

Is the IIT Fee Hike a Wise Move?



Pam Rajput Committee on Status of Women: An Analysis of its Recommendations on Family and Criminal Law Reforms



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Is the IIT Fee Hike a Wise Move?

The 122 percent hike in IIT fees, increasing from Rs. 90,000 to Rs. 2 lakh, for under graduate courses announced by the HRD Ministry has generated mixed responses. The advocates of the hike offer justifications on mainly three grounds— one, the long impending hike was necessary to set off the amount government spent on each IIT student; two, the high paying jobs IIT graduates get placed at will take care of repayment of their loans (if taken); and three, the increased revenue will help IITs become autonomous. While the detractors argue that the hike will reduce access to high quality education – a key social mobility resource for the marginalised and economically weaker sections of the society. They further add that the hike will not bolster the proposed positive offshoots of this move either.

To put the ramifications of this hike in perspective, we need to understand how major stakeholders - aspiring students, the institutes, industry, India's need for building a robust research fraternity and the government will be impacted by it.

The Students

Will the students have to pay the highest 'price' for this move?

The students aspiring to study in IIT have the most to lose post this announcement. Through this hike the government has made quality technological education out of the reach for a student from a middle class family. The fall back on taking loans to pay the fees is only a graciously worded sop that does not take into account the feasibility of a middle class family to take loans and repay them. In the eyes of the government the loan burden is only the hiked fee of eight lakh. This is nothing but a specious argument. This calculation does not account for coaching expenses taken up sometimes as early as at the age of 15 by the family a sine qua non for cracking entrance exams for IIT; it does not account for living and other miscellaneous expenses during the course of graduation; it does not account for the mounting living and miscellaneous expense in the proverbial big cities where these high paying future jobs will be present.

Furthermore, adequate consideration has not been given to the fact that while taking a student loan a security will have to be provided as collateral. So now in addition to the burden of getting a loan there will also be a need to arrange adequate security. What could the middle class families who would bear the majority of this brunt have to offer as collateral for the loan amount- their family property, their house? Releasing the collateral would just make for another pressing concern pushing many IIT aspirants to look for high paying jobs.

By looking at only at a section of the monetary burden (the tuition fees) that needs to be repaid for which interest free loans are provided, the government is attempting to trivialize the monetary burden that will now lie on the students. What started as providing an opportunity for subsidised technological education at premier public institutions has resorted to treating students as cash cows.

By advocating the 'loan-model' of education to solve students concerns of the increased fee this government is advancing on shaky ground. Essentially it is telling a 21-year old about-to-graduate student (post the implementation of this hike) that s/he needs to find a job to set off the financial investment made for an IIT education is s/he belongs to the non-exempted category of students and cannot afford the cost of education. Some may argue that there is nothing incorrect in making a student accountable for paying for his education, and rightly so. But one cannot ignore the fact that the cost of education at an IIT will now have become such that only a high paying job is desirable to repay the cost of education. Was the purpose of an IIT education to enable landing only high paying jobs? Or was it supposed to be an investment in the meritorious students. We are only left to wonder how and when did 'payback' become the central argument while debating the advantages of making quality education accessible.

It is an accepted fact that engineering has been a traditional career choice in India more often than not advocated by the families for their children. Most students start preparing for the IIT-JEE at the age of 15-16, which is an age too young for committing to a career path for life. The influence families can exert on children to opt for potentially financially stable careers at this age cannot be ignored and the same is therefore susceptible to change over the course of years. What option will a fresh graduate from IIT under this much advocated 'loan-model' of education have if s/he is in a

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predicament of not wanting to be an engineer? Will s/he have the choice of even contemplating an alternative career path? Or should s/he consider their fate sealed at the age of 15 when they enrol for coaching classes.

Creating a direct nexus between money and accessibility of education in public institutions has converted education into capital investment, from which gaining returns are desirable and mandatory. (Jalote 2016) And the return shall be best made when the brightest minds in this country choose an employment on the basis of the salary.

That this move will prepone the 'EMI effect' is not a far-fetched conclusion; where a car or a flat was the first loan that was taken for by a fresh 20-something graduate, s/he would now be entering the workforce with a loan amount to take care of. In countries where the 'loan-model' of education has been around for a while, students with a debt to settle have been found to be struggling with purchasing a home or car or even household necessities as they always have to budget their expense keeping in mind the education loan they have to pay back. (Student Loan Borrowers Delaying Other Life Decisions 2016)

Whether it is monetary or psychological or even the opportunity cost of exploring something better, the students undoubtedly would be paying the highest price for this move.

The Institute

Will this move benefit the IITs in the long run?

Amongst other things the IITs are one of the premier technological institutes in this country due to the contributions and achievements of its alumni. By making financial capability as one important deciding factor for a student to choose an education at IIT, the institute is paving way for its detriment in the long run. The aim of the institute should be to produce good engineers and not be encumbered in public policy goals like social justice. (Pai 2016)

To believe that the quality of graduating students shall not be impacted at all when education is mired with the financial capabilities of the student is a poor argument. About 50 percent of the students would now have to be paying the hiked fees. (IIT Fee Hike: Step in the Right Direction 2016) All those students who are aspiring for these 50 percent seats will have to choose an IIT education not on the basis of their intelligence alone but also the cost of education. Can the premier technological institutes of this country afford to sift through the meritorious by leaving many behind?

