Education is being violated.

Staying with the rights based approach, it continues to be a matter of great concern that the government has not just not been able to appoint a Chief Information Commissioner (CIC), an appointment that has been pending for the last seven months, but it is not even able to confirm details about the members who attended a recent meeting to appoint the CIC. This lackadaisical approach to the Right to Information has manifested

EDITORIAL

itself in the more than 39,000 RTI queries that are pending with the Central Information Commission as of today. What is of greater concern is that the CIC is responsible for responding to RTI queries related to the PMO and Cabinet Secretariat, and activists allege that this governance gap seems to be an attempt to make these offices completely opaque.

Finally, do read about 78,508 rural habitations that are being exposed to contaminated water across the country. As per data released by the Ministry of Drinking Water and Sanitation, vast swathes of the country are consuming water which has been contaminated by heavy metals, and other toxic substances. In fact arsenic poisoning in West Bengal has now reached the level of geo-environmental disaster! As per experts this level of contamination can lead to health issues such as crippling skeletal damage, kidney degeneration, cirrhosis of the liver and even cardiac arrests. Time that availability of clean water became a national concern?

We do hope that you enjoy reading this issue of Policy Watch and as always look forward to your feedback.

Regards

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IN THIS ISSUE

COVER STORY:

- The Future of Democracy: Electoral Reforms

HEADLINE OF THE WEEK:

- India stood with Iran, Saudi and Pakistan in failed attempt to block benefits for gay UN staffers
- Private schools fill just 29% of 2 million seats for children from poor families under RTE

SECTION 1: THE ECONOMY

- Government to subsidise imported gas-based power generation
- NITI Aayog moved away from estimation of poverty

SECTION 2: GOVERNANCE AND DEVELOPMENT

- **Politics and Governance:** Government clueless about meeting to pick chief information commissioner; Government may not meet skill development targets for 2014-15; EC urges reforms to end black money influence in elections; Transparency on the backburner
- **Government:** Rajasthan CM turns to MGNREGA after hailstorms cause devastation; India's railway policy is reflective of the government's weak specifics
- **Panchayati Raj:** Rajasthan sets minimum educational qualification for contesting elections to PRIs;
- **Education:** NUEPA upset with HRD ministry planning of new national education policy
- **Health:** Over 78,000 rural habitations are being slowly poisoned; 200 West Uttar Pradesh villages facing scourge of cancer; WHO: India needs comprehensive tax policy for curbing tobacco use
- **Environment:** India still ill prepared to meet the rising water demand; States diverting CAMPA Funds for planting trees to meet other expenditure; Ahemdabad's lakes left to die

SECTION 4: INDIA'S WORLD

- **International Affairs:** More aid needed for 120,000 displaced by clashes in southern Philippines – UN agency

SECTION 5: OPINIONS/ BOOKS

- **Opinion:** Whistle-blowers continue to be murdered even as a law for their protection awaits notification; The right questions are not being asked about the country's (aggressive) indian ocean strategy

COVER STORY

The Future of Democracy: Electoral Reforms

Democracy around the world took a giant leap forward when the first general elections were successfully conducted in 1951-52 in what came to be the world's largest democracy, i.e. India. These elections were considered one of the "biggest experiments in democracy" as over 173 million voters, exercised their franchise to give to themselves a truly representative government.

The roots of this successful experiment can be traced to the visionary outlook of our founding fathers reflected in the Moti Lal Nehru Report on the draft constitution for free India which advocated unlimited adult franchise and equal rights for women as early as 1928. In the following Karachi Session of 1931 the Indian National Congress passed a resolution encapsulating universal adult franchise as a fundamental feature of Purna Swaraj.

Although the 1951-52 elections was a strong step forward for us as a democratic nation, the issue of electoral reforms soon became a part of the national agenda. Electoral malpractices, criminalization of politics, power exerted by money, inadequate representation of women etc. led to the need for wide ranging electoral reforms after the fourth General Elections held in 1967. A spate of key reforms that ensued included the Election Commission being empowered to countermand elections in an entire constituency in 1988. In the same year the voting age of citizens was reduced from 21 years to 18 years. In 1996, significant changes were made in the Representation of People's Act (RPA), 1951, to check multiplicity of non-serious candidates in elections and sale of intoxicants in a polling area. A year later it was made mandatory for every candidate to file an affidavit about his/her convictions. Further in 2002, the Election Commission implemented the directives of the Supreme Court requiring candidates to declare their assets, liabilities, qualifications and criminal antecedents (if any).

As is the case with any forward looking democracy across the world, India has therefore seen a number of reforms that have made the electoral process far more democratic and transparent over the years. In keeping with this tradition, the Chief Election Commissioner (CEC) H.S. Brahma has over the last few months spoken to the media⁵ about a number of issues that could have a significant impact on our democracy. These include internet voting, use of the Aadhar database to curb duplication in electoral roles, revoking registration of non-contesting parties and the 'first-past-the-post' system of elections. This article seeks to briefly analyse the feasibility and impact of some of these measures on the Indian democratic system.

INTERNET VOTING

India took its first steps towards internet voting in the 2011 Gandhinagar municipal elections in Gujarat. However, the move for internet voting gained momentum when a Non Resident Indian (NRI), Samsheer V.P., filed a PIL challenging Section 20(A) of the Representation of the People (Amendment) Act of 2010, which requires NRIs to be physically present at their electoral constituencies to cast their votes, and termed it discriminatory and a violation of his Fundamental Rights. The growing "engagement" with the Indian diaspora, their interest in policy and its impact, their propensity to contribute financially to elections in the country has further led to a strong call being made for internet based voting.. Taking this issue forward the CEC recently announced that voting via the internet could be possible in the future, and while he did not give a time frame he did say that the Election Commission had been informed by the IT Ministry that India had the capacity to implement online voting within three weeks.¹ However, in a 2014 report by the Committee for Exploring Feasibility of Alternative Options for Voting by Overseas Electors, constituted by the Election Commission, the committee rejected the use of internet technology for voting by overseas voters in either the short-term or medium-term until security concerns were addressed.

National political parties in India have expressed different views on the use of internet for voting. While the BJP has supported an "easier voting mechanism" for NRIs in the past, the Congress and the Left Parties opposed the use of internet technology for Indians living abroad citing security concerns, violation of secret ballot and resultant disparities in facilities provided to all voters.

There is no denying that internet voting could be a boon for NRIs, migrant workers and personnel posted in remote and forward areas in addition to helping persons with disabilities etc. and therefore would address a basic requirement of democracy, namely making it easy for every citizen to register and exercise their vote. It could also bring about efficiency and reduce costs by

¹ <http://indianexpress.com/article/india/india-others/india-has-capacity-to-bring-in-e-voting-says-cec-h-s-brahma/>

COVER STORY

reducing the need for physical infrastructure and manpower involved during each election. Internet voting also has the potential to reduce and eliminate ballot errors subsequently producing faster and more accurate election results.

While a strong case exists for internet voting, there is a need to understand and debate the challenges and issues revolving around it before we move towards implementation. Supporters of internet voting give the example of Gujarat and Estonia however, it needs to be understood that in both these cases the spatial extent of use of internet for voting has been very small. Gandhinagar is only 117 km² in area while Estonia's size is less than a quarter of Gujarat. One should also note that Estonia has a voting age population of about 1 million² while India has about 834 million voters³. A small spatial expanse makes it easier to set up and maintain infrastructure and creating the technological ecosystem for a smaller number of voters is far easier than the sheer scale of the infrastructure that a country like India would require to implement internet voting. .

It is this vast infrastructural gap that results in the problem of access and the accompanying 'digital divide'. Internet penetration in rural India is still very low at 6.7% of the population as per a report titled 'Internet in Rural India' by the Internet and Mobile Association of India (IAMAI) and IMRB. In fact, the digital divide is further compounded by issues related to poor bandwidth, difference in internet speeds, cost of software/hardware upgrades, data storage capacity and uninterrupted power supply.

