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Content

UNIT: I TRANSPARENCY & ACCOUNTABILITY

1.1	GOOD GOVERNANCE (AN INTRODUCTION).....	02-15
	❑ Concept of Good Governance	02
	❑ Dimensions of Good Governance	03
	❑ Issues Concerning Governance.....	03
	❑ Issues Concerning Policy Making in India	04
	❑ Policy Implementation & Issues.....	04
	❑ Coherent Policymaking	05
	❑ How to Establish Good Governance.....	06
	❑ People Centric Governance.....	07
	❑ Models for Reforming Governance.....	10
	❑ Ethics in Governance	10
1.2	TRANSPARENCY & ACCOUNTABILITY	16-40
	❑ Public Accountability.....	16
	❑ Role of Citizens' Participation in Bringing Transparency & Accountability	17
	❑ Role of Civil Society in Bringing Transparency & Accountability	18
	❑ Role of Government Institutions in Bringing Transparency & Accountability ...	19
	❑ Some Contemporary Issues.....	25
	❑ Social Media & Accountability	28
	❑ Pro-Active Governance & Timely Implementation (PRAGATI).....	32
	❑ Right Based Approach In Policy Making	33
	❑ Direct Benefit Transfer (DBT).....	34
	❑ Social Audit Law	35
	❑ Need for a Law on Public Procurement in India	37

1.3	CITIZENS' CHARTER	41-45
	❑ Benefits of Citizen Charter	41
	❑ Citizen Charter in India: An Evaluation.....	41
	❑ Problems Faced in Implementing the Charters.....	42
	❑ Steps to improve Citizen Charters.....	42
	❑ Indian Approach to Citizen Charter: Sevottam Model	43
	❑ Administrative Reforms Commission's Seven Step Model.....	44
	for Citizen Centricity	
	❑ Right to Service.....	45
1.4	E-GOVERNANCE	46-55
	❑ What is e-Governance	46
	❑ Types of Interactions in e-Governance	47
	❑ National e-Governance Plan (2006)	47
	❑ Reasons for Failure of e-Governance Projects in India.....	51
	❑ Steps for Implementing e-Governance Projects.....	52
	❑ Swamitva Yojana.....	53
	❑ Governance of Future and 4 th Industrial Revolution	54
1.5	RIGHT TO INFORMATION	56-59
	❑ Salient features of the Act	56
	❑ Positive Outcomes of RTI.....	57
	❑ Flaws in RTI	58
	❑ Right to Information (Amendment) Act, 2019	58
	❑ Recommendations for Improvement in RTI Act	59
1.6	ROLE OF CIVIL SERVICES IN A DEMOCRACY	60-71
	❑ Reforms Needed In Indian Bureaucracy.....	60
	❑ Performance Appraisal System In Bureaucracy	62
	❑ Dissatisfaction over Public Services Delivery.....	63
	❑ Second ARC Recommendations on Improving Personnel Administration	65
	❑ 'Mission Karmayogi for civil services capacity building'.....	67
	❑ Transfer Policy: Need to curb political meddling	69
	❑ Cooling-Off Period for Retired Bureaucrats.....	70
1.7	FUNCTIONS, STRUCTURE & ISSUES IN	72-78
	ORGANISATIONAL STRUCTURE OF	
	GOVERNMENT -2ND ARC REPORT	

❑ Functions of Government	72
❑ Issues In Organisation Structure Of GOI.....	74

UNIT: III DEVELOPMENT PROCESS

2.1	DEVELOPMENT PROCESSES	80-89
	& THE DEVELOPMENT INDUSTRY	
❑	Role of Self Help Group in Development	80
❑	Role of NGOs in the Development	81
❑	Role of Microfinance Institutions in Development Process.....	84
❑	Role of Charities in Development Process.....	86
❑	Role of Foreign aid in Development	87
❑	Ministry of Co-operation.....	88

UNIT: III SOCIO-ECONOMIC DEVELOPMENT

3.1	CONCEPT OF HUMAN DEVELOPMENT	91-93
❑	Introduction.....	91
❑	Economic Growth and Human Development: Two-Way Link.....	91
❑	Measurement of Human Development.....	93
3.2	UNDERSTANDING POVERTY	94-101
❑	Dimensions of Poverty.....	95
❑	Recommendations of Rangarajan Committee Report.....	95
❑	Poverty Alleviation Strategy Since Independence	96
❑	Programmes for Poverty Alleviation.....	97
❑	Recommendations to Reduce Inequality.....	100
3.3	HUNGER	102-108
❑	Causes of Hunger	102
❑	Challenges to Food Security	102
❑	Fulfilling the SDG on Zero Hunger: A Progress Report on BIMSTEC Nations' ...	103
❑	Global Report on Food Crises	105
❑	Recommendations	108

3.4	INSTITUTIONAL MEASURES FOR WELFARE OF 109-129	VULNERABLE SECTIONS
	❑ Issues Related to the Weaker Sections & Vulnerable groups in India.....	109
	❑ Constitutional Provisions for the Welfare of Society	109
	❑ Institutional Measures for the Welfare of the Society.....	111
	❑ Issues with the Institutional Mechanisms	114
	❑ Welfare schemes for vulnerable sections	114
	❑ National Food Security Act, 2013	118
	❑ Smart City Mission.....	120
	❑ Saubhagya Plan.....	122
	❑ Stand up India scheme.....	124
	❑ MGNREGA in times of COVID-19	126
	❑ Second Delta Ranking of the Aspirational Districts Programme	128
3.5	WELFARE OF SCHEDULED CASTES..... 130-133	
	❑ Issues Faced by Schedules Castes.....	130
	❑ Educational Development Schemes.....	131
	❑ Economic Development Schemes.....	132
	❑ Schemes for Social development	132
3.6	WELFARE OF SCHEDULED TRIBES..... 134-139	
	❑ Issues Faced by Scheduled Tribes	134
	❑ Educational Development Schemes.....	135
	❑ Economic Development Schemes.....	136
	❑ Prime Minister Van Dhan Yojana.....	136
	❑ Development And Welfare Board for De-Notified, Nomadic	137
	and Semi-Nomadic Tribes	
	❑ Special Schemes	138
3.7	WELFARE OF MINORITIES..... 140-144	
	❑ Issues Related to Minorities in India.....	140
	❑ Institutional Measures for the Development of Minorities	142
	❑ Schemes for Minorities	142
3.8	WELFARE OF PERSONS WITH DISABILITY..... 145-151	
	❑ Welfare Initiatives for the Disabled Persons.....	147
	❑ Rare Disease Day in India	148

3.9	WELFARE OF THE SENIOR CITIZENS	152-155
	❑ Issues Related to Welfare of Old Citizens	152
	❑ National Policy for Senior Citizens 2011	153
	❑ Welfare Schemes for Senior Citizens.....	154
3.10	WELFARE SCHEMES FOR YOUTH	156-159
	❑ National Youth Policy, 2014.....	156
	❑ Revamped Khelo India Programme	158
3.11	WELFARE SCHEMES FOR CHILDREN	160-165
	❑ National Commission for Protection of Child Rights	160
	❑ Issues Related to Welfare of Children	161
	❑ National Policy for Children 2013.....	162
	❑ Child Welfare Programmes	163
3.12	WELFARE SCHEMES FOR WOMEN.....	166-172
	❑ Issues Related to Welfare of Women	166
	❑ National Policy for Women, 2016	167
	❑ Schemes for Women and Child Development.....	167
3.13	EDUCATION.....	173-185
	❑ Data Related to Education	173
	❑ Different Schemes Covered by the Ministry	173
	❑ Challenges in New Education Policy 2020	180
	❑ Suggestions to overcome Inefficiencies.....	180
	❑ Reshaping the online education.....	181
	❑ National Recruitment Agency	184
3.14	HEALTH.....	186-183
	❑ Health Indicators & India.....	186
	❑ Shortcomings of the Healthcare Sector.....	189
	❑ National Health Policy 2017.....	190

UNIT: IV MISCELLANEOUS

4.1	ORGANIZATIONS/BODIES/POLICIES	195-214
	❑ Unique Identification Authority of India (UIDAI).....	195

❑ Finance Commission.....	198
❑ AFSPA & Second ARC	201
❑ Role Of NITI Aayog	203
❑ NITI Aayog's Report on Rationalization of Centrally Sponsored Schemes (CSS)	205
❑ Law Commission's 268th Report On Bail Reforms	208
❑ T.K. Viswnathan Committee on Hate Speech	209
❑ Law commission report on Tribunals in India.....	211
❑ Law Commission Report on United Nations Convention against Torture	212

4.2 OTHER ISSUES 215-233

❑ Inter-State Water Dispute	215
❑ Debate On The Issue Of Lobbying In India	218
❑ Media Role & Censorship Issue	219
❑ The Role of States in India's Foreign Policy	220
❑ Climate Governance: Role of State- Non-State Partnership	222

UNIT 1

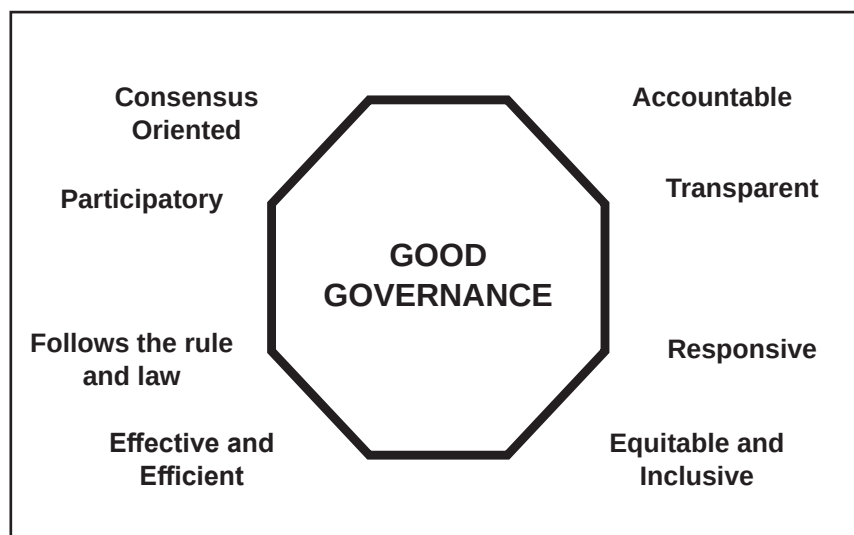
TRANSPARENCY & ACCOUNTABILITY

Chapter 1.1

GOOD GOVERNANCE (An Introduction)

Concept of Good Governance

The concept of good governance is not new. Kautilya in his treatise Arthashastra elaborated the traits of the king of a well governed State: “in the happiness of his subjects lies his happiness, in their welfare his welfare, whatever pleases himself, he does not consider as good, but whatever pleases his subjects he considers as good”. Mahatma Gandhi had propounded the concept of ‘Su-raj’. Good governance has the following eight attributes which link it to its citizens.



- Good governance aims at providing an environment in which all citizens irrespective of class, caste and gender can develop to their full potential. In addition, good governance also aims at providing public services effectively, efficiently and equitably to the citizens. The 4 pillars on which the edifice of good governance rests, in essence are:
 - Ethos (of service to the citizen),
 - Ethics (honesty, integrity and transparency),
 - Equity (treating all citizens alike with empathy for the weaker sections), and
 - Efficiency (speedy and effective delivery of service without harassment and using ICT increasingly).

Dimensions of Good Governance

- The Five Year Plans also emphasized that good governance should cover the following distinct dimensions:
 - As a democratic country, a central feature of good governance is the constitutionally protected right to elect government at various levels in a fair manner, with effective participation by all sections of the population. This is a basic requirement for the legitimacy of the government and its responsibility to the electorate.
 - The government at all levels must be accountable and transparent.
 - The government must be effective and efficient in delivering social and economic public services, which are its primary responsibilities.
 - Governments at lower levels can only function efficiently if they are empowered to do so. This is particularly relevant for the PRIs, which currently suffer from inadequate devolution of funds as well as functionaries to carry out the functions constitutionally assigned to them.
 - An overarching requirement is that the rule of law must be firmly established. This is relevant not only for relations between the government and individuals, enabling individuals to demand their rights, but also for relations between individuals or businesses.
 - Finally, the entire system must function in a manner which is seen to be fair and inclusive. This is a perceptual issue but it is real nonetheless. Disadvantaged groups, especially the SCs, STs, minorities and others, must feel that they have an equal stake and should perceive an adequate flow of benefits to ensure the legitimacy of the State.

Issues Concerning Governance

- Improved governance requires an integrated, long-term strategy built upon cooperation between government and citizens. This requires proper design of policies keeping all stakeholders benefits in mind proper implementation of programmes and policies at the ground level.
- Thus the critical element of governance is policy making: how to design policy for problems in society, and how to manage the most complex policy phase, namely that of implementation.

Perceptions about Governance in India

- Public administration in India is generally perceived to be unresponsive, insensitive and corrupt. “For the common man, bureaucracy denotes routine and repetitive procedures, paper work and delays”.
- Rigidities of the system, over centralization of powers, highly hierarchical and top down method of functioning with a large number of intermediary levels delaying finalization of any decision, divorce of authority from accountability and the tendency towards micromanagement, have led to a structure in which form is more important than substance and procedures are valued over end results and outcomes.
- Non-performance of the administrative structures, poor service quality and lack of responsiveness, and the subjective and negative abuse of authority have eroded trust in governance systems which needs to be restored urgently.

■ Barriers to Good Governance

- The reasons for Governments not being citizen centric can be attributed to the attitude and work of some government servants, the deficiencies in existing institutional structures and also to some citizens.

- **Attitudinal Problems of the Civil Servants:** Their attitude is one of indifference and insensitivity to the needs of citizens. This, coupled with the enormous asymmetry in the wielding of power at all levels, has further aggravated the situation.
- **Lack of Accountability:** A common reason usually cited for inefficiency in governance is the inability within the system to hold the Civil Services accountable for their actions. This is primarily because at most levels authority is divorced from accountability leading to a system of realistic and plausible alibis.
- **Red Tapism:** Bureaucracies the world over are expected to adhere to rules and procedures which are, of course, important for good governance. Also, government servants sometimes become overly pre-occupied with rules and procedures and view these as an end in themselves.
- **Low levels of Awareness of the Rights and Duties of Citizens:** Inadequate awareness about their rights prevents citizens from holding erring government servants to account. Similarly, low levels of compliance of Rules by the citizens also acts as an impediment to good governance.
- **Ineffective Implementation of Laws and Rules:** Weak implementation of laws and rules can cause a great deal of hardship to citizens and even erode the faith of the citizenry in the government machinery.

Issues Concerning Policy Making in India

- **Excessive Fragmentation in Thinking and Action:** One of the main problems with policy-making in India is extreme fragmentation in the structure. For example, the transport sector is dealt with by five departments/Ministries in the Government of India. Such fragmentation fails to recognize that actions taken in one sector have serious implications on other and may work at cross purposes with the policies of the other sector.
- **Excessive Overlapping between Policy Making and Implementation:** Policy-making in Indian ministries occurs at the levels of Director and above, but the most important level is that of the Secretaries to the Government of India, who are their Ministers' "policy, advisers-in-chief". However, Secretaries spend a large part of their time bogged down on routine day-to-day administration of existing policy. Partly the problem is symptomatic of over-centralization-excessive concentration of implementation powers at the higher levels of the Ministries. The result is that sub-optimal policies, where adequate attention has not been paid to citizen needs, tend to emerge.
- **Lack of Non-Governmental Inputs and Informed Debate:** Often public policy is made without adequate input from outside government and without adequate debate on the issues involved. Yet the policy processes and structures of Government have no systematic means for obtaining outside inputs, for involving those affected by policies or for debating alternatives and their impacts on different groups.
- **Lack of Systematic Analysis and Integration Prior to Policy-Making:** Policy decisions are often made without adequate analysis of costs, benefits, trade-offs and consequences.

Policy Implementation & Issues

Concerns in Policy Implementation

- Effective implementation requires a chain of command, and the capacity to coordinate and control.
- The weaker sections of the society, for whom these schemes are primarily intended, are often not able to benefit because they are not sufficiently empowered to access the benefits due to them.
- Part of the problem is that the enactment of right based schemes in an environment of illiteracy and lack of awareness and empowerment does not ensure that people will claim their rights. However, it

is also true that the schemes continue to be implemented in a business-as-usual mode, while what is demanded by these programmes is an innovative break from the past.

Some issues in programmes and policy implementation

- ❑ In PDS problems occur largely at the stage of implementation. Foodgrains are unlifted, which affects quality and cost of transportation; food grains are diverted to the open market; BPL households are not correctly identified, and foodgrains meant for the consumption of the poorest citizens are diverted to above poverty line (APL) households. 36 per cent of the food produced is estimated to be diverted to the Black Market (according to Planning Commission).
- ❑ In implementation of Right to Education, Public schools suffer from high rates of teacher absenteeism and unfilled posts, lack of resources, deficiencies in basic infrastructure, as well as an overall decline in the number of schools being established that bears no relation to rises in population.
- ❑ The Government of India is involved in a large number of programmes that are in the state list of the Constitution. As these are implemented by the states, Government of India has no control over the staff, or over day-to-day supervision or coordination which are very necessary for the success of such schemes.
- ❑ Most schemes follow a blue print and top-down approach, with little flexibility given to field staff. Any change in the scheme requires approval from Government of India which is time consuming.
- ❑ Routine has taken over the functioning of government at all levels. Little time is left for officers to initiate reforms or change schemes. With the best of commitment it often takes two years to get a scheme changed. In the meantime the officer gets transferred, and his efforts come to naught.
- ❑ The criminalisation of the political process and the unholy nexus between politicians, civil servants, and business houses are having a baneful influence on public policy formulation and implementation.
- ❑ The high level of corruption in India has been widely perceived as a major obstacle in improving the quality of governance.

Pre-requisite for Effective Implementation

- ❑ It is important to have learning and feedback mechanisms in place to ensure that implementation effectiveness improves.
- ❑ It is important to prioritise, sequence and create momentum through results.
- ❑ Public programmes must have clear outcomes. It is imperative that time is spent upfront to find outcomes in consultation with stakeholders. Failure to do this causes the system to adopt simplistic measures of performance against the targets.
- ❑ Improving public service delivery: A number of services are today provided by the State Governments and Central Ministries. It is important that these are available within a prescribed time line.
- ❑ Dissemination of Information: Government needs to communicate more effectively with the citizens. Citizens are not aware of many schemes set up by central and state governments for their benefit. Stakeholders, who will be affected by new government policies, realise only after the policies are announced, that they have great concerns whereas government departments claim that the policies were posted on their websites and views had been invited.

Coherent Policymaking

- ❑ Policy Coherence is defined as the systematic promotion of mutually reinforcing policy actions across government departments and agencies creating synergies towards achieving the agreed objectives. Coherent policymaking is also a key aspect of effective governance for sustainable development. This has received significant interest with adoption of 2030 SDGs.

Benefits of Coherent Policymaking

- Helps in pursuit of multiple policy goals in a coordinated way.
- Minimises trade-offs and contradictions
- Maximises synergies
- Leads to increased levels of efficiency and effectiveness when taking a broader view of government.
- Absence of coherence may result in many governance problems such as compartmentalization, fragmentation, competing and incoherent objectives and inconsistent policy mix.

Dimensions Of Coherent Policymaking

- Horizontal coherence: between sectors or cross-cutting issues in multiple sectors.
- Vertical coherence: between local plans, national policy and international agreements.
- International coherence: between policy domains in different countries addressing trans-boundary spillover effects.

Barriers to coherence

- Insufficient communication
- Lack of adequate funding.
- Barriers to exchange of knowledge or information.
- Lack of spaces to meet and coordinate.
- Conflict of interests and mandates.
- Blurred lines of accountability
- More time-consuming processes
- Uprooting of existing routines and practices.
- Difficulty measuring impact and/or effectiveness.
- Loss of control/influence/autonomy
- Dilution of priorities.

How to Establish Good Governance

Good governance includes accountability, transparency, an effective bureaucracy, regulatory quality, electoral competition, political checks and balances and rule of law.

Necessary Pre-conditions for Good Governance

An analysis of the barriers to good governance reveals that there are several preconditions which must be fulfilled in order to make governance citizen centric.

- **Sound Legal Framework:** A sound legal framework is the basic pre-requisite for any orderly society. A dynamic society requires constant updating of existing laws as also enactment of new laws to meet emergent needs and challenges so that the welfare, protection and development needs of citizens is fully met. The Law Commission has inter alia been given the responsibility to examine existing laws to ensure their relevance to present-day needs and requirements.

- ❑ **Robust Institutional Mechanism for Establishing Rule of Law:** The country has, over the years, created and sustained strong and effective institutional mechanisms to ensure that the rule of law is maintained and the rights of our citizens are well protected and human dignity upheld. Some of these institutions have been established in our Constitution and others through statutes and executive orders.
- ❑ **Decentralization, Delegation and Accountability:** The citizen-sovereign-consumer must exercise as much authority as practicable, and delegate upward the rest of the functions which require economies of scale, technological and managerial capacity or collective amenities.
- ❑ **The principle of subsidiarity stipulates:** functions shall be carried out closest to citizens at the smallest unit of governance possible and delegated upwards only when the local unit cannot perform the task. The citizen delegates those functions he cannot perform, to the community, functions that the community cannot discharge are passed on to local governments in the smallest tiers, and so on, from smaller tiers to larger tiers, from local government to the State Governments, and from the States to the Union.
- ❑ **Transparency and Right to Information:** Access to information empowers the citizens to demand and get information about public policies and programmes, thus making the government more accountable and helps to strengthen participatory democracy and citizen centric governance.
- ❑ **Accountability:** Accountability means answerability, i.e, questions asked of public officials have to be answered by them. To ensure accountability there are some mechanisms which includes citizens' charters, service delivery surveys, social audits, citizens' report card and outcome surveys.
- ❑ **Grievance Redressal Mechanisms:** Addressing the grievances of those citizens whose expectations are not fulfilled is primarily the task of the Government agency concerned even though external accountability mechanisms, often having limited scope, do exist.

People Centric Governance

- ❑ People Centric Governance is the essence of any vibrant democracy and is inextricably linked to good governance. In order to serve the people better even to the last mile population, and utilize the benefits of its demographic dividend, government should and must focus on people centric governance model, where people should be made participatory and vigilant in the process of governance.
- ❑ The UNDP defines Governance as "the exercise of economic, political and administrative authority to manage a country's affairs at all levels." Such exercise of authority is considered to be successful if every activity equally benefits even to individual person along with more number of people. Such approach of governance by the authority is considered as people centric governance.
- ❑ Measures like RTI, Citizens Charter, inviting public opinion through mygov.nic.in, putting draft bills and guidelines for public opinion etc are part of people centric governance.

What is People Centric Governance?

- ❑ People centric governance aims towards welfare state. It is the exercise of governance functions by the authority keeping the public in centre. It also involves peoples' participation in governing process.
- ❑ When Governance touches each and every individual and each and every individual's problems are solved and everyone's grievances are heard, such system of governance is referred to as People Centric Governance.

Difference between People Centric Governance and Citizen Centric Governance

- ❑ Both are the basic components of Good Governance and hence the difference is very narrow. Citizen centric governance model focuses on citizen, i.e, the entire population of a country, where as the people centric model of governance aims towards greater welfare.
- ❑ On the other hand People Centric Governance model focuses even on the individual persons along with other population or citizens. For example: developing health infrastructure and education infrastructure in a particular backward village with the aim of providing the benefits even to the last person. Other example, the Jan Dhan Yojana, where the government takes banking to the unbanked, programmes targeting women, handicapped, children, old age etc. can be included in People centric approach.
- ❑ Out of both the components people centric governance model needs more focus and monitoring along with higher budgetary allocation as well as more manpower.

Components of People Centric Governance

❑ Responsive Governance:

- Public services consistent with citizen preferences
- Direct, possibly interactive democracy
- Safety of life, liberty and property
- Peace, order, rule of law
- Freedom of choice and expression
- Improvements in economic and social outcomes
- Improvements in quantity, quality and access of public services
- Improvements in quality of life

❑ Fair Governance:

- Fulfillment of citizens' values and expectations in relation to participation, social justice, and due process
- Access of the poor, minorities and disadvantaged groups to basic public services
- Non-discriminatory laws and enforcement
- Egalitarian income distribution
- Equal opportunity for all

❑ Responsible Governance:

- Open, transparent and prudent economic, fiscal and financial management
- Working better and costing less
- Ensuring integrity of its operations
- Earning trust
- Managing risks
- Competitive service delivery
- Focus on results

■ **Accountable Governance:**

- Justice-able rights and due process
- Access to justice, information
- Judicial integrity and independence
- Effective legislature and civil society oversight
- Recall of officials and possibility of rollbacks of programme
- Effective limits to government intervention
- Effective restraints to special interest capture

■ **Benefits of People Centric Governance**

- Fastest delivery of government services without any hurdles is the prime expectation of citizens from the government. When programmes and policies are framed keeping in mind the common public and their day to day problems, the ultimate benefits reaches to the nation along with the people itself.
- People being at the focal point, their welfare and satisfaction holds priorities which leads revamping of administration to facilitate easier access to government schemes and policies and peoples' grievance redressal.
- People centric governance gains importance in the context of achieving the ideals of a true participatory democracy, which is centered on welfare as well as right based approach to governance. It paves the way for inclusive, transparent and people centric administration.
- Additionally, people centric governance is important for an informed citizenry, a robust rule of law, equity and participation, a targeted public delivery system and an efficient and effective government in place to carry out the governance. For Example: Sevottam.

■ **Obstacles to People Centric Governance**

- **Indifferent attitude of public servants:** Lack of sympathy, empathy, sensitivity etc. while dealing with the public.
- **Lack of accountability among public servants:** Accountability gives responsibility towards work done and lack of which generates corruption and self interests.
- **Red Tapism:** Hindrances in the speedy delivery of services. This is nothing but stockpiling the file by the public servants and not proceeding the work further. This also keeps the general masses aloof about the proceeding of their works.
- **Low level of awareness of the rights and duties of citizens:** Unawareness or low level of awareness due to illiteracy and inefficiency keeps citizen devoid of their rights.
- **Ineffective implementation of laws and rules:** Some of the laws are made and implemented on the papers only and not on the ground due to self interest of either public servants or politicians and/or lack of effective demand for implementation. This breaks the promise of responsive governance.

Conclusion

- Citizen expects good governance and high quality of performance from government. Good governance brings prosperity. Bad governance brings conflict result in civil war as it restricts opportunities of its citizen which make them frustrated.
- The government should focus more on making institutions vibrant, responsive and accountable, ensure active citizens' participation – decentralization and delegation, ensure transparency in governance functioning, bring civil service reforms, inculcate ethics in governance process with compulsory reforms through periodic and independent evaluation of the quality of governance.

Models for Reforming Governance

- **Reinventing Government Model:** It applies the business customer service model to government. Citizens are seen as customers and the administrative role is streamlined by converting policy alternatives into market choices most governments promote competition between service providers.
- **Re-engineering Government Model:** Re-engineering or BPR “is the fundamental rethinking and radical redesign of business processes to achieve dramatic improvements in critical contemporary measures of performance, such as cost, quality, service, and speed. According to Fowler, its many features include the following results of the desired changes:
- **New Public Management (NPM) Model:** The components of NPM Model are as follows :-
 - Strengthening steering functions at the center;
 - Devolving authority, providing flexibility;
 - Ensuring performance, control, accountability;
 - Improving the management of human resources;
 - Optimizing information technology;
 - Developing competition and choice;
 - Improving the quality of regulation; and
 - Providing responsive service.
- **Good Governance Model:** Good governance helps create an environment in which sustained economic growth becomes achievable. Conditions of good governance allow citizens to maximize their returns on investment.
- It is necessary that the citizens are allowed to participate freely, openly and fully in the political process. The citizens must have the right to compete for office, form political party and enjoy fundamental rights and civil liberty. Good governance is accordingly associated with accountable political leadership, enlightened policy-making and a civil service imbued with a professional ethos. The presence of a strong civil society including a free press and independent judiciary are pre-conditions for good governance.

Ethics in Governance

Ethics in governance, has a much wider import than what happens in the different arms of the government. An across-the-board effort is needed to fight deviations from ethical norms. Such an effort needs to include corporate ethics and ethics in business; in fact, there should be a paradigm shift from the pejorative ‘business ethics’ to ‘ethics in business’. There is need for ethics in every profession, voluntary organization and civil society structure as these entities are now vitally involved in the process of governance. Finally, there should be ethics in citizen behaviour because such behaviour impinges directly on ethics in government and administration.

Systemic Reforms

A holistic approach for combating corruption would require an optimum mix of punitive and preventive measures. Punitive measures act as a deterrent whereas preventive measures reduce opportunities for corruption by making systems transparent, increasing accountability, reducing discretion, rationalising procedures etc. Better preventive measures act as ‘Systemic Reforms’ as they seek to improve systems and processes.

■ **Some of the initiatives taken in recent years in this direction are listed below:**

- **Railway Passenger Bookings (Indian Railways):** The computerization of railway passenger bookings, including 'on-line' booking and e-ticketing has eliminated the middlemen, decongested booking offices and brought considerable transparency to the Railway reservations process.
- **e-Cops (Punjab):** This seeks to ensure on-line registration of complaints and their systematic follow-up enabling complainants to ascertain the outcome and the higher police echelons to keep 'real time' watch over the manner the 'cutting edge' level functionaries act on complaints.
- **e-Governance in Andhra Pradesh (E- Seva), and Kerala (FRIENDS standing for Fast, Reliable, Instant, Effective Network for Distribution of Services):** These provide improved service delivery by simplifying transactions between government and citizens involving use of information technology for payment of utility bills or seeking different services on a single platform. Here the initiative of 'e-Choupals' in Madhya Pradesh may also be mentioned which is for the benefit of farmers selling their produce.