Should we be worrying that a sizeable number of the students would now be prioritising getting a high paying job over education even more than before with the hike in fees? The question answers itself. Not discrediting the fact that even before the hike this could have been the motivation for many but now there are solid grounds for even more to want this. IITs have prided themselves on nurturing the best minds in this country, with the motivation of education being influenced by jobs the impact of this stands to be seen in the quality of alumni the institute produces in future.

Dilution in the quality of work generated and alumni produced is a setback for the institute itself. And in the long run skimming the pool of meritorious students is going to be a backlash for the IITs.

The Government (as well as the nation as a whole)

Will the country lose out on tapping the potential of IIT graduates?

That employment choices of the students are going to now be influenced by the hike in fees is an aspect that can have huge ramifications and hence it cannot be ignored. Moreover it is safe to say that the government has underestimated how this can backfire for its own future growth. There is research to support that self-financing of higher education has proven as a deterrent for students to choose low-paying jobs often in the government or non-profit sectors. (Kishore 2016) By advocating students take loans and self-finance their IIT education the government is also reducing the pool of IIT graduates who would like to join PSU's and other government organisations, therefore limiting its prospects of capitalising on the skills of the IIT graduates.

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Additionally extending the same logic the hike in fees is going to be a challenge to the success of the much touted programmes of this government like Start-up India, Make in India. To a great extent the government is responsible for curbing the entrepreneurial possibilities that the students could have explored by positing the 'loan-model' of education. Interest in research related opportunities, traditionally already considered to be a less well paying career option, will now take even more of a backseat. A serious concern for India, if it has to take its place in the sun as far as the Fourth Industrial Revolution is concerned, is research and development; this is an area where the government should be investing the best talent for its advancement and more patents to its credit. The domino effect from the fee hike will transcend the career choices that fresh graduates will make, and its impact on the nation as a whole.

In 2008, in a detailed study the contributions made by IIT graduates had been collated. It noted that two of every three graduates from IIT pursue additional education post-IIT. At the time of joining the workforce, one in four IIT alumni starts off with a role in research and education. About 3 percent of IIT graduates start their first jobs as entrepreneurs, with a similar number choosing social roles such as government, social work or politics. (IIT Alumni Impact Study 2008)

In light of the impact it will have on the risk taking ability of budding entrepreneurs, research intensive jobs and employment in the non-profit sector, can it be considered as a good strategy at all? Does it benefit job creation or add to the knowledge capital of this country?

In Conclusion

It is apparent that there is more to lose than to gain from the proposed hike. The increase in revenue of IITs that would pave the way for their financial autonomy is only marginal. (Singh 2016) It has been suggested that a system of deferred payments from IIT pass outs be put in place. This approach gives the option to students to defer the payment of their fee until after graduation which would be a fixed percentage of income for a fixed number of years. In this manner the payment of education will be coordinated with the kind of employment. This is not a far-fetched reality any longer when there are Aadhaar/PAN cards to keep a track of these payments. (Jalote 2016)

The fee hike is an ill thought out move. By making the financial capability (in terms of funding the IIT education, arranging for security for a loan) of a student's family a prior consideration for considering an IIT education rather than merit, the institute will have missed out on at least a section of meritorious future graduates. For those in the institute, significant graduates would have their future pre-determined at least as far as career choices are concerned. The stakeholders who believe they stand to gain should know that these would only be short term gains; in the long run there will be nothing but erosion of the faith of people in education from public institutions and the rich gains that this country has enjoyed from the bounty of intelligence of the IIT graduates.

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Pam Rajput Committee on Status of Women: An Analysis of its Recommendations on Family and Criminal Law Reforms

Introduction:

In 2013, the Ministry for Women and Child Development set up a High Level Committee on the Status of Women in India consisting of 14 members under the Chairmanship of Professor Pam Rajput to “undertake a comprehensive study to understand the status of women since 1989, as well as to evolve appropriate policy interventions based on a contemporary assessment of women’s needs.”¹ These recommendations were submitted last year to the Ministry of Women and Child Development, which has since been holding consultations with various civic and religious groups on its recommendations. The Committee Report is not available in the public domain. The Executive Summary of the Report² is a comprehensive look at every aspect of the issues faced by women across the country, including violence, education, health, environment, the media and law. Some of the most important recommendations made by the committee involve reforms to family and criminal laws that are presently discriminatory against women.

Although this report was submitted to the Ministry of Women and Child Development last year, it was in the news recently when the Supreme Court of India directed the Centre to produce the report while hearing a plea by Shayara Bano, a Muslim woman from Uttarakhand, which challenged the practice of triple talaq.³ The Supreme Court also sought the response of the government response on the same.⁴

1. Family Laws:

The committee recommended amending Section 497 of the India Penal Code, 1860, that deals with **adultery**, on the basis that “women are not possessions of their husbands”⁵. Section 497 states that “Whoever has sexual intercourse with a person who is and whom he knows or has reason to believe to be the wife of another man, without the consent or connivance of that man, such sexual intercourse not amounting to the offence of rape, is guilty of the offence of adultery, and shall be punished with imprisonment of either description for a term which may extend to five years, or with fine, or with both. In such case the wife shall not be punishable as an abettor.”⁶ Hence, under this section, a man indulging in consensual sexual intercourse with a married woman can be punished on the basis of a complaint from the woman’s husband. However, a woman whose husband has sexual intercourse outside of marriage has no recourse in law.