Of course while the digital divide limits the reach of internet voting it is security and privacy that remain key reasons why decades into the internet revolution even countries like the US, UK and France have still not implemented internet voting. Apparently, even the U.S. Department of Defense recently cancelled plans to allow Internet voting by overseas military personnel after a security audit found serious vulnerabilities in the system. It is the hacker's ability to intercept communication or log in and vote as someone else which continues to be a concern today as these cannot be acceptable risks in a robust democracy. The requirements from the system are further complicated by the fact that unlike e-commerce transactions, the system actually needs to be able to protect voter anonymity while providing data trails that record accuracy in a manner that is acceptable to all stakeholders. Media reports on the internet voting process proposed by the CEC are sketchy but if what is reported is correct then the proposed use of the SMS medium (Out of Band channel) for confirmation is a positive step but if the EC proposes a user initiated registration process, experts feel that it could be fraught with risks. Instead the registration process needs to be initiated by the EC as is the case in e-filing of Income Tax returns and the overall proposal may require a far more detailed threat modeling and mitigation strategy before we can move ahead with internet voting.

ERROR FREE ROLLS BY LINKING AADHAAR NUMBERS WITH EPIC

To make internet voting possible, "the first step in the direction was the Election Commission's ambitious plan to make electoral rolls totally error free," said the CEC. India suffers from a high degree of fake and duplicate entries in the voter lists affecting the credibility of the entire voting exercise. The CEC stated that about 10-12% of entries, comprising about 85 million names in the electoral rolls, were either fake or duplicate. The problem reached acute levels in some regions such as one southern city which had over 40% duplicates or fakes in its electoral rolls. In order to make the electoral rolls completely "error free" the Election Commission launched the "National Electoral Roll Purification and Authentication Programme"(NERPAP) on March 3, 2015, whose prime objective is to create a totally error free and authenticated electoral roll⁴ by August 15 this year. The programme provides for voluntary disclosure of multiple entries by voters, door to door surveys and nationwide special camps for physical verification besides linkage of EPIC data of voters with Aadhar data of Unique Identification Authority of India (UIDAI) for the purpose of identification. Besides guaranteeing error free voter rolls, the integration of Aadhar card data promises speedier enrolment process through online application where only address verification would be required. It would streamline the process of changing addresses and enrolling in new constituencies.

² <http://www.idea.int/vt/countryview.cfm?CountryCode=EE>

³ http://eci.nic.in/eci_main1/GE2014/PC_WISE_TURNOUT.htm

⁴ <http://pib.nic.in/newsite/PrintRelease.aspx?relid=116280>

COVER STORY

The use of Aadhar data for the identification of voters will make India the first country in the world to have biometric data and duplication-free voters' list claimed Mr. HS Brahma. While the use of Aadhar does seem to be a viable option, as about 500million of India's 850 million voters possess Aadhar numbers currently, there seem to be a number of gaps that make this a questionable proposition. To start with the Supreme Court has issued a directive disallowing the use of Aadhar as a prerequisite for availing public services and restrained UIDAI from sharing data (biometric or otherwise) with any agency without the consent of the card holder. The Election Commission has therefore mandated that the use of Aadhar for identification is a voluntary process.

There are other grey areas and security concerns about the Aadhar enrolment and database management processes too. It seems ironical that the Election Commission is using an instrument to bolster democratic participation which itself has not passed the scrutiny of the highest democratic institution of India- the Parliament. The National Identification Authority of India Bill, 2010 has not yet been passed by Parliament. In fact, the Standing Committee on Finance (SCoF) in its 42nd Report (2011) was extremely critical of the Aadhar project specifically for beginning enrolment without Parliamentary approval and on the issue of unresolved security loopholes which could pose a grave threat to the security of the nation. Since, both citizens and non-citizens of India can apply for the Aadhar number, it remains to be seen how the EC will distinguish between the two for identifying genuine citizens and voters. The SCoF Chaired by Shri Yashwant Sinha of the BJP also raised questions about the enrolment process for Aadhar which "is riddled with lacunae", lacks "clarity of purpose" and is implemented in "a directionless way with a lot of confusion"⁵ which has led to duplication in the allotment of Aadhar numbers itself! Further, an internal audit by the UIDAI itself⁶ has revealed serious security concerns in the Aadhar project. The introducer model used to enrol persons without any proof of residence and secondary documents could allow illegal residents to possess Aadhar numbers. As revealed by an internal audit of the UIDAI in 2012, the absence of a GPS-enabled enrolment device makes it possible to enrol people in non-Aadhar states as well as foreign territories. Moreover, discontinuation of manual verification of demographic data (to speed up Aadhar generation), and farming out the supervision of enrolment centres by government officials to the enrolment agency's supervisors and even allowing operators to supervise each other, may have led to lax implementation of checks and balances. The SCoF report also attacked the very foundation of Aadhar by stating that biometrics was an "untested, unreliable technology."⁷ It criticized UIDAI for disregarding high error rates in fingerprint collection, as warned by Biometrics Standards Committee and Proof of Concept studies failing to promise low error rates in enrolling 1.2 billion people. Finally, the SCoF criticized the launching of the project in absence of a national data protection law; making identity and personal information of millions prone to theft and misuse. It cited the experience of the United Kingdom, where a similar ID scheme was shelved.

As a number of the observations by the SCoF have still not been addressed the use of Aadhar data for de-duplication of the electoral rolls may have very serious implications on electoral outcomes which must be evaluated before proceeding with this exercise.

REVOCATION OF REGISTRATION OF NON-CONTESTING PARTIES

CEC H.S. Brahma also told the media that the Election Commission was seriously considering revoking the registration of those political parties which have not contested in any elections for the past 5-10 years. As per the CEC, there are more than 1600 registered political parties in India out of which fewer than 200 participate in the electoral process. At the moment the only significant limiting criteria required for registering a political party is mandatory application of at least 100 members for political certification. Upon registration political parties receive a number of benefits from the state including exemption from income tax, as stated by the CEC.⁸ Registration as a political party can be misused by individuals or organisations for channelizing black money and hiding dubious financial transactions.

The EC is planning a suo moto de-registration of such parties which have failed to contest any election- local, state or national- over a period of time while taking serious action against those which have failed to contest a minimum of 2-3 state assembly

⁵ <http://www.prsindia.org/uploads/media/UID/uid%20report.pdf>

⁶ <http://timesofindia.indiatimes.com/india/Aadhaar-still-rife-with-security-flaws/articleshow/39076802.cms>

⁷ <http://164.100.47.134/Isscommittee/Finance/42%20Report.pdf>

⁸ <http://economictimes.indiatimes.com/news/politics-and-nation/election-commission-may-revoke-registration-of-parties-which-do-not-contest/articleshow/46644555.cms>

COVER STORY

elections and one parliamentary elections. Through this move the EC aims to curb bogus registration of political parties for activities other than political participation.

FIRST PAST THE POST SYSTEM

The most substantial issue raised by the CEC was related to the first-past-the-post system (FPTP), the electoral system that lies at the very heart of India's concept of representative democracy. The FPTP system, followed in the Lok Sabha and Vidhan Sabha elections in India, has been borrowed from the Westminster system followed by the British. The issue of electoral process reform has come up for debate in the past too, with FPTP system being challenged in the Constituent Assembly itself. The debate around the FPTP system has been rekindled after the 16th Lok Sabha elections when the NDA secured 331 seats with a vote share of only 38.2%. While talking about this system Mr. Brahma stated that people had begun questioning the kind of democracy being practiced in India as a "minority rules a majority." He added that a former CEC had also written to him about the need to move on from the FPTP system.⁹

One of the key strengths of the FPTP system, which was proposed by the Constituent Assembly, is that it is one of the simplest forms of electoral systems. The high levels of illiteracy at the time of independence led the Constituent Assembly to decide against the system of proportionate representation. The objective of the FPTP system was to avoid fragmented legislatures by facilitating the formation of absolute majority resulting in stable governments. With the emergence of multiple parties at the national and regional level, the stability and the representativeness envisaged by the system witnessed a huge shift. The principle criticism levelled against the FPTP is the contemporary multi-party system is that it fails to represent the majority as the winning candidate may garner a mere 20-30% of the vote share. Hence, even if the majority votes against a candidate, he/she could win in case he/she secures the maximum votes amongst the lot. Moreover, this system works against the interests of small or regional parties and representatives of a minority. Parties/ candidates having a broad base across constituencies, rather than concentrated support in a few, may fail to win even a single seat even if their vote share is significant.