Some of the steps needed are listed below:

■ **Promoting Competition**

- Most public services in India are provided by government in a monopolistic setting. Such a situation by its very nature is conducive to arbitrariness, and complacency with a high probability of a section of functionaries taking advantage of the 'departmental hegemony' for corruption. Introduction of an element of competition in the provision of public services is thus a very useful tool to curb corruption.

■ **Hence the 2nd ARC recommended that:**

- Each Ministry/Department may undertake an immediate exercise to identify areas where the existing 'monopoly of functions' can be tempered with competition. This exercise may be carried out in a time bound manner, say in one year, and a road map laid down to reduce 'monopoly' of functions. The approach should be to introduce competition along with a mechanism for regulation to ensure performance as per prescribed standards so that public interest is not compromised.
- Some Centrally Sponsored schemes could be restructured so as to provide incentives to states that take steps to promote competition in service delivery.
- All new national policies on subjects having large public interface (and amendments to existing policies on such subjects) should invariably address the issue of engendering competition.

■ **Simplifying Transactions**

- An ordinary citizen who has just to pay a bill to the government could be condemned to making multiple visits to government offices. There is high probability of citizens ending up greasing the palms of officials to avoid harassment. Similarly, elaborate hierarchies not only breed complex work methods but also cause diffusion of responsibility. Time honoured practices like "territorial" distribution of work also, for instance, tend to cause overcrowding and consequent motivation to 'jump queues' by paying speed money or employing touts and middlemen.
- In the era of Information Technology and Right to Information, such documents can be an excellent source for 'simplifying transactions' in as much as they would afford a degree of clarity to the literate service user.
- One of the maladies of administration in India is the multiplicity of layers in every decision making process. Apart from delays, this contributes to corruption.

■ Hence the 2nd ARC recommended that:

- There is need to bring simplification of methods to the center-stage of administrative reforms. Leaving aside specific sectoral requirements, the broad principles of such reforms must be: adoption of 'single window' approach, minimizing hierarchical tiers, stipulating time limits for disposal etc.
- The existing Departmental Manuals and Codes should be thoroughly reviewed and simplified with a responsibility on the Head of the Department to periodically update such documents and make available soft-copies on-line and hard copies for sale. These manuals must be written in very precise terms, and phrases like 'left to the discretion of', 'as far as possible', 'suitable decision may be taken' etc should be avoided. This should be followed for all rules and regulations governing issue of permissions, licenses etc.
- A system of rewards and incentives for simplification and streamlining of procedures may be introduced in each government organization.
- The principle of 'positive silence' should generally be used, though this principle cannot be used in all cases. Wherever permissions/licenses etc are to be issued, there should be a time limit for processing of the same after which permission, if not already given, should be deemed to have been granted. However, the rules should provide that for each such case the official responsible for the delay must be proceeded against.

■ Using Information Technology

- The relationship of the government with its constituents, citizens and businesses, and also between its own organs can be transformed through the use of the tools of modern technology such as Information and Communication Technology (ICT). The digital revolution has the potential to transform and redefine processes and systems of governance.

■ Hence 2nd ARC recommended that:

- Each Ministry/Department/Organisation of government should draw up a plan for use of IT to improve governance. In any government process, use of Information Technology should be made only after the existing procedures have been thoroughly re-engineered.
- The Ministry of Information and Technology needs to identify certain governmental processes and then take up a project of their computerization on a nationwide scale.
- For computerization to be successful, computer knowledge of departmental officers needs to be upgraded. Similarly, the NIC needs to be trained in department specific activities, so that they could appreciate each other's view point and also ensure that technology providers understand the anatomy of each department.

■ Integrity Pacts

- The term refers to an agreement between the public agency involved in procuring goods and services and the bidder for a public contract to the effect that the bidders have not paid and shall not pay any illegal gratification to secure the contract in question.
- Such pacts have contributed significantly to improved transparency and public confidence in the manner in which major deals in government and public sector organizations are concluded. Many national legal systems now give considerable weightage to such pacts.

■ Hence the 2nd ARC recommended that:

- The Commission recommends encouragement of the mechanism of 'integrity pacts'. The Ministry of Finance may constitute a Task Force with representatives from Ministries of Law and Personnel to identify the type of transactions requiring such pacts and to provide for a protocol for entering into such a pact. The Task Force may, in particular, recommend whether any amendment in the existing legal framework like the Indian Contract Act, and the Prevention of Corruption Act is required to make such agreements enforceable.

■ Reducing Discretion

- Opportunities for corruption are greater in a system with excessive discretion in the hands of the official machinery particularly at lower levels. Such opportunities can be minimized by reducing discretion and maximizing transparency in the system and introducing strict accountability for actions. The most successful anti-corruption reforms are those that seek to reduce discretionary benefits, which are controlled by public officials.

Hence the 2nd ARC recommended that:

- All government offices having public interface should undertake a review of their activities and list out those which involve use of discretion. In all such activities, attempt should be made to eliminate discretion. Where it is not possible to do so, well-defined regulations should attempt to 'bound' the discretion. Ministries and Departments should be asked to coordinate this task in their organizations/offices and complete it within one year.
- Decision-making on important matters should be assigned to a committee rather than individuals. Care has to be exercised, however, that this practice is not resorted to when prompt decisions are required.
- State Governments should take steps on similar lines, especially in local bodies and authorities, which have maximum 'public contact'.

■ Monitoring Complaints

- Recourse to complaints is an important tool in the hands of a citizen to get his/her grievance redressed. Very often these complaints are not handled with due care. Most public offices in India have a complaint monitoring system, but more often than not, the system does not work, as the complaint ends with the official against whom the charges are alleged. It usually takes several months for a complainant to get a response from the government (if at all there is a response). This contrasts adversely with the scenario in some countries.

■ Hence 2nd ARC recommended that:

- All offices having large public interface should have an online complaint tracking system. If possible, this task of complaint tracking should be outsourced.
- There should be an external, periodic mechanism of 'audit' of complaints in offices having large public interface.
- Apart from enquiring into each complaint and fixing responsibility for the lapses, if any, the complaint should also be used to analyse the systemic deficiencies so that remedial measures are taken.

Reforming the Civil Services

- Civil Services reforms are the basic mandate for reduction of corruption in the administrative system. The administrative system should be transformed so that at every level of the civil service, there is a clear assignment of duties and responsibilities with structured and interlocking accountability in which the government servant can be held accountable for the manner in which he/she performs his/her duty. Such assignment should be specific and categorical and include in concrete terms the supervisory and oversight responsibilities of the controlling officers.
- This should go all the way up the line so that the interlocking accountability forces every level of government servants to function efficiently. There also has to be an in-built system of rewards and punishments, with criteria being laid down which can eliminate arbitrariness and subjectivity in granting rewards or awarding punishments.

- ❑ At present, there is no incentive to work diligently and efficiently and no adverse consequences of shirking work, indulging in corruption or failing to achieve an acceptable level of efficiency. At present, not only is there no performance audit but even the old system of awareness of an officer's strengths, weaknesses and reputation seems to have become a thing of the past.
- ❑ It is high time that a robust system of performance audit to periodically monitor and objectively evaluate the performance of officers is introduced for every level of the civil service.

Audit

- ❑ The audit authorities often do not convey information which has come to their knowledge in respect of serious irregularities in which criminal misconduct is involved, to the anti-corruption bodies. The information becomes available to the anti-corruption bodies only when the audit report of the CAG is laid before the Parliament or the State Legislature as the case may be.
- ❑ By the time a serious irregularity (which is detected in audit and reported to the department for response as an audit query and incorporated as a part of the annual audit report laid before the house), comes to the knowledge of the anti-corruption bodies, a lot of time is lost. Such delays not only alert the culprits in the organization but also give them enough time to cover their tracks and destroy the evidence and material records thus making it extremely difficult for the investigating agencies to successfully complete their investigations.
- ❑ In view of this, it would be desirable to make a standing arrangement with CAG and the AG to report such instances as soon as they are unearthed in audit. A second innovation in this regard would be to equip the agency concerned in the mechanics of forensic audit so that aspects crucial for criminal investigation could be taken due care of. It would be in the fitness of things if the anti-corruption bodies are equipped to undertake such forensic audit of government departments where major irregularities come to their notice.
- ❑ The idea is to have an in-house forensic team in these offices. Similar capability could be built in the local fund audit department. To start with, a forensic audit training course could be conducted to develop expertise in this regard. The Commission will examine the details of audit mechanisms in its report on 'Financial Management'.
- ❑ The entire process of audit must come into public gaze through publication of pending audit observations annually.

❑ Proactive Vigilance on Corruption

- Preventive vigilance attempts to eliminate or reduce the scope for corruption in the long run. The current approach to proactive vigilance is based on the recommendations of the Santhanam Committee in 1964.
- The main emphasis in proactive vigilance has been on identifying suspected corrupt elements and then devising mechanisms to weed them out or to ensure that they do not occupy sensitive positions. In this regard, the following main tools have been evolved:
 - **List of Officers of Doubtful Integrity:** This is a list of Officers/Executives maintained in the organization/departments which contains the names of all officers against whom disciplinary action on some vigilance related issue is pending or who is undergoing punishment on a vigilance related matter.
 - **Agreed List of Suspect Officers:** This is a list of Officers/Executives in PSUs/Banks on whom there is a strong suspicion of indulging in corruption. The list is prepared by the Chief Vigilance Officers of organizations and the Central Bureau of Investigation. These officers are kept under watch.

- ▶ **List of Undesirable Contactmen:** The Central Bureau of Investigation prepares a list of middlemen, touts etc.; dealing with sensitive organizations and shares the information with senior officers in the concerned organizations on 'need to know basis'.
- ▶ **Annual Property Returns:** This is another tool to identify suspected corrupt elements/practices.
- ▶ **Vigilance Clearance:** Vigilance clearance is obtained from the CVC for Board level appointments in PSUs and PSBs. Besides, the Government of India has established procedures for getting vigilance clearance before appointing an officer.

Intelligence Gathering

- ❑ Gathering intelligence about their own personnel is a practice followed by security and investigative agencies. There could be several ways of gathering intelligence about public servants. These include keeping surveillance over suspected public servants, studying their life-styles, studying the decisions they have made, analysis of complaints, feedback from citizens and peer group.
- ❑ Incentive money from secret funds are used at times to gather such information. Although all such measures may not always be desirable or practical, a supervisory officer should assess the integrity of his/her subordinates based on his/her handling of cases, complaints and feedback from different sources.
- ❑ This could then become an important input for risk profiling of officers.

Vigilance Network

- ❑ There are a large number of disciplinary cases and also criminal cases relating to corruption pending with various authorities. One reason for this large pendency is that these are rarely reviewed by supervisory officers. It would be desirable to create a national database of such cases updated regularly, which should be in the public domain.
- ❑ This national database should have information on preliminary enquiries, regular inquiries with all enquiring agencies and all disciplinary authorities, investigation, prosecution trial, punishments and penalties, recovery of assets, and appeal, review and revision processes covering both disciplinary and criminal cases linking the entire government machinery and all departments and other organizations to which the executive power of the state extends.
- ❑ The network should cover cases of both elected and paid public servants, cases under the Prevention of Corruption Act, and other white collar economic offences by public servants involving public property or resources and public conduct under the Indian Penal Code.
- ❑ It would be useful to incorporate in the network all information on officers of doubtful integrity, suspect officers, contractors, suppliers, etc blacklisted by government for corruption, information relating to touts, liaison men etc.
- ❑ Part of this information would be accessible to the general public, part to all the departments, and the entire information to anti-corruption bodies. The Central Vigilance Commission may take the lead in establishing such a networked database.

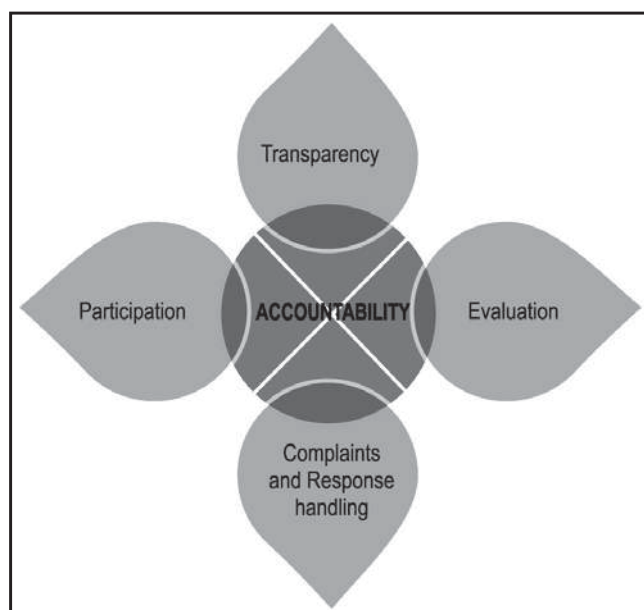
Chapter 1.2

TRANSPARENCY & ACCOUNTABILITY

- Transparency means that the criteria, process and systems of decision-making are openly known to all in a public manner. Transparency is necessary for making the system of public service delivery effective; it enables information in the hands of the citizens in a manner that they may be able to claim their entitlements. However, mere knowledge of what entitlements are, and who is responsible for fulfilling them, is not enough in ensuring that public services are adequately and effectively delivered to the 'intended' beneficiaries.
- Whereas, accountability means being answerable for the performance of tasks assigned to a person; if task assigned is selection of beneficiaries for a scheme, then accountability will imply whether the selection has been carried out by applying the criteria, and following the procedures laid down, in the timely manner within the budgets specified. Therefore, accountability requires the clear specification of tasks to be performed, the time frame and budget available for performing those tasks.

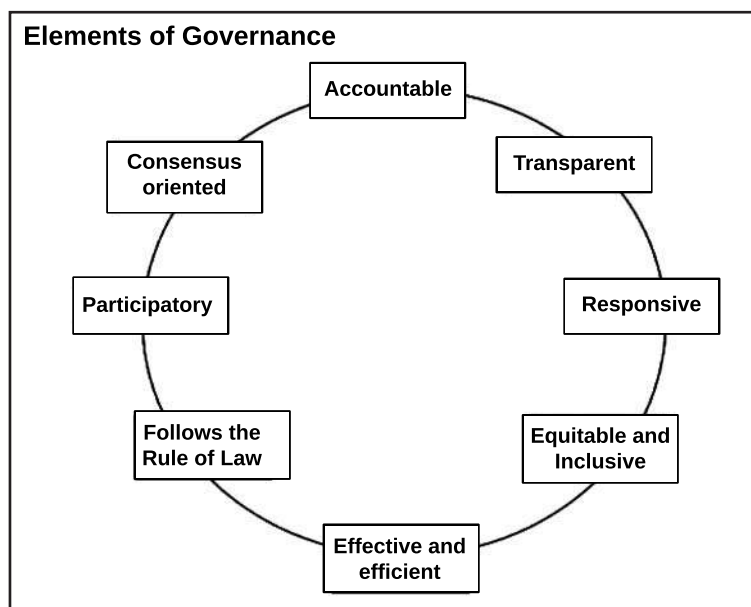
Public Accountability

- The concept of administrative accountability implies that administrators are obliged to give a satisfactory account of what they do and in what manner they exercise the powers conferred on them. Its main aim is to check arbitrariness in administrative actions and improve administrative efficiency and effectiveness.
- Accountability is one of the three important pillars of a trust society, the other two being participation and transparency. Each of these three pillars is the reason of other and also follows each other.



- To maintain accountability and transparency in the system many internal and external methodologies have been adopted. This includes, RTI, e-governance projects, Prevention of Corruption Act, CVC, Lokpal, etc.

Accountability and Good Governance:



- The Good Governance recognizes accountability in terms of:
 - Improving the delivery of public services
 - Measuring performance
 - Providing incentives to achieve targets and sanctions in case of non-performance
 - Accountability is not to be viewed only in terms of democratic control and integrity of operations but also in terms of performance
 - Accountability is embedded in the public service system in India via a series of reforms such as:
 - ▶ Financial Management Initiative
 - ▶ Creation of Executive Agencies
 - ▶ Citizen's Charter
 - ▶ Public Service Agreement
 - ▶ Transformation of bureaucratic structure
 - However, these methods too have negative impact on the working of the civil servants.
 - Hereby to explain the point, we are discussing the Prevention of Corruption Act.

Role of Citizens' Participation in Bringing Transparency & Accountability

- Citizen engagement in public administration implies the involvement of citizens in decision-making process of the State - through measures and/or institutional arrangements - so as to increase their influence on public policies and programmes ensuring a more positive impact on their social and economic lives.

- The methodology for bringing transparency and accountability through citizen participation is Social Audit. Social Audit or Public Audit is a process in which, details of the resource, both financial and non-financial, used by public agencies for development initiatives are shared with the people, often through a public platform. Social Audit allows people to enforce accountability and transparency, providing the ultimate users an opportunity to scrutinize development initiatives.
- Objectives of Social Audit
 - Accurate identification of requirements.
 - Prioritization of developmental activities as per requirements.
 - Proper utilization of funds.
 - Conformity of the developmental activity with the stated goals.
 - Quality of service.
- Implementation of Social Audit
 - Empowerment of People: Social audit is most effective when the actual beneficiaries of an activity are involved in it. However, people can only get involved in the process when they are given appropriate authority and rights. To this end, the 73rd amendment of the Constitution has empowered the Gram Sabha to conduct social audit. This is relevant only in the villages. In the cities, the Right to Information Act empowers the people to inspect public records.
 - Proper Documentation: Everything right from the requirement gathering to planning to implementation must be properly documented. Some of the documents that should be made mandatory are:
 - ▶ Applications, tenders, and proposals.
 - ▶ Financial statements, income-expense statements.
 - ▶ Registers of workers.
 - ▶ Inspection reports.
 - ◆ **Accessibility of Documents:** Merely generating documents is useless if they are not easily accessible. In this information age, all the documents must be put online.
 - ◆ **Punitive Action:** The final and most important provision, about which nothing is being done yet, is to have punitive actions for non-conformance of the process of social audit. Unless there is legal punishment, there will be no incentive for the people in authority to implement the processes in a fair manner.

Role of Civil Society in Bringing Transparency & Accountability

- The presence of a healthy and vibrant civil society is the hallmark of a healthy democracy. It is the nursery in which new ideas take their roots and grow, which are the basis of a dynamic democratic society.
- Civil society institutions also act as alternatives to the State in delivering welfare and developmental services to the community. But most importantly they serve as institutions which enforce accountability and control to the activities of the State by means of developing a public opinion which decides as to what direction the society and the institutions of the society should be moving.
- Civil society demands for state accountability by exposing abuses of power, raising standards and public expectations of state performance, and bringing political pressure to bear. They can encourage oversight institutions to act, as well as to target and weaken entrenched opponents of accountability.

- Civil society campaigns may also drive the creation of certain institutional checks and balances in the first place.
- Civil society actors influence horizontal accountability in two main ways; directly, by encouraging the creation and empowerment of institutional checks and balances, and indirectly, by strengthening the institutions of vertical accountability that underpin them, such as electoral democracy and an independent media. Without adequate checks and balances, the minimum conditions for political democracy can remain weak or incomplete.
- **Civil society's functional contribution to good governance could be:**
 - Watchdog: against violation of human rights and governing deficiencies.
 - Advocate: of the weaker sections' point of view.
 - Agitator: on behalf of aggrieved citizens.
 - Educator: of citizens on their rights, entitlements and responsibilities, and the government about the pulse of the people.
 - Service provider: to areas and people not reached by official efforts or as government's agent.
 - Mobiliser: of public opinion for or against a programme or policy.
- **Example: Mazdoor Kisan Shakti Sangathan (MKSS) in Rajasthan**
 - The MKSS is a grassroots organization based in Rajasthan made up of local residents and a handful of committed activists from other parts of India. One of MKSS's most important innovations has been the development of a collective method for analyzing official information. In a series of Jan Sunwais or public hearings - detailed accounts derived from official expenditure records or other supporting documents are read aloud to assembled villagers. Local people are invited to give testimony, which highlights discrepancies between the official record and their own testimonies as laborers on public-works projects, applicants for means tested anti-poverty schemes or consumers in ration shops. Through this form of social audit many people found that they had been listed as beneficiaries of anti-poverty schemes, but had never received any benefits, or that payments had been made to local contractors for work that had never been completed. The Jan Sunwais led to the exposure of corruption by local politicians, government engineers and private contractors and demonstrated the potential of collective public action among groups which normally shun organized political activity.

Role of Government Institutions in Bringing Transparency & Accountability

- The root cause of poor governance is corruption. Corruption flourishes in India because it is perceived to be a low risk, high profit business. In service delivery, there is lack of transparency in rules and procedures, and significant delays in operations or functioning. The lack of transparency provides an opportunity for public servants to mislead citizens who have to transact business with them, and extract bribes. Certainly, the size of India's parallel economy (or black market), estimated at 40% of GDP, provides fertile ground for corruption to flourish.

Central Bureau of Investigation (CBI)

■ About:

- Central Bureau of Investigation (CBI) is the premier investigative agency in the country today. The agency has been known to investigate several economic crimes, special crimes, cases of corruption and other high-profile cases.

- The Bureau of Investigation traces its origins to the Special Police Establishment. The Delhi Special Police Establishment Act was therefore brought into force in 1946. The CBI's power to investigate cases is derived from this Act.
- In 1963, on the recommendations of Santhanam Committee and through a resolution passed by the Government of India, the agency acquired the name 'Central Bureau of Investigation' and came into formal existence.

❑ Factors undermining independence of CBI:

● Appointment:

- The ruling government has often been accused even by the judiciary of appointing higher rank officials including the director of shared political ideologies.
- Arbitrary appointments often tarnishes autonomous and independent image of CBI as a premier investigative agency.
- Further, agency is dependent on home ministry for providing manpower. Lack of co-ordination between ministry and the bureau has led to severe staff crunch in CBI.

● Political tool:

- CBI has been used as a tool for settling political vendetta.
- Further, political pressure and interference in investigation often corrodes the credibility and reliability of CBI's functioning.
- The Central Vigilance Commission, which was meant to provide the oversight and support to the CBI, has also failed to give it the desired direction, or insulate it from governmental interference.

● Corruption charges:

- Top CBI officials including the director have been time and again accused of corruption charges.
- Cases against CBI director in 2G spectrum and coal block allocation case shows that CBI itself isn't insulated from corruption.
- The result tussle between CBI special director and director, and allegations on each other shows the lack of integrity among each other in the agency.

● Functioning and Administration:

- CBI is not entrusted with taking up cases suo-moto and instead the government directs the agency upon which cases need to be investigated.
- As a result, it is burdened with a whole pile of cases ranging from murder, rape, economic offences, etc without either the statutory and constitutional back-up to define its role and responsibilities, or the matching manpower and forensic resources.
- CBI depends on the government for finances and administrative functions. This is a serious hurdle in CBI's independent functioning.

● Conflicts with state government:

- CBI needs approval of state government for proceeding investigation in a state even if it is against central government employees.
- Here it faces conflicts with state governments and also doesn't enjoy co-operation from state police in investigation.
- CBI acts as per the procedure prescribed by the Code of Criminal Procedure (CrPC), which makes it a police agency thus, the CBI needs the consent of the State government in question before it can make its presence in that State

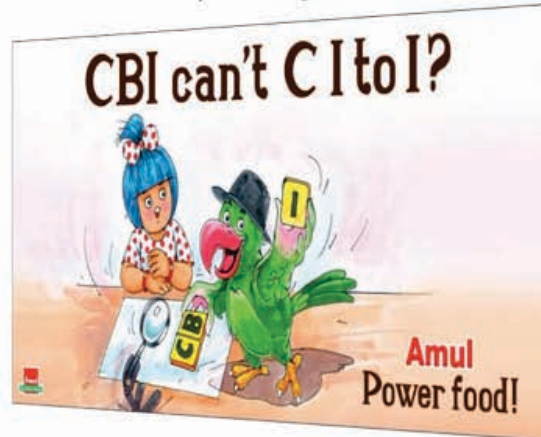
CBI's Independence

GSSCORE
Learning Aid

Context : Debate on independence of CBI after recent power tussle between its top bosses.

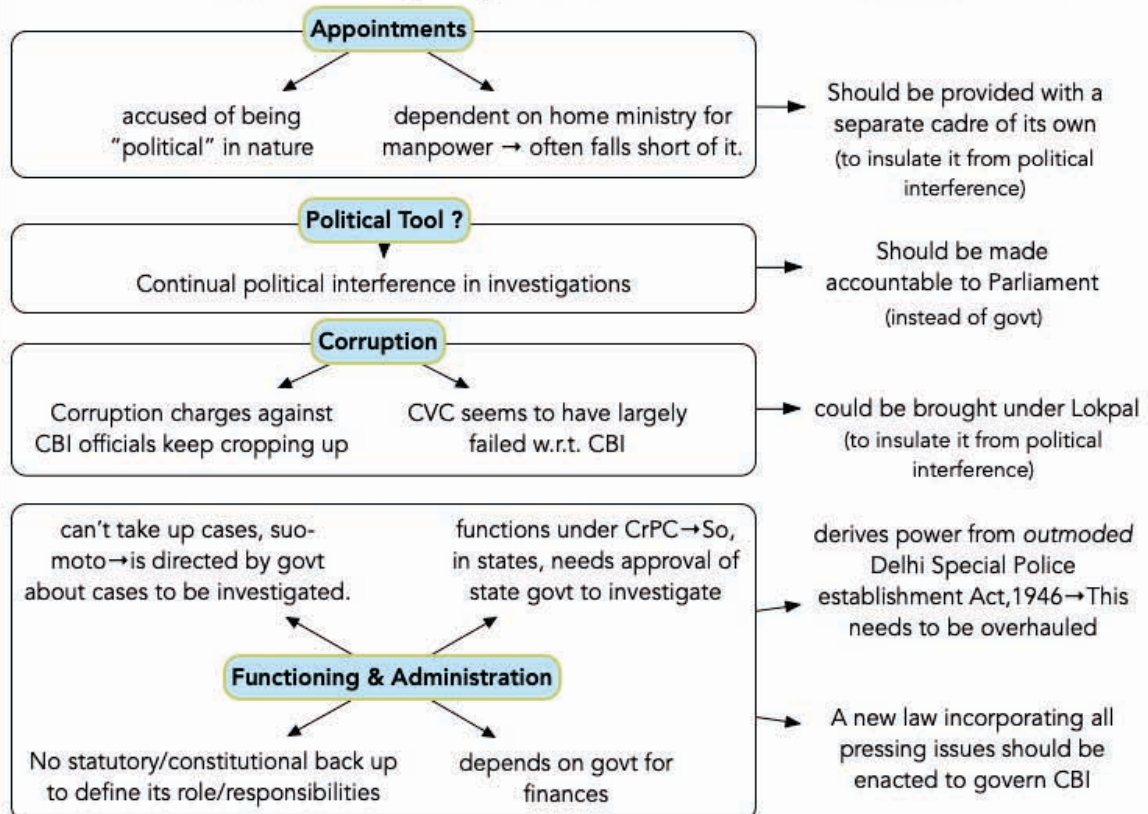
- CBI has been called "caged parrot" by SC referring to unbridled control exercised on it by the govt.

- Its autonomy and functioning have always been under a cloud of questioning.



Factors undermining independence

Possible Reforms



According to Delhi HC, CBI is not exempted from RTI in cases of corruption and human rights → this can also be used to bring about some transparency

■ Reforms for reinforcing independence of CBI:

- It was in 1997 in Vineet Narain vs Union of India case that Supreme Court laid down guidelines to ensure autonomy, impartiality and independence of CBI.
- A new law governing CBI as suggested by Department-Related Parliamentary Standing Committee should be enacted to insulate it from political interference and make it independent.
- Further, an agency as important and critical as CBI should be made accountable to the Parliament instead of the government, just like the Comptroller and Auditor General. It would thus help in getting rid of the 'caged parrot' tag and make the bureau independent.
- CBI should be provided with a separate and specialised cadre so as to insulate the officials from fear or favour of postings and transfers and of political masters.
- Standing Committee on Lokpal and Lokayuktas Bill, 2014 suggested bringing CBI and CVC under its control so as to shield it from political interference and maintain its freedom in investigations.
- It was in 2017 that Delhi High court reiterated that CBI is not exempt from RTI (Right to information) Act in cases of corruption and human rights. RTI act would strengthen the accountability mechanism within the CBI, thus exposing any kind of nefarious political nexus.
- To ensure that the CBI is a robust, independent and credible investigation agency, there is an urgent need to work out a much more transparent mechanism to oversee the appointments and functioning of CBI. Without a strong political will, the CBI cannot be freed from the government's control and maintain the independence of CBI. It is a matter of common experience that every time there is a sensational case, the popular demand is for a CBI investigation, thus for remaining a first-class investigating agency and for reviving public trust, independence of CBI is strongly desired. Then only can we have a CBI characterized by "**Industry, Impartiality, and Integrity**".

Central Vigilance Commission

- The Central Vigilance Commission was set up by the Government in February, 1964 on the recommendations of the Committee on Prevention of Corruption, headed by Shri K. Santhanam, to advise and guide Central Government agencies in the field of vigilance.

■ Some Initiatives taken by the CVC to Combat Corruption

- **Project Vigeye:** CVC has launched the Project Vigeye which is a citizen-centric initiative, wherein citizens join hands with the Central Vigilance Commission in fighting corruption in India.
- **Salient features:** Citizens have multiple channels to air their grievances and complaints to CVC
- Through their mobile phones: by downloading the mobile application from the CVC website. The complaints can be better articulated with additional data like audio/video/photo evidence from their mobiles directly.
- Through the internet: by filling up the complaint form online they can attach audio/video/photo evidence.
- Through telephone: helpline have been setup.
- The entire complaint processing is done online, in digital form, enabling fast and accurate processing of complaints.
- The concerned Central Vigilance Officer will interact with the complainant directly over phone/email or in person, as the case may be, to take it forward.
- Status of the complaint is communicated back to the complainant - the communication loop becomes complete.