¹ Ministry of Women and Child Development, ‘High Level Committee on the Status of Women in India’, 2015. Available at <http://wcd.nic.in/sites/default/files/highlevelcommittee24513e.pdf>

² Ministry of Women and Child Development (2015), ‘Executive Summary – Report on the Status of Women in India’, High Level Committee on the Status on Women, 2015. Available at http://wcd.nic.in/sites/default/files/Executive%20Summary_HLC.pdf

³ Shalini Nair (2016), ‘Ban verbal, unilateral and triple talaq: Central govt panel’, The Indian Express, March 31, 2016. Available at <http://indianexpress.com/article/india/india-news-india/muslims-divorce-ban-verbal-unilateral-and-triple-talaq-central-government-panel/>

⁴ Samanwaya Rautray (2016), ‘Supreme Court seeks Narendra Modi government’s views on triple talaq’, The Economic Times, March 01, 2016. Available at <http://economictimes.indiatimes.com/news/politics-and-nation/supreme-court-seeks-narendra-modi-governments-views-on-triple-talaq/articleshow/51201829.cms>

⁵ Ministry of Women and Child Development (2015), ‘Executive Summary – Report on the Status of Women in India’, High Level Committee on the Status on Women, 2015. Available at http://wcd.nic.in/sites/default/files/Executive%20Summary_HLC.pdf

⁶ The Indian Penal Code, 1860. Available at <http://ncw.nic.in/acts/THEINDIANPENALCODE1860.pdf>

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The recognition of this provision as prejudicial against women is welcome. However, adultery as a criminal offence is itself a colonial relic that is no longer recognised by most countries. The criminalisation of sexual relations between consenting adults is a violation of their right to privacy, and an archaic notion that was condemned as discriminatory to women by a UN Working Group, when it issued a call to governments around the world to decriminalise adultery in 2012.⁷ At least 18 states in the USA still consider adultery a crime (although these provisions are rarely and arbitrarily enforced), as do many Muslim countries. However, Europe has decriminalised adultery⁸, along with much of Latin America. Even South Korea, a culturally conservative country, has recognised the invalidity of its adultery law, striking down a six-decade-old legal provision last year that made adultery a criminal act. The court stated, “It should be left to the free will and love of people to decide whether to maintain marriage.”⁹ It is now time for India to realise the futility and unconstitutionality of criminalising relations between consenting adults.

The panel has recommended a **complete ban on oral, unilateral and triple talaq**, on the grounds that it “makes wives extremely vulnerable and insecure regarding their marital status.”¹⁰

Many organisations that fight for the rights of Muslim women have been campaigning against triple talaq on the basis that the Quran envisages that the word must be uttered on three separate occasions spread over three months and accompanied by attempts at reconciliation. In India, triple talaq (that can even be sent over text, email or Skype), grants instantaneous divorce. However, a ban on triple talaq faces stiff opposition from clerics and powerful conservative organisations such as the All India Muslim Personal Law Board. Spokesman Mohammed Abdul Rahim Qureshi said the board could not support a government ban. “For one, we don’t want the government to interfere in matters of Muslim personal law and for another, triple talaq is permitted under the hadith (the prophet Muhammad’s sayings),” he said.¹¹

The panel has also pushed for **uniformity in the age of marriage** for both boys and girls. Media reports state that the panel cites the recommendation of the 18th Law Commission to recognise 18 years as the age of marriage for both sexes. The Panel reportedly found the lower age of marriage for girls as prescribed by the Hindu Marriage Act and the Special Marriage Act to be discriminatory to women.¹²

Regarding **maintenance**, the panel recommended that Section 125 of the Code of Criminal Procedure, that provides for the maintenance of wives, children and parents, should be amended to include maintenance for women in live-in

⁷ Thalif Deen (2012), ‘Adultery Laws Unfairly Target Women, U.N. Says’, Inter Press Service, October 24, 2012. Available at <http://www.ipsnews.net/2012/10/adultery-laws-unfairly-target-women-u-n-says/>

⁸ Ronan McCrea (2010), ‘Religion and the Public Order of the European Union’, Oxford University Press, 2010. Available at https://books.google.co.in/books?id=R8nq8UETZq8C&pg=PA207&lpg=PA207&dq=adultery+laws+in+european+union&source=bl&ots=kPg0YXG9eA&sig=icB6Jjqon-h3ugmcjwgtZmKH6NQ&hl=en&sa=X&ei=Ta_wVISUI8ipgwT41IHIBQ&redir_esc=y#v=onepage&q=adultery%20laws%20in%20european%20union&f=false

⁹ Edward Delman (2015), ‘When Adultery Is a Crime’, The Atlantic, March 02, 2015. Available at <http://www.theatlantic.com/international/archive/2015/03/south-korea-adultery-law-repeal/386603/>