The alternative to FPTP system is the system of proportional representation, a variant of which is the single transferable vote used to elect the members of the Upper House in the Parliament and the State Assemblies in India. The proportional system is primarily advocated for its objective of ensuring maximum representation in a democracy. A common variant of this system is the 'list system' where political parties announce a list of candidates in advance. The candidates are awarded seats in proportion to the share of votes garnered by the party. Usually a minimum threshold of votes is prescribed for gaining a seat in the assembly. The system of proportional representation ensures representation of small and new parties besides encouraging minorities and women to contest in elections. However, this system suffers from a lack of stability as multiple groups are granted seats in proportion to their vote share without any party gaining a significant majority. The emergence of a coalition government becomes inevitable.

The 170th Report of the Law Commission on Reform of Electoral Laws (1999), suggested a mixed system combining the FPTP system and the list system of proportional representation as prevalent in Germany. A voter in Germany casts two votes in the Parliamentary elections for the Bundestag (German Parliament). The first vote is given to a candidate who is directly elected from one of the 299 single-member constituencies. The second vote is given to a party, which announces a list of candidates. Candidates can simultaneously stand for the single-member constituency as well as the party list. As in the FPTP system, the candidates winning the majority in the single-member constituencies are directly elected to the Bundestag. The share of votes (from the second set) acquired by the party determine the proportion of representatives sent from each party to the Bundestag. However, parties acquiring either 5% votes at the national level or having at least 3 members elected directly via single member constituencies are considered for the proportional allocation of seats. This method of mixed system helps in establishing a representative, stable government while ensuring that voters and their representatives maintain a close relation. The 170th report sought the implementation of this system by increasing the number of seats in the Lok Sabha by 25%. The additional number of seats could be filled by the proportional system of representation while allowing for FPTP in the original number. This system could be extended to Vidhan Sabhas. The report recommended a minimum of 5% vote share at the national level or the state level, as the case may be, for allowing political parties and its candidates to be eligible for allocation through either the direct system or the proportional system. The cap was recommended to discourage bogus or flippant parties from contesting elections. The report remained silent on the consequences of the cap- for prescribing methods of filling the seats in case no party got more than 5%

⁹ <http://indianexpress.com/article/india/india-others/india-has-capacity-to-bring-in-e-voting-says-cec-h-s-brahma/>

COVER STORY

votes. This cap becomes crucial in cases like the 2014 Lok Sabha elections only the BJP and the INC crossed the 5% mark. State quotas can be used to offset this issue while complicating the system even more.

However, before any changes in the electoral system are made it is imperative that citizens are educated about the current system and the pros and cons of alternate systems.

CONCLUSION

Electoral systems are the essence of participative democracy and they must evolve in keeping with the changing ground realities. Over the years India has witnessed a marked shift in the way individuals interact with the state, and there is a growing need for, providing platforms for alternate views, and leveraging technology for improving governance in keeping with the new socio-economic realities. . This cover story is an attempt to highlight various views on some of these reforms and it is hoped that we will set in motion a wider and more informed debate across various sections of our society so that all stakeholders viz. the political representatives, bureaucrats, political thinkers and civil society will together pave the way for electoral reforms that will improve the quality of governance that we will give to ourselves in the future.

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HEADLINES

India Stood with Iran, Saudi and Pakistan in Failed Attempt to Block Benefits for Gay UN Staffers

(Scroll, March 25, 2015)

India supported Russian proposal to prevent staff benefits to same-sex couples working in United Nations (UN). "The proposal saw 80 votes to extend staff benefits to same-sex couples working at the UN, regardless of whether gay marriage was legal in their country, scoring a majority over the 43 countries that supported Russia's measure, which included some familiar faces, such as Iran, Saudi Arabia, China, Pakistan – and India."

After the vote United States' ambassador to the United Nations, Samantha Power said, "We must speak plainly about what Russia tried to do today: diminish the authority of the UN Secretary-General and export to the UN its domestic hostility to LGBT [Lesbian, Gay, Bisexual and Transgender] rights."

In 2014, Secretary-General Ban Ki-Moon said that the UN would extend "benefits to all gay couples, regardless of the legal of gay partnerships in their countries. However, Russia asked the UN Budget Committee to overturn this decision." Until last year, the UN accorded benefits to Gay, Lesbian couples based on the law that existed in their home countries. Russia opposed the move by saying that UN must respect cultural differences, the sovereign right of each and every state to determine its norms.

Amid recent controversial debate on issue of Gay and Lesbian marriages in India this move in UN clump India in with unfortunate company of countries like Iran and Saudi Arabia. "Section 377 of the Indian Penal Code, which was struck down after a High Court hearing in 2009, was infamously resurrected by the Indian Supreme Court last year, which said that the matter should be left to Parliament. Although a few political parties have spoken out against section 377, it is unlikely that the matter will see legislative intervention anytime soon. The country also has an uncomfortable relationship with gay diplomats."

<http://scroll.in/article/716131/India-stood-with-Iran,-Saudi-and-Pakistan-in-failed-attempt-to-block-benefits-for-gay-UN-staffers>

Date Accessed: 25.03.2015

(Jeet Singh)

Private Schools Fill just 29% of 2 Million Seats for Children from Poor Families under RTE

(Prashant K. Nanda, *Livemint*, March 25, 2015)

The Right to Education Act, passed in 2009, took effect in 2010. It set aside 25% of all seats in private schools for students from poor families. However, the implementation of this move has been unimpressive. A survey conducted by Indian Institute of Management, Ahmedabad (IIM-A), Central Square Foundation (CSF), Accountability Initiative of Centre for Policy Research and Vidhi Centre for Legal Policy has found that less than one-third of these seats were filled in 2013-14. Of the 2,140,287 seats available with private schools under RTE for economically weaker sections (EWS), just 29% were filled.

The survey, which sourced data from the human resource development (HRD) ministry and states, found that Delhi (92%), Madhya Pradesh (88%) and Rajasthan (69%) were among states that fared better. In nine states, less than 20% of these seats were filled, reflecting poor monitoring by the state and central governments, lack of awareness and disinterest by private entities. Andhra Pradesh filled just 0.2% of available seats, followed by Odisha (1.85%) and UP (3.62%). "The report also underlined that in 2013-14, out of 206,000 private unaided schools with Class I, only about 45,000 reported enrolling students under the EWS category. States such as Andhra Pradesh (0.1%), Odisha (1%) and Uttar Pradesh (2%) reported the lowest school participation rate, whereas Rajasthan (65%), Delhi (48%) and Uttarakhand (43%) rank among states with the highest school participation rate."

Annie Namala, director at Centre for Social Equity and Inclusion, said that private schools were not willing to admit poor students. Nalini Juneja, professor at National University of Educational Planning and Administration believes that there is a huge awareness deficit among parents, society, schools and even government authorities. There is little clarity on how the reimbursement amount is calculated, and on whether the fee waiver applies only to tuitions or it includes other expenses such as books and stationary. According to Amit Kaushik, director for education at IPE Global that runs schools in three states, "other than poor awareness, the government, which had spoken of reimbursing the cost of educating disadvantaged kids in private schools, has not done much in this space." If implemented effectively, this policy can provide opportunities to 1.6 crore children across India, however the number of students gaining admissions under the reservation is extremely low.

<http://www.livemint.com/Politics/FjbRIJYr63fkROCRjzn10J/Private-schools-fill-just-29-of-2-million-seats-for-kids-fr.html>

Date accessed: 25.3.2015

(Kasturi Mishra)

ECONOMY

Macro Economic Dimension of India

Table 1: General Inflation Rates in Indian States: March 2015 (%)

States	Rural	Urban	General
All India	5.85	5.28	5.41
Northern Region			
Jammu & Kashmir	8.05	5.12	6.74
Himachal Pradesh	10.67	4.91	9.02
Punjab	10.47	7.12	8.87
Chandigarh	12.04	2.60	3.87
Uttarakhand	5.36	5.23	4.99
Haryana	7.85	6.58	6.94
Delhi	8.54	4.74	5.67
Uttar Pradesh	4.78	4.94	4.49
Western Region			
Rajasthan	7.20	6.76	6.76
Gujarat	3.68	5.44	4.69
Maharashtra	7.94	5.62	6.55
Goa	8.72	8.12	7.76
Lakshadweep	17.13	4.91	12.03
Daman & Die	12.73	12.16	12.53
Dadra Nagar & Haveli	16.56	8.19	
Central Region			5.40
Madhya Pradesh	4.16	7.57	6.08
Chattishgarh	7.70	4.73	
Southern Region			
Andhra Pradesh	7.57	5.00	6.38
Karnakata	6.49	4.65	5.53
Kerala	7.47	3.54	5.90
Tamil Nadu	5.49	4.45	5.09
Puducherry	6.92	4.67	5.63
Andaman & Nicobar Island	16.76	3.05	9.64
Northeastern Region			
Arunachal Pradesh	4.42	-	-
Assam	3.25	4.18	2.89
Manipur	18.94	8.23	14.77
Meghalaya	1.75	9.74	2.43
Mizoram	7.69	3.10	4.57
Nagaland	14.54	6.68	11.05
Tripura	13.09	7.89	11.13
Sikkim	9.22	3.67	8.35
Eastern Region			
Bihar	6.44	6.11	5.80
Jharkhand	3.47	4.54	3.38
West Bengal	0.95	5.09	2.60
Odisha	8.85	2.75	6.75