- **Awareness Campaign:** The Commission has initiated a project to create awareness and educate the public on anti-corruption. The aim is to reduce people's tolerance for corruption and reduce its social acceptability. Media agencies are being engaged to create the campaign in the electronic and print media besides various outreach activities.
- **Integrity Index:** The CVC has decided to go in for development of the integrity index-based on bench-marking of internal processes and controls within an organisation as well as the management of relationships and expectations of outside stakeholders. The index is aimed to create an internal and external ecosystem that promotes working with integrity in public organisations.

■ Effectiveness of CVC in bringing Transparency and Accountability

- Complaints are received in the Central Vigilance Commission either by post from complainants or through the complaint lodging facilities available on the Commission's website or through toll free number provided by the Commission. The complaints are also referred from other organizations engaged in fight against corruption. The Chief Technical Examiners Organization of the Commission, while conducting inspections of works/ procurements, etc., looks into the aspects of lapses and irregularities which may become a vigilance reference subsequently.
- The Commission has laid down a complaint handling policy for processing of complaints which is available on its website. Complaints received in the Commission are scrutinized thoroughly and wherever specific and verifiable allegations of vigilance nature are noticed, the complaints are forwarded to the appropriate agency to conduct investigation into the matter and report to the Commission expeditiously. After examining the report from the organization concerned, the Commission advises them about further appropriate action against the suspected public servants, besides pointing out systemic failures which allow such misconducts to take place. The Commission also suggests systemic improvements, wherever required, to avoid recurrence.

Comptroller and Auditor General of India

■ Role of CAG in establishment of Good Governance

- Good Accounting System refers to the fulfillment of the core purpose of accounting, i.e., use of information intended to improve the state's management and operations, compliance, and accountability. Such system identifies errors, omissions, and inconsistencies.
- The Comptroller and Auditor General (CAG) of India is an authority, established by the Constitution of India, who audits all receipts and expenditure of the Government of India and the state governments including those of bodies and authorities substantially financed by the government.
- The CAG is also the external auditor of government-owned companies. The reports of the CAG are taken into consideration by the Public Accounts Committees, which are special committees in the Parliament of India and the state legislatures.

■ Challenges and Opportunities

- No criterion or procedure has been prescribed either in the Constitution or in the statute for the appointment of CAG. This has given the sole power to the executive to appoint a person of their choice as the CAG. This goes against the international best practices prevalent across the world.
- The CAG has the authority to inspect any Government office and to call for any accounts. However, in practice, the supply of records is often denied.
- Just like the citizen's right to get the information within a month under RTI Act, 2005, auditors should be provided access to records on priority basis within seven days, failing which, heads of departments should be required to explain the circumstances that caused the delay.

- In 2015, an all-India conference of PACs of Parliament and State/Union Territories legislatures discussed the need for complete independence of the CAG, making it a part of the PAC, like in the UK and Australia. It also called for prior consultation with the Chairman, PAC, before appointment of the CAG and consequential need to amend the CAG Act to this effect.
- Though the Indian Constitution provides for a six-year term to the CAG, the cap of 65 years of age has been reducing the actual terms of successive CAGs in the recent times. Shorter tenure works as an impediment to the independent and proper functioning of the institution due to lack of continuity of the leadership and loss of expertise. Internationally, the CAG of the UK and the Comptroller General of the US has 10 and 15 years of term respectively.
- There is no provision for auditing of funds that are given to an NGO and elected local bodies. Today, NGOs have become a conduit for a multitude of government schemes.
- CAG presently does not have the full authority to audit the PRIs and ULBs. In most states, the Examiners functioning under the Finance Department audit the accounts of local bodies.
- CAG has to prepare itself to audit issues like implementation of the Sustainable Development Goals and the Goods and Services Tax.
- In the wake of the Big Data revolution, CAG came out with a Big Data Management Policy in 2016 and also established a **Centre for Data Management and Analytics** in Delhi. This is a welcome step.

■ Reforms suggested by former CAG Vinod Rai:

- In November 2009, the CAG requested the government to amend the 1971 Audit Act to bring all private-public partnerships (PPPs), Panchayati Raj Institutions and societies getting government funds within the ambit of the CAG.
- The amendment further proposes to enhance CAG's powers to access information under the Audit Act. In the past, almost 30% of the documents demanded by CAG officials have been denied to them.
- The PPP model has become a favourite mode of executing big infrastructure projects worth millions of rupees and these projects may or may not come under the audit purview of the CAG, depending on sources of funds and the nature of revenue sharing agreements between the government and the private entities.

■ CAG can bring transparency and accountability by following ways:

- **Participation:** To understand contemporary concerns about the developmental interaction undertaken by the government, CAG has increased, and institutionalized its interaction with public and civil society for providing inputs for audit prioritization and benchmarks for evaluation. It has built synergies with social audit groups and other stakeholders.
- **Transparency:** Generally the reports of government agencies are lengthy and technical, which makes them opaque for general public. But CAG office has made out reports more concurrent and reader friendly. A reader now has the option to go through CAG's full reports or get a bird's eye view of their findings through the slim booklets and brochures prepared by them.
- **Responsiveness:** While reporting audit findings it highlights the good practices and innovations of the executive and make constructive recommendations for midcourse corrective action in respect of deficiencies pointed out.

Lokpal and Lokayukta

- The Lokpal and Lokayuktas Act creates a Lokpal at the centre which shall consist of a chairperson and up to eight members. Half of these members should have higher judicial experience and the other half should have experience in public administration, finance, insurance and banking laws, anti corruption and vigilance.

- It also provides that half the members of Lokpal shall be from amongst scheduled castes, scheduled tribes, other backward castes, minority communities and women.
- The Act. specifies that the office of Lokpal shall investigate and prosecute cases of corruption. The jurisdiction of Lokpal extends to the Prime Minister, Ministers, current and former Members of Parliament and Members of Legislative Assemblies, government employees and employees of companies funded or controlled by the central or state government. Lokpal shall also have jurisdiction over institutions receiving foreign donations in excess of ten lakh rupees per year or such higher limit as specified. The Act. excludes, any allegation of corruption against a Member of Parliament in respect of anything said or a vote given in Parliament, from the jurisdiction of Lokpal.

■ Potential of the Institution of the Lokpal/Lokayukta

- To be established through the enactment of central and state level laws, Lokpal and Lokayukta will work on behalf of the citizens of India to protect their interests from abuse of public office at the level of the central and state governments, respectively.
- These 'people's commissions' will be independent of the government in a manner that politicians and bureaucrats are not able to interfere in their functioning. They will be accountable to the citizens through transparency in their selection and functioning.
- The establishment of Lokpal and Lokayukta will do away with multiplicity of anti corruption agencies; each of these people's commissions will have 10 members and one chairperson.
- It will strengthen the power of the judiciary in India by inducing a fear for the law in the minds of all public servants. There will be special courts and advocates to handle the cases, so that they get resolved fast. Even if the prosecution of the case is pending, all corrupt property will be confiscated.
- The Lokpal has been given direct superintendence over any investigation. Also, no transfer of CBI Officer on the case is allowed without Lokpal's approval. There is also a provision of selection of Director of CBI in the Act. All these measures reduce govt. influence over CBI.
- Except on matters related to foreign affairs, security, atomic energy and space, the Lokpal bill would also permit the anticorruption body to probe alleged wrongdoing by the Prime Minister. Investigative proceedings against the Prime Minister, however, would have to be sanctioned by at least six of the nine members of the national Lokpal committee.

Some Contemporary Issues

Issues Related to Making Aadhaar Mandatory & virtual ID for Aadhaar

Recently, government has made seeding of Aadhaar mandatory for a number of services like income tax returns, online railway ticket booking, buying SIM card, etc. Use of Aadhaar as an unique, universal identity proof, as a tool for authenticating transaction or service delivery to eliminate ghost and duplicate beneficiaries in government schemes has generated lot of debate about the issue of exclusion of those without Aadhaar number, privacy, potential data theft and financial loss.

UIDAI and AADHAR:

- ▶ The Unique Identification Authority of India (UIDAI) is a **statutory authority** established under the provisions of the **Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services Act, 2016** (Ministry of Electronics and Information Technology
- ▶ (MeitY). UIDAI was created with the objective to issue Unique Identification numbers (UID), to **all residents of India** (not illegal immigrants) to eliminate duplicate and fake identities. UIDAI works in consultation with the **Registrar General of India**, which is responsible for census data in India.

AADHAR:

- ▶ Aadhaar is a **12 digit unique-identity** number issued to all Indian residents based on their biometric and demographic data.
- ▶ Aadhaar is the world's largest biometric ID system, with over 1.19 billion enrolled members (as of 30 Nov 2017).
- ▶ **Aadhaar is a proof of residence and not a proof of citizenship**, and it does not itself grant any rights to domicile in India.

Benefit of Aadhaar

- ❑ There are multiple benefits of the Aadhaar concept. These are discussed as below:
- ❑ Universalization, Uniqueness and Inclusion: To provide unique Identity proof to all residents so that no one is excluded from the government welfare programmes in absence of any other identity, which used to happen earlier.
- ❑ Reduction in Corruption: As Aadhaar is unique it can be used for de-duplication, elimination of fake beneficiaries in government schemes. DBT (Direct Benefit Transfer) also protects beneficiaries from harassment and removes administrative difficulties.
- ❑ Protection of Privacy and misuse of Information: e-KYC can be used as a check against misuse of personal data in photocopy format. Therefore it protects violation of privacy, misuse of personal data.

Features of Aadhaar

- ❑ Privacy by design as randomization, minimal information along with high level of encryption are used to ensure privacy.
- ❑ Has legal basis in Aadhar Act which criminalizes impersonation, misuse of Aadhaar information by any agency.
- ❑ It is not linked to entitlements, i.e. having Aadhaar does not entitles to certain benefits.

Government inclination to make Aadhaar mandatory

- ❑ It is government's eagerness to interlink databases and use data-mining to gather useful information like tax frauds.
- ❑ To use its uniqueness feature to eliminate middleman in services like rail ticket booking.
- ❑ It will allow various government departments to co-ordinate their actions, and minimizes administrative hassles.
- ❑ Government cites examples of huge savings in LPG subsidy, de-duplication achieved in PDS, MDM and ensuing savings as reason to adopt it.
- ❑ By keeping it voluntary it will only add to the already existing identification cards and will not help government in achieving its objective, as those who indulge in avoiding tax, siphoning of money will not use it and others will use.

Reasons to make Aadhaar mandatory

- ❑ All the above mentioned features along with the fact that UID has been issues to 112 crore population entices government to make it mandatory for various scheme like MDM, MGNREGA, PAN card etc.

❑ **But making it mandatory is not suitable because:**

- ❖ **Exclusion:** Since all the residents have not been issued Aadhaar and there has been high rates of authentication failures in states of Jharkhand (49%) and Rajasthan. Absence of internet connection, difficulty in matching the finger prints of labour class are some of the reasons. Therefore if made mandatory it will exclude marginalized sections from the welfare programmes.
- ❖ **Violation of Supreme Court judgment:** Making mandatory will violate the SC decision, which state that it cannot be made compulsory for welfare schemes.
- ❖ **Potential misuse of private data:** Though there is no privacy law and privacy is not a fundamental right, but that does not mean there are no privacy concerns. What recourse does a citizen have with respect to breach of information, who will be liable are some questions which must be answered. So till all these issues are not addressed, decision about it mandatory nature must be postponed.
- ❖ Authenticity of claims of reduction in LPG subsidy because of Aadhaar has been questioned by CAG and some other institutions. Therefore, true affects of Aadhaar on service delivery needs to be established.
- ❖ If we look from governance point of view Aadhaar increases tendency towards centralization. It will give immense powers to central government.
- ❖ Another question which can be asked is whether other options to reduce corruption like strengthening local governance, citizen and civil society participation were effectively tested.

What should be done?

- ❑ In all this debate, it must be kept in mind that Aadhaar is means to achieve the objective of equitable society, wherein government can efficiently help the vulnerable sections of society and curb tax evasion, corruption etc.
- ❑ Therefore, Aadhaar in itself is not the end, but a means to end and must be used in a voluntary manner, in which the public is made aware of the potential benefits and harms that it carries.
- ❑ Along with this data security laws, privacy laws, grievance redressal mechanisms for authentication failure and denial of benefits must be formed so that people's faith is increased.

What is Virtual ID (VID)?

- ❑ This is a temporary 16-digit, number that an Aadhaar holder can use for authentication instead of the Aadhaar number.
- ❑ It will give to authorized agency (e.g. mobile company); limited details like name, address and photograph, so complete details from Aadhar card will not be available to these companies.
- ❑ Only Aadhaar number will be sufficient to generate VID, it can be generated from anywhere.

How it works?

- ❑ It can be generated through Aadhaar resident portal, Aadhaar Enrolment Centers, and the Aadhaar app by Aadhar number.
- ❑ Authentication agencies will get virtual Id only to generate UID token that authenticates it, and provides a limited set of demographic details, such as name, phone number, address etc.

HOW IT WILL WORK	
➤ User has to log on to UIDAI website and provide her 12-digit Aadhaar number ➤ Website will generate a 16-digit temporary 'Virtual ID' ➤ All service providers, such as telcos, to accept it instead	- of Aadhaar number ➤ User can change her 'Virtual ID' any number of times by going online ➤ Aadhaar details to be shared with service providers for KYC on need-based basis
 March 1, 2018 : Start generating your virtual ID June 1 : Companies must start accepting user's ID	

Privacy issue with Aadhar

- ❑ Correlation of identities across domains: Aadhaar makes it possible to track an individual's activities across multiple domains of service using their global Aadhaar ids which are valid across these domains. This would lead to identification without consent.
- ❑ Identification without consent using Aadhaar data: There may be unauthorised use of biometrics to illegally identify people. Such violations may include identifying people by inappropriate matching of fingerprint or iris scans or facial photographs stored in the Aadhaar database, or using the demographic data to identify people without their consent and beyond legal provisions.
- ❑ Illegal tracking of individuals: Individuals may be tracked or put under surveillance without proper authorisation or legal sanction using the authentication and identification records and trails in the Aadhaar database. Such records will typically also contain information on the precise location, time and context of the authentication or identification, and the services availed.
- ❑ To address above mentioned security concerns over Aadhaar database government has proposed Virtual ID.

Benefits

- ❑ The virtual ID is supposed to hide the Aadhaar number from the authenticating agency, this expected to strengthen privacy.
- ❑ It is possible with virtual id to prevent profiling of citizens of India.
- ❑ VID is a temporary number that will be automatically revoked once the Aadhaar holder generates a new VID, making data theft very difficult. (Like changing ATM pin frequently, it makes more secure).
- ❑ It also introduced what it described as a system of "Limited KYC" (Know Your Customer) to reduce the storage of Aadhaar numbers with the Authentication User Agencies (AUAs). (Note: 'limited KYC' is – it will only provide need-based or limited details of a user to authorised agencies.)

Criticism to VID

At prima facie as government claiming VID looks solution to all problems. The idea of the Virtual ID is to prevent agencies from collecting and storing individual Aadhaar numbers with demographic data. But what if government agencies have themselves been leaking Aadhaar numbers and it is entirely possible, given the way the internet works, that the entire Aadhaar database – with the UIDs and demographic data – has already been copied. Hence forth use of Aadhar number will be more secure, but already stolen data, is main cause of concern. And no one is talking in that direction.

Conclusion

As growing concerns with Aadhar security is increasing, Virtual ID (VID), can be a good step towards national security. But it is imperative to find solutions on security at its root cause by increasing security infrastructure than ad-hoc solutions.

Social Media & Accountability

Context:

Recently, Parliamentary Panel on Information Technology told representatives of Facebook, WhatsApp and Instagram that they cannot operate like news media without accountability.

About:

- ❑ The Parliamentary Panel on Information Technology summoned Twitter head Jack Dorsey to appear before it and refused to meet “junior officials” of the micro blogging site during its meeting.
- ❑ The meeting had been called against the backdrop of growing concerns about safeguarding citizens’ data privacy and the possibility of social media platforms being used to interfere in the upcoming elections.

Background:

- ❑ A surge of hate speech on Facebook and other social media sites in India has raised the political heat. Under basic User-Content agreements, offensive posts would have to be taken down within one week after a complaint is submitted.
- ❑ Companies would also be required to file quarterly reports on their efforts to crack down on hate speech.
- ❑ Of late, social media has gained wider attention. In fact, 2018 was the year of judgment for social media: Facebook had one of the worst years with issues being raised over data and user privacy, Google Plus was finally shut down as well.
- ❑ The government has been taking a strong view of misuse of social media platforms and is also proposing to amend IT rules to curb fake news and increase accountability of such apps

Some important pointers about social media:

- Information and communication technology has changed rapidly over the past 20 years with a key development being the emergence of social media.
- Across the globe, mobile devices dominate in terms of total minutes spent online. This puts the means to connect anywhere, at any time on any device in everyone’s hand.
- These instruments have also been accused of being a carrier of hate messages and fake news that incited mob violence.
- And, now they stare at the prospects of stricter government rules, greater accountability, and regulatory scrutiny.

Importance of the Issue

- ❑ Hackers got access to the 50 million accounts by implanting bugs in Facebook’s code and stole “access tokens,” or digital keys to gain access.
- ❑ The investigation showed that in some cases the device makers could pull information on users and their friends’ relationship status political leanings, locations, etc., even if explicit consent was not given.

What has happened now?

- ❑ The 31-member parliamentary panel is mulling over following pointers:
- ❑ Whether social media platforms are aggregators or selectors of content?
- ❑ Have the social media acted as a lobby group in various countries?
- ❑ What is the scope of human intervention in their processes?

- ❑ Whether or not they had ombudsmen in place for grievance redressal?
- ❑ What is the difference between social media platforms as aggregators or selectors of content?
- ❑ Social Media Aggregators are used for aggregating the content from the most popular social media accounts in order to be able to analyze, moderate, curate and display the social feed.
- ❑ Selectors of content: When these social media platforms use algorithms to display the “user-specific” content. For example, a student of UPSC civil services examination gets to see various government schemes or ads from coaching institute’s content material and/or coaching classes.

Highlights from the Report and Bill

- ❑ **Restrictions on Processing and Collection of Personal Data:** Processing (collection, recording, analysis, disclosure, etc.) of personal data should be done only for “clear, specific and lawful” purposes. Only that data which is necessary for such processing is to be collected from anyone.
- ❑ **Processing of Personal Data for “Functions of the State”:** Personal data may be processed by the government if this is considered necessary for any function of Parliament or State Legislature. This includes provision of services, issuing of licenses, etc. On the face of it, this looks extremely vague and could lead to misuse.
- ❑ **Right to be Forgotten:** Giving “data principals” (persons whose personal data is being processed) the ‘right to be forgotten’. This means they will be able to restrict or prevent any display of their personal data once the purpose of disclosing the data has ended, or when the data principal withdraws consent from disclosure of their personal data.
- ❑ **Data Localization:** Personal data will need to be stored on servers located within India, and transfers outside the country will need to be subject to safeguards. Critical personal data, however, will only be processed in India.
- ❑ **Processing of Sensitive Personal Data to Require Explicit Consent:** “Sensitive” personal data (such as passwords, financial data, sexual orientation, biometric data, religion or caste) should not be processed unless someone gives explicit consent – which factors in the purpose of processing.
- ❑ **Data Protection Authority:** The Authority shall have the power to inquire into any violations of the data protection regime, and can take action against any data fiduciaries responsible for the same.

Have the media platforms acted in the past to remedy certain ills?

Social networking platforms in 2018, not only made country-specific changes -- be it labeling forwarded messages, limiting the number of people a user can send a message to at one go and launching public awareness campaigns against fake news. They also agreed to store user data belonging to Indians within the country.

❑ Effect of Social Media on Politics:

- A new study from Pew Research claimed that 62 percent of people get their news from social media, with 18 percent doing so very often.
- Social media allows people to communicate with one another more freely; they are helping to create surprisingly influential social organizations among once-marginalized group. But a key question is whether the information being shared is “genuine” and if there has been any moderation whatsoever placed in its distributions network.
- While social media activism brings an increased awareness about societal issues, questions remain as to whether this awareness is translating into real change.
- Social media platforms have the potential to create division in society, incite violence, pose threat to India’s security or let foreign powers meddle in Indian elections.

- Considering the need for clear regulation of this sector, the government has drafted a bill on data protection. It has liberally utilized recommendations of the Justice BN Srikrishna Committee's report.
- While the two issues (use of social media as a news platform and data protection) are two different issues, however it is to be aptly considered as intertwined. The absence of clear data protection norms will let the media platforms slip away from the havoc which the malicious news content may produce.

Role of Media in bringing Transparency & Accountability

- Media are (mostly) non state actors who define themselves apart from the state and from all other societal actors (what Edmund Burke described as a "fourth estate", distinct from government, church and electorate).
- Media can consist of everything from national newspapers to student magazines, global broadcasters to community radio, websites and blogs to social networks and virtual communities, citizen journalists to government mouthpieces.
- The media has three key roles in contributing to democratization and good governance.
- The very vital function of media is to act as a watchdog over the powerful, promoting accountability, transparency and public scrutiny.
- The second important role of media is to function as a civic forum for political debate, facilitating informed electoral choices and actions.
- The third function is to act as an agenda-setter for policy makers, strengthening government responsiveness for instance to social problems and to exclusion.
- In its 'watchdog' role, the media can play an important role to promote transparency, accountability, and public scrutiny of decision-makers, by highlighting policy failures, mal-administration by public officials, corruption in the judiciary, and scandals in the corporate sector.
- The media also exposes maneuverings and abuses of fundamental human rights. It also castigate election rigging and offer objective assessments of the process and results of elections and offer recommendations for improvement.
- The media also has a critical role to mediate between the state and citizens through the debates and discussions about the major issues of the day and informing people about the stand of their leaders on such issues.
- Democracy requires that people should have the right to know all the activities of the government, particularly the decisions of the government that affects their life, liberty and property. Information is very vital for people to make decisions regarding their involvement in the State related affairs and the civil society.
- Media thus helps people to know what is happening around the world and socialise them with the values of pluralism. By publicizing information the media also make public services more responsive to the people.
- Media has been playing a crucial role in protection of rights by making people aware of their rights.
- Media is also making people vigilant on political developments in the world and helping to stimulate debate drawing attention to all social evils including the institutional failures, corruption, inefficiency and illegal activities.

Way Forward:

- Facebook, Twitter and the WhatsApp have admitted that there is a scope for corrective measures and they would undertake these measures at the earliest.

- ❑ It would be worthy to see if these corrective actions are taken within the GDPR and Justice B.N. Srikrishna committee's report guidelines.
- ❑ The social media is a faceless leviathan. What it does has the capacity to impact millions. Within this context, it becomes all the more critical to evolve an ever encompassing and comprehensive framework to allow its run freely under competent accountability norms.

Pro-Active Governance & Timely Implementation (PRAGATI)

PRAGATI is a unique integrating and interactive platform. The platform is aimed at addressing common man's grievances, and simultaneously monitoring and reviewing important programmes and projects of the Government of India as well as projects flagged by State Governments.

Objectives

Three major objectives of the program:

- ❑ Grievance redressal
- ❑ Project implementation
- ❑ Project monitoring
- ❑ The PRAGATI platform uniquely bundles three latest technologies: **Digital data management, video-conferencing and geo-spatial technology.**

Salient features

- ❑ It will be a monthly conference call with State Chief Secretaries and Secretaries of the Union government for the speedy redressal of grievances and monitoring and implementation of projects. The PRAGATI sessions will take place every fourth Wednesday.
- ❑ It is to see that programmes and projects launched by the central and state governments are monitored properly for timely implementation and desired outcome. For holistic development of the country, it is necessary to facilitate from central government level the projects of the states.
- ❑ It also offers a unique combination in the direction of cooperative federalism since it brings on one stage the Secretaries of Government of India and the Chief Secretaries of the States. With this, the Prime Minister is able to discuss the issues with the concerned Central and State officials with full information and latest visuals of the ground level situation. Such an effort has never been made in India. It is also an innovative project in e-governance and good governance.
- ❑ The initiative could give rise to concerns about the Centre-State framework. The system may be seen as bypassing the Chief Ministers. The move has been criticized for not respecting the federal structure of the country.
- ❑ However, the PRAGATI programme will attempt to find solutions for issues picked up from the available data base regarding public grievances, on-going programmes and pending projects. This new system of governance will definitely give a boost to government projects that have been publicized due to their delays. The need of the hour is speedy implementation and completion of government projects.

Right Based Approach In Policy Making

The government is working on creating awareness related to the different programme and policies to establish informed citizen. It is based on the Rights based approach. It works towards strengthening the capacities of rights-holders to make their claims, and of duty bearers to meet their obligations.

Rights Based Approach

- ❑ Rights-based approach to development by stipulating an internationally agreed set of norms, backed by international law, provides a stronger basis for citizens to make claims on their states and for holding states to account for their duties to enhance the access of their citizens to the realization of their rights.
- ❑ According to the Universal Declaration of Human Rights, the equal and inalienable rights of all human beings provide the foundation for freedom, justice and peace in the world.
- ❑ **Thus Right Based Approach includes:**
 - Giving rights to the people
 - Participation of people in instituting the rights
 - Creating awareness among people regarding their rights
 - Strengthening the capacity of governments for fulfillment of rights.
 - Establishing grievances redressal mechanisms or mechanisms for enforcing the rights
 - Creating accountability mechanisms

Principles of Rights based approach

- ❑ In 1997, the Secretary General to the United Nations called to mainstream human rights into all work of the United Nations. Then in 2003, various organizations and agencies met to develop a “Common Understanding” of a human rights-based approach. Giving six main principles:
- ❑ Universality and Inalienability
- ❑ Indivisibility
- ❑ Inter-Dependence and Inter-Relatedness
- ❑ Equality and Non-Discrimination
- ❑ Participation and Inclusion
- ❑ Accountability and Rule of Law

Right Holders and Duty Bearers under Rights Based Approach

- ❑ Implementation of Rights Based Framework is a two-way street:
- ❑ Individuals and communities need to be fully informed about their rights and to participate in decisions that affect them.
- ❑ Governments and other duty bearers often need assistance to develop the capacity, the resources and the political will to fulfil their commitments to human rights.
- ❑ **Duty bearers:**
 - A rights-based approach develops the capacity of duty-bearers to meet their obligations and encourages rights holders to claim their rights. Governments have three levels of obligation:

- To respect (refraining from interfering with the enjoyment of the right)
- To protect (to prevent other parties from interfering with the enjoyment of rights)
- Fulfill every right (to take active steps to put in place, laws, policies, institutions and procedures, including the allocation of resources, to enable people to enjoy their rights.)

■ Right Based Approach in India

- Indian Constitution incorporates right against discrimination, exploitation since its inception, which are a kind of restrictions on the behavior of others and state and were aimed at removing the discrimination from society. The focus on empowerment, tackling poverty through right to education, right to work, right to food is etc of recent origin. These have been supplemented by RTI to ensure accountability on the part of government.
- In spite of these efforts there is serious need to have a relook at the Indian Rights Based Approach, because:
 - ▶ Awareness among the people about their rights and obligations of the state is missing.
 - ▶ Participation of the stakeholders is minimal. There are not enough institutionalized means to ensure participation of marginalized sections of society.
 - ▶ Grievance Redressal Mechanism are not efficient, judicial systems is too lethargic to meet the demands of rights based approach.
 - ▶ The 'ethical governance' model needed to implement the rights based approach is missing.
 - ▶ Various sections of society like 'Transgenders' are even denied basic rights, which is the grossest form of violation of the human rights.
 - ▶ Dr. B. R. Ambedkar had said "Rights are protected not by law but by the social and moral conscience of the society." Thus, while legislation can be one part of social welfare, it must not be the only part.

Direct Benefit Transfer (DBT)

Under the 'Direct Benefits Transfer' or 'DBT', the entitled benefit from several schemes of the central government in the form of subsidy, stipend, scholarship or other monetary benefits is directly transferred to the beneficiary's bank account which will eventually be linked to an 'Aadhaar' number. Examples: DBT in LPG scheme, pension schemes, MGNREGA, Post office etc.

Areas of Concern

- Inflation could easily erode the purchasing power of cash transfers. Concern about indexing of cash transfers to the price levels. Even if some indexation does happen, small delays or gaps in price information could cause significant hardship for poor people.
- Biometric-based unique identity or Aadhaar is leading to huge problems for people working for the rural employment guarantee scheme and for others receiving welfare benefits. Not only have enrolments been done shoddily but the experience of the pilot projects shows that it is almost impossible to authenticate the work-hardened fingerprints of the poor.
- There is also the overwhelming issue of deficient online connectivity.
- Some states such as Tripura have opposed the central government's direct cash transfer scheme saying banking was not available in most villages.
- Many fear that the direct cash transfer in PDS will affect the system and gives scope to corruption. Rights groups argue that the decision to stop food grains and introduce cash transfer in its place is a unilateral decision and unscientific. Instead of targeted rationing system, they want the government to universalise the PDS.

- ❑ There are increased chances of money that is transferred into a female member's account being misused by others in the family.
- ❑ Many NGOs have pointed out the problem of the Government's decision of ending the public distribution system of food grain and give money directly to the people without proper identification of the poor in the country. About 40 per cent of the poor are still not officially recognised in India according to many welfare economists.

Conclusion

Certainly DBT is a novel idea and it could certainly reduce leakages and corruption however for its better targeting, steps should be taken to make it more citizen centric and adaptable to the local basic features. However, priorities should be recognize through which the gaps can be curtailed.

Social Audit Law

Introduction

Social Audit or Public Audit is a process in which, details of the resource, both financial and non-financial, used by public agencies for development initiatives are shared with the people, often through a public platform. Social Audit allows people to enforce accountability and transparency, providing the ultimate users an opportunity to scrutinize development initiatives.