¹⁰ Ministry of Women and Child Development (2015), ‘Executive Summary – Report on the Status of Women in India’, High Level Committee on the Status on Women, 2015. Available at http://wcd.nic.in/sites/default/files/Executive%20Summary_HLC.pdf

¹¹ Amrit Dhillon (2015), ‘India’s Muslim women fight to end triple talaq law that yields instant divorce’, The Guardian, August 10, 2015. Available at <http://www.theguardian.com/global-development/2015/aug/10/india-muslim-women-fight-triple-talaq-law-instant-divorce>

¹² Shalini Nair (2016), ‘Family law reforms: Change adultery law, fix marriage age for both boys, girls at 18 yrs, says govt panel’, The Indian Express, April 01, 2016. Available at <http://indianexpress.com/article/india/india-news-india/family-law-reforms-change-adultery-law-fix-marriage-age-for-both-boys-girls-at-18-yrs-says-govt-panel/>

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relationships which are in the nature of marriage, and for unmarried dependent daughters. The Supreme Court has, in a series of judgments, recognised the legal validity of live-in relationships. In a 2015 judgment, it upheld that a woman is entitled to maintenance subsequent to the break-down of a live-in relationship.¹³

Further, the panel recommended that changes should be made in the **Hindu Succession Act** to ensure that in absence of her husband and children, the property of the women would go to her parents, and in the **Indian Succession Act** to ensure that rights of widows do not get affected by the presence of such remote relatives.

2. Criminal Laws:

On the issue of **rape and sexual assault**, the panel echoed the views of the J.S. Verma Committee and recommended that marital rape be made an offence irrespective of the age of the wife and the relationship between the perpetrator and the victim. However, Union Minister for Women and Child Development Minister Maneka Gandhi has done a complete about-turn from her earlier stand on the issue.

In June of last year, Ms. Gandhi condemned marital rape, stating, “My opinion is that violence against women shouldn't be limited to violence by strangers. Very often a marital rape is not always about a man's need for sex; it is only about his need for power and subjugation. In such case, it should be treated with seriousness.”¹⁴ This was in direct contradiction to the government's claim that marital rape cannot be treated as a criminal offence as marriage in India is considered a “sacrament” between husband and wife. Earlier, Minister of State for Home Haribhai Chaudhary claimed in Parliament that “It is considered that the concept of marital rape, as understood internationally, cannot be suitably applied in the Indian context owing to various factors, e.g. level of education/illiteracy, poverty, myriad social customs and values, religious beliefs, mindset of the society to treat marriage as a sacrament, etc.”¹⁵

On March 10th this year, Ms. Gandhi stated in answer to a question in the Rajya Sabha, “It is considered that the concept of marital rape, as understood internationally, cannot be suitably applied in the Indian context due to various factors like level of education/illiteracy, poverty, myriad social customs and values, religious beliefs, mindset of the society to treat the marriage as a sacrament etc.” – the same statement read out in Parliament by her colleague the previous year, and an total volte-face from her earlier public statement.¹⁶

Two days ago, in her first statement addressing the furore caused by her answer in Parliament, Ms. Gandhi said, “We know it (marital rape) happens frequently. But women need to come and complain about this aspect of violence, and once there is enough data, the government could respond.” She further stated that at present, the government does not

¹³ Amit Anand Choudhary (2015), ‘Supreme Court upholds maintenance for live-in partners’, The Times of India, May 06, 2015. Available at <http://timesofindia.indiatimes.com/india/Supreme-Court-upholds-maintenance-for-live-in-partners/articleshow/47169351.cms>

¹⁴ Preetha Nair (2015), ‘Marital rape is unacceptable, says Maneka Gandhi’, India Today, June 24, 2015. Available at <http://indiatoday.intoday.in/story/maneka-gandhi-marital-rape-violence-against-women-india/1/446799.html>

¹⁵ Ibid.

¹⁶ Himanshi Dhawan (2015), ‘Govt panel contradicts Centre, says make marital rape a crime’, The Times of India, July 18, 2015. Available at <http://timesofindia.indiatimes.com/india/Govt-panel-contradicts-Centre-says-make-marital-rape-a-crime/articleshow/48119470.cms>

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have a case for introducing a separate law to criminalise marital rape since women do not use even existing laws on domestic violence to register complaints of rapes by husbands.¹⁷

Apart from the callousness of the Minister's claims that although the government "knows" that marital rape occurs frequently, it will only respond once there is "enough data", the Minister seems completely ignorant of the difficulty that women across the country will face in trying to convince the police to add charges of marital rape in the absence of statutory recognition, especially since Section 375 of the Indian Penal Code, which deals with rape, makes an explicit exception for sexual intercourse by a man with his own wife.¹⁸ Although the Protection of Women from Domestic Violence Act, 2005 recognises sexual abuse within a marriage, it provides for a civil remedy and does not make it a criminal offence.¹⁹

The panel also recommended that the **age of consent** be revised to 16 years (with a close-in-age exception for young people in consensual sexual relationships when they are above the age of 16). The recommendation, if implemented, will ensure that young people (especially young boys) over the age of 16 will not be penalised for consensual sexual activity with a person who is also above the age of 16 (at present this would count as rape). The age of consent was raised to 18 years after the uproar over the Joyti Singh gang rape of December 2012, purportedly to bring parity to the age of minority in various criminal laws. The provision of a close-in-age exception is in line with laws in some countries, also known as "Romeo and Juliet Law"²⁰ in some states in the USA, that cover teenage couples where neither party has reached the age of consent, or one party has reached the age of consent but the other has not, but may engage in consensual sexual conduct as part of an intimate relationship. The age difference between the parties must be no more than three to four years. The panel in this case has not shied away from taking a realistic view of the sexual behaviour of teenagers. However, the government must address concerns that this recommendation might be perceived as effectively encouraging crimes such as child sexual abuse and sex trafficking of young children – major problems that the country has not yet managed to curb.