Source: State-wise monthly inflation rates are estimated from year on year Consumer Price Index (CPI) data of MOSPI. There is one month time lag in CPI data (From the month February 2015 onwards the New Series would be with base 2012=100) provided by MOSPI, Government of India. The 2014 March data at state-level with base 2010 is here converted to new base 2012 with linking factors of MOSPI 1.22, 1.20 and 1.21 for rural, urban and combined respectively

Table 2: Inflation Analyses for Last Six Months: All India

Months	Rural	Urban	Combined
August 2014	8.45	7.34	7.96
September 2014	8.35	7.04	7.80
October 2014	6.68	6.34	6.46
November 2014	5.60	5.55	5.60
December 2014	4.02	4.69	4.30
January 2015	4.71	5.32	5.00

The above table 2 shows that All India Inflation rates for rural, urban and combined sectors have seen continuous decline over the months from August 2014 to December 2014. While in January 2015, the rates have increased marginally across its rural, urban and combined sectors

ECONOMY

Government to Subsidise Imported Gas-Based Power Generation

(*Business Standard*, March 26, 2015)

The government on Wednesday, March 25th 2015 approved a mechanism for importing gas for power generation and supply of such power through a subsidy grant in order to revive gas based power generation. It has approved a reverse bidding process. Under this process, power plants will quote a rate, the subsidy for which will be released through the Power System Development Fund and this subsidy will be available to distribution companies. According to the mechanism approved by the Cabinet Committee on Economic Affairs, re-gasified liquefied natural gas (RLNG) will be imported for supply to these plants to generate power. Gas imports will be undertaken by GAIL India and Gujarat State Petronet.

Piyush Goyal said “the bidding, to be conducted by MSTC, would begin at Rs 5.5 a unit. Such a reverse bidding auction would help revive 31 projects, with a capacity of 14,305 Mw. Besides, it would also aid 12 additional power plants, currently working at less than 30 per cent of the plant load factor.”

The government estimates that with this asset of arrangement, an additional 79 billion units of electricity will be generated, valued at about Rs 42,000 crore.

Of the 24,150 Mw of gas grid-connected power generation capacity in the country, 14,305 Mw has no supply of domestic gas. The remaining capacity (9,845 Mw) is working at a sub-optimal level, based on the limited quantity of domestic gas in India.

There is need for intervention since initially, with the discovery of domestic natural gas in the KG basin, it was expected that the availability of domestic gas in the country would increase considerably. Therefore, a large number of gas-based plants were set up. However, the supply of domestic gas to power plants started declining from 2012 and in March 2013, supply from the KG basin stopped completely. Since then, these plants have either not been operational or are under-utilised.

http://www.business-standard.com/article/economy-policy/govt-to-subsidise-imported-gas-based-power-generation-115032501083_1.html

Date Accessed: 27.3.2015

(Shruti Issar)

NITI Aayog Moved Away from Estimation of Poverty

(*Sanjeeb Mukherjee & Indivjal Dhasmana, Business Standard*, March 27, 2015)

The National Institution for Transforming India (NITI) Aayog has decided not to estimate either poverty lines or the number of the poor in the country. A task force under NITI Aayog Vice-Chairman Arvind Panagariya on poverty alleviation is formulated for not defining or computing poverty as an aggregate measure but to look at social indicators to assess the impact of social schemes on the poor. The number of poor as calculated by the Socio-Economic caste census will be taken into consideration to get a rough idea of the poverty line in each state.

“We won’t determine or decide what is the poverty line as was done by the Rangarajan panel or others before that. The task force would not like to fall into the Rs 33-27 debate, as earlier,” a key source said.

It has been decided to include households without shelter, destitutes/living on alms, manual scavengers, primitive tribal groups and legally released bonded labourers in the Below Poverty Line list. These households will have the highest priority for inclusion in the list. Other households will be identified as poor from the angle of deprivation they are subject to.

C Rangarajan, chairman of the former prime minister's economic advisory council, and who headed a panel to come out with a methodology to define poverty and estimate the number of poor, said, “I think for implementation of programmes, different determinants can be calculated and programmes can, thus, be monitored.” However, if one wants to measure the change in poverty, one needs the poverty line, he said. This could be the official one or one used by different agencies or academicians, depending on the approach.

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. As per the Rangarajan panel, anyone spending up to Rs 47 a day in urban areas and Rs 32 in villages would be considered poor as of 2011-12. For 2009-10, the 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.

http://www.business-standard.com/article/economy-policy/niti-aayog-plays-safe-on-poverty-115032600942_1.html

Date Accessed: 27.3.2015

(Shruti Issar)

GOVERNANCE AND DEVELOPMENT

POLITICS AND GOVERNANCE**Government Clueless about Meeting to Pick Chief Information Commissioner***(The Times of India, March 24, 2015)*

The government is unaware of who attended the meeting to select the chief information commissioner (CIC), an appointment that has been pending for the last seven months. In response to an RTI query, the government admitted that it had not maintained any minutes of a meeting convened to pick the Chief Information Commissioner and so did not know who attended the meeting. Slamming the "deliberate delay" in selecting the CIC, activists said this was an attempt to weaken the legislation and its implementation. The National Campaign for Peoples' Right to Information (NCPRI) condemned the delay in appointment of the CIC, dilution of the Lokpal Act and not framing the rules under the Whistleblowers Protection Act and the lack of a legislative framework for grievance redress.

NCPRI also objected to the recent order of the CIC in which it closed the case related to non-compliance with the RTI Act by political parties after noting that it did not have the requisite powers to ensure compliance with its orders. At present, more than 13,000 appeals and complaints related to these public authorities are pending before the chief's bench.

NCPRI's Anjali Bhardwaj said the appointment process was completely opaque and in violation of the Supreme Court's orders for the naming of information commissioners. She also said the delay in appointment of the CIC was a clear attempt by the government to weaken the institution of the Central Information Commission.

<http://timesofindia.indiatimes.com/india/Govt-clueless-about-meeting-to-pick-chief-information-commissioner/articleshow/46669606.cms>

Date Accessed: 24.03.2015

(Devyani Bhushan)

Government may Not Meet Skill Development Targets for 2014-15*(Prashant K Nanda, Live Mint, March 23, 2015)*

The central government may not achieve the skill development targets for 2014-15. Till 31 January, 2015 only 50% targets were achieved. The problem is that, apart from generating jobs for the 13 million people who enter the workforce every year, the country also has to ensure that these people have the skills required for their jobs.

According to data collated by the National Skill Development Agency (NSDA)—part of the newly created ministry of skill development and entrepreneurship—21 departments and ministries were supposed to train 10.5 million people in 2014-15, but only 4.97 million people were trained till 31 January. Among the ministries, the ministry of labour and employment, the ministry of micro, small and medium enterprises, and the ministry of tourism have done exceedingly well by achieving more than 84% of their target but ministries of rural development, housing and urban poverty alleviation have lagged behind.

The National Skill Development Corporation (NSDC) has trained over 1.7 million people, or 51.62% of the number it is supposed to train. But five ministries and departments have trained less than 31% of their target; the ministry of housing and poverty alleviation and the home ministry have trained fewer than 8% of their numbers. Six departments have not shared any skill development number with NSDA.

Corporate executives and analysts have bemoaned the shortage of a skilled workforce. Many companies put their hires, including graduates from some of India's best colleges, through months of classroom training. India has the potential to benefit from an immense demographic dividend. However, "with 13 million young people entering the labour force each year, increasing their skills base will have to be a key priority for the country to gain from this demographic dividend," Onno Ruhl, World Bank country director for India, said on 10 November after signing a \$200 million loan agreement to enhance the productivity of micro, small and medium enterprises (MSMEs).