❑ Provisions related to social audit

- In India, social audits were first made statutory in Rural Employment Act in 2005 and government also issued the Social Audit Rules in 2011 under the MGNREGA Act.
- Social audits are generally supervised by autonomous bodies consisting of government and non-government representatives.
- The 73rd Amendment of the Constitution empowered the Gram Sabhas to conduct Social Audits in addition to other functions. These are implied powers indirectly empowering Gram Sabhas to carry out social audits in addition to other functions.
- Absence central policy or regulation, making accounting audit and social audit mandatory.
- Meghalaya has become the first state in India to operationalise a law that makes social audit of government programmes and schemes a part of government practice. The legislation will be applicable to 11 departments and 21 schemes.
- A social audit facilitator will be appointed to conduct the audit directly with the people. He will present findings to the Gram Sabha, who will add inputs and the result will finally go to the auditors.
- It will make it easier to correct course as the scheme is rolling along; the audit is not after all the money has been spent. It gives people a direct say in how money will be spent and fills an information gap for officers as they are directly in touch with the ground reality.

❑ Applications of Social Audit

Social Audit can be used to provide specific inputs for the following:

- To monitor social and ethical impact and performance of the organisation;
- To provide a basis for shaping management strategy in a socially responsible and accountable way and to design strategies;

- To facilitate organisational learning on how to improve social performance;
- To facilitate the strategic management of institutions (including concern for their influence and social impact on organisations and communities);
- To inform the community, public, other organisations and institutions about the allocation of their resources (time and money); this refers to issues of accountability, ethics (e.g., ethical investment) etc.

Benefits of Social Audit

Implementation of Social Audit leads to:

- **Empowerment of people:** Social audit is most effective when the actual beneficiaries of an activity are involved in it. However, people can only get involved in the process when they are given appropriate authority and rights. To this end, the 73rd amendment of the Constitution has empowered the Gram Sabha to conduct social audit. This is relevant only in the villages. In the cities, the Right to Information Act empowers the people to inspect public records.
- **Proper Documentation:** Everything right from the requirement gathering to planning to implementation must be properly documented. Some of the documents that should be made mandatory are:
 - ▶ Applications, tenders, and proposals
 - ▶ Financial statements, income-expense statements.
 - ▶ Registers of workers
 - ▶ Inspection reports.
- **Accessibility of Documents:** Merely generating documents is useless if they are not easily accessible. In this information age, all the documents must be put on line.
- **Punitive Action:** The final and most important provision, about which nothing is being done yet, is to have punitive actions for non-conformance of the process of social audit. Unless there is legal punishment, there will be no incentive for the people in authority to implement the processes in a fair manner.

Comparison of social audit with other mechanism

Financial Audit	Operational Audit	Social Audit
Directed towards recording, processing, summarizing and reporting of financial data.	Establishing standards of operation, measuring performance against standards, examining and analysing deviations, taking corrective actions and reappraising standards based on experience are the main focus.	Social Audit provides an assessment of the impact of a department's non-financial objectives through systematic and regular monitoring on the basis of the views of its stakeholders.

Role of Gram Sabha

- The most appropriate institutional level for social audit is the Gram Sabha, which has been given 'watchdog' powers and responsibilities by the Panchayati Raj Acts in most States to supervise and monitor the functioning of panchayat elected representatives and government functionaries, and examine the annual statement of accounts and audit reports. These are implied powers indirectly empowering Gram Sabhas to carry out social audits in addition to other functions. Members of the Gram Sabha and the village panchayat, intermediate panchayat and district panchayat through their representatives, can raise issues of social concern and public interest and demand an explanation.

- The Gram Sabha should have the mandate to inspect all public documents related to budget allocations, list of beneficiaries, assistance under each scheme, muster rolls, bills, vouchers, accounts, etc., for scrutiny; examine annual statements of accounts and audit reports; discuss the report on the local administration of the preceding year; review local development for the year or any new activity programme; establish accountability of functionaries found guilty of violating established norms/rules; suggest measures for promoting transparency in identifying, planning, implementing, monitoring and evaluating relevant local development programmes; and ensure opportunity for rural poor to voice their concerns while participating in social audit meetings.

■ Major challenges

Institutionalisation on the ground has been inadequate, and has faced great resistance from the establishment. The lack of adequate administrative and political will in institutionalising social audit to deter corruption has meant that social audits in many parts of the country are not independent from the influence of implementing agencies. Social audit units, including village social audit facilitators, continue to face resistance and intimidation and find it difficult to even access primary records for verification.

Conclusion

- To sum up, the following proposals can be made to make social audit a regular and effective institution to promote the culture of transparency and accountability through the Gram Sabha.
- States should enhance Gram Sabha powers to make them effective instruments of participatory decision-making and ensuring accountability of PRIs in local development planning.
- An agency like the Ombudsman can be set up to look into complaints of local maladministration.
- Development functionaries found guilty of violating established norms for local development planning should be punished.
- It is important to ensure that rural poor are given due protection when they wish to stand up to speak against any misconduct.

Need for a Law on Public Procurement in India

Context:

- The Supreme Court on many occasions have expressed its anguish over array of litigations against the award of tenders which are being challenged in writ proceedings as a daily routine.

Public Procurement

- In simple words, Public Procurement is the process by which the Government procures goods and services from the private entities and in return pays them in monetary terms for the goods and services rendered by them.

What is the basic underlying principle of India's Public Procurement regime?

- India's regulatory and institutional framework seeks to ensure responsibility, accountability and efficiency in the public procurement regime. The underlying principle is to procure materials/services of specified quality at the most competitive prices in a transparent and non-arbitrary manner.

How does the government conduct public procurement?

- ❑ **Advertised Tender Enquiry:** This is the default mode of procurement. The tender is advertised on governmental websites, national newspapers, the Indian Trade Journal, the central public procurement portal and GeM, and also circulated to foreign embassies.
- ❑ **Limited Tender Enquiry:** Procurement is obtained through selected suppliers. A pre-selected list of vendors, prepared through a thorough screening process, is directly approached for bidding.
- ❑ **Two-stage Bidding:** Two bids (technical and financial) are invited from the procurers.
- ❑ **Nomination-based Tenders.**
- ❑ **Procurements without Calling Tenders:** This is typically undertaken for small value purchases of standard specifications.
- ❑ **Electronic Reverse Auction:** Presentation by bidders of successively more favourable bids during a scheduled period of time and automatic evaluation of bids.
- ❑ **Government to Government (“G2G”):** G2G deals involve the transfer/sale of a country’s defence equipment, services, training, etc. to other foreign governments.

What is the Legal Framework adopted in India for Public Procurement?

❑ Constitutional Provision

- The Constitution of India authorises the Central and the State Governments to contract for goods and services in the name of the President of India or the Governor of the State (respectively), and directs autonomy in public spending. However, it does not stipulate any procurement policies or procedures.
- Article 282 provides for financial autonomy in public spending, there are no provisions to address any grievance.

❑ Legal Provisions

- A Public Procurement Bill was proposed in Lok Sabha in 2012, which could not be passed.
- This bill was revamped in 2015 and introduced in 2015. But it suffered the same fate as that of earlier bill.
- So, as of now, there is No Central Legislation in India that administers public procurement of goods and services.
- Only 5 states in India, i.e Tamil Nadu, Karnataka, Rajasthan, Andhra Pradesh and Assam have state public procurement legislation.
- Competition Act, 2002: Penalises anti-competitive activities such as bid rigging, collusive bidding, cartelisation, and abuse of dominance.
- Right to Information Act, 2005: Promotes transparency in government dealings by entitling Indian citizens to expeditiously procure information from the government through a “right to information” application.
- Integrity pact under the GFR and CVC guidelines: Addresses probity in procurement activities including through the appointment of an external monitor to mitigate corruption and ethical risks.
- Prevention of Corruption Act, 1988 and Prevention of Money Laundering Act, 2002: Penalise bribery and money-laundering and provide for confiscation of property derived from money-laundering and other illicit activities.

❑ Supreme Court Directions

- All contracts by the State should only be granted by public auction/tenders to ensure complete transparency and provide all eligible persons with the opportunity to participate in the auction;

- All official acts must be actuated by public interest, and should inspire public confidence;
- Generally, the State should not grant contracts by private negotiation (subject to certain exceptions based on the nature of the trade, emergency circumstances, single source supply, etc.); and
- Appearance of public justice is as important as doing justice (i.e. government actions should not only be fair but should also be seen to be fair, and nothing should be done which gives an impression of bias, favouritism or nepotism).

■ **What are the issues in the Public Procurement System in India?**

- The absence of a comprehensive procurement Act
- It has resulted in heterogeneous procedures and multiplicity of rules across the procuring entities. Many times, undertaking comprehensive actions against the stakeholders involved in unfair practices become challenging in the absence of a strong legislation

■ **Lack of standard bid documents**

- In spite of the initiatives for standardizing the bid documents and code of contract following the international agencies such as IMF and the World Bank, there continues to be a multiplicity of bid documents across the entities in terms of addition/rephrase/repetition of clauses/provisions. Such ambiguities and contradictions in the bid documents stand against the principles of standardization, transparency, and accountability.

■ **Delays in activities in procurement cycle**

- The procurement process is often delayed in the stage of need assessment, budget preparation, and approval. Similarly, unavailability of sufficient procurement professionals and non-realization of the required information usually appear responsible for the delay in preparing the technical specifications.

■ **Unfair practices and corruption**

- Despite the procedural safeguards, corruption level in India is perceived to be high in recent years leading to low quality of public services which ultimately hampers the development process.

■ **Presence of anti-competitive elements**

- The existence of anti-competitive practices by the bidders' community tends to hamper the procurement process by negating the best value of money. Competition issues in India mainly concern with collusive bidding, bid rigging, cartelization, and abuse of dominance.

■ **Low participation of the domestic MSEs**

- Despite the MSEs provisions, the participation of domestic MSEs in the public procurement activities remains low in India. Apart from resource related entry barriers including anti-competitive elements, many MSEs do not also take part in public procurement due to a perception that government procuring entities often delay in releasing the contract payments.

■ **Competency and skill of the procurement officials**

- India does not have an Independent Grievance Redressal Mechanism in the procurement system. At the first tier, an aggrieved bidder files complaints on the irregularities to the concerned officials of the procuring entity. However, the judgement lacks credibility as the authority is from the procuring entity itself that is responsible for causing grievance.

Conclusion

The present study assesses the public procurement system and recent reform initiatives in India and outlines the need for changes in the institutional framework. The current system appears to be complex due to heterogeneity in the requirements in the federal structure of the government functioning and absence of a comprehensive procurement Act. The system suffers from some serious drawbacks such as fragmented procedures and rules, lack of standard bid documents, unavailability of sufficient procurement professionals, lack of transparency, widespread corruption, and lack of independent grievance redressal mechanism. Hence, these need to be backed by legislative power, and Draft Bill 2015 should be enacted with revisions in certain areas.

Chapter 1.3

CITIZENS' CHARTER

The Citizens' Charter is an instrument which seeks to make an organization transparent, accountable and citizen friendly. A Citizens' Charter is basically a set of commitments made by an organization regarding the standards of service which it delivers. Every Citizens' Charter has several essential components to make it meaningful.

Benefits of Citizen Charter

- It enhances accountability by providing citizens with a clear understanding of service delivery standards, including timetables, user fees for services, and options for grievance redress.
- It increases organizational effectiveness and performance by making a public commitment to adhere to measurable service delivery standards.
- It creates a way for both internal and external actors to objectively monitor service delivery performance.
- It creates a more professional and client-responsive environment for service delivery.
- It fosters improvements in staff morale.
- It decreases opportunities for corruption and graft by increasing transparency and educating citizens about their rights.
- It increases government revenues by ensuring that the money citizens pay for services goes into the government's coffers (and not into employees' pockets).

Citizen Charter in India: An Evaluation

- Department of Administrative Reforms and Public Grievances in Government of India (DARPG) initiated the task of coordinating, formulating and operationalising Citizen's Charters. Guidelines for formulating the Charters as well as a list of do's and don'ts were communicated to various government departments/organisations to enable them to bring out focused and effective charters. For the formulation of the Charters, the government agencies at the Centre and State levels were advised to constitute a task force with representation from users, senior management and the cutting edge staff.

- The Charters were expected to incorporate the following elements:
 - Vision and Mission Statement;
 - Details of business transacted by the organisation;
 - Details of clients;
 - Details of services provided to each client group;
 - Details of grievance redress mechanism and how to access it; and
 - Expectations from the clients.
- Primarily an adaptation of the UK model, the Indian Citizen's Charter has an additional component of 'expectations from the clients' or in other words is emphasised to ensure that the Citizen's Charter meets the needs of the users. Regular monitoring, review and evaluation of the Charters, both internally and through external agencies, are enjoined.

Problems Faced in Implementing the Charters

- The Citizens' Charters initiative in India had started in 1997 and the Charters formulated are in a nascent stage of implementation. Introduction of a new concept is always difficult in any organisation. Introduction and implementation of the concept of Citizens' Charter in the Government of India was much more difficult due to the old bureaucratic setup/procedures and the rigid attitudes of the work force. The major obstacles encountered in this initiative were:
 - The general perception of organisations which formulated Citizens' Charters was that the exercise was to be carried out because there was a direction from the top. The consultation process was minimal or largely absent. It thus became one of the routine activities of the organisation and had no focus.
 - For any Charter to succeed, the employees responsible for its implementation should have proper training and orientation, as commitments of the Charter cannot be expected to be delivered by a workforce that is unaware of the spirit and content of the Charter. However, in many cases, the concerned staff were not adequately trained and sensitised.
 - Sometimes, transfers and reshuffles of concerned officers at the crucial stages of formulation/implementation of a Citizens' Charter in an organisation severely undermined the strategic processes which were put in place and hampered the progress of the initiative.
 - Awareness campaigns to educate clients about the Charter were not conducted systematically.
 - In some cases, the standards/time norms of services mentioned in Citizens' Charter were either too lax or too tight and were therefore, unrealistic and created an unfavourable impression on the clients of the Charter.
 - The concept behind the Citizens' Charter was not properly understood. Information brochures, publicity materials, pamphlets produced earlier by the organisations were mistaken for Citizens' Charters.

Steps to improve Citizen Charters

- **Internal Restructuring should Precede Charter Formulation:** As a meaningful charter seeks to improve the quality of service, mere stipulation to that effect in the Charter will not suffice. There has to be a complete analysis of the existing systems and processes within the organization and, if need be, these should to be recast and new initiatives adopted.

- ❑ **People's Involvement:** Involvement of people through feedback and other means, in the creation of guarantees, standards, redress policies, complaint systems, and customer service agreements improves the service quality. This is necessary to know that what is important to the customer.
- ❑ **People's Awareness and Education:** Education of customers about the services that an organisation provides, so they will have realistic notions of what is possible and will understand their own responsibilities, which will improve the involvement and efficiency in usage.
- ❑ **Firm Commitments:** Citizens' Charters must be precise and make firm commitments of service delivery standards to the citizens/consumers in quantifiable terms wherever possible. With the passage of time, an effort should be made for more stringent standards of service delivery.
- ❑ **Redressal Mechanism:** Citizens' Charter should clearly lay down the relief which the organization is bound to provide if it has defaulted on the promised standards of delivery. In addition, wherever there is a default in the service delivery by the organization, citizens must also have recourse to a grievances redressal mechanism.
- ❑ **Periodic Evaluation:** Every organization must conduct periodic evaluation of its Citizens' Charter preferably through an external agency. This is necessary because a Citizens' Charter is a dynamic document which must keep pace with the changing needs of the citizens as well as the changes in underlying processes and technology.
- ❑ **Benchmark Using end-user Feedback:** Systematic monitoring and review of Citizens' Charters is necessary even after they are approved and placed in the public domain. In this context, end-user feedback can be a timely aid to assess the progress and outcomes of an agency that has implemented a Citizens' Charter. This is a standard practice for Charters implemented in the UK.
- ❑ **Accountability:** There is a need to make the heads of agencies or other designated senior officials accountable for their respective Citizens' Charters. The monitoring mechanism should fix specific responsibility in all cases where there is a default in adhering to the Citizens' Charter.
- ❑ **Inclusion of Civil Society:** Organizations need to recognize and support the efforts of civil society groups in preparation of the charters, their dissemination and also facilitating information disclosures.

Indian Approach to Citizen Charter: Sevottam Model

- ❑ Sevottam is a Service Delivery Excellence Model which provides an assessment-improvement framework to bring about excellence in public service delivery. The need for a tool like Sevottam arose from the fact that Citizens' Charters by themselves could not achieve the desired results in improving quality of public services. Besides, the absence of a credible grievances redressal mechanism within organizations was also becoming a major impediment in improving service delivery standards. Thus, it was felt that unless there is a mechanism to assess the outcomes of various measures, the reform initiatives would not yield the desired results. The Sevottam model works as an evaluation mechanism to assess the quality of internal processes and their impact on the quality-of-service delivery.
- ❑ **The Sevottam model has three modules.**
 - ❖ The **first component** of the model requires effective Charter implementation thereby opening up a channel for receiving citizens' inputs into the way in which organizations determine service delivery requirements. Citizens' Charters publicly declare the information on citizens' entitlements thereby making citizens better informed and hence empowering them to demand better services.
 - ❖ The **second component** of the model, 'Public Grievance Redress' requires a good grievance redressal system operating in a manner that leaves the citizen more satisfied with how the organization responds to complaints/grievances, irrespective of the final decision.

- The **third component** ‘Excellence in Service Delivery’, postulates that an organization can have an excellent performance in service delivery only if it is efficiently managing well the key ingredients for good service delivery and building its own capacity to continuously improve service delivery.
- An organization which meets Indian Standard 15700:2005 will be entitled for “*Sevottam*” certification, “*Sevottam*” being the Indian name for excellence in service delivery. This is known as Charter Mark Scheme. Given the largely negative opinion prevalent about the quality of government services in the country, the implementation of “*Sevottam*” is going to be a challenging exercise.

Administrative Reforms Commission’s Seven Step Model for Citizen Centricity

The Second ARCs in its 12th Report on “**Citizen Centric Administration- The Heart of Governance**” had recommended that Union and State Government organizations having public interface should mandatorily implement the seven-step model.

- Step 1: Define Services:** All organizational units should clearly identify the services they provide. Defining the services would help the staff in an organization in understanding the links between what they do and the mission of the organization.
- Step 2: Set Standards:** Getting an input from the clients as to what their expectations are about each one of the identified services. Thereafter, based on their capability, the organization’s overall goals and the citizens’ expectations, the unit should set standards to which they could commit. It is very important that these standards are realistic and achievable.
- Step 3: Develop Capacity:** Capacity building would include conventional training but also imbibing the right values, developing a customer centric culture within the organization and raising the motivation and morale of the staff.
- Step 4: Perform:** Having defined the standards as well as developed organizational capacity, internal mechanisms have to be evolved to ensure that each individual and unit in the organization performs to achieve the standards. Having a sound performance management system would enable the organizations to guide individuals’ performance towards organizational goals.
- Step 5: Monitor:** Each organization should develop a monitoring mechanism to ensure that the commitments made regarding the quality of service are kept. Since all commitments have to form a part of the Citizen’s Charter, it would be desirable that an automatic mechanism is provided which signals any breach of committed standards. This would involve taking corrective measures continuously till the system stabilizes.
- Step 6: Evaluate:** It is necessary that there is an evaluation of the extent of customer satisfaction by an external agency. This evaluation could be through random survey, citizens’ report card, obtaining feedback from citizens during periodic interactions or even an assessment by a professional body.
- Step 7: Continuous Improvement:** Improvement in the quality of services is a continuous process. With rising aspirations of the citizens new services would have to be introduced, based on the monitoring and evaluation, standards would have to be revised and even the internal capability and systems would require continuous upgradation.

Right to Service

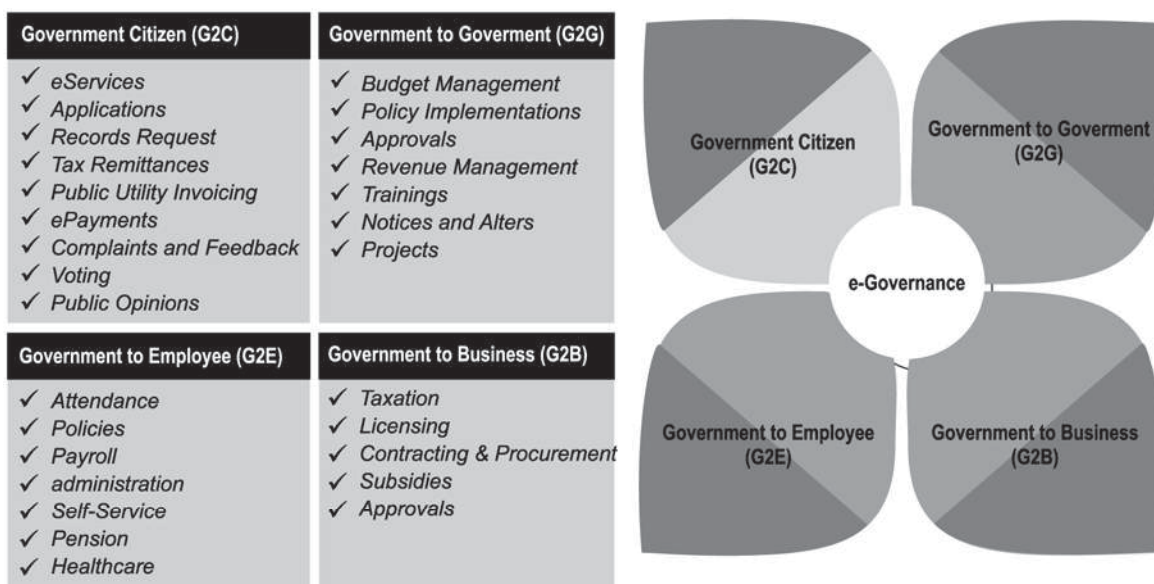
- ❑ The gap between the 'law on the books' and the 'law on ground' is notoriously wide in India. Certificate based public services are no exception to this phenomenon.
- ❑ During the last two years, over ten Indian states have passed public service guarantee acts, also known as Right to Service Acts. The idea is simple: Mandate how many days a government official has to approve or reject an application for a public service (like an income certificate or ration card), and then if that deadline is not met, or the application wrongly rejected, allow for an appeal. Upon appeal, the bureaucrat can be ordered to provide the service and/or fined for not providing the service in a time bound manner or for wrongly rejecting an application.
- ❑ Bihar had for long been touted as India's centre of inefficient governance. Rampant corruption, inefficiency and lack of transparency in conduct of government affairs had made citizens suspicious of and distant from the government. The situation was even worse for the marginalised, remote, illiterate and poorer sections of people. The development of such an attitude among citizens is undemocratic.
- ❑ The Right to Public Service (RTPS) in Bihar is the first such law in the country directed at tackling corruption, inefficiency and lack of transparency in the conduct of government affairs.
- ❑ The implementation of RTPS in Bihar has been done utilising ICT tools in the form of a service delivery and monitoring software (Adhikar), an Interactive Voice Response System, various application tracking tools, a helpline (Samadhan) for dealing with citizens' queries about their entitlements and services covered under the Act, and an online application and service delivery system.

Chapter 1.4

e-GOVERNANCE

What is e-Governance

- ❑ The role of government is changing from a controller to an enabler but still is responsible for providing certain services to the citizens, just like an organization is responsible for managing a value chain that leads to output.
- ❑ The use of Information technology can make the provision of services to the citizen more efficient and transparent and can save costs and lead to a higher level of efficiency. Thus the e-governance has come up as a new buzz world in the service delivery mechanism of the government.
- ❑ E-Governance is in essence, the application of Information and Communications Technology to government functioning in order to create 'Simple, Moral, Accountable, Responsive and Transparent (SMART) governance.



The goals of e-Governance are:

- Better service delivery to citizens
- Ushering in transparency and accountability
- Empowering people through information
- Improved efficiency within Governments
- Improve interface with business and industry

Types of Interactions in e-Governance

- E-Governance facilitates interaction between different stake holders in governance. These interactions may be described as follows:
 - **G2G (Government to Government):** This kind of interaction is only within the sphere of government and can be both horizontal, i.e. between different government agencies as well as between different functional areas within an organization, or vertical, i.e. between national, provincial and local government agencies as well as between different levels within an organization.
 - **G2C (Government to Citizens):** In this case, an interface is created between the government and citizens which enables the citizens to benefit from efficient delivery of a large range of public services. It gives citizens the choice of when to interact with the government (e.g. 24 hours a day, 7 days a week, service centres, unattended kiosk, fax, internet, telephone, etc.)
 - **G2B (Government to Business):** Here, e-Governance tools are used to aid the business community – providers of goods and services – to seamlessly interact with the government. The objective is to cut red tape, save time, reduce operational costs and to create a more transparent business environment when dealing with the government.
 - **G2E (Government to Employees):** Government is by far the biggest employer and like any organization, it has to interact with its employees on a regular basis. This interaction is a two-way process between the organization and the employee.
- This new paradigm focuses on the use of information technology to bring public services to the doorsteps of citizens and businesses on the basis of revolutionary changes in institutional structures, procedures and practices that would transform the relationships between our three levels of government, businesses and citizens.

National e-Governance Plan (2006)

- The Government approved the National e-Governance Plan (NeGP) in May 2006 with the following vision: ‘Make all Government services accessible to the common man in his locality, throughout common service delivery outlets and ensure efficiency, transparency and reliability of such services at affordable costs to realize the basic needs of the common man.’ As can be seen, the one major difference from the ‘computerization’ initiatives of the past is the focus on delivery of services to citizens.
- The NeGP seeks to lay the foundation and provide impetus for the long-term growth of e-Governance in the country. It also seeks to create the right governance and institutional mechanisms, lay down appropriate policies and set up the core infrastructure, all of which would facilitate implementation of various programmes and projects of the government. A body under the Chairpersonship of the Prime Minister has been constituted to prescribe deliverables and milestones, and monitor periodically the implementation of NeGP.

The major initiatives:

■ Government to Citizen (G2C) Initiatives

- A large number of initiatives have been taken in this category by the Union and the State Governments such as:
 - ▶ **CARD (Computer-Aided Administration of Registration Department) of Andhra Pradesh:** This project included the complete computerization of the land registration process in the state. It is being used to record the sale and purchase of properties, power of attorney etc. It has been well received by the citizens because it has helped them in saving their time and providing accurate and effective results.
 - ▶ **Bhoomi project of Karnataka:** Bhoomi is a self-sustainable e-Governance project for the computerized delivery of 20 million rural land records to 6.7 million farmers through 177 Government-owned kiosks in the State of Karnataka.
 - ▶ **FRIENDS Project of Kerala** - This project has been used to provide benefits of Information Technology to the day - to - day transactions of common man. It is a “Single Window Scheme” in which the consumer can pay for the utility services rendered to them by the various Government departments/ agencies, under a single roof.
 - ▶ **PayGov India National Payment Service Platform** - DeitY along with NSDL Database Management Ltd (NDML) has created a common infrastructure that can be used by Center/ States/Departments to offer various services through their National/State portals with a facility to make online payment using net banking, credit cards and debit cards. PayGov India offers a range of payment options through which a payment can be made by the citizen to avail a service.

■ Benefits of e-Governance Projects to Citizens

- It makes the system citizen centric. The e-Governance portals are designed in a way that it is integrated with different government department applications and provides access to the citizen and businesses, thus the services are made available through the portal at real time.
- Further it provides transparent, efficient and secured delivery of service. As these services are integrated through the portal, the citizen and businesses can track the status of their service request and get all the information required to avail the service.
- Reduced cost (Travelling, Administrative in terms of printing documents, controls measures, resources distribution, and Centralised data centres)
- Citizens empowerment through access to information (Sharing of knowledge on specific field such as farming, and Marketing of products)
- One integrated e-Government portal (Single point for government services, and Improved customer satisfaction)
- **Issues faced during implementation of G2C programmes are –**
 - ▶ Adequate stress was not laid on capacity building and generating interest among the staff members. Thus, in the initial phase, the project was not owned up by the staff members.
 - ▶ There was lack of planning, working manuals and documentation were lacking resulting in delayed use.
- **Thus to improve the service delivery to citizens:**
 - ▶ A well conceptualized and executed BPR is a pre-requisite for success of e-Governance projects.
 - ▶ There should be end-to-end computerization.
 - ▶ Continuity in the Project Management team helps in proper implementation of e-Governance projects.

- ▶ A holistic approach is necessary for e-Governance. Adequate time and resources need to be devoted in conceptualization, implementation and maintenance of projects.
- ▶ Systems should have a strong back-up mechanism.
- ▶ Reach of e-Governance projects can be enhanced through PPP models which would also be cost effective.

Government to Business (G2B) Initiatives

■ National Single Window System

- The Government of Andhra Pradesh introduced the e-Procurement project in 2003 with the following objectives: To reduce the time and cost of doing business for both vendors and government; To realize better value for money spent through increased competition and the prevention of cartel formation; To standardize procurement processes across government departments/ agencies; To increase buying power through demand aggregation; To provide a single-stop shop for all procurements; and To allow equal opportunity to all vendors.

■ Government e-marketplace

- It is a one stop portal to facilitate online procurement of common use Goods & Services required by various Government Departments / Organizations / PSUs. GeM aims to enhance transparency, efficiency and speed in public procurement. It provides the tools of e-bidding, reverse e-auction and demand aggregation to facilitate the government users achieve the best value for their money.
- The purchases through GeM by Government users have been authorized and made mandatory by Ministry of Finance by adding a new Rule No. 149 in the General Financial Rules, 2017.

■ MCA 21

The Ministry of Corporate Affairs has implemented the MCA 21 Mission Mode Project under the NeGP in September 2006 and presently the project is in the post implementation phase. The project aims at providing easy and secure online access to all registry related services provided by the Union Ministry of Corporate Affairs to corporate and other stakeholders at any time and in a manner that best suits them. The goals of this project were formulated keeping in mind different stakeholders. These were:

- **Business:** to enable registration of a company and file statutory documents quickly and easily.
- **Public:** to get easy access to relevant records and effective grievances redressal.
- **Professionals:** to enable them to offer efficient services to their client companies.
- **Financial Institutions:** to easily find charges for registration and verification.
- **Employees:** to enable them to ensure proactive and effective compliance of relevant laws and corporate governance.