The panel has recognised **acid attacks** as a major problem in the country, and has called for stricter controls over sales of acid and other corrosive substances, as well as a stringent penalty on violators of such provisions. It has also called for the institutionalisation of immediate and effective disbursement of funds/monetary relief to victims or families of acid attack.

On the subject of **sexual harassment of women at the workplace**, the panel has recognised that Section 14(1) of the Sexual Harassment of Women at Workplace Act, 2013 (that prescribes for action to be taken against a false and malicious complaint of sexual harassment)²¹ is prone to misuse and may act as a deterrent against lodging a complaint, and has called for its deletion. Moreover, it seeks to extend the ambit of the Act to women who work in smaller offices, in the unorganised sector, or as domestic workers. As the recent controversy over RK Pachauri shows, the Act is still toothless when it comes to protecting the rights of women who have faced sexual harassment at the workplace.

¹⁷ Shalini Nair (2016), 'Marital rape: Maneka Gandhi says need data to make it criminal offence', The Indian Express, April 09, 2016. Available at <http://indianexpress.com/article/india/india-news-india/marital-rape-maneka-gandhi-says-need-data-to-make-it-criminal-offence/>

¹⁸ The Indian Penal Code, 1860. Available at <http://ncw.nic.in/acts/THEINDIANPENALCODE1860.pdf>

¹⁹ The Protection of Women from Domestic Violence Act, 2005. Available at <http://ncw.nic.in/acts/TheProtectionofWomenfromDomesticViolenceAct2005.pdf>

²⁰ US Legal, 'Romeo and Juliet Law Law & Legal Definition', US Legal. Available at <http://definitions.uslegal.com/r/romeo-and-juliet-law/>

²¹ The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. Available at <http://www.iitbbs.ac.in/notice/sexual-harrassment-of-women-act-and-rules-2013.pdf>

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The definition of **cruelty** under Sec 498A of the Indian Penal Code means any wilful conduct which is of such a nature as is likely to drive the woman to commit suicide or to cause grave injury or danger to life, limb or health (whether mental or physical) of the woman; or harassment of the woman where such harassment is with a view to coercing her or any person related to her to meet any unlawful demand for any property or valuable security or is on account of failure by her or any person related to her to meet such demand. The committee has suggested a review of this section to include the various forms of violence against women within the home, so that it is in line with the definition of “domestic violence” as defined in the Protection of Women from Domestic Violence Act, 2005, which is far more extensive. The panel also seeks to widen the definition of dowry, and reduce the penalty for the giver of dowry.

The panel has sought to introduce a separate legislation to deal specifically with **honour crimes**, and also enforce mandatory police and legal protection for couples, women, children and families who approach any institution with the apprehension of harm at the hands of their family members or community. It has also recognised the largely unaddressed issue of **witch-hunting** – a phenomenon that overwhelmingly affects women and often results in their murder; it also shines light on the plight of **women in conflict**, and calls for a review of the continuance of Armed Forces (Special Powers) Act similar legal protocols in internal conflict areas. Stricter measures have been called for to deal with **rape by armed personnel** in the place of or during their duty.

With India becoming a hub in the multi-billion dollar worldwide surrogacy industry, the rights of surrogate mothers must not be ignored, especially since most surrogate mothers tend to come from economically weaker sections of society and can be easily exploited. To rectify this scenario, the Supreme Court last year imposed a ban on Indian surrogate mothers providing their services to foreign nationals, the largest source of income in this unregulated sector. The government, through its Assisted Reproductive Technology (ART) Bill, now seeks to narrow surrogacy services to Indian couples or foreigners married to Indian citizens.²² The Panel Report recommends that compensation should not be left to the private contract between the surrogate and the commissioning parents, as they have unequal bargaining power.