<http://www.livemint.com/Politics/pvWUHxsPVD5bMFyAKI3xII/Government-may-not-meet-skill-development-targets-for-20141.html>

Date Accessed: 24.03.2015

(Devyani Bhushan)

EC Urges Reforms to End Black Money Influence in Elections*(Hindustan Times, March 24, 2015)*

The Election Commission (EC) wants a national debate on measures needed to curb the use of black money in polls, including getting powers to investigate and award punishments, ensure enhanced state funding and stricter transparency norms for political parties. In a background note for national consultation on political finance, the Commission has shunned its earlier reluctance to back state funding of polls and said it was open to the idea of expanding in-kind subsidy for the election campaign, with simultaneous reforms for transparency and accountability of political parties and candidates.

GOVERNANCE AND DEVELOPMENT

Most of the national parties have failed to put in place a mechanism to disclose information to people, despite an order by the Central Information Commission in June 2013. The parties have also not followed the EC's transparency guidelines with full vigour. Parties usually inform the source of their funds to the EC for only 20% of their total contributions as rules say they are required to disclose name of donors for contributions over Rs 20,000.

With total transparency missing, the EC's note says if the parties receive donation from prohibited companies or source, in violation of the Representation of People's Act, 1951, there is no penal provision to take action. It further states that most candidates undervalue their expenditure in polls with just 11.6% of the winning candidates in the 2014 Lok Sabha elections declaring having spent 80 to 100% of the expenditure limit of Rs 70 lakh per constituency. The EC wants parties to disclose every penny they receive and remove the protection they have provided to themselves through legislative measures.

<http://www.hindustantimes.com/india-news/ec-urges-reforms-to-end-black-money-influence-in-elections/article1-1329844.aspx>

Date Accessed: 24.03.2015

(Devyani Bhushan)

Transparency on the Backburner

(Pradyot Lal, *Teelka*, March 28, 2015)

The most ground-breaking and landmark legislation of the United Progressive Alliance government, namely the Right to Information (RTI) is being systematically curtailed. It has been widely accepted as the measure of transparency and accountability in the country. The post of Central Information Commissioner is lying vacant at the moment, making the civil society fear for the future of RTI in the country.

According to available figures there are more than 39,000 RTI queries that are pending with the Central Information Commission (CIC), which has been working without a head for almost seven months now. The posts of three information commissioners have also been vacant for a long time. However, the government has kept silent on the issue. Transparency and access to information are prerequisites for good governance. Ironically, the Narendra Modi government which came to power on the promise of good governance have failed to ensure the effective functioning of the CIC.

Activists like Aruna Roy and Nikhil Dey, among others have made excellent use of the RTI in the past to highlight misallocation and miss-consumption of funds in government schemes in the past. Apparently, Roy has written several

times to the prime minister about highlighting how the deliberate oversight is leading to "trivialisation of democracy". The neglect of RTI on part of the present government shows that it is shy of sharing information about crucial government schemes and their status reports from the eyes of RTI activists.

"The CIC is the key agency entrusted with the implementation of the RTI Act. Its erstwhile chief, Rajiv Mathur, completed his tenure on 22 August 2014 and the post has been vacant since. Also, against the sanctioned strength of 10, it has only seven information commissioners."

The RTI is also losing its popularity after the Modi government came to power. This can be seen on considering the number of complaints and second appeals pending with the CIC. "There are 39,000 cases pending with the CIC, up from 24,150 on 31 October last year. The bulk of these — 28,888 to be precise — were appeals while the rest (7,431) were complaints." Because of top-level vacancies officials in the CIC have started withholding information to force the RTI applicants to go for an appeal, alleged one RTI activist.

Continuation of the current dispensations effort to weaken RTI act is also visible in the government's lag to implement the Whistleblower's Protection Act, which was passed more than a year ago, as the rules necessary for its implementation have not yet been decided upon. "This is in spite of the fact that the Presidential nod had come almost immediately after the Act was passed by Parliament. Rather than implementing and operationalising this legislation, the government is contemplating to limit its scope on the ground of protecting national security, officials say." Activists have also alleged that over the last year they have been unable to get from the authorities any information beyond what is available on the websites of different ministries and departments. Also, the timeline mandatory for providing information is not being followed and officials responsible for the lag are not being punished. The result has been that key offices like the Prime Minister's Office and the Cabinet have become completely opaque, allege activists.

"Unfortunately, the legislation is being denuded at a time when the right to information is being exercised more frequently in India than anywhere else in the world. According to activists, around 4.5 million RTI requests are being generated every year in India, whereas in the US, this figure stands between 3 and 3.5 million."

"The government had invited applications for the post of the CIC on 24 October last year. The last date for application was 23 November 2014. But intriguingly, the crucial post lies vacant even now. For the CIC, the monthly progress report shows zero cases disposed

GOVERNANCE AND DEVELOPMENT

against the 11,317 pending complaints for the whole of last year.”

Such a huge backlog of cases displays the current government's sustained efforts to deprive the vigilante citizen of any means to hold the government responsible. It can very well prove to be a deliberate ploy to sabotage the RTI in the long run as Aruna Roy has alleged.

<http://www.tehelka.com/transparency-on-the-backburner/?singlepage=1>

Date Accessed: 27.03.2015
(Rohit Chauhan)

GOVERNMENT

Rajasthan CM Turns to MGNREGA after Hailstorms Cause Devastation

(AkshayDeshmane, *The Economic Times*, March 24, 2015)

Rajasthan was hit by hailstorms causing massive devastation of crops in 26 of the total 33 districts in early March, 2015. Among the relief packages announced by the BJP CM Vasundhara Raje, there is a move to extend MGNREGA and provide additional 'wage employment' funded from state coffers to the 2.26 lakh workers who have already received 100 days of work under MGNREGA. In 2014, Vasundhara Raje had demanded scrapping of the MGNREGA that is now being used to provide sources of livelihood post the storms.

In a letter to the Rural Development Minister in 2014, Vasundhara Raje wrote, "It is difficult to see the advantages of an Act, except that it can lead to increased litigation by all manner of organisations. Whether it is to be NREGA or NREGS is a matter of debate and decision". While she had argued to dilute the Act to a scheme, the Act is now being used as she is now convinced that providing employment would help the needy. Recently, Odisha had also provided 150 days employment to control stress migration, apart from some drought affected states.

Economist Jean Dreze is of the opinion that there is no clear message being sent out from the BJP on social policy as he finds a sustained commitment to programs like NREGA that help the poor people absent. He added, "it may be more of a symbolic announcement, we will have to see how it is implemented on ground."

[http://economictimes.indiatimes.com/news/politics-and-nation/vasundhara-raje-turns-to-mgnrega-as-hailstorms-cause-devastation-of-crops-across-26-](http://economictimes.indiatimes.com/news/politics-and-nation/vasundhara-raje-turns-to-mgnrega-as-hailstorms-cause-devastation-of-crops-across-26-districts/articleshow/46670217.cms)

[districts/articleshow/46670217.cms](http://economictimes.indiatimes.com/news/politics-and-nation/vasundhara-raje-turns-to-mgnrega-as-hailstorms-cause-devastation-of-crops-across-26-districts/articleshow/46670217.cms)

Date accessed: 24.3.2015
(Kasturi Mishra)

India's Railway Policy is Reflective of the Government's Weak Specifics (ShashiTharoor, *The Daily Star*, March 23, 2015)

This article highlights the absence of focus on specifics in India's rail policy and its weak spots. The Indian leadership seems to present irrationally grand aspirations. Subsidizing passenger fares at the cost of freight rates has meant that the share of freight carried across India by rail has declined from 89% in 1950-51 to 31% today. Additionally, without adding track, historically, politicians have continued to add trains. As a result, several lines are operating beyond their capacity, creating long delays. Aging rails, tired coaches, old-fashioned signals and level crossings dating back to the 19th century combined with human error take dozens of lives every year.