Benefits of e-Governance Projects to Business

- Reduction in tender cycle time: In the pre e-Procurement era, the departments would take 90-135 days for finalization of high value tenders. The tender cycle time gradually came down to an average of 42 days over a period of one year and further reduced to 35 days at the end of the second year.
- Reduction in opportunities for corrupt practices: The e-Procurement system allows 'any where' and 'any time' access for bidders and suppliers from the Internet. The entire e-Procurement process has been designed to eliminate the human interface, i.e., supplier and department interaction during pre-bid and post-bid processes.
- Increment in supplier participation: Supplier participation has increased from an average of 3 per tender in the conventional mode to 4.5 in the e-Procurement mode.

- ❑ The implementation of MCA 21 has provided an enabling environment for stakeholders to approach Government for seeking a complete basket of services in an easy and transparent manner. The implementation of e-Governance has also enabled plugging the leakages. Further, the stakeholder is now in a position to track the transaction status at every stage; from making payment to the processing and ultimately the approval status. The time taken in delivery of services has shown remarkable improvement.

Government to Government (G2G) Initiatives

❑ Maharashtra Crime & Criminal Tracking Network & Systems

- ❖ Maharashtra Crime & Criminal Tracking Network & Systems (CCTNS) aims at creating a comprehensive & integrated system for enhancing efficiency & effectiveness of policing through creation of a nationwide networked infrastructure for evolution of IT-enabled state-of-art tracking system around “investigation of crime & detection of criminals” in real time, which is a critical requirement for ensuring security.

● The objectives of the Scheme can broadly be listed as follows:

- Make the police functioning citizen friendly and more transparent by automating the functioning of Police Stations.
- Improve delivery of citizen-centric services through effective usage of ICT.
- Provide the Investigating Officers of the Civil Police with tools, technology and information to facilitate investigation of crime and detection of criminals.
- Improve Police functioning in various other areas such as Law and Order, Traffic Management etc.
- Facilitate Interaction and sharing of Information among Police Stations, Districts, State/UT headquarters and other Police Agencies.
- Keep track of the progress of Cases, including in Courts.
- Reduce manual and redundant Records keeping.

❑ Khajane Project in Karnataka

- ❖ It is a comprehensive online treasury computerization project of the Government of Karnataka. The project has resulted in the computerization of the entire treasury related activities of the State Government and the system has the ability to track every activity right from the approval of the State Budget to the point of rendering accounts to the government. The project was implemented to eliminate systemic deficiencies in the manual treasury System.

❑ SmartGov (Andhra Pradesh)

- ❖ SmartGov has been developed to streamline operations, enhance efficiency through workflow automation and knowledge management for implementation in the Andhra Pradesh Secretariat. The solution automates the functioning of all levels of Government entities and provides a well defined mechanism for transforming the “hard copy environment” to a “digital environment”.

❑ Mobile Apps for Paddy Procurement and Rice Delivery (Odisha)

- ❖ It is a G2G initiative by FSCW Department, Government of Odisha to track paddy procurement, it monitors milling & delivery of rice by millers through mobile intervention.

Benefits of G2G Projects

- ❑ e-Government allows for government transparency.
- ❑ e-Government helps simplify processes and makes access to government information more easily accessible for public sector agencies and citizens.

e-Kranti: National e-Governance Plan 2.0

- ❑ E-KRANTI is a national e-governance plan to accelerate e-governance across India.
- ❑ Its vision is to: “Ensure government-wide transformation by delivering all government services electronically to citizens via integrated, interoperable systems through multiple modes.”

The objectives of ‘e-Kranti’ are as follows:

- ❑ To redefine NeGP with transformational and outcome oriented e-Governance initiatives.
- ❑ To enhance the portfolio of citizen centric services.
- ❑ To ensure optimum usage of core Information & Communication Technology (ICT).
- ❑ To promote rapid replication and integration of eGov applications.
- ❑ To leverage emerging technologies.
- ❑ To make use of more agile implementation models.
- ❑ The thrust areas of the e-Kranti - electronic delivery of services under the Digital India programme are:
 - ❑ Technology for Education (e-Education), Health (e-Healthcare), Farmers, Financial Inclusion, Planning, Justice, Security, Planning and Cyber Security.
- ❑ Reforming Government through Technology, a pivotal pillar of the Digital India programme, would also be implemented under e-Kranti by undertaking and strengthening Government Process Re-engineering, electronic databases, complete workflow automation and IT based Public Grievance Redressal in all Government Departments.

Challenges in implementing e-kranti :

- ❑ Lack of technology and infrastructure
- ❑ Poor Identification of beneficiary
- ❑ Digital divide
- ❑ Lack of last mile connectivity
- ❑ Lack of indigenous technologies for cyber security

Reasons for Failure of e-Governance Projects in India

- ❑ The reasons for failure of e-governance projects in India are listed below :-
- ❑ Citizen side barriers
 - ❖ Digital divide, which deprives the people most in need of government services from the benefits of e-government due to lack of Internet access or the lack of will or skill to use it.

- Inability to make or receive electronic payments (via credit cards, e-cheques, and so on), which restricts users to only informational and interactive services.
- Low expectations of what e-government can do due to the corruption, inefficiency and rent-seeking behaviour of public servants.
- **Lack of familiarity:** Potential users are not aware of existence of e-services due to poor marketing and PR.
- **Not easy to use:** A poorly designed website that is difficult to navigate, slow to load and uses dense bureaucratic language can put off users.
- **Lack of incentives:** Users may not switch over if incentives of lower costs, faster transactions or more personalised service are not offered.
- Lack of trust due to unresolved issues of security and privacy.
- Government-side barriers: Valiant efforts will be required to overcome the following barriers peculiar to governments:
 - **Complexity:** The sheer size of government, and the huge volume of data that it must generate, update, and manage online pose major technical and managerial challenges.
 - **The Silo effect:** The narrow departmental view often overrides the enterprise-wide perspective. Government agencies are also not well disposed towards sharing of data, information and resources.
 - **Lack of user input:** There is a tendency to seek input from only a few experts and top officials without consulting frontline employees or citizens and businesses on what they want.
 - **Budgetary constraints:** e-Government requires substantial upfront investments. Moreover, government's traditional budgeting practices are not suited for multi-departmental, multi-year initiatives such as e-Government.
 - **Human resources constraints:** Rigid civil service rules pose hurdles in recruiting, retaining and retrenching staff, and in paying higher emoluments to persons with special skills.

Steps for Implementing e-Governance Projects

- Following are some of the suggestions for the successful implementation of e-governance projects:
 - **Create Literacy and commitment to e-governance at high level:** The most important requirement is a training program for policy makers in e-Governance (Senior Public Servants), politicians and IT task force members. The training program needs to be focused according to the requirements of the policy makers at the top. Such programs can be need based and outsourced when required.
 - **Starting with implementation of pilot projects and replicating the successful ones:** The pilot projects taken in various states should be assessed for their achievement levels. They should be classified as success or failure according to the desired output written down before implementation of the projects.
 - **Follow the Best Practices in e-Governance:** The study of best practices will bring forward the best practices being followed nationally and internationally.
 - **Build National resource Database of e-Governance projects:** This would allow any organization planning an IT project to instantly ascertain whether any such project has already been implemented anywhere in the country. The lead-time to implement projects can be reduced substantially.
 - It offers a unique opportunity to derive the full return and reward, both domestically and internationally, from their successes and the IPRs/ products that they have created. It would help create an archive of e-Governance applications in the country.

- **Clearly defined Interoperability policy:** The e-Governance architecture needs to ensure that the components are scalable and adaptable to the future requirements. It has also to ensure that the local architecture fits into the State level and the same into National and Global architecture.
- **Manage and Update content on govt. websites efficiently and regularly:** Content is the 'heart' of any IT project. The govt. agency has to keep in mind some of the important technical guidelines, while developing the software and computerization, to facilitate the future integration. The department also needs to address the security of transactions and messages.

Swamitva Yojana

Swamitva Yojana or Ownership Scheme aims to map residential land ownership in the rural sector using modern technology like the use of drones.

Working of the scheme

- Under the scheme, property ownership record of land in villages will be created. Furthermore, it will empower rural population with grant of official document confirming their ownership of land titles.
- **Measurement:** The residential land in villages will be measured using drones to create a non-disputable record. It is the latest technology for surveying and measuring of land.
- Drones will draw a digital map of every property falling within the geographical limits of a village and demarcate the boundaries of every revenue area.
- The scheme will be carried out in close coordination with the Central Panchayati Raj ministry, Survey of India, Panchayati Raj departments and Revenue departments of various states.
- **Property card:** Property card for every property in the village will be prepared by states using accurate measurements delivered by drone-mapping.
- These cards will be given to property owners and will be recognised by the land revenue records department.
- The scheme is piloted by the Panchayati Raj ministry of the Union government.
- The property records for a village will also be maintained at the Panchayat level, allowing for the collection of associated taxes from the owners.
- The money generated from these local taxes will be used to build rural infrastructure and facilities.

Need for the scheme

- The need for this Yojana was felt since several villagers in the rural areas do not have papers proving ownership of their land.
- In most states, survey and measurement of the populated areas in the villages has not been done for the purpose of attestation/verification of properties.

Benefits of the scheme:

- **Clarity over property rights:** The Swamitva scheme helps to map rural inhabited lands using drones and latest survey methods. It will ensure streamlined planning, revenue collection and provide clarity over property rights in rural areas.
- **Easy financing:** This will open up avenues for applying for loans from financial institutions by the owners.

- ❑ **Settled disputes:** Disputes related to property would also be settled through the title deeds allotted through this scheme.
- ❑ **Appreciation of property value:** Freeing the residential properties including land of title disputes and the creation of an official record is likely to result in appreciation in the market value of the properties.
- ❑ **Better utilisation of funds:** The accurate property records can be used for facilitating tax collection, new building and structure plan, issuing of permits and for thwarting attempts at property grabbing.

Governance of Future and 4th Industrial Revolution

The fourth industrial revolution is conceptualized as an upgrade on the third revolution and is marked by a fusion of technologies straddling the physical, digital and biological worlds. It will mark out as a new phase rather than a prolongation of the current revolution - velocity, scope, and systems impact and lead to the transformation of entire systems of production, management, and governance.

Impacts of fourth industrial revolution on Government:

- ❑ The Fourth Industrial Revolution is evolving at an exponential rather than a linear pace (linear pace is steadier whereas exponential is much faster). Moreover, it is disrupting almost every industry in every country. The depth and breadth of these changes bring out the transformation of entire systems of production, management, and governance.
- ❑ New technologies and platforms will increasingly enable citizens to engage with governments, voice their opinions, coordinate their efforts, and even circumvent the supervision of public authorities.
- ❑ Though, the governments will gain new technological powers to increase their control over populations, based on pervasive surveillance systems and the ability to control digital infrastructure. But they will increasingly face pressure to change their current approach to public engagement and policymaking.
- ❑ The emergence of the Fourth Industrial Revolution (Digital Revolution) has initiated e-Governance as an integral part of the government.

Changes in Governance:

- ❑ The complex, transformative and distributed nature of the Fourth Industrial Revolution demands a new type of governance to address the interlinked dynamics of the pace and synergistic nature of emerging technologies.
- ❑ With the invasion of technology in the arena of governance, the focus on efficiency and transparency will be paramount. The role of accountability in governance is expected to take primacy, especially in the global south where corruption and inefficiencies are rife.
- ❑ The non-linear and rapid pace of the Fourth Industrial Revolution will also pose a pernicious challenge to the government especially in domains of regulation and security. Careful management of data privacy laws, information system policies, and technologies shall form the bedrock of governance in the future.

Agile Governance:

- ❑ The concept of agile governance aims to shift the manner in which policies are generated, deliberated, enacted and enforced in the Fourth Industrial Revolution.

- ❑ The governance should be more agile to keep pace with the rapid changes of society – driven significantly by the rapid development and deployment of emerging technologies. Policy-makers must become more proactive in shaping these developments.
- ❑ The difference between plan-based methods of policy-making and the concept of agile governance relates to the shift in the value placed on time sensitivity.
- ❑ The primary purpose of agile governance is to make sure the goals of an organization align with the dynamic projects.
- ❑ Use of real time data allows constant monitoring of a policy at a time when there are lot of uncertainties helps governments to adopt the Agile Framework.
- ❑ The Short-term policy responses can be tailored to an evolving situation rather than what a model may have predicted.

Chapter 1.5

RIGHT TO INFORMATION

The Right to Information (RTI) is implicitly guaranteed by the Constitution. For the transparent functioning of the democratic political system, the founding fathers of the Constitution included the provisions of the right to expression in Part III (Fundamental Rights) of the Constitution. While there is no specific right to information or even right to freedom of the press in the Constitution of India, the right to information has been read into the Constitutional guarantees which are a part of the Chapter on Fundamental Rights. However, with a view to set out a practical regime for securing information, the Indian Parliament enacted the Right to Information Act, 2005 and thus gave a powerful tool to the citizens to get information from the Government as a matter of right.

Salient features of the Act

- **Information that can be sought under RTI:** Only such information can be supplied under the Act which already exists and is held by the public authority or held under the control of the public authority. The Public Information Officer is not supposed to create information; or to interpret information; or to solve the problems raised by the applicants; or to furnish replies to hypothetical questions. The Act gives the citizens a right to information at par with the Members of Parliament and the Members of State Legislatures.
- **Information Exempted From Disclosure:** The information exempted include:
 - Information, disclosure of which would prejudicially affect the sovereignty and integrity of India, the security, strategic, scientific or economic interest of the State, relation with foreign state or which lead to incitement of an offence;
 - Information, the disclosure of which would cause a breach of privilege of Parliament or State Legislature; or
 - Cabinet papers including records of deliberations of the Council of Ministers, Secretaries and other Officers subject to the conditions given in proviso to clause (i) of sub-section (1) of Section 8 of the Act.
- **Right to Access:** Any citizen, including overseas citizens of India and Persons of Indian origin, can ask for information under this law. This right includes inspection of work, documents and records, taking notes, extracts or certified copies of documents or records, and taking certified samples of material held by the public authority or under its control.

- ❑ **Procedure for Filling:** The RTI process involves reactive (as opposed to proactive) disclosure of information by the authorities. Each authority covered by the RTI Act must appoint their Public Information Officer (PIO). Any person may submit a written request to the PIO for information. It is the PIO's obligation to provide information to citizens of India who request information under the Act.
- ❑ **Duty to Publish:** The Act, in particular, requires every public authority to publish 16 categories of information. This includes the particulars of its organisation; functions, powers and duties of its officers and employees; procedure followed in the decision making process; norms set for discharge of its functions; rules, regulations, instructions, manuals and records, held by it or under its control or used by its employees for discharging its functions; etc.
- ❑ **Appeals:** If an applicant is not supplied information within the prescribed time of 30 days or 48 hours, as the case may be, or is not satisfied with the information furnished to him, he may prefer an appeal to the first appellate authority who is an officer senior in rank to the PIO. If still not satisfied the applicant may prefer a second appeal with the Central Information Commission (CIC)/State Information Commission (SIC) within 90 days from the date on which the decision should have been made by the first appellate authority or was actually received by the appellant.

Positive Outcomes of RTI

- ❑ There is a growing realization within the bureaucracy that it can no longer be opaque in its functioning. The tendency to hide information and take refuge under the Official Secrets Act 1923 is being slowly eroded. For the first time, officials are being forced to be accountable to the citizens.
- ❑ Even though the nature of implementation of the Act varies widely across states, most states have largely complied with the provisions of the Act by:
 - Appointing PIOs and Appellate Authorities in public authorities;
 - Framing appropriate rules as specified under the Act;
 - Setting up Information Commissions;
 - Taking up training programmes for supply side functionaries etc.

At the central level, RTI has been tagged into the NREGA and this has further helped the cause of accountability and transparency.

- ❑ Although many of the Information Commissions have lacked much needed resources, by and large they are functional authorities and increasingly playing the role envisaged for them.
- ❑ There is evidently a slow but steady increase in the awareness of people of RTI. While there may have been limited state level initiatives, many proactive district administrations have undertaken public awareness drives to spread the message of RTI.
- ❑ The civil society has played an important role in ensuring the implementation of the Act. There have been pressure groups which have constantly advocated better implementation. At the local level, many NGOs have done great work to build awareness and capacity among people. NGOs have also set example by filing RTI applications in important areas.
- ❑ Simultaneously, the media has complemented the efforts of NGOs by devoting much reporting space to RTI. While some have undertaken high publicity campaigns, others have run dedicated columns.
- ❑ While the usage profile is skewed towards the urban middle class segments, there are increasing number of reports of RTI being used in the rural context by the poor and the vulnerable segments to demand information, with a view to realize their entitlements for jobs, education, health care, pensions, etc.
- ❑ Lastly, institutional mechanisms and capacities have been developed at national, state and local levels which continue to aid and assist the implementing agencies and demand side institutions in the implementation of the Act.

Flaws in RTI

- The implementation of the RTI Act is an administrative challenge which has thrown up various structural, procedural and logistical issues and problems, which need to be addressed in the early stages. Some of the problems are listed below:
 - Many ministries and departments of the Government of India seem to have appointed multiple public information officers (PIOs). This results in citizens having to run from office to office seeking out the correct PIO.
 - A major hurdle to the smooth functioning of the RTI is an increasing lack of timely feedback to reassure applicants that the process is on track.
 - Lack of awareness and understanding related to the Act among the common man.
 - Majority of the Information Commissions are situated in the State capitals, which results in appellants undergoing an additional cost in order to attend the hearings. The Central Information Commission, which has jurisdiction over RTI appeals relating to Central Government Public Authorities spread across the country, is located in Delhi which results in wastage of considerable time expenses of PIOs and the appellants, who come from far off areas.

Right to Information (Amendment) Act, 2019

- The Right to Information (Amendment) Act, 2019 that amends the Right to Information Act, 2005 was passed by the Parliament.
- The Act changes the terms and conditions of service of the CIC and Information Commissioners at the centre and in states.
- Comparison of the provisions of the Right to Information Act, 2005 and the Right to Information (Amendment) Act, 2019

Provision	RTI Act, 2005	RTI (Amendment) Act, 2019
Term	The Chief Information Commissioner (CIC) and Information Commissioners (ICs) (at the central and state level) will hold office for a term of five years.	The Act removes this provision and states that the central government will notify the term of office for the CIC and the ICs.
Quantum of Salary	The salary of the CIC and ICs (at the central level) will be equivalent to the salary paid to the Chief Election Commissioner and Election Commissioners, respectively. Similarly, the salary of the CIC and ICs (at the state level) will be equivalent to the salary paid to the Election Commissioners and the Chief Secretary to the state government, respectively.	The Act removes these provisions and states that the salaries, allowances, and other terms and conditions of service of the central and state CIC and ICs will be determined by the central government.

Deductions in Salary	The Act states that at the time of the appointment of the CIC and ICs (at the central and state level), if they are receiving pension or any other retirement benefits for previous government service, their salaries will be reduced by an amount equal to the pension.	The Act removes these provisions.
	Previous government service includes service under: (i) the central government, (ii) state government, (iii) corporation established under a central or state law, and (iv) company owned or controlled by the central or state government.	

Recommendations for Improvement in RTI Act

- The public authorities have to enhance the levels of responsibility to ensure that RTI delivery happens as per the spirit of the Act. They have to be ultimately responsible for:
 - Identifying the gaps in their offices in the delivery of the information, thereafter identify the resources needed and appropriate budget for it.
 - Maintenance of the information required to be furnished to the SIC as per Section 25.
- The role of the Centre/State Government is to facilitate the public authorities in the implementation of the Act which could happen in the following ways:
 - By providing support to public authorities for training and development of software applications, e-training modules, generating awareness amongst citizens, etc. Even the support of various civil society organizations including the media can be sought to generate public awareness and identifying further problems which the people are facing while using the RTI. The capacity of media and various civil society organizations in improving the functioning of the Act are enormous as has been visible in various social audit campaigns launched by organizations like MKSS and Parivartan.
 - The role of the Information Commission has to go beyond the hearing of appeals. As per the Act, they are expected to issue orders/directions to the public authorities to carry out their duties as per the mandate of the Act. The state govt. has to play a facilitative role to the Information Commissions through issuance of supporting rules/orders to the public authorities.

Conclusion

RTI is a powerful tool that can deliver significant social benefits. It can provide a strong support to democracy and promote good governance, by empowering the citizens ability to participate effectively and hold government officials accountable. However, stricter implementation of this law requires not only political will but also active civil societies, RTI activists and few key democratic features, such as respect for the rule of law. Currently, the RTI Act in India is passing through a decisive phase, much more needs to be done to facilitate its growth and development. But it is well recognized that right to information is necessary, but not sufficient, to improve governance. A lot more needs to be done to usher in accountability in governance, including protection of whistle blowers, decentralization of power and fusion of authority with accountability at all levels.

Chapter 1.6

ROLE OF CIVIL SERVICES IN A DEMOCRACY

Democracy, is defined, basically, as government in which the supreme power is vested in the people. In some forms, democracy can be exercised directly by the people; in large societies, it is by the people through their elected agents.

- **Some advantages of having an independent, permanent and impartial Civil Service:**
 - The spoils system has the propensity to degenerate into a system of patronage, nepotism and corruption. Having a credible recruitment process through an impartial agency provides a defence against such abuse.
 - Public policy today has become a complex exercise requiring in-depth knowledge and expertise in public affairs. A permanent civil service provides continuity and develops expertise as well as institutional memory for effective policy making.
 - A permanent and impartial civil service is more likely to assess the long-term social payoffs of any policy whereas the political executive may have a tendency to look for short term political gains.
 - A permanent civil service helps to ensure uniformity in public administration and also acts as a unifying force particularly in vast and culturally diverse nations.
 - A permanent civil service like any other reputable profession is likely to evolve over time an ethical basis for its functioning.

Reforms Needed In Indian Bureaucracy

Bureaucracy is the administrative structure and set of regulations in place to control (rationalize, render effective and professionalize) activities, usually in large organizations and government.

Reasons for decrease in Efficiency

- In recent times, there has been accelerated change globally brought about by technological advances, greater decentralization and social activism. The ramifications of these changes are being felt by government in the form of increasing expectations for better governance through effective service

delivery, transparency, accountability and rule of law. But the public perception about the members of the civil services, who function at cutting edge and higher coordinating and policy making levels, is that they are 'burdensome low-performers' heading a highly bloated bureaucracy, which is, often, perceived to be corrupt and inefficient in governing the country.

❑ **The ailments effecting Indian Civil Services are:**

- ❑ Lack of professionalism and poor capacity building.
- ❑ Inefficient incentive systems that do not appreciate upright and outstanding civil servants but reward the corrupt and the incompetent.
- ❑ Outmoded rules and procedures that restrict the civil servant from performing effectively.
- ❑ Systemic inconsistencies in promotion and empanelment.
- ❑ Lack of adequate transparency and accountability procedures - there is also no safety for whistle blowers.
- ❑ Arbitrary and whimsical transfers – insecurity in tenures impedes institutionalization.
- ❑ Political interference and administrative acquiescence.
- ❑ A gradual erosion in values and ethics.
- ❑ Patrimonialism.
- ❑ A well-functioning Civil Services helps to foster good policymaking, effective service delivery, accountability and responsibility in utilizing public resources which are the characteristics of good governance.

❑ **Reforms Needed**

- ❖ **Right Sizing of the Government:** India needs a leaner and fitter civil service system. The manning of the civil services should be done on the basis of positions and not on the basis of ranks.
- ❖ **Stability of Tenure:** A malaise afflicting the civil service generally is the instability of tenures, leading not only to a lack of sense of involvement but also to the inability to contribute effectively to amelioration of the system. Transfers have been used as instruments of reward and punishment, there is no transparency, and in the public mind transfer after a short stay is categorised as a stigma. Thus, there should be a high powered and statutory Civil Services Board in the States, which should process all proposals of postings and transfers.
- ❖ **Professionalism:** There is a need to restructure the systems and procedures, as well as the style of functioning. The Indian civil service should modernise itself. The professionalising of its various activities is very essential. This will bring in speed, cut down redtapism, reduce paper work, and trim down the cost of its maintenance.
- ❖ **Accountability:** For greater accountability, the following are some of the measures suggested:
 - Strengthening and streamlining reporting mechanisms.
 - Streamlining and fast-tracking departmental enquiries.
 - Linking performance with incentives.
 - Overhaul of employee grievance procedures.
 - Action on audit findings.
 - Implementation of Citizens Charters' for monitoring service delivery.
 - Right to Information Act and its effective enforcement.
 - Code of Conduct for Civil Servants.

Performance Appraisal System In Bureaucracy

- ❑ The performance appraisal system has been designed to assess the performance of civil servants. The end or ultimate goal is to optimize the achievement of governmental policies and programmes through optimization of the development of the government servant. The performance of every Government servant is assessed annually through his/her Confidential Report.
- ❑ **Some popular methods used in the performance appraisal process are:** (a) Management by objectives; (b) 360-degree appraisal; (c) Behavioural observation scale; and (d) Behaviourally anchored rating scales.

Appraisal Process in India

- ❑ The performance of every Government servant is done for assessing the performance of the Government servant and his/her suitability for his/her further advancement in his/her career on occasions like confirmation, promotion, crossing of EB, selection for deputation, selection for foreign assignment etc.
- ❑ The Reporting Officer, at the beginning of the year, has to set quantitative/ physical targets in consultation with each of the Government servants, whose reports he/ she is required to write.
- ❑ The Confidential Report is initiated by the Government servant to be reported upon, who gives a brief description of his/her duties, specifies the targets set for him wherever applicable, achievements against each target, shortfalls, if any, constraints encountered and areas where the achievements have been greater.

Issues

- ❑ Unlike the politician, who has to go to the electorate every five years seeking votes as his 'appraisal' for the performance, bureaucrats come with a seniority-based promotion and a defined retirement age, and hence they are least bothered about their performance reviews. Even these Annual Confidential Reports (ACRs) are often 'managed'.
- ❑ Most of the bureaucrats' approach is to 'control' and 'govern', and not 'work as a team' for development. Thus, while the government had done reasonably well on the policy front, it fell short on implementation and delivery because of an absence of teamwork; they were, too often, working in silos.
- ❑ The majority of bureaucrats work for themselves. And then, there are egos, differences, grudges and dislikes for fellow bureaucrats. So there is never a 'team approach' in whatever they do and this drags the performance of the government.
- ❑ Our bureaucracy is more 'procedure driven' rather than 'outcome driven'. Traditionally governance structures in India are characterized by rule based approaches. The focus of the civil services in India is on process regulation; compliance with centrally prescribed standards and rules.
- ❑ The concept of a "committed bureaucracy" is followed in certain states. Many Civil servants are aligned to political parties, leading to a spate of transfers and hounding out of bureaucrats following a change in political dispensation.
- ❑ Bureaucrats fail to innovate "as they know, in the government, no one will question them if they stick to the status quo".
- ❑ Performance of the bureaucracy depends, to a great extent, on its relations with their political masters; i.e. the politicians/ministers. Bureaucracy in India is accountable to the ministers in charge of the department, but in practice, the accountability is vague and of a generalized nature.
- ❑ There is a lot of discontent among public servants of India regarding the way the system of confidential reports operates. It is felt that the confidential reports do not satisfy their essential conditions, namely, adequacy, relevance, objectivity, comparability and precision. The basic flaw in the working of the

system is that generally no targets or standards are laid down beforehand and the officer is usually uncertain about the targets for which and the standards against which he would be assessed.

Steps Needed

- In the 21st century, bureaucracy has to maintain pace with the rest of the sectors in society. Far-reaching changes in the global economy, increased global inter-dependence and a sea change in the way governments function have made it all the more necessary to build a competent, well-functioning civil service.
- Civil servants should view civil society organisations and the private sector as partners in the process of the country's governance. There is need to shift from pre-eminence of governance to effective governance with a focus on decentralization and citizen-centricity.
- Performance appraisal system should follow two-in-one objective – development of the policies and programmes through optimization of performance and potentialities of the officers.
- In the political field, the 73rd and 74th Amendments to the Constitution have brought about a major change. Rural and urban local governments have to be enabled to become institutions of self government. To fully realise it the existing system of administration at the district level has to undergo fundamental changes.
- We need to begin the desperately needed change by making a fundamental shift in accountability, ensuring that the bureaucracy becomes merely one of the many potential service providers to ministers. This can be done by ministers contractually appointing specialists who are committed to delivering their party's policy platform as their advisers. No file would then go to a minister without these advisers having had a look.
- There should be proper classification of the bureaucracy as per the level and separate forms should be devised for each category. All forms, however, should invariably contain some common components – record of critical incidents, self-assessment component and report of potentialities.
- A private secretary (PS) to a minister is considered an important bureaucrat, but he is a junior IAS officer (below the rank of joint secretary), and hence he plays safe while dealing with his seniors, as one day he might have to work under them. Thus, there is need to consider that the PS to a minister should be a special-secretary-rank officer.
- There should be clear guidelines for all officers regarding the targets and standards. It should be development-oriented, time-bound, confined to two levels.

Dissatisfaction over Public Services Delivery

- Centre for Media Studies (CMS) in its recent study shows that a majority of citizens are not satisfied with the delivery of public services. In most need-based services such as the police, judiciary and municipalities, (which enjoy a greater discretion and power), not even 20 per cent of the households are satisfied with their services. In essential services such as the PDS, hospitals, electricity and water supplies, a mere 30-40 per cent of the households are happy with the services. In most cases, citizens are not even aware that such systems exist and departments make no effort to educate them. Even those who are aware have little confidence in them. The behaviour of cutting-edge level employees is another area of concern.
- Most employees of the public services are not turned into the changing expectations of the citizens. There are a number of possible initiatives at the department level, such as strategic outsourcing of services, use of technology (like e-seva in Andhra Pradesh), better commercial practices, performance-linked incentive to staff, periodic tracking of user satisfaction and involving resident welfare associations. These initiatives can go a long way in improving the quality of public services.

- Also, the public service provider needs to be made more accountable to the citizens through user committees. This experiment has been demonstrated to hold potential in the case of Rogi Kalyan Samitis in Madhya Pradesh. It is high time that we directly link outlays to outcomes.