Conclusion:

The recommendations made by the Pam Rajput Committee are extensive, forward-thinking and much-needed. However, what remains to be seen is how many recommendations are actually implemented, since many might be considered too radical by more conservative sections of society. The Report has already been condemned as “unconstitutional” by the General Secretary of the All India Sunni Jameyatul Ulema.²³

The Ministry has been conducting consultations and workshops to discuss its provisions; however, the voluminous nature of the report (it was submitted in four parts)²⁴ means that it will take a significant amount of time to see the incorporation of these recommendations into law and policy, if at all. The need of the hour is for parties across the

²² Bindu Shajan Perappadan (2015), ‘A setback for surrogacy in India?’, The Hindu, November 29, 2015. Available at <http://www.thehindu.com/opinion/op-ed/a-setback-for-surrogacy-in-india/article7927730.ece>

²³ Article (2015), ‘Pam Rajput committee report anti-constitutional- Kanthapuram’, The New Indian Express, July 21, 2015. Available at <http://www.newindianexpress.com/states/kerala/Pam-Rajput-committee-report-anti-constitutional--Kanthapuram/2015/07/21/article2932907.ece>

²⁴ Press Release (2015), ‘Recommendations of High Level Committee (HLC) on Status of Women discussed at a one day workshop’, Press Information Bureau, July 20, 2015. Available at <http://pib.nic.in/newsite/PrintRelease.aspx?relid=123390>

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political spectrum to recognise the urgent need for legal reforms to rectify laws that are severely prejudicial to women, and to provide support by ensuring that these measures are swiftly implemented.

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Headlines

Number of Stalled Projects Highest Since Modi Government Took Office

(Sachin P. Mampatta, *The Livemint*, April 4, 2016)

An increase in the number of stalled projects for three consecutive quarters has brought them to their highest level since Narendra Modi assumed office as the prime minister in May 2014. A sector-wise break-up of stalled projects shows that manufacturing continues to have the biggest pie among such projects. Over two-thirds of the stalled projects in the manufacturing segment are in the metals space. Manufacturing is followed by electricity.

Read More: <http://www.livemint.com/Opinion/fMzttEmdhR2aQUmQOhxu4M/Number-of-stalled-projects-highest-since-Modi-govt-took-offi.html>

Date Accessed: 4.4.2016

Economy

Just 10% of World Military Spending Could Knock Off Poverty, Says Think Tank

(Belinda Goldsmith, *The Wire*, April 05, 2016)

The Stockholm International Peace Research Institute (SIPRI), a Sweden based think tank estimated that 10% of world military spending could cover the costs of global goal aiming to end poverty and hunger in 15 years. SIPRI noted “military expenditure nudged up to almost \$1.7 trillion last year, with the US accounting for by far the greatest amount despite its spending dipping 2.4%, to \$596 billion. China was the second largest spender for the second year in a row with spending up 7.4% to \$215 billion, while Saudi Arabia passed Russia to take third place and Britain came fifth.”

Read more: <http://thewire.in/2016/04/05/just-10-of-world-military-spending-could-knock-off-poverty-says-think-tank-27534/>

Date Accessed: 05.04.2016

Black Money Hunt Yet to Yield Results

(*The Hindu*, April 06, 2016)

Despite several official efforts to trace and recover black money India has not registered any major success, and investigation agencies are still struggling to estimate how much Indian wealth is parked in tax havens.

While the Panama papers bring out yet another list of India’s rich and influential who have parked money in tax havens, officials are grappling to find credible ways to verify a new estimate showing that over \$505 billion (approximately Rs. 33,83,500 crore) has left India during the 2004-13 period.

Officials who have worked with the Special Investigation Team (SIT) on black money say that India is too far away from making any major breakthrough on the hunt for black money. “On our own there is very slim chance that we would be able to make any major breakthroughs,” a senior official who has been integral part of SIT consultations said. He pointed out that all major databases on which action have been initiated have all come from foreign sources. “Be it HSBC Geneva or Liechtenstein, they have all come from abroad,” he said.

The Modi government’s first major announcement was the setting up of the SIT on black money. It followed it up with a three months compliance window between July and September 2015 under the black money Act. It resulted in 644 declarations, totalling declaration of foreign assets worth Rs. 4,164 crore. A total of Rs. 446 crore was collected as tax and penalty. Officials admit that what has been collected is negligible. Despite several agencies and an SIT looking into black money, there is no clear estimate about how much Indian money is parked in foreign tax havens.

Read More: <http://www.thehindu.com/news/national/black-money-hunt-yet-to-yield-results/article8438645.ece?homepage=true>

Date Accessed: 06.04.2016

Governance & Development

POLITICS AND GOVERNANCE

Not Just a Flyover Collapse

(The Business Standard, April 3, 2016)

The collapse of an under-construction flyover in the highly congested Burra Bazar area of Kolkata, killing 27 people, has highlighted the hurdles in the way of building new **infrastructure** capacity not just in **West Bengal** but in all of India. The tragedy comes at a particularly sensitive juncture when India, led by a very active and peripatetic prime minister, is seeking global investment for building both its infrastructure and its productive capacity. Given that a trillion dollar-plus infrastructure gap has to be financed, and that various methods of implementing this infrastructure plan are being discussed at the moment, it is vital to dispassionately judge what has gone wrong in this case - and to identify the more general malaise.

Read More: http://www.business-standard.com/article/opinion/not-just-a-flyover-collapse-116040300627_1.html

Date Accessed: 4.4.2016

Parliamentary Standing Committee Bats for Reducing Frequency of Elections

(News Laundry, April 04, 2016)

The parliamentary standing committee on Law and Justice in its latest report has extended its support for holding simultaneous elections, there by reducing the frequency of elections. "The 79th report of the Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice was recently presented in both the houses of Parliament. The report dealt with the issue of 'Feasibility of Holding Simultaneous Elections to the House of People (Lok Sabha) and State Legislative Assemblies'. The committee in its report felt that debate on this important issue should be initiated and an effort should be made for a national consensus to avoid frequent elections."