Yet, the government has failed to recognize the challenges that the railways present. While even clean toilets are rare on Indian trains, there have been irrational announcements of bullet trains by the Prime Minister. Freight rates have also once again been increased. Promises for improving and expanding rail lines, introducing wireless Internet at railway stations, eliminating unmanned level crossings, creating a 24-hour toll-free number for users to phone in complaints and installing security cameras to protect women passengers are marginal and underwhelming. The claim to raise \$140 billion from market lenders, while impressive, is problematic as there is no emphasis on how the railways would repay the loans. Repayment would be of concern, as high interest rates would be involved in order to attract the investors since railways currently have an operating surplus of just 6%, which is barely 1% of the amount needed to upgrade and modernize the network.

The vision of a safer, cleaner and speedier railway is likely just a part of the soaring rhetoric and lofty aspirations that the current government stands for, with few specifics, no implementation plan along with no improvements in execution capacity.

<http://www.dailystar.com.lb/Opinion/Commentary/2015/Mar-23/291791-indias-railway-policy-shows-how-modi-is-weak-on-specifics.ashx>

Date accessed: 24.03.2015
(Kasturi Mishra)

GOVERNANCE AND DEVELOPMENT

PANCHAYATI RAJ**Rajasthan Sets Minimum Educational Qualification for Contesting Elections to PRIs***(The Hindu, March 28, 2015)*

The Rajasthan Panchayati Raj (Amendment) Bill, 2015, passed by the Rajasthan State Assembly set a minimum educational qualification for contesting elections to the Panchayati Raj Institutions (PRIs). For the first time in India, Class VIII pass was made mandatory for the post of sarpanch – except in reserved tribal areas where minimum qualification was set at Class V- and Class X was set as minimum for Zila Parishad or Panchayat Samiti elections. Further amendments to Section 19 of the Rajasthan Panchayati Raj Act, 1994 made functional toilet in the house of a contestant mandatory for contesting elections.

In December 20, just before the Panchayat elections were announced, the Rajasthan government had promulgated an ordinance specifying educational qualifications for contesters. Soon after elections more than 200 cases were filed against winners, accused of producing fake mark sheets to fulfill the eligibility. BJP MLA Prahlad Gunjal opposed the ordinance passed by the BJP government stating that there were “many MLAs and MPs who are not educated but have contributed significantly in drafting some of the best laws of the country.” He added that laws should not form an obstacle against people seeking to exercise their rights.

<http://www.thehindu.com/news/national/other-states/rajasthan-passes-bill-on-eligibility-for-panchayat-polls/article7041483.ece?homepage=true>

Date Accessed: 28.03.2015

(Afreen Faridi)

EDUCATION**NUEPA Upset with HRD Ministry Planning of New National Education Policy***(Rohinee Singh, dna, March 23, 2015)*

Even before the Human Resource Development (HRD) ministry draws final contours of the new national education policy, National University of Educational Planning and Administration (NUEPA) is unhappy with the planning of the ministry. NUEPA, the think tank of the ministry, had played the most prominent role in drafting the 1986 education policy. The ministry had consulted the university

about four months ago, with its framework of consultation. The HRD ministry plans to hold nation-wide consultations on the education policy. NUEPA had been asked by the ministry to prepare open-ended questions, on which the ministry could take feedback from stakeholders. The university has prepared a questionnaire with about 40 questions.

The ministry plans to hold six-month-long consultations with the states involving participation at panchayat, block, district and state levels. NUEPA further stated that “It is like going to the people without doing your homework. We were asked to prepare open-ended questions which can be taken up to the village panchayats. We are not opposing the idea of consulting the villagers, but one has to go to the village with a plan and seek suggestions and inputs. Instead, the ministry is planning to do a reverse exercise.”

NUEPA feels that while it may be a good exercise to ensure public participation in policy making, but it is not a feasible decision. NUEPA has also questioned how these district and panchayat meetings are going to be conducted and if there is adequate manpower available to carry out such mass-level consultations across the country.

<http://www.dnaindia.com/india/report-nuepa-upset-wtih-hrd-ministry-planning-of-new-national-education-policy-2071151>

Date Accessed: 24.03.2015

(Devyani Bhushan)

HEALTH**Over 78,000 Rural Habitations are Being Slowly Poisoned***(The Scroll, Chaitanya Mallapur, March 25, 2015)*

As per data released by the Ministry of Drinking Water and Sanitation, about 78,508 rural habitations are exposed to contaminated water. Globally, around 1.8 billion people are drinking contaminated water. Major contaminants include arsenic, fluoride, iron and nitrate. This can lead to health issues such as crippling skeletal damage, kidney degeneration, cirrhosis of the liver and cardiac arrest.

Census 2011 data shows that only 35% rural population have access to portable water while 22% of rural households have to travel more than half a kilometer in search of portable water. Water availability has also been declining in the last decade. “Per capita availability of water in India was 1,816 cubic meters, as per the 2001 census, which has declined to 1,545 cubic meters as per the 2011 Census.”

GOVERNANCE AND DEVELOPMENT

Though water is a state subject, Centre has been assisting via the National Rural Drinking Water Programme (NRDWP). A primary focus of the program is to provide arsenic and fluoride free drinking water. In the last four years, the program had hoped to provide portable water to 604,454 habitations. It fell short of its target by 11%. In the year 2013, it exceeded its target by reaching 153,428 habitations as against the goal of 144,030. However, for 2014-15, NRDWP had set a target of 137,043 habitations, of which only 64% have been provided potable water till March 2, 2015.

Uttar Pradesh (76,150 habitations) has been most successful in providing portable water, followed by Odisha (58,733), Madhya Pradesh (56,087), Jharkhand (52,883) and Karnataka (47,481). Rajasthan on the other hand has been the most troubled state “with 23,956 habitations affected by contaminated water, of which 7,873 habitations are strongly contaminated with heavy metals and other toxic substances.” Arsenic poisoning in West Bengal has now reached a level of geo-environmental disaster.

Fluoride is the chief contaminant affecting 14,132 habitations. Manganese affects the water of 4,458 habitations, followed by arsenic (1,991), aluminum (1,427) and lead (714). Northeastern states are least affected by contaminated water. In response, the government has promised to built community water purification plants. Moreover, 20,000 habitations with contaminated water will get 8-10 litres of safe drinking water per capita per day.

<http://scroll.in/article/715885/How-46-million-Indians-are-being-slowly-poisoned>

Date Accessed: 25.3.2015
(Shriyam Gupta)

200 West Uttar Pradesh Villages Facing Scourge of Cancer

(Deepak Gidwani, *Daily News and Analysis*, March 26, 2015)

Cancer has already taken lives of 100 people in the last five years in western Uttar Pradesh (UP). It is now spreading at an unprecedented rate. About 200 villages, between Greater Noida and Baghpat, are the worst affected. As per estimates, more than thousand people in the area could be affected with second stage cancer while the number for first stage cancer could be much higher. Even children as young as eight have died due to malignant crab pincers.

As per the study by Jal Biradari and Doab Paryavaran Samiti, high concentration of lead and mercury in the ground water is the main cause behind the spread of the crab's tentacles. These chemicals are drained into the river

around the village. Senior scientist, M.A Khan noted that of cases of breast and throat cancer have been located in Greater Noida. However, the maximum number of cancer cases is of the liver and intestines. In response, UP Health Minister Ahmad Hasan has said that the affected areas are being surveyed.

<http://www.dnaindia.com/india/report-200-west-uttar-pradesh-villages-facing-scourge-of-cancer-2071974>

Date Accessed: 25.3.2015
(Shriyam Gupta)

WHO: India Needs Comprehensive Tax Policy for Curbing Tobacco Use

(IBNLive, March 22, 2015)

India needs to draft a comprehensive tax policy for all tobacco products if it wants to cut down the easy access to the plethora of low-cost and locally produced tobacco products available in the country, World Health Organisation (WHO) has suggested. WHO is also of the opinion that taxes are low for the forms of tobacco that are most commonly used. There is a need to tax the products at similar rates “taking into account both price elasticity and income elasticity of demand, as well as inflation and changes in household income”. Total economic costs attributable to tobacco use (in 2011 for people aged 35-69 years) amounted to aRs 1,04,500 crore, affecting both the human and fiscal health of the country.