Ailments Afflicting Indian Civil Services

- Lack of professionalism and poor capacity building.
- Inefficient incentive systems that do not appreciate upright and outstanding civil servants but reward the corrupt and the incompetent.
- Outmoded rules and procedures that restrict the civil servant from performing effectively.
- Systemic inconsistencies in promotion and empanelment.
- Lack of adequate transparency and accountability procedures - there is also no safety for whistle blowers.
- Arbitrary and whimsical transfers - insecurity in tenures impedes institutionalization.
- Political interference and administrative acquiescence.
- A gradual erosion in values and ethics.
- Patrimonialism.

Recommendations for Civil Service Reforms

Some suggestions to make the civil service system yield the desired goals for the socio-economic development of India and their unison with the Indian political system are listed below:

Right sizing government:

- India needs a leaner and fitter civil service system. However, the system can be improved by the following :
 - Retire 25% to 50% of the officers at the age of 52 to 55, as it is done in the Army;
 - Drastically reduce the cadre as well as ex-cadre posts, especially in the supertime and above, leading to slower promotions;
 - Encourage officers to join NGOs, educational and research institutes during mid-career. The DOPT should play a more active 'placement' role by maintaining a list of officers who wish to be out of the service for a temporary period, and liaise with the desirous NGOs and other institutions;
 - Increase the period an officer can be out of the system from 5 to 7 years, without losing his seniority; and
 - Many posts in the government should be earmarked to permit lateral entry of people from NGO/ professional institutions at various levels to bring in a fresh outlook.
- Stability of Tenure:** Frequent transfers and limited tenures are playing havoc with public organisations. With every quick change in the head of the office, a funereal air is noticeable and down the line the respect for authority is wittled away. Rapid changes erode the mandate of the Department or Organisation. Thus there should be a high powered and statutory Civil Services Board in the States, which should process all proposals of postings and transfers.
- Professionalism:** There is a need to restructure the systems and procedures as well as the style of functioning. The Indian civil service should modernise itself. The professionalising of its various activities is very essential. This will bring in speed, cut down redtape, reduce paper work, and trim down the cost of its maintenance.
- Recruitment and training:** The Indian civil service system should become more representative.

- **Accountability:** For greater accountability, the following are some of the measures suggested:
 - ▶ Strengthening and streamlining reporting mechanisms
 - ▶ Streamlining and fast-tracking departmental enquiries
 - ▶ Linking performance with incentives
 - ▶ Overhaul of employee grievance procedures
 - ▶ Action on audit findings
 - ▶ Implementation of Citizens Charters' for monitoring service delivery
 - ▶ Right to Information Act and its enforcement
 - ▶ Code of conduct for civil servants
- **Maintenance of Ethics:** Today in the society there is an increase in selfishness, and general lack of concern for other individuals. What we have in India today is not a giving and sharing society, but a grabbing society, not a sacrificing society but a consumer society. We need to change the societal attitudes particularly those who are in public services so that they develop sympathy for the masses and work in the true spirit of service to the society.

Second ARC Recommendations on Improving Personnel Administration

Civil Services Code

- ❑ The Commission suggested the inclusion of the following principles in the Code of Ethics for civil servants in India:
- ❑ **Integrity:** Civil servants, should be guided solely by public interest in their official decision making and not by any financial or other consideration either in respect of themselves, their families or their friends.
- ❑ **Impartiality:** Civil servants in carrying out their official work, including functions like procurement, recruitment, delivery of services etc, should take decisions based on merit alone.
- ❑ **Commitment to public service:** Civil servants should deliver services in a fair, effective, impartial and courteous manner.
- ❑ **Open accountability:** Civil servants are accountable for their decisions and actions and should be willing to subject themselves to appropriate scrutiny for this purpose.
- ❑ **Devotion to duty:** Civil servants maintain absolute and unstinting devotion towards their duties and responsibilities at all times.
- ❑ **Exemplary behaviour:** Civil servants shall treat all members of the public with respect and courtesy and, at all times, should behave in a manner that upholds the rich traditions of the civil services.

The Civil Services Law

- ❑ Legislative commitment has been an important factor in ensuring the success of civil service reform initiatives in several countries during the last two decades. Legislative support provides not only a legal framework for civil service reform but ensures the continuity of these reforms.

- **The recommendations made by the Commission:**
 - **Recruitment and Conditions of Service:** The following principles of recruitment should be included for all appointments not routed through the UPSC or SSC.
 - Well-defined merit based procedure for recruitment.
 - Wide publicity and open competition for recruitment to all posts.
 - Minimisation, if not elimination, of discretion in the recruitment process.
 - Selection primarily on the basis of written examination or on the basis of performance in existing public/board/university examination with minimum weight-age to interview.
- **Appointment to Senior Positions in Government:** All positions in Government (including in the attached and subordinate offices) at the level of Joint Secretary and above would constitute the 'Senior Management Pool'. This would apply to all posts including those that are presently encadred with the organised Group A Services. All appointments to positions in this pool shall be made on the recommendations of the Central Civil Services Authority, which would go into the past performance and also evaluate the future potential of an officer. The Central Civil Services Authority should recommend a panel of officers suitable for a position in the Government and Government should choose an officer/person from this panel.
- **Fixation of Tenures:** All senior posts should have a specified tenure. The task of fixing tenures for various posts may also be assigned to this independent agency - Central Civil Services Authority.
- **Widening the Pool of Candidates for Selection to Senior Positions:** Candidates outside the government system should be allowed to compete for certain posts at senior levels (Additional Secretary and above). The task of identifying these posts should be entrusted to the Central Civil Services Authority.
- **Dismissal, Removal etc. of Civil Servants:** After the repeal of Articles 310 and 311 (as recommended in the Report on 'Ethics in Governance'), safeguards against arbitrary action against government servants should be provided in the new law. These safeguards should include:
 - No penalty of removal and dismissal should be imposed, except by an authority, which is at least three levels above the post which the government servant is holding.
 - Other penalties – apart from dismissal and removal - may be imposed by an authority which is at least two levels above the current post of the government servant.
 - No penalty may be imposed, unless an enquiry is conducted and the accused government servant has been given an opportunity of being heard.
 - The Head of an organization should have powers to lay down the details of the enquiry procedure, subject to the general guidelines which may be issued by the Government from time to time.
- **Constitution of the Central Civil Services Authority:**
 - The Central Government shall, by notification in the Official Gazette, constitute a body to be known as the Central Civil Services Authority to exercise the powers conferred on, and to perform the functions assigned to it, under this Act.
- **Creation of Executive Agencies in Government:** Government should be authorized to create or reorganize some or all of existing Departments into 'Executive Agencies'. The role of the Ministries should primarily be on policy formulation while implementation should be left to the Executive Agencies.

‘Mission Karmayogi for civil services capacity building’

About

- Touting it as the largest capacity building programme for civil servants in the history of India and of the world, the Union government announced Mission Karmayogi that promises to build well-rounded professionals who “can stand up to the expectations of the people.”
- Apart from setting competency levels for each role, programme also seeks to enhance skills of civil servants by allowing them specially-designed courses.
- The programme will be open to civil servants across all sections on a country-wide scale and will help them in performing their role better by establishing standardised competency levels for each role.
- In order to meet present-day challenges, “a civil servant has to be imaginative, innovative, proactive, polite, transparent, tech-oriented and creative” all at the same time.

Objective:

- The ultimate goal is better delivery of government services and to reduce the gap between the citizens and the government. The programme, through efficient capacity building, aims at better ease of living and greater ease of doing business.
- This apart, it also provides the government as well as civil servants insights on their capacities and competencies.

Need for Karma Yogi



- In a country where implementation of policies is a major hurdle, setting competency goals for civil servants will enable them to understand their role better and serve the people better.
- **Fragmented Learning:** Present day training landscape is diverse and fragmented, leading civil servants to think departmentally and in silos. Since thinking is parochial, there is a lack of a shared understanding of India's national developmental aspirations and needs.

- ❑ **Lack of continuous learning :** While courses are offered in patches for civil servants, there's an absolute lack of a lifelong-learning environment. There is a need to view training and learning as a continuous process and not something that is done in bits and pieces.
- ❑ **Redundancy & duplication of efforts:** Since the learning process is fragmented and department-wise, there's duplication of effort and there is an absence of common shared knowledge and faculty.

The focus areas

- ❑ The government feels that there's too much of focus on rules at the moment and wants to shift the attention away to stressing on role. Under this each role has been divided into functions and activities and a competency level has been set against each.
- ❑ Competencies are further divided into domain, functional and behavioral aspects for the role to be better understood and thereby better served.
- ❑ Additionally, a digital platform named iGOT has been set up which would offer learning content from across the world as well as from home.
- ❑ Since this is a digital platform, it would enable the civil servant to measure her career growth by keeping a track of the number of courses that a civil servant takes.
- ❑ There will be more focus on 'on-site learning' in complementing "off-site learning". There will be more focus on e-learning.

Components of the programme

- ❑ **HR Council:** The programme will be headed by a National HR Council chaired by PM Modi. It will include select Union ministers, chief ministers, national-international experts, and thought and industry leaders. It will provide direction and oversee capacity building plans.
- ❑ **Capacity Building Commission:** The commission will establish testing standards and help the HR council with reports and recommendations on capacity augmentations and development of a comprehensive national training programme. It will create shared faculty and resources and have supervisory role over all central training institutions.
- ❑ **SPV:** The special purpose vehicle will be a 100 percent government-owned company, which will be responsible for managing digital resources and curating the best of courses from the world and India and offer it to civil servants for a subscription of Rs 431. Around Rs 510 crore will be invested in over a period of 5 years.

Conclusion

- ❑ A well-functioning civil service may help to foster good policy-making, effective service delivery, accountability and responsibility in utilizing public resources which are the characteristics of good governance.
- ❑ Reform aims at strengthening administrative capacity to perform core government functions. These reforms raise the quality of services to the citizens that are essential to the promotion of sustainable economic and social development. It can contribute to macroeconomic stabilization by restoring budgetary stability, strengthening revenue collection, managing aid effectively, and improving development performance through proper implementation of investment frameworks and the management of public expenditure plans and programmes.

Transfer Policy: Need to curb political meddling

Government jobs and job security go hand in hand in India, a government officer can't be easily fired. But a government officer can be transferred. And when it comes to using the lever of transfers, governments can make job security in the higher echelons of the bureaucracy seem like an oxymoron.

Concern expressed by Civil Services Survey report

- ❑ Frequent transfers have been a concern for most respondents as it adversely affected job satisfaction, children's education, and family togetherness and placed officers at the mercy of corrupt influences.
- ❑ A Central government database on transfers of Indian Administrative Services (IAS) officers who sit atop the bureaucracy in the Centre and in states shows that the average duration of their posting in the last five years was 464 days.
- ❑ The good part about this reading is that over the last 20 years, this number has improved the most in the last five years, and this improvement has been both at the Centre and in states.
- ❑ The bad reading is that a bureaucrat is still averaging only about 15 months in a posting, which is a considerable distance away from the standard of three to five years that is commonly spoken of in organizational and human resource contexts.
- ❑ The analysis of the SUPREMO (Single User Platform Related to Employees Online) database of the Department of Personnel and Training, Government of India, shows that the average posting spell of civil servants in India is only about 15 months.
- ❑ Job transfers are a huge matter for governments and their employees, a source of constant worry for employees and apparent satisfaction for governments.

A major shortcoming highlighted by various committees: undermining of transfer guidelines:

- ❑ The undermining of transfer guidelines has been a major shortcoming of personnel administration in India.
- ❑ The Second Administrative Reforms Commission has highlighted it.
- ❑ The Fifth Pay Commission had recommended that no premature transfer should be allowed and that there should be fixation of a minimum tenure for each post.

Minimum secure tenure will yield best results

- ❑ Many respondents suggested a fixed tenure of at least 2 to 3 years for all civil servants (except officers of suspect integrity) to ensure accountability and maximise their impact on the job.
- ❑ While fixed tenures have not materialised, the reduction in the last five years in the number of transfers, and a corresponding increase in average tenures across both Centre and states, is a silver lining.
- ❑ But true, and lasting gains, calls for systemic reforms, and that is not visible at the moment.

The Hota Committee:

- ❑ The Hota Committee argued against frequent transfers, noted that "absence of a fixed tenure of officials is one of the most important reasons for tardy implementation of government policies, for lack of accountability of officers, for waste of public money because of inadequate supervision of programmes under implementation and for large-scale corruption."

- ❑ An oft-repeated argument used for transfers is that they are “in the interest of administration.”
- ❑ However, they essentially weaken administration. Transfers often reflect administrative favouritism and create divisions among civil servants.
- ❑ If they are done on a political basis, this impacts the neutrality of the civil services.
- ❑ The core values of the civil services neutrality, impartiality and anonymity cannot be maintained without an efficient transfer policy.

Conclusion

- ❑ Good governance and better administration of development is often offered as a plausible solution to conflict management. At the heart of this solution are public administrators. Civil servants, no matter how dedicated, innovative and efficient they may be, need a stability of tenure to govern well.
- ❑ A healthy working relationship between Ministers, MPs, MLAs and civil servants is critical for good governance. Therefore, the state needs to take every stakeholder of governance in confidence.

Cooling-Off Period for Retired Bureaucrats

All India Services Death-cum-Benefits Rules and Central Civil Services (Pension) Rules provides for cooling off period of 1 year after retirement.

Central Civil Services (Pension) Rules

- ❑ Applies to Central Service Group ‘A’ officers.
- ❑ Prohibits commercial employment of such officers for 1 year after retirement. Referred as cooling-off period for such bureaucrats.
- ❑ If retired officer wishes to join commercial employment before 1 year, then prior sanction of central government is mandatory.

What does commercial employment include post retirement?

- ❑ It is an employment, whether paid or honorary,
- ❑ In any capacity including that of an
 - agent under a company
 - firm
 - co-operative society
 - body or individual engaged in trading, commercial
 - industrial, financial or professional business, and
 - includes a directorship of such company or partnership of such firm
- ❑ But does not include employment under a body corporate, wholly or substantially owned or controlled by Government.

Provisions of cooling-off period for bureaucrats joining politics

- ❑ There is no specific rule providing for a cooling-off period for retired bureaucrats joining politics.
- ❑ However, the rule specifies that every government employee shall always maintain political neutrality and commit himself to and uphold the supremacy of the Constitution and democratic values.

- ❑ EC had written to DoPT & Ministry of Law, suggesting a cooling-off period for bureaucrats joining politics after retirement. However, the plea was rejected.

Cooling off period for Bureaucrats before joining politics

- ❑ In Vivek Krishna Case, petitioner contended that bureaucrats deviate from observing strict political neutrality to get tickets from political party.
- ❑ SC dismissed writ petition and refused to issue writ of mandamus (command) to government to legislate on the matter of cooling off period for joining politics.
- ❑ On issue of ethics, Court held that civil servants should maintain the highest ethical standards of integrity and honesty, political neutrality, fairness and impartiality in the discharge of duties, courtesy, accountability and transparency - Integrity, impartiality, neutrality, transparency and honesty are non-negotiable.
- ❑ Ethical standards necessarily must be enforced, and stringent action taken against the concerned officer whenever there is any breach of ethical standards as laid down in the All-India Services (Conduct) Rules, 1968.

Chapter 1.7

FUNCTIONS, STRUCTURE & ISSUES IN ORGANISATIONAL STRUCTURE OF GOVERNMENT -2nd ARC REPORT

Functions of Government

The Constitution of India lays down the roles and functions of the three levels of government - Union, State and Local. These are spelt out in Part III on Fundamental Rights, Part IV on the Directive Principles of State Policy, Parts IX and IX A on local bodies, etc. All governments perform a wide range of functions.

The functions of a government could be broadly categorized as follows:

■ Regulatory Function of Government

- In India, the regulatory role of government stems from the provisions of the Constitution which empower the Union and State Legislatures to make laws on various subjects. Besides, Article 19 of the Constitution empowers the State to impose reasonable restrictions on the exercise of various Rights - conferred by Article 19 - in the interest of public order, sovereignty and integrity of India, protecting the interest of the general public, or in the interest of decency, morality etc. Consequently, there is a plethora of laws and rules which seek to regulate the activities of individuals and groups of individuals.
- **All regulatory functions should adhere to five principles - Simplification, Transparency, Objectivity, Convergence and Speedy disposal.**

The recommendations to improve regulation functioning of government are:

- **Regulation only where necessary:** It has been argued that India is an over-regulated country. It is, therefore, necessary to have a detailed scrutiny of all laws and regulations - Union, State and Local - followed by repealing of unnecessary regulations, updation of outdated ones and simplification of procedures so that compliance becomes easy.
- **Regulation to be effective:** One of the consequences of a large number of regulations has been their poor enforcement. In order to ensure that the regulatory measures do not degenerate into corrupt practices, it is necessary to have an effective supervision of the agencies which carry out these regulatory functions.

- ❑ Regulatory procedures to be simple, transparent and citizen friendly: These include, simplifying transactions, using IT, promoting transparency, reducing discretion, effective supervision etc.
- ❑ Involving citizens' groups, professional organizations in the regulation activities.

Service Providing Functions of Government

- ❑ Government provides a variety of services to citizens ranging from social services like education and health to infrastructural services like power, road, transport and water etc.

Recommendations to improve service delivery are:

- ❑ There is need for a shift in emphasis in the crucial service delivery sectors of education and health from centralized control to decentralized action, from accountability to the State department to accountability to the local communities and from employment guarantee to service guarantee.
- ❑ It is necessary that all schools are made functionally self-sufficient, in as much as basic facilities and classroom requirements are provided in all urban schools within the next two years.
- ❑ The municipalities, especially the larger ones, should seek the help of NGOs, the corporate sector and individual volunteers for assistance in running schools. Indeed, it would be useful to initiate a voluntary service element in our social sector to improve service delivery.
- ❑ The trend in urban areas to shift towards private healthcare needs to be seen as an opportunity by the city authorities to concentrate on public health as distinct from clinical services, and on preventive and not only curative aspects of health care.
- ❑ Institution specific standards should be prescribed for schools and hospitals and third party assessments carried out to monitor performance in service delivery. Performance based incentives should be prescribed at all levels by braking salary ceilings to guarantee service outcomes and linking permanence in service to performance.
- ❑ Recruitment for hospitals and schools should be made to an institution/society, moving away from non accountable State level recruitment.
- ❑ Local bodies should ensure convergence among health systems, sanitation facilities and drinking water facilities. Primary level public health institutions in urban areas should be managed by the urban local bodies.
- ❑ The concerned Ministry should maintain a State-wise database about the performance of various service delivery systems. Similarly, the State should have a database for such services covering all municipal bodies.

Developmental Functions of Government

- ❑ Government implements a large number of welfare and development programmes for promoting the socio-economic upliftment of its citizens. These include programmes for poverty alleviation, employment generation schemes, schemes to strengthen infrastructure, measures for the welfare of weaker sections of society, programmes to improve the health and nutritional status of citizens etc. These programmes are implemented largely by the State Governments through their machinery and through Local Governments.
- ❑ Recommendations are:
- ❑ Citizens should be involved in all stages of these programmes and social audit should be made mandatory for all developmental programmes.
- ❑ The principle of subsidiarity should be followed while deciding on the implementation machinery for any programme.

- ❑ Mandatory social audit should be carried out for all programmes.
- ❑ Impact assessment should be carried out for all programmes at periodic intervals.
 - **The principle of subsidiarity stipulates:** functions shall be carried out closest to citizens at the smallest unit of governance possible and delegated upwards only when the local unit cannot perform the task. The citizen delegates those functions he cannot perform, to the community, functions that the community cannot discharge are passed on to local governments in the smallest tiers, and so on, from smaller tiers to larger tiers, from local government to the State Governments, and from the States to the Union.
 - Application of the **subsidiarity principle** has three great advantages in practical terms. First, local decision-making improves efficiency, promotes self reliance at the local level, encourages competition and nurtures innovation.
 - Second, democracy is based on three fundamental assumptions: all citizens are equal irrespective of station and birth; the citizen is the ultimate sovereign; and the citizen has the capacity to decide what is in his best interest. Only when these principles are put in practice can a democratic system derive its full legitimacy. Subsidiarity is the concrete expression of these foundations of a democratic society.
 - Third, once decision-making and its consequences are integrally linked at the local level, people can better appreciate that hard choices need to be made. Such awareness promotes greater responsibility, enlightened citizenship and maturing of democracy.

Issues In Organisation Structure Of GOI

Existing Structure of Government of India

- ❑ The Constitution has provided an elaborate framework for the governance system in India. Part V, Chapter 1 deals with the Union Executive, Chapter II deals with the Parliament and Chapter IV deals with the Union Judiciary. The Executive Power of the Union vests in the President and is exercised by him either directly or through officers subordinate to him in accordance with the Constitution (Article 53). Article 74 provides that there shall be a Council of Ministers with the Prime Minister as the Head to aid and advice the President, who shall, in the exercise of these functions, act in accordance with such advice. Article 75 provides that the Prime Minister shall be appointed by the President and the other Ministers shall be appointed by the President on the advice of the Prime Minister. Article 77 provides for the Conduct of Government Business.
- ❑ The Rules stipulate that the business of the Government of India shall be transacted in the Ministries, Departments, Secretariats and Offices.
- ❑ The Rules also provide for appointment of ad hoc Committees of Ministers for investigating and reporting to the Cabinet, and, if so authorized, for taking decisions on such matters. The Rules also stipulate that it shall be the responsibility of the Departmental Secretary, who shall be the administrative head thereof, to ensure observance of these Rules in the Department.

Strengths and Weaknesses of the Existing Structure

- ❑ **Strengths**
 - **Time Tested System – adherence to rules and established norms:** The Government of India has evolved an elaborate structure, rules and procedures for carrying out its functions which have contributed to nation building and the creation of an inclusive state. These have ensured stability both during crises as well as normal times.

- **Stability:** The structure of Government staffed by the permanent civil servants has provided continuity and stability during the transfer of power from one elected government to the other. This has contributed to the maturing of our democracy.
- **Commitment to the Constitution – political neutrality:** The well laid down rules and procedures of government have upheld the neutrality of the civil services and prevented politicisation of government programmes and services. This has helped in the evolution of institutions based on the principles enshrined in the Constitution.
- **Link between policy making and its implementation:** The framework of the Government of India has facilitated a staffing pattern which promotes a link between policy making and implementation. This has also helped the structure of both the Government of India and the States and promoted the concept of cooperative federalism.
- **A national outlook amongst the public functionaries:** Public servants working in Government of India as well as its attached and subordinate offices have developed a national outlook transcending parochial boundaries. This has contributed to strengthening national integration.

■ Weaknesses

- **Undue emphasis on routine functions:** The Ministries of Government of India are often unable to focus on their policy analysis and policy making functions due to the large volume of routine work that they are saddled with. This leads to national priorities not receiving due attention.
- **Proliferation of Ministries/Departments** - weak integration and coordination: The creation of a large number of Ministries and Departments sometimes due to the compulsion of coalition politics has led to illogical division of work and lack of an integrated approach even on closely related subjects.
- **An extended hierarchy with too many levels:** Government of India has an extended vertical structure which leads to examination of issues at many levels frequently causing delays in decision making on the one hand and lack of accountability on the other.
- **Risk avoidance:** A fall-out of a multi-layered structure has been the tendency towards reverse delegation and avoidance of risk in decision making.
- **Absence of team work:** The present rigid hierarchal structure effectively rules out team work so necessary in the present context where an inter-disciplinary approach often is the need of the hour to respond effectively to emerging challenges.
- **Fragmentation of functions:** At the operational level also, there has been a general trend to divide and sub-divide functions making delivery of services inefficient and time-consuming.
- **Issue of autonomy:** Except in the case of a few committees and boards, there has been considerable weakening of the autonomy conceived at the time of their formation.

Core Principles of Reforming the Structure of Government

- The Commission feels that the following core principles should govern the restructuring of the Government of India:
- The Union Government should primarily focus on the following core areas:
 - Defence, International Relations, National Security, Justice and Rule of Law
 - Human development through access to good quality education and healthcare to every citizen
 - Infrastructure and Sustainable natural resource development
 - Social security and Social justice
 - Macro-economic management and National economic planning
 - National policies in respect of other sectors

- ❑ **Subsidiarity:** The principle of subsidiarity should be followed to decentralise functions to State and Local Governments. This should be followed by restructuring which may include decentralization/delegation or hiving off activities.
- ❑ **Subjects which are closely inter-related should be dealt with together:** It is necessary that while structuring Government into Ministries and Departments, a golden mean between the need for functional specialization and an integrated approach is adopted.
- ❑ **Separation of policy making functions from execution:** The Ministries required to give greater emphasis to the policy making functions while delegating the implementation functions to the operational units or independent organizations/agencies.
- ❑ **Well defined accountability:** The present multi-layered organizational structure with fragmented decision making leads to a culture of alibis for non-performance. The tendency to have large number of on file consultations, often unnecessary, lead to diffused accountability. A clearer demarcation of organizational responsibilities would also have helped in developing a performance management system for individual functionaries.
- ❑ **Criticality of operational units:** Government organizations have tended to become top-heavy coupled with fragmentation and lack of authority, manpower and resources at the operational levels that have a direct bearing on citizens' lives. Rationalization of Government staff pattern is necessary, commensurate with the requirements of the citizens.

Some Important Recommendations:

- ❑ **Optimum size of government workforce.**
 - ❖ **Formation of new departments:** Creating new departments to deal with individual subjects has the advantage of focusing greater attention and resources on that field but it also carries with it the disadvantages of lack of coordination and inability to adopt an integrated approach to national priorities and problems.
 - ❖ **Creation of Effective Executive Agencies:** It is necessary that implementation bodies need to be restructured by giving them greater operational autonomy and flexibility while, at the same time, making them responsible and accountable for what they do.
 - ❖ **Internal structure of the ministry:** Restructuring the design of the ministries to make them less hierarchical, by creating flatter structures with team-based orientation.
 - ❖ **Simplification of Governmental Processes:** Government organizations are bureaucratic. When Max Weber propounded 'bureaucracy' as a form of organization he meant organizations structured along rational lines, where:
 - Offices are placed in a hierarchical order
 - Operations are governed by impersonal rules thereby reducing discretion. There is a set of rules and procedures to cater for every situation
 - Officials are given specific duties and areas of responsibility
 - Appointments are made on the basis of qualifications and merit
 - The current procedures have several strengths as well as weaknesses.

Strengths:

Record keeping but the present system undeniably creates voluminous manual records, the use of this data remains constrained due to lack of proper categorization, referencing and access systems.

Accountability

- ▶ In built Redundancy-self Correcting: Examination of an issue on file by multiple levels enables repeated scrutiny which in turn enables correction of errors and omissions at any particular level and thus creates a kind of self correcting mechanism
- ▶ The present office procedures enable individual functionaries to record their independent views on the files. The system, at least in theory, safeguards the right of expression of individual functionaries and protects them from extraneous influences and victimization, more so with the coming in force of the Right to Information Act.

Weaknesses:

- ▶ Multiple Layers Lead to Inefficiency and Delays
- ▶ Fuzzy Delegation
- ▶ Focus on File Management at the Expense of outcomes
- ▶ Absence of Team-based Working
- ▶ The Manual of Office Procedure appears to emphasise the action to be taken on receipt of papers rather than on a proactive approach towards the Departments' priorities.

How to improve it?

- ▶ Each Department should lay down a detailed scheme of delegation at all levels so that the decision making takes place at the most appropriate level. It should be laid down in the Manual of Office Procedure that every Ministry should prescribe a detailed scheme of delegation for its officers. This delegation should be arrived at on the basis of an analysis of the activities and functions of the Ministry/Department and the type of decisions that these entail which should be dovetailed with the decision making units identified in that Department.
- ▶ The scheme of delegation should be updated periodically and should also be 'audited' at regular intervals. The audit should ensure that the delegated authority is actually exercised by the delegate. The scheme of delegation should be placed in the public domain.
- ▶ The number of levels through which a file passes for a decision should not exceed three.
- ▶ In cases where the Minister's approval is required, the file should be initiated by the Deputy Secretary/Director concerned and should be moved through the Joint Secretary (or Additional Secretary/Special Secretary) and the Secretary (or Special Secretary) to the Minister.
- ▶ The Department dealing with administrative reforms in the Union Government should be entrusted with the task of ensuring compliance with this stipulation.
- ▶ For addressing cross cutting issues, the Secretary of the concerned Department should have the flexibility to create inter-disciplinary teams.
- ▶ The Departments should build an electronic database of decisions that are likely to be used as precedents. Thereafter such database should be periodically reviewed and where necessary, changes in rules introduced in order to codify them.

- ❑ Ensure proper coordination among different levels: There is need for ensuring extensive horizontal coordination where policies are spread over a number of departments and where policy delivery

mechanisms are distributed in different parts of the government. Several Group of Ministers (GOMs) have been constituted to look into different issues/subjects. Some of these GOMs have been empowered to take decisions on behalf of the Cabinet whereas the others make recommendations to the Cabinet. The Commission understands that the constitution of a large number of GoMs has resulted in many GoMs not being able to meet regularly to complete their work thus leading to significant delays on many major issues.

Strengthening Of The State's Institutional Capability:

- Provide incentives to public officials to perform better; separate the powers of the legislature, the executive, and the judiciary, and create a system of mutual checks and balances; create an independent judiciary, so that laws are enforced and unconstitutional laws are struck down; reduce opportunities for corruption by reducing the discretionary authority of officials, regulations, and artificial barriers to entry in industry; pay competitive remuneration to public officials; have meritocracy in the recruitment and promotion of officials; institute stringent punishment for wrongdoing, and an independent agency for detect.
- Deliver needed services by subjecting the state's services to increased competition from agencies both within and outside the state.
- Give people voice in the affairs and activities of the state.
- Devolve authority from the central government to regional and local governments, but institute mechanisms to monitor devolution, prevent the capture of these governments by vested interests, and to check profligacy by these governments.
- Ensure broad-based public discussion of key policies and priorities. Give much greater access of information with the state to the public and create various consultative forums.