Read more: <http://www.newslaundry.com/2016/04/04/parliamentary-standing-committee-bats-for-reducing-frequency-of-elections/>

Date Accessed: 05.04.2016

Standing Up to Prejudice

(The Business Standard, April 7, 2016)

A programme focused on entrepreneurship and empowerment for excluded groups within the market economy is certainly a more practical way of helping these sections than reserving jobs in government institutions, especially given the shrinking market for such employment. However, handing out loans is fundamentally different from empowering people with the connections needed for successful businesses. Indeed, when the doing business environment is still far from optimal for big businesses, and decidedly unfriendly to the small and medium entrepreneur, it is unlikely to be welcoming to sections of society that have been prey to ingrained caste and gender prejudices for centuries.

Read More: http://www.business-standard.com/article/opinion/standing-up-to-prejudice-116040701030_1.html

Date Accessed: 11.4.2016

GOVERNMENT

Unpaid Salary Bill of Over Rs 8,000 crore set to Hit MGNREGA

(Brajesh Kumar, Hindustan Times, April 04, 2016)

"Rural job guarantee scheme MGNREGA reported over Rs 8,000 crore in unpaid wages for the 2015-16 fiscal that ended on Thursday, the highest in recent years. Civil society activists said the huge liability will eat into the budgetary allocation of Rs 38,500 crore for the current fiscal, thus painting grim prospects for the UPA-era scheme that guarantees 100 days of work to people in rural areas. Other than unpaid wages of Rs 8,261 crore, government records show another Rs 3,686 crore as amount not paid for material used in 2015-16."

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“The combined total of Rs 12,000 crore as liability means the states will spend a large sum of the current allocation in paying dues for last year and after doing so they will be left with only Rs 26,500 crore for the entire year,” said Nikhil Dey of the Majdoor Kisan Shakti Sangathan, an NGO.

Read more: <http://www.hindustantimes.com/india/unpaid-salary-bill-of-over-rs-8-000-crore-set-to-hit-mgnrega/story-fm5XXHsj55Atui27IKPRRM.html>

Date Accessed: 05.04.2016

AGRICULTURE

Fertiliser Imbalance

(*The Business Standard*, March 31, 2016)

Soils in most agriculturally advanced regions have already slipped into sickness, requiring progressively higher doses of nutrients to maintain the same level of crop productivity. What is required, truly, is the need-based use of fertilisers. The notion that nitrogen (N), phosphate (P) and potash (K) should be used in the proportion of 4:2:1 to ensure a proper balance in their application has, of late, been found to be a misconception. The country's apex farm research body, the Indian Council of Agricultural Research (ICAR), has categorically stated in its Annual Report for 2014-15 that the norm of 4:2:1 cannot be generalised for the country as a whole. It applies only to limited areas, notably the intensive wheat and rice growing belt in the north-west. This should change with more stress on the soil test-based fertiliser use.

Read More: http://www.business-standard.com/article/opinion/fertiliser-imbalance-116033101251_1.html

Date Accessed: 4.4.2016

LAW AND JUSTICE

India Imposed 75 Death Sentences in 2015, Finds Amnesty International Report

(*Scroll.in*, April 06, 2016)

Last year, says a new global report by Amnesty International, Indian courts imposed at least 75 death sentences, almost all for murder. At the end of last year, there were at least 320 people awaiting execution in India. India was one of four countries to have executed someone in 2015 after a gap in 2014. However, all four, including Bangladesh, Indonesia and South Sudan, had executed people in 2013.

India has a patchy record when it comes to the death penalty. Although the state executed more than 100 people each year in the decade immediately after Independence, that number had declined by the 1990s to no more than three in a single year.

For several years, it even seemed as if the state had imposed an unofficial moratorium on the death penalty. From 1999 to 2003 and 2005 to 2011, India did not carry out any executions. The exception was Dhananjay Chatterjee, a guard in Kolkata who was convicted for having raped and killed an 18-year-old and executed in 2004. In 2012, Mohammed Ajmal Kasab, the sole surviving attacker of the 2008 terror attacks in Mumbai, was executed in secret at the Yerawada Jail in Pune. The next year, Afzal Guru was hanged for his involvement in the 2001 attack on Parliament and in 2015, it was Yakub Memon, for his role in the 1993 bomb blasts in Mumbai.

Read More: <http://scroll.in/article/806235/india-imposed-75-death-sentences-in-2015-finds-amnesty-international-report>

Date Accessed: 06.04.2016

HEALTH

A Crisis of Plenty

(*The Economic and Political Weekly*, April 9, 2016)

Governance & Development

Even as the past few decades have witnessed a steady deterioration of public health services in India, health activists and medical journals, apart from the World Bank, have been warning about our “medical overuse” crisis. This crisis has three main causes: increasing insurance cover, mushrooming of private hospitals and misuse of the financial provisions of government health welfare schemes. A recent media report points out that in the five years between 2009–10 and 2014–15, the number of major surgeries conducted under the National Health Mission (NHM) has shot up remarkably.