To protect health policies from commercial and other vested interests of tobacco industry, India immediately needs to implement Article 5.3 of the WHO Framework Convention on Tobacco Control (FCTC), including Code of Conduct. The WHO FCTC, an international public health treaty, was negotiated under the auspices of the Geneva-based agency in response to the globalisation of the tobacco epidemic. The Ministry of Health and Family Welfare (MoHFW) constituted an Expert Committee to review and suggest amendments to the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act (COTPA), 2003, to further its commitment to tobacco control. A draft COTPA Amendment Bill, 2015, has been placed in the public domain to elicit comments from stakeholders and the general public. It proposes raising the fine for smoking in public places, removal of designated smoking zones in restaurants.

In 2007-08, the Centre had launched a dedicated National Tobacco Control Programme (NTCP) with the objective of, among others, creating awareness about the harmful effects of tobacco consumption. All states in India, under the Food Safety and Standards Regulation, 2011, have banned the

GOVERNANCE AND DEVELOPMENT

sale, production and distribution of gutka and other forms of smokeless tobacco. In January, 2015, the Centre moved to amend the anti-smoking law and proposed a ban on sale of loose cigarettes and raising the minimum age for buying tobacco products from 18 to 21. According to WHO'S Country Representative to India, full implementation of the WHO FCTC would help achieve a 25% reduction in premature deaths from non-communicable diseases by 2025, including a 30% reduction in the prevalence of tobacco use in persons aged 15 years and older.

<http://ibnlive.in.com/news/india-needs-comprehensive-tax-policy-for-curbing-tobacco-use-who/535471-3.html>

Date accessed: 24.3.2015

(Kasturi Mishra)

TECHNOLOGY

TRAI Seeks Views on Regulation of Over-the-Top Services

(*The Hindu*, March 28, 2015)

The Telecom Regulatory Authority of India (TRAI) sought views of the industry on the need to regulate over-the-top (OTT) players such as Skype, Viber, Whatsapp and GoogleTalk and their services.

In a statement TRAI Secretary Sudhir Gupta said, "Worldwide, there is an ongoing debate among governments, industry and consumers regarding regulations of OTT (over-the-top) services and net-neutrality. In this background, TRAI released a consultation paper on regulatory framework for OTT services."

Net neutrality seeks equal treatment of all data over the internet by internet service providers. It entails a non-discriminatory charge across all users, contents, sites, platforms and applications. There are no norms of net neutrality in India as of now. Currently users are not charged for the OTT services such as messaging or calling. They only need to pay regular data charges for the internet used. Telecom operators are of the view that OTT take up a share of their revenues without investing in network and hence, should be charged.

In a consultation paper the TRAI sought to analyze implications of growth of OTTs and whether changes were required in the current framework of regulation. "The regulator has sought views of people interested in the matter by April 24 and counter comments by May 8."

<http://www.thehindu.com/business/Industry/trai-seeks-views-to-regulate-netbased-calling-messaging->

apps/article7039815.ece?css=print

Date Accessed: 28.03.2015

(Afreen Faridi)

ENVIRONMENT

India Still Ill Prepared to Meet the Rising Water Demand

(*Priyavat Bhati, Down to Earth*, March 31, 2015)

India faces serious challenges to sustain its water resources as agriculture, industry and domestic sectors compete with each other for the scarce resource. The situation is exacerbated by poor water management practices, over-extraction of surface and groundwater and pollution. Unfortunately, there is a lack of reliable data about the total potential of water resources and supply and demand of water. Assuming the availability of 1,869 BCM to be accurate, India will move from a water-adequate nation (per capita availability of over 1,700 cu m/year) to a water-scarce one (per capita availability of less than 1,000 cu m/year) by 2025. Nine of 20 river basins, supporting 200 million people, are facing water shortage. Groundwater is another area of crisis. India is heavily dependent on groundwater and is the largest consumer of groundwater in the world. The Central Groundwater Board in its 2012-13 yearbook reports that India drew 243 BCM of groundwater in 2009, which is 61 per cent of the country's net available groundwater. With no dedicated national groundwater management programme, groundwater stores are being depleted at rates faster than they can be replenished.

Information on water demand—both current and projected—is unreliable. The National Commission on Integrated Water Resources Development (NCIWRD) projected water requirement for various sectors in 1999. The Ministry of Water Resources (MoWR) produced another set of estimates in 2000. NCIWRD's estimates of water use for agriculture are lower than the ministry's estimates since it assumes improved irrigation efficiency. Conversely, NCIWRD's estimates of other uses (such as industry and domestic) are much higher than that of MoWR's. NCIWRD's projected combined water use by industry and energy sectors stands at 56 BCM for 2010, while MoWR pegged it at only 17 BCM. Going forward, the difference widens: NCIWRD projected water consumption by industry and energy sectors to be 100 BCM by 2025 against only 38 BCM projected by the ministry.

The absence of a national water database has been recognised as a serious shortcoming by the government. The 12th Plan envisages comprehensive aquifer mapping and development of a water database that includes assessment of

GOVERNANCE AND DEVELOPMENT

national water resources potential and end users (by sector) of water.

<http://www.downtoearth.org.in/content/figure-it-out-yourself>

Date Accessed: 24.03.2015
(Devyani Bhushan)

States Diverting CAMPA Funds for Planting Trees to Meet Other Expenditure

(Urmai Goswami, *Economic Times*, March 24, 2015)

As much as Rs 36,000 crore collected from companies to plant trees in lieu of diversion of forest land were not put to best use, by the states. This has prompted the authorities to forbid spending this money on cultural activities, computers, furniture, laptops, vehicles and fuel, even if the petrol is for a car bought from such funds in the past. The issue of misuse of the money collected for afforestation to compensate for diversion of forest land came up recently before the National Green Tribunal in a petition on how despite access to funds to the tune of Rs 546 crore, the Rajasthan state forest department had failed to undertake any tree plantation along the Delhi-Jaipur highway and that money was being spent on items other than afforestation. Though the Rajasthan government was cleared of the charge of diversion of funds, it turned out that in 2009-10 and 2014-15 the state had been allocated Rs 238.48 crore but spent only Rs 180.33 crore on such afforestation.

This is not the first time that the issue of states spending the earmarked funds for things that cannot be defined as compensatory afforestation has been raised. The Comptroller and Auditor General of India in its 2013 report on Compensatory Afforestation Management Funds Management and Planning Authority found that 17 states had spent nearly Rs 52 crore in contravention of the CAMPA guidelines and the directions of the National CAMPA Advisory Council. The money, which is held under the CAMPA, is meant to be utilised for afforestation, management and development of forests. With the diversion of CAMPA funds for other uses appearing to be a routine affair, the National CAMPA Advisory Council, headed by the environment minister, issued yet again on January 29 an exhaustive list of non-permissible expenses. The list comprising 13 entries covers administrative expenses like travel allowance to regular forest staff, expenditure on telephones, electricity, furniture, computers etc.

Construction, renovation and repair of infrastructure of offices, residential building and forest rest house, ministerial

staff quarters, purchase of vehicles for other than patrol service, fuel for vehicles, participation of forest officers in All India Forest Sports Meet, cultural meets and honorarium payments are also not permitted.

<http://economictimes.indiatimes.com/news/economy/finance/states-diverting-campa-funds-for-planting-trees-to-meet-other-expenditure/articleshow/46670180.cms>

Date Accessed: 24.03.2015
(Devyani Bhushan)

Ahmedabad's Lakes Left to Die

(Sushmita Sengupta, *Down to Earth*, March 31, 2015)

Unplanned and unrestricted urbanization along with rampant industrialization has caused Ahmedabad's water table to dip more than hundred metres below ground level. In response, the city proposes to revive groundwater levels by restoring lost lakes. The Ahmedabad Municipal Corporation has said that it will identify the lakes under threat by March end and then draw a plan to revive them.

There are many reasons that have contributed to the sad state of the water table. Development around the lakes led to the encroachment of waterways, resulting in their death. A case in point is the Sarkhej Rozalake. The construction of high-rise buildings in 2004-05 led to the loss of greenery in the area. The problem began when the inflow of water from the feeder Shingoda talaav stopped because of encroachment of the feeding drains connecting the two lakes. Over time, migratory birds like cormorants and flamingos have become a rarity in the area. After being turned into an industrial hub in 1998, today, the lake has water only for three months. This span of three months is too short to recharge the ground water. A major concern is that the land mafia around the area digs away the soil from the lake bed for the construction of buildings. Complaints lodged by the municipality against the builders to stop excavation have not yielded positive results. This excavation has lowered the level of a few lakes so much that the natural flow into other lakes is disturbed.