UNIT 2

DEVELOPMENT PROCESS

Chapter 2.1

DEVELOPMENT PROCESSES & THE DEVELOPMENT INDUSTRY

Role of Self Help Group in Development

Self-Help Groups are informal associations of people who choose to come together to find ways to improve their living conditions. They help to build Social Capital among the poor, especially women. The most important functions of a Self-Help Groups are (a) to encourage and motivate its members to save, (b) to persuade them to make a collective plan for generation of additional income, and (c) to act as a conduit for formal banking services to reach them.

SHG Contributions to Development are Analysed as follows

- **SHG and Poverty Alleviation:** The formation of SHGs has benefited its members by increasing their assets, incomes and employment opportunities and there has been a significant shift in the use of the loans from personal consumption to their being used for income generating purposes. In addition, members have been able to increase savings and accumulate capital and in doing so, are now more financially stable. This has helped people in moving out of the vicious circle of poverty and unemployment.
- **SHG and Financial Inclusion:** One of the reasons for rural poverty in our country is low access to credit and financial services. As per a survey report of the NSSO (59th round), 45.9 million farmer households in the country (51.4%) out of a total of 89.3 million households do not have access to any form of credit from institutional or non-institutional sources. Overall, 73% of the households do not have credit links with any financial institution. Micro finance encourages access of SHGs to banks both as means of savings and providers of loan services. The borrowers are able to reduce their dependence on informal sources of finance and a certain degree of loyalty towards SHGs, which can work towards permanent or effective inclusion of these borrowers into the formal banking network.
- **SHG and Human Resource Development:** SHG has enabled households to have access to it to spend more on education than non client households. Families participating in the programme have reported better school attendance and lower dropout rates. The financial inclusion attained through SHGs has led to reduced child mortality, improved maternal health and the ability of the poor to combat disease through better nutrition, housing and health – especially among women and children.
- **SHG and Women Empowerment:** It has empowered women by enhancing their contribution to household income, increasing the value of their assets and generally by giving them better control over decisions that affect their lives. It has also increased involvement in Decision-making, awareness about

various programs and organisations, increased access to such organisations, increased expenditure on Health and Marriage events. Within family the respect and status of women has increased. Children Education has improved significantly. Especially girl education was very low but now SHG members are sending their children including girls to school.

Example

❑ SHG in Tamil Nadu

The development of cottage and agro-based industries is vital towards generation of employment opportunities in rural areas and rural development in general. To meet this end SHG was proposed in Palampalayam in Odathurai village panchayat. A progressive SHG was Annai Indhira SHG formed on 16.05.1998 with the initiative of its 13 members as well as that of the block development officials of Bhavani Panchayat Union.

Shortcomings and Recommendations to Improve Self Help Group

- ❑ **Credit Mobilization:** Mobilizing bank credit is a major challenge of the program, due to which the governments at centre and states could not increase the allocations over the years.
- ❑ **Poor Area Coverage:** Since a large number of rural households in the North-Eastern States and Central-Eastern parts of the country (Bihar, Jharkhand, Uttar Pradesh, Uttarakhand, Orissa, Madhya Pradesh, Chhattisgarh and Rajasthan) do not have adequate access to formal sources of credit, a major thrust on the expansion of the SHG movement in these areas should be facilitated. The presence of NABARD should be much more pronounced in these places.
- ❑ **Working Attitude of Staff:** Special steps should be taken for training/capacity building of government functionaries so that they develop a positive attitude and treat the poor and marginalized as viable and responsible customers and as possible entrepreneurs.

Role of NGOs in the Development

NGOs are defined as the “formally registered not-for profit association of groups or individuals founded on the principles of equality, altruism and voluntary work spirit to promote human development (including environment and biodiversity) and nation building”.

Roles and Functions of NGOs

- ❑ NGOs are delivering in various sectors, and capacities are being built in diverse areas such as financial management, resource mobilization, human resources, leadership development, governance procedures and practices and institutional development.

The functions of NGOs are discussed as follows:

- ❑ **Development and Operation of Infrastructure:** Community-based organizations and cooperatives can acquire, subdivide and develop land, construct housing, provide infrastructure and operate and maintain it such as wells, public toilets and solid waste collection services.
- ❑ **Supporting Innovation, Demonstration and Pilot Projects:** NGOs have the advantage of selecting particular places for innovative projects and specify in advance the length of time for which they will be supporting the project.
- ❑ **Facilitating Communication:** NGOs use interpersonal methods of communication, and study the right entry points whereby they gain the trust of the community they seek to benefit. They would also have a good idea of the feasibility of the projects they take up.

- ❑ **Technical Assistance and Training:** Training institutions and NGOs can develop a technical assistance and training capacity and use this to assist governments.
- ❑ **Research, Monitoring and Evaluation:** Innovative activities need to be carefully documented and shared - effective participatory monitoring would permit the sharing of results with the people themselves as well as with the project staff.

Example

- ❑ **Self-Employed Women's Association (SEWA)** of Ahmedabad had begun its journey as a trade union in 1972; but gradually it has been able to expand its activities and serve as a true representative of self-employed women in the unorganized sector. Today its membership has crossed 2.2 lakh and it has been able to come close to achieve two of its basic goals of full employment and self-reliance. SEWA now provides diverse opportunities to the families of its members including food security, income security and social security.

Challenges Faced by NGOs in India

- ❑ **Lack of Funds:** NGOs are expressing difficulty in finding sufficient, appropriate and continuous funding for their work. They find accessing donors as challenging as dealing with their funding conditions. There is a lack of financial, project and organizational sustainability. Poor Governance was recognized within the sector as a whole, within the NGO Council and within individual NGOs. Many NGOs mismanage their resources, quite often with the involvement and encouragement of their Boards that eat their NGOs resources.
- ❑ **Absence of Strategic Planning:** Few NGOs have strategic plans which would enable them to have ownership over their mission, values and activities. This leaves them vulnerable to the whims of donors and makes it difficult to measure their impact over time.
- ❑ **NGO Politics:** One fighting another, one with resources but no community presence, another with community presence but no resources.
- ❑ **Poor Communication:** The majority of NGOs have little or no access to reliable email and internet connections, they receive almost no literature on development issues and are generally out of touch with issues of global, regional and national importance.
- ❑ **Limited Capacity:** NGOs recognize that many of them have limited technical and organizational capacity. Few NGOs are able or willing to pay for such capacity building. Weak capacity was identified in fundraising, governance, technical areas of development, and leadership and management.
- ❑ **Development Approaches:** NGOs are still focusing upon what some refer to the 'hardware' approach to development, i.e. the building of infrastructure and the provision of services; rather than what some refer to as the 'software' approach of empowering people and local institutions to manage their own affairs.
- ❑ **Relationships with NGOs:** There is considerable concern among local NGOs that the giants, mainly INGOs, occupy so much space that it is very difficult to find room for themselves. INGOs often intervene without any concern for the building of sustainable local CSOs.
- ❑ **Political Interference:** In some regions, in particular South Rift and North Eastern, NGO leaders identified the interference of local politicians and civic leaders as a major hindrance to their work. Where NGOs are involved in sensitive issues, such as land disputes, local leaders can threaten NGOs with de-registration.

Issue of Fund Mismanagement

- ❑ The big source of corruption in the sector is government funds. The government is the largest source of organised funds for the sector.

- The five most commonly documented forms of corruption identified were:
- Inflated, duplicate, or fictitious invoices for goods and services procured for a project.
- “Ghost” employees, participants or beneficiaries that inflated the cost of project activities.
- Kickback arrangements in procurement of goods or services or in hiring of project staff.
- “Double-dipping”, or seeking or accepting funds from more than one donor for (parts of) the same project.
- Fictitious NGOs, or politically connected organisations set up to win public contracts (including those setup to act as delivery partners for INGOs).

■ Initiatives taken by government to bring transparency:

- A short term training programme for strengthening the managerial capabilities of NGOs will go a long way in improving their performance and effectiveness significantly.
- The over dependence of NGOs on funding agencies and the syndrome of dependency should be reduced by involving the government directly in funding activities.
- The donor agencies should go for surveying the viable projects for NGOs and the needs of the people.
- Proper monitoring the activities of the NGOs and the enterprises run under the umbrella is the need of the hour. Therefore, the NGOs should also accountable for the funds on the one hand and the beneficiaries on the other.
- **FCRA** - MHA proposes to replace the existing FCRR (Foreign Contribution (Regulation) Rules), 2011 with a new Foreign Contribution (Regulation) Amendment Rules, 2015 in order to bring transparency in the functioning of NGOs and has proposed draft amendments to the FCRR, 2011.

■ Foreign contribution (Regulations) Amendment act 2020

- **Prohibition to accept foreign contribution:** Under the Act, certain persons are prohibited to accept any foreign contribution. These include: election candidates, editor or publisher of a newspaper, judges, government servants, members of any legislature, and political parties, among others. The Act adds public servants (as defined under the Indian Penal Code) to this list. Public servant includes any person who is in service or pay of the government, or remunerated by the government for the performance of any public duty.
- **Transfer of foreign contribution:** Under the Act, foreign contribution cannot be transferred to any other person unless such person is also registered to accept foreign contribution (or has obtained prior permission under the Act to obtain foreign contribution). The Act amends this to prohibit the transfer of foreign contribution to any other person. The term ‘person’ under the Act includes an individual, an association, or a registered company.
- **Aadhaar for registration:** The Act states that a person may accept foreign contribution if they have: (i) obtained a certificate of registration from central government, or (ii) not registered, but obtained prior permission from the government to accept foreign contribution. Any person seeking registration (or renewal of such registration) or prior permission for receiving foreign contribution must make an application to the central government in the prescribed manner. The Act adds that any person seeking prior permission, registration or renewal of registration must provide the Aadhaar number of all its office bearers, directors or key functionaries, as an identification document. In case of a foreigner, they must provide a copy of the passport or the Overseas Citizen of India card for identification.
- **FCRA account:** Under the Act, a registered person must accept foreign contribution only in a single branch of a scheduled bank specified by them. However, they may open more accounts in other banks for utilisation of the contribution. The Act amends this to state that foreign contribution must be received only in an account designated by the bank as “FCRA account” in such branch of the State Bank of India, New Delhi, as notified by the central government. No funds other than the foreign

contribution should be received or deposited in this account. The person may open another FCRA account in any scheduled bank of their choice for keeping or utilising the received contribution.

- **Restriction in utilisation of foreign contribution:** Under the Act, if a person accepting foreign contribution is found guilty of violating any provisions of the Act or the Foreign Contribution (Regulation) Act, 1976, the unutilised or unreceived foreign contribution may be utilised or received, only with the prior approval of the central government. The Act adds that the government may also restrict usage of unutilised foreign contribution for persons who have been granted prior permission to receive such contribution. This may be done if, based on a summary inquiry, and pending any further inquiry, the government believes that such person has contravened provisions of the Act.
- **Renewal of license:** Under the Act, every person who has been given a certificate of registration must renew the certificate within six months of expiration. The Act provides that the government may conduct an inquiry before renewing the certificate to ensure that the person making the application: (i) is not fictitious or benami, (ii) has not been prosecuted or convicted for creating communal tension or indulging in activities aimed at religious conversion, and (iii) has not been found guilty of diversion or misutilisation of funds, among others conditions.
- **Reduction in use of foreign contribution for administrative purposes:** Under the Act, a person who receives foreign contribution must use it only for the purpose for which the contribution is received. Further, they must not use more than 50% of the contribution for meeting administrative expenses. The Act reduces this limit to 20%.
- **Surrender of certificate:** The Act adds a provision allowing the central government to permit a person to surrender their registration certificate. The government may do so if, post an inquiry, it is satisfied that such person has not contravened any provisions of the Act, and the management of its foreign contribution (and related assets) has been vested in an authority prescribed by the government

Role of Microfinance Institutions in Development Process

“Microfinance is the provision of financial services to low-income clients or solidarity lending groups including consumers and the self-employed, who traditionally lack access to banking and related services.”

Salient Features of Microfinance

- ❑ Borrowers are from the low income group
- ❑ Loans are of small amount – micro loans
- ❑ Short duration loans
- ❑ Loans are offered without collaterals
- ❑ High frequency of repayment
- ❑ Loans are generally taken for income generation purpose

Role Played by Microfinance Institutions

- ❑ According to the latest research done by the World Bank, India is home to almost one third of the world's poor (surviving on an equivalent of one dollar a day).
- ❑ About half of the Indian population still do not have a savings bank account and they are deprived of all banking services. Poor also need financial services to fulfill their needs like consumption, building

of assets and protection against risk. Microfinance institutions serve as a supplement to banks and in some sense a better one too. These institutions not only offer micro credit but they also provide other financial services like savings, insurance, remittance and non-financial services like individual counselling, training and support to start own business and the most importantly in a convenient way. The borrower receives all these services at her/his door step and in most cases with a repayment schedule of borrower's convenience. But all this comes at a cost and the interest rates charged by these institutions are higher than commercial banks and vary widely from 10 to 30 per cent. However, in the past few decades it has helped out remarkably in eradicating poverty.

Some Examples

- ❑ **SHG – Bank Linkage Programme:** This is the bank-led microfinance channel which was initiated by NABARD in 1992. Under the SHG model the members, usually women in villages are encouraged to form groups of around 10-15. The members contribute their savings in the group periodically and from these savings small loans are provided to the members. In the later period these SHGs are provided with bank loans generally for income generation purpose. The group's members meet periodically when the new savings come in, recovery of past loans are made from the members and also new loans are disbursed. This model has been very much successful in the past and with time it is becoming more popular. The SHGs are self-sustaining and once the group becomes stable it starts working on its own with some support from NGOs.

Issues Related to Microfinance Institutions

- ❑ **Financial Illiteracy:** One of the major hindrances in the growth of the microfinance sector is the financial illiteracy of the people. This makes it difficult in creating awareness of microfinance and even more difficult to serve them as microfinance clients.
- ❑ **Inability to Generate Sufficient Funds:** Though NBFCs are able to raise funds through private equity investments because of the for-profit motive, such MFIs are restricted from taking public deposits. Not-for-profit companies which constitute a major chunk of the MFI sector have to primarily rely on donations and grants from Government and apex institutions like NABARD and SIDBI.
- ❑ **Dropouts and Migration of group members:** The two major problems with the group concept are dropouts (when one or more members leave the group) and migration (when one or more members move to another group). Most MFIs lend on the basis of the past record of the group i.e. SHG or JLG and also on the individuals repayment performance. In absence of a decent past record, members are deprived of getting bigger loan amounts and additional services.
- ❑ **Transparent Pricing:** Non-transparent pricing by MFIs confines the bargaining power of the borrowers and their ability to compare different loan products, because they don't know the actual price. In absence of the proper understanding of the pricing, clients end up borrowing more than their ability to payback which results in over-indebtedness of the borrower.

Recommendations

- ❑ Proper Regulation.
- ❑ Field Supervision.
- ❑ Encourage rural penetration.
- ❑ **Complete range of Products:** MFIs should provide complete range of products including credit, savings, remittance, financial advice and also non-financial services like training and support. As MFIs are acting as a substitute to banks in areas where people don't have access to banks, providing a complete range of products will enable the poor to avail all services.
- ❑ Used technology to reduce Operating Cost.

- ❑ **Alternative sources of Fund:** In absence of adequate funds the growth and the reach of MFIs become restricted and to overcome this problem MFIs should look for other sources for funding their loan portfolio. Some of the ways through which MFIs can raise their fund are:
 - ❑ By getting converted to for-profit company i.e. NBFC.
 - ❑ **Portfolio Buyout:** It is when banks or other institutions purchase the rights to future payment stream from a set of outstanding loans granted by MFIs. In such transactions MFIs are responsible for making up any loss in repayment up to a certain percentage of the portfolio and this clause is known as “first loss default guarantee”. The above clause ensures that the MFI retains the correct incentive to collect these loans.
 - ❑ **Securitization of Loans:** This refers to a transaction in which the repayments from a set of microloans from one or more MFIs are packaged into a special purpose vehicle, from which tradable securities are issued.

Role of Charities in Development Process

- ❑ A charitable trust is an irrevocable trust established for charitable purposes. In India, trusts set up for the social causes and approved by the Income Tax Department, get not only exemption from payment of tax but also the donors to such trusts can deduct the amount of donation to the trust from their taxable income. The legal framework in India recognizes activities including “relief of the poor, education, medical relief, preserving monuments and environment and the advancement of any other object of general public utility” as charitable purposes.

Example

- ❑ Pratham is the world’s largest grass roots literacy movement based in India. The organisation works with volunteers, teachers and state governments in villages and cities across India to teach children to read, write and do basic mathematics.

Challenges faced by Charities in India

- ❑ **Multiplicity of Laws and Agencies:** There are a multiplicity of laws governing charity for different religions, for different types of organizations, and for different states, with no uniformity in the laws across states, and no consistency between laws.
- ❑ **Registration:** The procedures under the Companies Act were found to be more complicated and costly, and the registration process more lengthy. Therefore, professional help was generally required, which added to expense.
- ❑ **Poor Public Information and Education:** Though the procedure for registration was, by itself, not found complicated, what was problematic was the lack of information about the process and need for repeated visits to the offices to secure information and for follow up.
- ❑ **Inadequate Staff:** Almost without exception, (though the Office of the Registrar of Companies to a much lesser extent), all official agencies pleaded inadequate staffing compared to need.
- ❑ **Poor Facilities:** A majority of the respondent organisations reported that the facilities for the public in these offices are very poor, with many lacking basic facilities like drinking water coolers, benches and toilets.
- ❑ **Corruption:** The functionaries and professionals (lawyers and CAs) associated with the non-profit sector have reported instances of corruption, where staff of the registering authorities and the Income tax departments have approached them expecting favours for speeding up the process.

Recommendations for Improving the functioning of Charities in India:

- According to the Second ARC, the Union Government should draft a comprehensive model legislation covering both Trusts and Societies in lieu of the existing laws on Societies, Trusts, Endowments and Charitable Institutions, etc.
- In place of the present charity administration consisting of a Charity Commissioner / Inspector General of Registrations as existing in the States, the proposed law should provide for a new governance structure in the form of a three member Charities Commission in each State with necessary support staff for incorporation, regulation and development of Charitable Organisations.
- The proposed model legislation should indicate a cut off limit with regard to the annual revenue of a Charity. Organisations having an annual income below this threshold will have lighter compliance requirements with respect to submission of returns / reports / permission etc.
- The government should set up an Inclusive Committee which will comprehensively examine the issue of defining 'Charity' and 'Charitable Purpose' and suggest measures to "soften" charities-government relationship, particularly in tax matters.
- The model legislation should take into consideration the views and suggestions made above with regard to the following issues of charity administration: i. Interface with the State Government ii. Alteration in the memorandum iii. Approval on change report iv. Alienation of immovable property v. Contribution by Public Trusts to the State Government.

Role of Foreign aid in Development

- Foreign aid is considered as an important ingredient for financing the developmental programs of the developing countries. There are a number of mechanisms through which aid can contribute to the process of economic growth, i.e.
 - Aid stimulates investment in both physical and human capital;
 - Aid act as a supplement to the scarce domestic resources and acts as a major source of foreign exchange earnings;
 - Aid increases the capacity to import necessary capital goods and technology;
 - Aid helps to raise the productivity of both capital and labor through technological transfers and also promotes indigenous technical change;
 - Aid also brings other crucial resources for development such as managerial skills, organizational capability, research ideas and market access.
- It also helps the underdeveloped economies in filling three major gaps;
 - Saving-investment gap;
 - Export-import gap; and
 - Technological know-how gap.
- At the same time huge amount of external assistance inflows may create threat for large amount of external debt burden in the long run to developing economies. The extent to which foreign aid can be a decisive factor in the economic development of developing economies remains controversial. Many countries in the world accept foreign aid and get different benefits along with a few adverse results.

Foreign Aid to India

- India is depended on foreign aid for the following reasons:
- First, aid can help direct the attention of local policymakers towards domestic inequality.

- Second, while the democratic governments in this country are more than capable of taking care of sudden crises, aid projects have a role in calling attention to as well as actively helping those who are trapped in a vicious cycle of poverty—say the small-holder farmers who are battling rising input prices, lack of credit and the wrath of climate change.
- Third, for bilateral and multilateral aid agencies, being present in India is not just to “give” to India, but also to “take” home lessons from her. The Indian (or the Brazilian or Chinese) model of governance and economy has important lessons that could be relevant to other developing countries (and increasingly, to the developed countries)—at least more relevant than just the historical experiences of the West. At the same time, our governments and local organizations still have much to learn from international experiences, which we are able to access more easily through engaging with the international aid architecture. Aid agencies—whether bilateral or multilateral—and strong domestic governments is a good recipe for a fruitful partnership.

Arguments Against Aid

The following criticism has been forwarded on foreign aid:

- According to critics, foreign aid does not promote faster growth but may in fact retard it by substituting for, rather than supplementing, domestic savings and investment and by exacerbating LDCs balance of payments deficits as a result of rising debt repayment obligations and the linking of aid to donor country exports.
- The foreign aid is generally focused on and stimulates the growth of modern sector, thereby increasing the gap in living standards between the rich and the poor in Third World countries. Rather than relieving economic bottlenecks and filling gaps, aid, and for that matter private foreign investment, not only widens existing savings and foreign exchange resource gaps but may even create new ones (e.g., urban rural or modern traditional sectors gaps).
- If the aid given is concerned with unproductive fields or obsolete technology, it will have the effect of increasing the inflation in the country.
- The biggest objection which is imposed on foreign aid is that donor countries make interference in the economic and political activities of the recipient country. The recipient country has to devise its economic policies in accordance with the wishes of donor countries or international financial institutions.

Ministry of Co-operation

Ministry of Cooperation was created by transferring the existing entries related to cooperation and cooperative in the business of the erstwhile Ministry of Agriculture, Cooperation and Farmers Welfare on 6th July, 2021. ‘Ministry of Co-operation’ has been created by the Modi Government for realizing the vision of ‘**Sahkar se Samriddhi**’. The Ministry of Co-operation ensures the commitment of the government to community based developmental partnership.

Objectives of Ministry of Co-operation:

- It will provide a separate administrative, legal and policy framework for strengthening the cooperative movement in the country.
- It will help deepen Co-operatives as a true people-based movement reaching upto the grassroots.
- It will work to streamline processes for ‘**Ease of doing business**’ for co-operatives and enable development of Multi-State Co-operatives (MSCS).

Importance of Cooperatives:

- ❑ It provides agricultural credits and funds where state and private sectors have not been able to do very much.
- ❑ It provides strategic inputs for the agricultural-sector; consumer societies meet their consumption requirements at concessional rates.
- ❑ It is an organization for the poor who wish to solve their problems collectively.
- ❑ It softens the class conflicts and reduces the social cleavages.
- ❑ It reduces the bureaucratic evils and follies of political factions;
- ❑ It overcomes the constraints of agricultural development;
- ❑ It creates a conducive environment for small and cottage industries

UNIT
3

**SOCIO-ECONOMIC
DEVELOPMENT**

Chapter 3.1

CONCEPT OF HUMAN DEVELOPMENT

Introduction

- Human development is a process of enlarging people's choices as they acquire more capabilities and enjoy more opportunities to use those capabilities. But human development is also the objective, so it is both a process and an outcome.

Economic Growth and Human Development: Two-Way Link

Economic Growth and its impact on Human Development

- In order to evaluate the state of human development in the country, UNDP assesses it in the three basic parameters of human development: economic attainment or well-being, education and health. Economic attainments of individuals and their well-being have conventionally been captured through indicators like per-capita or per-capita GDP of an economy. Per capita income is the average Net State Domestic Product (NSDP). It is considered an important means by which individuals can improve their economic attainments and well-being. Per capita consumption expenditure is considered a more preferable indicator of individual's command over resources and as a direct and better measure of economic well-being. This helps in calculating the gap between rural and urban consumption expenditure and thus measure the extent of inequality.
- Thus Economic growth is an important factor in reducing poverty and generating the resources necessary for human development and environmental protection. There is a strong correlation between gross domestic product (GDP) per capita and indicators of development such as life expectancy, infant mortality, adult literacy, political and civil rights, and some indicators of environmental quality.
- For example, while the citizens of the Indian state of Kerala have life expectancies and literacy rates comparable to those of many developed countries, the fact that they cannot enjoy many of the benefits of citizens of such countries (such as better housing, transportation, or entertainment) demonstrates the importance of GDP as an instrument for achieving a wide range of capabilities.

Importance of Economic Growth

- ❑ Nobel laureate Amartya Sen has described economic growth as a crucial means for expanding the substantive freedoms that people value. These freedoms are strongly associated with improvements in general living standards, such as greater opportunities for people to become healthier, eat better and live longer.
- ❑ Growth can generate virtuous circles of prosperity and opportunity.
- ❑ Economic growth generates job opportunities and hence stronger demand for labour.
- ❑ In general, a growing economy tends to provide greater job opportunities. These lead in turn to increased demand for education as people expect higher returns for them and their children from the investment of time and money in acquiring skills.
- ❑ Increased government spending on health and education tends to boost growth in the future, and households reap the benefits from increased investments in health and education through higher future incomes. This generates a virtuous circle of development.

Human Development and its Impact on Economic Growth

- ❑ Investments in education, training, health and other social services lead to human development. Higher levels of Human Development have an influence on economy through increasing people's capability and consequently their creativity and productivity.
- ❑ During the twentieth century, education, skills, and the acquisition of knowledge have become crucial determinants of a person's and a nation's productivity. One can even call the twentieth century the "Age of Human Capital".
- ❑ Each of the various components of human development is likely to have a distinct impact on economic growth. Let's discuss each parameter in brief:

❑ Education

- ❖ A combination of basic facilities and education leads to economic growth which in turn alleviates poverty and helps the disadvantaged regions to grow locally. Education enriches people's understanding of themselves and world. It improves the quality of their lives and leads to broad social benefits to individuals and society. Education raises people's productivity and creativity and promotes entrepreneurship and technological advances. In addition it plays a very crucial role in securing economic and social progress and improving income distribution.

❑ Health

- ❖ It is well known that certain diseases and conditions such as HIV/AIDS, malaria, tuberculosis (TB), childhood infectious diseases, maternal and prenatal conditions, micronutrient deficiencies and tobacco-related illnesses represent the main causes of (avoidable) deaths in low-income countries. It is reported that widespread diseases also stunts the exploitation of arable land, migration and trade. Bad health stymies job productivity and an individual's ability to learn and to grow intellectually, physically and emotionally. Through all these channels, ill health pushes the poor deeper into poverty. If disease was controlled so that individuals could reap longer and healthier lives, the pressure to have many children would abate and families could invest more in the health of each child. These improvements in health would in turn translate into higher incomes, higher economic growth and reduced (and more sustainable) population growth. The health improvements can contribute to economic development.

Measurement of Human Development

- ❑ The composite Human Development Index (HDI) integrates three basic dimensions of human development. Life expectancy at birth reflects the ability to lead a long and healthy life. Mean years of schooling and expected years of schooling reflect the ability to acquire knowledge. And gross national income per capita reflects the ability to achieve a decent standard of living.
- ❑ Since the first HDR in 1990, every year a different human development theme is picked up for the report and the global scenario is presented. These reports have greatly impacted the national policies and provide fresh perspective to look at poverty. It has brought into focus the importance of issues like lack of women empowerment and illiteracy, income inequalities, non-inclusive growth, social exclusion etc as major impediment to human development.
- ❑ It paved the way to look at poverty from a multidimensional perspective. Thus, in 2010 a multidimensional poverty index (MPI) that analyses poverty through a set of 10 indicators was launched. It has been adopted as an effective policy-making tool by many countries around the world.
- ❑ To measure human development more comprehensively, the Human Development Report also presents four other composite indices.
 - The Inequality-adjusted HDI discounts the HDI according to the extent of inequality.
 - The Gender Development Index compares female and male HDI values.
 - The Gender Inequality Index highlights women's empowerment.
 - The Multidimensional Poverty Index measures non-income dimensions of poverty.

Chapter 3.2

UNDERSTANDING POVERTY

- According to the United Nations' 1995 World Summit in Copenhagen, "absolute poverty is a condition characterized by severe deprivation of basic human needs, including food, safe drinking water, sanitation facilities, health, shelter, education and information. It depends not only on income but also on access to services."

There are different approaches for understanding poverty.

■ Basic Needs Approach

- Evolved in the 1970s, the basic needs approach revolves around listing most basic needs of people like food, shelter, clothing and other essentials of a household.

■ Relative Poverty

- The philosophical foundation of relative poverty is provided by **Karl Marx**, "*Our needs and enjoyments spring from society; we measure them, therefore by society and not by the objects of their satisfaction. Because they are of a social nature, they are of a relative nature.*"

■ Capability Approach of Poverty

- The capability approach of Amartya Sen puts people at the center and discusses development and poverty from people's perspective.
- Expanding capabilities increase well-being and shrinking capabilities decrease well-being. The set of capabilities needed to escape poverty is rather limited.

■ Human Development (HD) Approach

- **The Human Development idea revolves around the basic theme:** "*People are the real wealth of a nation.*" And the basic objective of development is to create an enabling environment for people to live long, healthy and creative life. It was stated in the first Human Development Report (HDR) published in 1990. This is a paradigm shift in developmental thinking: it puts the focus on people and makes them the target of development; incomes and resources are seen as means, not ends goals.