Read More:<http://www.epw.in/journal/2016/15/editorials/crisis-plenty.html#sthash.TAfOcmMa.dpuf>

Date Accessed: 11.4.2016

ENVIRONMENT

What the Nation Needs to Know

(Sunita Narain, *The Business Standard*, April 10, 2016)

The fact is that septic tanks are decentralised waste collection systems. Instead of thinking of building an underground sewerage network-that is never built or never completed-it would be best to think of these systems as the future of urban sanitation. This demands three changes. One, governments recognise that these systems exist, and what is needed is to incorporate them in future sanitation plans. Two, they provide oversight to the building of these systems-the codes exist, but they need to be implemented and structures certified. Three, they provide minimal regulation for the collection and transportation faecal sludge business so that waste is taken for treatment, and not dumped somewhere.

Read More: http://www.business-standard.com/article/opinion/sunita-narain-what-the-nation-needs-to-know-116041000673_1.html

Date Accessed: 11.4.2016

Society

GENDER

Family Law Reforms: Change Adultery Law, Fix Marriage Age for Both Boys, Girls at 18 yrs, Says Government Panel

(Shalini Nair, *The Indian Express*, April 01, 2016)

Amending the outdated adultery law “based on the presumption of wife being the property of the husband”, introducing a separate legislation for dealing with “honour killings” and removing the gender discrimination inherent in laws that stipulate a lower legal age of marriage for a girl — these are some of the family law reforms suggested by the government-appointed high-level panel.

The report of the committee, which has also asked for a ban on triple talaq and polygamy, will be placed before the Supreme Court which is hearing a petition filed by an Uttarakhand-based Muslim woman appealing against her triple talaq.

The year-old report reviewing the status of women in India, which was never made public, also suggests a slew of other reforms.

Read More: <http://indianexpress.com/article/india/india-news-india/family-law-reforms-change-adultery-law-fix-marriage-age-for-both-boys-girls-at-18-yrs-says-govt-panel/>

Date Accessed: 02.04.2016

India and World

AMERICAS

Syrian Civil War: US Should Not Arm the Rebels

(Kevin Shwartz, *Al Jazeera*, April 4, 2016)

Reliance on proxies in the pursuit of policy goals is nothing new for the US, recurring as an element of policy through successive Cold War and post-Cold War administrations - from South America to Southeast Asia - with variations in commitment, transparency, and results. The proxy-training and support apparatus remains robust with US Special Operations forces scattered [across the globe](#) in nearly 135 countries. Non-state proxies now seem to be perceived as the US' preferred method to engage militarily moving into the future. As the use of proxies appears to be the US' preferred method of engagement, it must be treated with the same scrutiny and held to account for the potential ill-effects it may hold, and debated in front of the American people in a transparent manner this election season.

Read More: <http://www.aljazeera.com/indepth/opinion/2016/04/syrian-civil-war-arm-rebels-160403113531178.html>

Date Accessed: 4.4.2016

A Fair Chance After a Conviction

(*The New York Times*, April 11, 2016)

The Obama administration has worked diligently over the last five years to ease the marginalization of more than 70 million Americans with criminal records that can shut them out of jobs, housing, higher education or the consumer credit system - sometimes for minor offenses in the distant past or arrests that never led to conviction. By addressing this problem, Mr. Obama is pushing the country to re-evaluate longstanding policies that trap people with criminal records at the very edges of society, driving many of them right back to prison.

Read More: <http://www.nytimes.com/2016/04/10/opinion/sunday/a-fair-chance-after-a-conviction.html?smid=tw-nytopinion&smtyp=cur>

Date Accessed: 9.4.2016

Opinions / Books

Why Lawmaking in India is so Subpar

(Bhanu Dhamija, *The Huffington Post*, April 1, 2016)

Lawmaking in India is an entirely partisan exercise. The government, with a majority already in hand, pushes through the laws it wants. Since only the government can pass laws--those brought by private members have no chance--no other Member of Parliament takes the initiative. Party bosses in power decide which laws will be proposed, and those in the opposition decide which will be opposed. The legislators merely vote as instructed by their bosses. No one has any interest in the quality of laws. The government is unconcerned because the law is usually assured passage. And the opposition has no interest in the quality because it benefits only if the law is defeated, not if it is improved.

Read More: <http://www.huffingtonpost.in/bhanu-dhamija/indias-lawmaking-is-fundamental-9569060.html>

Date Accessed: 4.4.2016

Attacks on Freedom of Speech Have Soared

(Mayank Jain, *The Scroll*, April 11, 2016)

From sedition cases against Jawaharlal Nehru University students for allegedly chanting anti-national slogans to attacks on journalists in Chhattisgarh, India has been having a bad year for freedom of speech. Eleven cases of sedition have been filed against 19 people in merely the first three months of 2016. Defamation cases involving politicians also jumped: 27 cases were filed in the first quarter of the year compared to just two cases filed in the corresponding period last year. Cases of censorship have also risen this year compared to the corresponding period in the last two years. While only two such instances were reported in the first quarter of 2015, the tally was 17 this year.

Read More: <http://scroll.in/article/806218/this-chart-shows-how-attacks-on-freedom-of-speech-in-india-have-soared-this-year>

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