Revival of the lake channel is likely to be an uphill task. A PIL filed in 2000 to save the water bodies of Ahmedabad resulted in a court order to preserve the water bodies, and to undertake urgent measures for checking pollution and rejuvenation of water bodies. As of 2015, the corporation is yet to identify the water bodies that need to be protected. Experts believe that any attempt to revive the lakes will be fruitless unless "effective wetland rules are put in place" as the current ones are toothless. The feeder channels and catchment areas need to be made encroachment free through the efforts of a committed government.

GOVERNANCE AND DEVELOPMENT

<http://www.downtoearth.org.in/content/left-dry#>

Date accessed: 25.3.2015

(Kasturi Mishra)

DEFENCE

Army Sticks to Its Stand on AFSPA

(Free Press Journal, March 25, 2015)

The PDP-BJP government in Jammu and Kashmir may face strong opposition from Indian Army on the issue of withdrawing Armed Forces Special Power Act (AFSPA). Chief Minister Mufti Mohammad Sayeed earlier said that he would proceed with phased removal of the controversial Act after consulting the force.

According to the report published in Free Press Journal Army sources said, “The Army continues to be against any move to dilute the AFSPA in Jammu and Kashmir. There has been no change in our position as far as Armed Forces Special Powers Act (AFSPA) is concerned,” The Army has from time to time conveyed its apprehensions to the central government against any dilution of AFSPA.

In 1958, the Parliament enacted AFSPA to tackle insurgency in the northeast later it was imposed in other conflicting zones of the country. The Army feels that the AFSPA is an “enabling Act” which provided the requisite legal safeguards for the carrying out effective anti-terrorist operations. The force feel that if it is “is partially withdrawn or diluted, there are chances that radicalization and later even violence levels are likely to increase.

AFSPA, has been described by civil rights activists as a draconian law which gives overarching powers to security forces with immunity. Official number also shows that in the name militant operation the number of killing by the forces has been increasing continuously in the State.

<http://www.freepressjournal.in/army-sticks-to-its-stand-on-afspa/#sthash.Tu77tNf6.dpuf>

Date Accessed: 25.03.2015

(Jeet Singh)

INDIA AND WORLD

INTERNATIONAL AFFAIRS**More Aid Needed for 120,000 Displaced by Clashes in Southern Philippines – UN Agency**

(United Nations News Centre, March 20, 2015)

UNHCR (Office for the UN High Commissioner for Refugees) noted that intensifying conflict in southern Philippines island of Mindanao has displaced over 120,000 people since late January. The number does not include those staying with relatives and family members and thus the actual figures could be much higher. The UN could not access conflict areas and the information has been sourced from local communities.

The organization has expressed concern over wellbeing of women and children and requested all parties to maintain safety of civilians while the law and order operations are underway. As per estimates “13 municipalities in the areas of Maguindanao and North Cotabato in central Mindanao have been affected in eight weeks of clashes between the military and police on one side, and the non-State armed group, Bangsamoro Islamic Freedom Fighters, on the other.”

Babar Baloch, agency’s spokesperson, noted that the UNHCR is monitoring the areas closely. It is unclear how long the conflict will persist. Meanwhile help in the form of blankets, jerry cans, sleeping mats, mosquito nets and plastic is being provided but more is needed. In particular, concern is being expressed over the safety of women and children who could be potentially exposed to exploitation because of lack of community protection and income.

<http://www.un.org/apps/news/story.asp?NewsID=50392#.VRM4nkttIpE>

Date Accessed: 25.3.2015

(Shriyam Gupta)

OPINION/BOOKS

OPINIONS

Whistle-Blowers Continue to be Murdered Even as a Law for their Protection Awaits Notification

(Economic and Political Weekly, March 21, 2015)

The death of the 36-year-old Indian Administrative Services Officer and the suspicions surrounding it has reignited the debate of the rights of whistle blowers, activists and witnesses to crimes.

Since 2003, after Satyendra Dubey was murdered for exposing the corruption in the Golden Quadrilateral Highway building project, many incidents of violence have been reported against whistle blowers. Witnesses to crime are threatened and even murdered. "Two witnesses in the rape case against Asharam babu were killed within six months of each other." While such cases prevail, the Whistle Blowers Protection Act, 2011 remains unenforced.

The act got president's assent in May 2014, but no rules have been formulated under the act. Moreover, the present government has noted that the act needs to be amended keeping in view security and sovereign considerations. There are already many shortcomings in the act. Prime among them being - "punishment of up to two years imprisonment and a fine of Rs 30,000 for 'false and frivolous' complaints and no action on a disclosure if it does indicate the identity of the complainant or public servant, or if the identity is found to be 'incorrect.' If the complainant is found to have been involved in the illegality, he or she will not have immunity. Such provisions discourage whistle blowers from breaking stories for fear of prosecution. Moreover, many a times powerful bureaucrat or official is able to get away with the crime leaving the whistle blower to face the brunt of an ineffective judiciary. The act does not apply to private sector, which is often working in close nexus with government officials. Many private bodies have their own form of whistle-blower protection policies for fear of exposure through media.

The apex court and three reports of the law commission have highlighted the need for witness protection. Even the Bombay High court has directed the Maharashtra government to finalize a witness protection law that would bring whistle-blowers and activists under its jurisdiction. "Affidavit filed by the Central Vigilance Commission in the Supreme Court shows that in the 3,634 complaints filed with it from 2007 to 2014, only 1,063 were forwarded for action. More tellingly, 244 complaints filed by whistle-blowers of

victimisation and intimidation were ignored."

Whistle blowers are often accused of being 'political tools' for exposing crimes. Further, a structural weakness in dealing with the crimes makes one skeptical about an effective law for protection of whistle blowers.

<http://www.epw.in/editorials/sending-whistle-blowers-their-deaths.html>

Date Accessed: 25.3.2015

(Shriyam Gupta)

The Right Questions are Not Being Asked About The Country's (Aggressive) Indian Ocean Strategy

(Economic and Political Weekly, March 21, 2015)

It was British colonizers who first took serious control of the sea routes in the Indian Ocean. Now, parallel to the growth of India's economy and international clout, India is also seeking to increase its presence in Indian Ocean. India's relationship with Seychelles, Mauritius and Maldives and also to a large extent Sri Lanka, is highly dominating and domineering. To redefine its presence in the ocean, it has been influenced by West Europe and United States, who now found it difficult to police the ocean, in the way they did four centuries ago. "India's rivalry with China has been the 'pivot' on which India's new interventions have turned, whether it is the Indian Ocean Rim Association or the Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation."

The Prime Minister's recent trips to the island nations of Seychelles, Mauritius and Sri Lanka have been a continuation of this approach. India has got the permission to build military bases on these islands Seychelles and Mauritius by offering a few economic and political sops. Relations with Sri Lanka have been strengthened after the 'pro-china' Rajapaksha regime was replaced by the new dispensation of President Sirisena. Along with this, there is growing emphasis of Indian navy to play the 'blue water' role. On request, the navy sent its ships to Mozambique to patrol its shores and has also been instrumental in dealing with growing piracy in sea-lanes emerging from Suez Canal. "With a long, albeit slow-moving, factory line of ships and submarines lined up for induction, the Indian Navy seems well on its way to fulfilling this role in the coming years."

Domestic opinion in India has been in favor of increasing role in India's role in the oceans. This is because it offers a break from a policy focused only around northern borders. Also, it allows for a more rounded view of the world where

OPINION/BOOKS

countries sharing sea borders with India get attention in foreign policy considerations. However, important questions about India's increased role in the ocean have not been asked.

The Indian Ocean trade routes were of interest to the colonizers as the gains from its trade allowed them to fuel their military expansion. Today, China has interest in protecting and controlling the area as most of their imports of fuel and large part of their manufacturing exports are shipped through here. Among the big powers competing for control, only India's economic capacity does not match its military ambitions.

A bigger question regarding the purpose of military assertion still remains. There is no clarity regarding the purpose of such military affirmation. Is the expansion needed for India's territorial unity? Is it required to maintain the growth trajectory in the country? Or, is the military control of the area needed for economic gains? Prima facie answer to all these seem to be a 'no'. Then for what purpose is India engaging assertively in the Indian Ocean? Successive governments and think tanks have failed to engage in this debate.

<http://www.epw.in/editorials/indias-ocean.html>

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(Shriyam Gupta)

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