Dimensions of Poverty

- ❑ Although household expenditure levels remain the main measure of living standard by which incidence of poverty is measured, and the Human Consumption Rate has become the main indicator of poverty.
- ❑ The components of Multidimensional Poverty Index (MPI) are:
 - **Education** (each indicator is weighted equally at 1/6)
 - **Years of Schooling**: deprived if no household member has completed five years of schooling.
 - **Child Enrolment**: deprived if any school-aged child is not attending school in years 1 to 8.
- ❑ **Health** (each indicator is weighted equally at 1/6)
 - **Child Mortality**: deprived if any child has died in the family.
 - **Nutrition**: deprived if any adult or child for whom there is nutritional information is malnourished.
- ❑ **Standard of Living** (each indicator is weighted equally at 1/18).
 - **Electricity**: deprived if the household has no electricity.
 - **Drinking water**: deprived if the household does not have access to clean drinking water or clean water is more than 30 minutes walk from home.
 - **Sanitation**: deprived if they do not have an improved toilet or if their toilet is shared.
 - **Flooring**: deprived if the household has dirt, sand or dung floor.
 - **Cooking Fuel**: deprived if they cook with wood, charcoal or dung.
 - **Assets**: deprived if the household does not own more than one of: radio, TV, telephone, bike, or motorbike, and do not own a car or tractor.
- ❑ Hence, 'poverty' is determined with regard to not only income or expenditure but also access to a number of other necessities. Based on this measure, 55% of India's population in 2005 is classified as poor.

Recommendations of Rangarajan Committee Report

Real incomes and real consumption have grown at a significantly faster pace between 2004-05 and 2011-12 than during any comparable period since the early 1950's. Along-side, significant changes have occurred in the composition of private consumption expenditure: a reduction in the share of food, of food grains within food and of cereals within food grains.

New committee recommendations

- ❑ **New Poverty Line Basket (PLB)**
 - In defining the new consumption basket separating the poor from the rest, the Expert Group (Rangarajan) is of the considered view that it should contain a food component that addresses the capability to be adequately nourished as well as some normative level of consumption expenditure for essential non-food item groups (Education, clothing, conveyance and house rent) besides a residual set of behaviorally determined non-food expenditure.
 - As a first step towards defining the food component of the poverty line basket, the Expert Group (Rangarajan) has recomputed the average requirements of calories, proteins and fats, per-capita per-day at the all-India level for 2011-12, separately for the rural and the urban populations.

■ Revised Norms for Calories, Proteins and Fats

- The activity structure of population has changed in such a manner that the proportion of population in the activity –categories requiring relatively higher calorie intake is now lower. The proportion of population engaged as heavy workers has reduced overtime, while that of moderate or sedentary workers has increased. This lowers the average calorie norm of the entire population because calorie requirement of moderate or sedentary workers is much less than that of heavy workers.
- Accordingly, the energy requirement works out to 2,155 kcal per person per day in rural areas and 2,090 kcal per person per day in urban areas.

■ Deriving the non-food component of the poverty line basket

- The non-food component of the PLB has both a normative component and, a component given by the observed consumption pattern of households in the fractile group in which the food –component of the PLB is located. The normative component relates to the private consumption expenditure aimed at capabilities in respect of education, clothing, shelter (rent) and mobility (conveyance). Since it is difficult to set minimum norms for these essential non-food items, the Expert Group (Rangarajan) recommends that observed expenditures on these items by households located in the median fractile (45-50 percentile) be treated as the normative minimum private consumption expenditure on these items.
- The new poverty line thus work out to monthly per capita consumption expenditure of Rs.972 in rural areas and Rs.1,407 in urban areas in 2011-12. For a family of five, this translates into a monthly consumption expenditure of Rs.4,860 in rural areas and Rs.7,035 in urban areas.
- The Expert Group (Rangarajan) recommends the updation of the poverty line in the future using the **Fisher Index**.

Poverty Alleviation Strategy Since Independence

- Since Independence, the government is following a three-pronged strategy for poverty eradication, which comprises:
 - Economic growth and overall development
 - Human development with emphasis on health, education and minimum needs, including protection of human rights and raising the social status of the weak and poor
 - Directly-targeted programmes for poverty alleviation through employment generation, training and building up asset endowment of the poor
- Since 1991 India has undertaken trade reforms, financial sector reforms, and removal of controls, which primarily were introduced with the objective of improving efficiency and productivity to accelerate growth. The ultimate objective of such reforms was ensuring the expeditious eradication of poverty. Adequate precaution was taken to protect the poorer sections of the society against the short-term effects of these changes. This was done mainly through increased allocation of resources for programmes for poor in the national plan and sharpening the focus of such programmes on the poor. The Central support for human resource and social development in the country has progressively increased through the 1990s.

Why Poverty Alleviation Programmes failed in India?

Major reasons for failure of poverty alleviation programmes are:

❑ Planning Process is Faulty

- Identification of 'poor'
- Defining 'poor'
- Processing of the identification involves too many stages.
- Lack of technology up gradation.
- Ideally the programs should be broader based. (benefitting the large number of people)
- Disjointed programs- not integrated. (Beneficiaries overlap, the same rural areas benefited from served programs.)

❑ Implementation of Programs

- Corrupt officials/staffs.
- Lack of involvement of people.
- Local politics. (selection of beneficiaries)
- Improper follow up of program/ review or revision is practically none existed.
- **Lack of Support from the Credit and Marketing System**
- Role of local money lenders and banks.
- Inability to sustain income generation from the asset credited.

Programmes for Poverty Alleviation

Salient features of various employment generation of poverty alleviation programme are given below:

Pradhan Mantri Vaya Vandana Yojana (PMVVY)

❑ Objective:

- PMVVY is a Pension Scheme announced by the Government of India exclusively for the senior citizens aged 60 years and above which was available from 4th May, 2017 to 31st March, 2020.
- The scheme is now extended up to 31st March, 2023 for a further period of three years beyond 31st March, 2020.

❑ Salient Features:

- Scheme provides an assured return of 8% p.a. payable monthly (equivalent to 8.30% p.a. effective) for 10 years.
- The scheme is exempted from Service Tax/ GST.
- On survival of the pensioner to the end of the policy term of 10 years, Purchase price along with final pension installment shall be payable.
- Loan upto 75% of Purchase Price shall be allowed after 3 policy years (to meet the liquidity needs). Loan interest shall be recovered from the pension installments and loan to be recovered from claim proceeds.
- On death of the pensioner during the policy term of 10 years, the Purchase Price shall be paid to the beneficiary.

National Nutrition Mission (NNM), Poshan Abhiyan

- ❑ Poshan Abhiyaan, also known as the National Nutrition Mission (NNM), was launched in 2018 (although the programme was being implemented in 2017) by the Government of India with the aim of tackling the malnutrition problem prevalent in India.
- ❑ The implementing agency is the Ministry of Women and Child Development, GOI.
- ❑ Poshan Abhiyaan is India's flagship scheme to improve the nutritional outcomes of adolescents, children, pregnant women and lactating mothers.
- ❑ The chief objective of the mission is to reduce the level of under-nutrition and also enhance the nutritional status of children in the country.
- ❑ According to 'Mission 25 by 2020', the National Nutrition Mission aims to achieve a reduction in stunting from 38.4% to 25% by 2022.

Atal Pension Yojana

- ❑ **Objective:**
 - To address the longevity risks among the workers in unorganised sector who are not covered under any statutory social security scheme.
- ❑ **Ministry:** Ministry of Finance
- ❑ **Salient Features:**
 - APY is open to all bank account holders in the age group of **18 to 40** years and the contributions differ, based on pension amount chosen.
 - The APY will be focussed on all citizens in the **unorganised sector**, who join the National Pension System (NPS) administered by the Pension Fund Regulatory and Development Authority (PFRDA) and **who are not** members of any statutory social security scheme.
 - Subscribers would receive the guaranteed minimum monthly pension of Rs. 1000 or Rs. 2000 or Rs. 3000 or Rs. 4000 or Rs. 5000 at the age of 60 years.
 - The existing subscribers of Swavalamban Scheme would be automatically migrated to APY, unless they opt out.
 - The monthly pension would be available to the subscriber, and after him to his spouse and after their death, the pension corpus, as accumulated at age 60 of the subscriber, would be returned to the nominee of the subscriber.

Pradhan Mantri Jeevan Jyoti Bima Yojana

- ❑ **Objective:**
 - Extend life insurance cover to people both in case of natural deaths or accidents.
- ❑ **Ministry:** Ministry of Finance
- ❑ **Salient Features:**
 - **Eligibility:** Available to people in the age group of 18 to 50 and having a bank account. This scheme will be linked to the bank accounts opened under the Pradhan Mantri Jan Dhan Yojana scheme.
 - **Premium:** Rs. 330 per annum excluding service tax, which is above 14% of the premium. It will be auto-debited in one instalment.

- **Risk Coverage:** Rs. 2 Lakh in case of death for any reason.
- **Payment Mode:** The payment of premium will be directly auto-debited by the bank from the subscribers account.

Pradhan Mantri Suraksha Bima Yojana

❑ Objective:

- Insurance subscriber will get annual life insurance in case of accidental death, partial disability or full disability.

❑ Ministry: Ministry of Finance

❑ Salient Features:

- **Eligibility:** Available to people in age group 18 to 70 years with bank account.
- **Premium:** Rs. 12 per annum.
- **Payment Mode:** The premium will be directly auto-debited by the bank from the subscribers account. This is the only mode available.
- **Terms of Risk Coverage:** A person has to opt for the scheme every year. He can also prefer to give a long-term option of continuing in which case his account will be auto-debited every year by the bank.
- **Risk Coverage:** For accidental death and full disability - Rs. 2 Lakh and for partial disability – Rs. 1 Lakh.

Deendayal Antyodaya Yojana:

- ❑ The Mission aims at creating efficient and effective institutional platforms of the rural poor enabling them to increase household income through sustainable livelihood enhancements and improved access to financial services.
- ❑ The financial support under the programme is mainly in the form of Revolving Fund and Community Investment Funds, given as grants to the Self Help Groups (SHGs) and their federations.
- ❑ The programme has a special focus on women empowerment including a dedicated component for promoting farm and non-farm based livelihoods for women farmers in rural areas. In addition, start-up enterprises at village levels are also supported to promote entrepreneurial activities in those areas.

Inclusive India Initiative

❑ Objective:

- The Inclusive India Initiative is an attempt to facilitate the realisation of equal opportunities, protection of rights and full participation of individuals with intellectual and developmental disabilities into the fabric of society. The three core focus areas of Inclusive India Initiative are Inclusive Education, Inclusive Employment and Inclusive Community Life.

❑ Ministry: National Trust under M/O Social Justice & Empowerment launches 'Inclusive India Initiative'

SATH Program

■ Objective:

- A program providing 'Sustainable Action for Transforming Human capital' with the State Governments. The vision of the program is to initiate transformation in the education and health sectors. The program addresses the need expressed by many states for technical support from NITI Aayog.

■ Launched by: NITI Aayog

■ Salient Features:

- ATH aims to identify and build three future 'role model' states for health systems. NITI will work in close collaboration with their state machinery to design a robust roadmap of intervention, develop a program governance structure, set up monitoring and tracking mechanisms, hand-hold state institutions through the execution stage and provide support on a range of institutional measures to achieve the end objectives. The program will be implemented by NITI Aayog along with McKinsey & Company and IPE Global consortium, who were selected through a competitive bidding process.
- To select the three model states, NITI Aayog defined a three-stage process – expression of interest, presentations by the states and assessment of commitment to health sector reforms. NITI Aayog invited all states and UTs to participate in the program. Sixteen states expressed prima facie interest, of which fourteen made their presentations. Andhra Pradesh, Assam, Bihar, Chandigarh, Goa, Gujarat, Haryana, Jharkhand, Karnataka, Madhya Pradesh, Odisha, Punjab, Telangana and Uttar Pradesh presented their project proposal to a Committee headed by Member of NITI Aayog, Shri Bibek Debroy and comprising of CEO, Amitabh Kant as well as a representative from the Ministry of Health and Family Welfare.

Recommendations to Reduce Inequality

■ For Tackling Economic Inequality

- However, report show that if within-country inequality continues to rise as it has since 1980, then global income inequality will rise steeply, even under fairly optimistic assumptions regarding growth in emerging countries. The global top 1% income share could increase from nearly 20% today to more than 24% in 2050, while the global bottom 50% share would fall from 10% to less than 9%.
- If all countries were to follow the high inequality growth trajectory followed by the United States since 1980, the global top 1% income share would rise even more, to around 28% by 2050. This rise would largely be made at the expense of the global bottom 50%, whose income share would fall to 6%.
- Conversely, if all countries were to follow the relatively low inequality growth trajectory followed by Europe since 1980, the global top 1% income share would decrease to 19% by 2050, while the bottom 50% income share would increase to 13%.

■ For Tackling Rising Inequality at the Top: The Role of Progressive Taxation

- Income tax progressivity is a proven tool to combat rising income and wealth inequality at the top. Tax progressivity does not only reduce post-tax inequality; it also impacts pre-tax inequality, by discouraging top earners to capture a higher share of growth via aggressive bargaining for higher pay.
- Tax progressivity was sharply reduced in rich countries from the 1970s to the mid-2000s. During this period, the top marginal income tax rate in rich countries was brought from 70% to 42% on average.

Since the global financial crisis of 2008, the downward trend has been halted and reversed in certain countries. Future evolutions remain, however, uncertain.

- The need for more Equal Access to Education and Good Paying Jobs
 - More equal access to education and good paying jobs is key to countering the stagnation and sluggish income growth rates of the bottom half of the population. Recent research shows that there can be enormous gaps between the beliefs evinced in public discourses about equal opportunity and the realities of unequal access to education.
 - In rich or emerging countries, it might be necessary to set transparent and verifiable objectives—together with changes in the financing and admission systems—in order to equalize access to education.

Conclusion

India has committed to attaining the Sustainable Development Goals by 2030, and to ending extreme poverty by that year. But unless we make an effort to first contain and then reduce the rising levels of extreme inequality, the dream of ending extreme poverty for the 300 million Indians – a quarter of the population – who live below an extremely low poverty line, will remain a pipe dream.

Chapter 3.3

HUNGER

Causes of Hunger

- In purely quantitative terms, there is enough food available to feed the entire global population of 7 billion people. And yet, one out of every eight people is going hungry (about 850 million people worldwide). The reasons are:
 - **Poverty Trap:** The poverty hunger nexus is considered the most important factor in causing hunger among people. The poverty-stricken do not have enough money to buy or produce enough food for themselves and their families. In turn, they tend to be weaker and cannot produce enough to buy more food.
 - **Politics of Distribution:** Amartya Sen won a Nobel Prize in part for demonstrating that hunger in modern times is not typically the product of a lack of food. Rather, hunger usually arises from food distribution problems, or from governmental policies in the developing world.
 - **Food Wastage is Very High:** In developed countries a lot of food items are wasted due to improper eating habits. Whereas high losses in developing nations are mainly due to a lack of technology and infrastructure as well as insect infestations, microbial growth, damage and high temperatures and humidity.
 - **War:** Since 1992, a large number of short and long-term food crises can be attributed to emergencies triggered by conflicts. From Asia to Africa to Latin America, fighting displaces millions of people from their homes, leading to some of the world's worst hunger emergencies. Since 2004, conflict in the Darfur region of Sudan has uprooted more than a million people, precipitating a major food crisis — in an area that had generally enjoyed good rains and crops.
 - **Socio-cultural Factor:** World Bank studies consistently find that about 60% of those who are hungry are female. The apparent explanation for this imbalance is that, compared to men, women more often forgo meals to feed their children. Also lack of awareness among people about proper dietary requirements and nutritional value of various food items causes malnourishment.

Challenges to Food Security

- **Nature:** Natural disasters such as floods, tropical storms and long periods of drought are on the increase -with calamitous consequences for food security in poor, developing countries. Drought is

now the single most common cause of food shortages in the world. In 2011, recurrent drought caused crop failures and heavy livestock losses in parts of Ethiopia, Somalia and Kenya. In many countries, climate change is exacerbating already adverse natural conditions.

- ❑ **Over-exploitation of Environment:** Poor farming practices, deforestation, over cropping and overgrazing are exhausting the Earth's fertility and spreading the roots of hunger. Increasingly, the world's fertile farmland is under threat from erosion, and desertification.
- ❑ **Poor Agricultural Infrastructure:** According to the Food and Agriculture Organization (FAO) 2004 Food Insecurity Report, all the countries that are on track to reach the first MDG have significantly better than average agricultural growth. Many developing countries lack key agricultural infrastructure, such as enough roads, warehouses and irrigation. The results are high transport costs, lack of storage facilities and unreliable water supplies which ultimately reduces agricultural yields and access to food.
- ❑ **Land Distribution and Usage:** As a result of decreasing farm sizes where land is diverted from agricultural to non agricultural practices and inefficient farm practices the production is decreasing. Moreover focus on export oriented agriculture and on cash crops, biofuels, etc is also posing a major challenge to food security.
- ❑ **Population Growth:** Population growth will make the challenge of feeding everyone that much more difficult.
- ❑ **Changing Consumption Patterns:** Rising incomes around the world have led to improvement in the diets of tens of millions of people. As income rises above the basic subsistence level, diets diversify and move beyond grains toward greater consumption of animal protein in developing countries. The FAO predicts that by 2050, the expanded world population will be consuming two thirds more animal protein, with meat consumption rising nearly 73 percent and dairy consumption growing 58 percent over current levels. To meet the growing demand considerable increase in livestock production would be required in future.

Fulfilling the SDG on Zero Hunger: A Progress Report on BIMSTEC Nations'

Context

- ❑ In 2019, BIMSTEC reiterated SDG goals, noting that "agricultural cooperation among BIMSTEC Member States can contribute to food and nutritional security, farmers' prosperity, job creation, poverty alleviation and enhanced agricultural trade and investment."

Background

- ❑ In 2015, all United Nations member states adopted the 17 Sustainable Development Goals (SDGs) which are especially relevant for South Asian countries whose development challenges are daunting.
- ❑ The countries of BIMSTEC, or the Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation, are working to translate the Sustainable Development Goals (SDGs) into action plans to ensure access to adequate and nutritious food.
- ❑ They are transforming their food systems based on their priorities and capacities to fulfill, in particular, the 2030 SDG Goal 2 that aims to "end hunger, achieve food security, and promote sustainable agriculture."
- ❑ There are crucial gaps, however, and the BIMSTEC states need transformative action to overcome them.

❑ Poverty, Food Security and Nutrition

- ❖ Across the world, those who live in poverty suffer from food insecurity, and lack of education, healthcare, and other essential needs.
- ❖ The World Bank estimates that 40 to 60 million people will fall into extreme poverty in 2020, with incomes under US\$1.90 per day.
- ❖ The global poverty rate could rise to nine percent in 2020, or a 0.4-percent increase from 2019.
- ❖ This is the result of various factors including the burgeoning global population and resulting scarcity of resources, as well as the fallout of the COVID-19 pandemic.
- ❖ Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation
- ❖ The Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC) is a subregional forum established in 1997.

Regions having highest poverty rate

- ❖ The poverty rate in the region, however, is still considerably higher (based on 2013 figures) than those of East Asia, the Pacific, Eastern Europe, Central Asia, the Middle East, and North America.
- ❖ Asia, a facet of poverty that has become magnified in recent years is its being highly urban.
- ❖ In most of developing Asia, such as in India, Bangladesh, and other BIMSTEC member countries, urbanisation has been accompanied by the growth of slums, worsening living conditions, increasing food insecurity, and severe pollution risks.
- ❖ According to the UN-Habitat, Asia has 60 percent of the world's slum population, excluding the many more who live in slum-like conditions that are not officially categorised as such.
- ❖ The BIMSTEC region remains among the poorest in the world. World Bank data on Poverty Headcount Ratio records a high of 25.2 in Nepal, followed by 24.8 and 24.3 in Myanmar and Bangladesh, respectively.
- ❖ India is at 21.9, Thailand, 9.9; Bhutan, 8.2; and Sri Lanka, 4.1. Per capita GDP is low and other socioeconomic indicators of poverty remain high.

Issues

- ❖ **Stunting:** Stunting rates to be highest in India at 38 percent, followed by Bangladesh and Nepal (36 percent) and Bhutan and Myanmar at 34 and 29 percent, respectively.
- ❖ **Wasting:** Another indicator of malnutrition, wasting, is highest in India, and has not improved for the past decades.
- ❖ **Overweight:** Overweight in under-five children is also a cause of concern. Bhutan and Thailand, at eight percent of under-five children, have the highest incidence in the region.
- ❖ **Anaemia:** There is a high prevalence of anaemia in women (15-49 years) in most of the BIMSTEC countries. India tops the list at 51 percent, followed by Myanmar (46 percent) and Bangladesh (40 percent).

Government Policies on Nutrition:

- ❖ **Nepal:** In 2018, Nepal enacted the Multi-Sector Nutrition Plan-II, with the aim of improving maternal, adolescent, and child nutrition by scaling up essential nutrition interventions to improve nutritional status of under-five children, lower incidence of low birth weight, and reduce energy-deficiency in women.

- ❑ **Bhutan:** Bhutan articulates its development plans every five years. Currently on their 12th five-year plan, Bhutan aims to achieve 16 “national key result areas” that are based on regional and international commitments, including the UN SDGs.
- ❑ Bhutan’s food and nutrition security policy, enacted in 2014, acknowledges the need for a multisectoral approach to ensuring nutrition security.
- ❑ **Bangladesh:** Bangladesh enacted its National Nutrition Policy in 2015 with the goal of preventing and controlling malnutrition, and improving nutritional status especially of the women and children.
- ❑ **Sri Lanka:** As a country in economic transition, Sri Lanka is also undergoing a nutrition transition and faces a triple burden: overnutrition, undernutrition, and micronutrient deficiencies.
- ❑ Since the UN adopted the 2030 SDGs, Sri Lanka has seen progress in their food insecurity issues through the Thripasha Program that was introduced long ago, in 1970.
- ❑ **Thailand:** Since adopting the SDGs, Thailand has integrated a framework for food security in its policies with a National Food Safety and Nutrition plan.
- ❑ **India:** India’s national nutrition strategy is critical if the country is to achieve the SDGs.
- ❑ High levels of maternal and child undernutrition have continued in India despite efforts from the government and legislators’ policy, plan and programme commitments.
- ❑ The National Nutrition Strategy, first adopted in 1993, has been committed to ensuring that every child, adolescent girl, and woman achieves optimum nutritional status.
- ❑ In addition to the improvements seen in India’s overall nutritional status as a result of the national strategy, the Poshan Abhiyan programme (National Nutrition Mission) has also been an effort in the right direction.
- ❑ The policy aims to set up an information and communications monitoring system in which the nutritional status of populations across the country could be tracked more efficiently.
- ❑ **Myanmar:** Myanmar is on-course to meet global targets for under-five underweight and exclusive breastfeeding for infants, but is still off-track in the other nutritional indicators.
- ❑ The National Plan of Action for Food and Nutrition (NPAFN) was adopted by Myanmar with the goal of ensuring adequate access to food that is safe and well-balanced.

Actions required

- ❑ **Comprehensive efforts to ensure food availability:** There is a need for sustainable and resilient food systems to achieve the goal of zero hunger. This can be achieved by comprehensive efforts to ensure food is available to all.
- ❑ **Innovative strategy:** There is a need for a renewed focus and innovative strategies to build capabilities both at the individual and community level.
- ❑ **Using experiences and models:** Countries can learn from each other’s successes and scalable models to ensure food systems that deliver improved nutrition and sustainable and resilient communities.
- ❑ **More focus on investment:** Investment in nutrition, along with a multi-sectoral approach that includes both nutrition-sensitive interventions (healthcare, water, sanitation) and nutrition-specific ones that empower women—will help end all forms of malnutrition in the long run.

Global Report on Food Crises

Context

The annual report of acute food security and malnutrition ‘Global Report on Food Crises’ has revealed the scope of food crises as COVID-19 poses new risks to vulnerable countries.

Background:

- ❑ In India, millions of informal and migrant labourers lost their livelihoods overnight when Prime Minister Narendra Modi's government ordered a national lockdown.
- ❑ Many governments around the world have put their populations on lockdown causing severe slow-downs in international trade and food supply chains.
- ❑ Panic buying by people going into confinement has already demonstrated the fragility of supply chains as supermarket shelves emptied in many countries.
- ❑ Without wages or access to government programmes, many workers are unable to eat.
- ❑ Already, 135 million people had been facing acute food shortages, but now with the pandemic, 130 million more could go hungry in 2020.
- ❑ This emerging crisis is unlike regional problems caused by political or military strife. It is not local storm damage. It is a global emergency and it does not hit all of us equally. The poor lose more.

❑ Key findings of the Global Report

- The report by the Global Network Against Food Crises indicates that at the close of 2019, 135 million people across 55 countries and territories experienced acute food insecurity* (IPC/CH Phase 3 or above).
- Additionally, in the 55 food-crisis countries covered by the report, 75 million children were stunted and 17 million suffered from wasting in 2019.
- This is the highest level of acute food insecurity* and malnutrition documented by the Network since the first edition of the report in 2017.
- Additionally, in 2019, 183 million people were classified in Stressed (IPC/CH Phase 2) condition -- at the cusp of acute hunger and at risk of slipping into Crisis or worse (IPC/CH Phase 3 or above) if faced with a shock or stressor, such as the COVID-19 pandemic.
- More than half (73 million) of the 135 million people covered by the report live in Africa; 43 million live in the Middle East and Asia; 18.5 million live in Latin America and the Caribbean.
- Key-drivers: The key drivers behind the trends analysed in the report were:
 - conflict, (the key factor that pushed 77 million people into acute food insecurity)
 - weather extremes (34 million people)
 - economic turbulence (24 million)

❑ About the Global Network

- The Global Network against Food Crises seeks to better link, integrate and guide existing initiatives, partnerships, programmes and policy processes to sustainably address the root causes of food crises.
- The Global Report on Food Crises is the flagship publication of the Global Network and is facilitated by the Food Security Information Network (FSIN).
- The Report is the result of a consensus-based and multi-partner analytical process involving 16 international humanitarian and development partners.

❑ The situation in India:

- As per the Global Hunger Report 2019, India's position in the index is 102 out of 117 countries. Neighbouring Pakistan and Bangladesh are better than India in this index.
- **Undernourishment:** The portion of undernourished in the population is 14.5 percent.
- **Stunting:** 9 percent children under five years are stunted and 20.8 percent children under 5 year are wasted.

- **Anaemia:** Another serious food related issue is anaemia. More than 50 percent of women and children are struggling with anaemia.
- **Cardiovascular disease:** Another study regarding diet related deaths by Lancet shows 310 deaths per one lakh in 2017. In 2016, 28.1 percent of the total deaths are caused by cardiovascular diseases. Cardiovascular disease is one of the leading cause for deaths due to lack of a complete diet.
- **Poor nutritional quality:** According to the National Sample Survey, 68 percent population of rural India are not able to access 2200 calories (benchmark nutritional norms to define poverty) in 2011-12 and 65 percent of the urban population are not able to consume 2100 calories in same year. This data shows that India's condition is bad as it is and that lockdown will only worsen the health condition of people further.
- **Lack of availability of food:** Availability of food is another pertinent problem in India. Per person food absorption has been declining slowly after economic reforms in the country.

What is acute food security?

- Acute food insecurity is when a person's inability to consume adequate food puts their lives or livelihoods in immediate danger.
- It draws on internationally accepted measures of extreme hunger, such as:
- the Integrated Food Security Phase Classification (IPC)
- the Cadre Harmonise
- It is more severe than / not the same as chronic hunger, as reported on each year by the UN's annual State of Food Security and Nutrition in the World
- Chronic hunger is when a person is unable to consume enough food over an extended period to maintain a normal, active lifestyle.

What causes Hunger?

- Worldwide, the number of hungry people has dropped significantly over the past two decades, but 821 million people continue to struggle with hunger every day. Many factors contribute to the state of hunger, the reasons are complex and varied, and often interconnected.
- **Poverty:** Poverty is the main cause of hunger in the world. This is true in rich and poor countries alike. It is true no matter whether people live in urban or rural areas.
- **Job Instability:** Hunger is mainly caused by poverty that results from a lack of jobs or because jobs pay too little. Hunger rates rise when the national or local economy is in a slump. People lose jobs and cannot find work. Once the economy improves some people continue to struggle to find work.
- **Food Shortages and Waste:** Food shortages in developing countries are common. The people most affected are smallholder farmers and their families who depend on their own surplus to survive between harvests. Another reason for food shortages is up to 40 percent of food grown in some countries is spoilage. Smallholder farmers do not have adequate storage facilities to protect their supplies against pests and weather.
- **Poor infrastructure:** Poor infrastructure causes hunger by making it difficult, sometimes impossible, to transport food to areas of a country where there are shortages.
- **Unstable Markets:** People who live on \$1.90 per day spend most of their income on food. Under stable conditions they can scarcely afford enough food to protect themselves and family members against hunger. Any fluctuation that pushes food prices up creates additional hardship.
- **Nutritional Quality:** All people who are hungry are malnourished. They are not getting enough protein, so they lose weight and in severe cases their bodies begin wasting. Another form of malnutrition is known as "hidden hunger," and it has more to do with the quality of food than the quantity.

- ❑ **Discrimination:** Progress against hunger and poverty seldom happens without economic growth in countries, but economic growth alone does not ensure that prosperity is broadly shared. Every country, regardless of its wealth, has discrimination woven into its social fabric. Disadvantaged groups tend to be left the furthest behind.
- ❑ **Climate Change:** Despite having contributed little to cause climate change, the poorest developing countries are already experiencing the effects. Climate change is damaging food and water security in significant ways.
- ❑ **War and Conflict:** Hunger is both a cause and effect of war and conflict. Wide-scale poverty and hunger lead to frustration and resentment with governments that appear to ignore hungry people's plight.

Recommendations

- ❑ **Foster Democratic Governance of National Food Systems:** Governments must actively include in the policy-making process underrepresented groups, such as small-scale farmers, that are involved in producing food and feeding people but often excluded from contributing to the policies and laws that affect their livelihoods.
- ❑ **Broaden Participation in International Food-Policy Debates:** International bodies aiming to increase food and nutrition security must ensure the meaningful participation of people's movements and civil society organizations from all parts of the world to generate more productive debates around paradigms of food systems.
- ❑ **Guarantee Rights and Space for Civil Society:** Governments must ensure space for civil society to play its role in holding decision makers to account on their obligation to protect and ensure the Right to Food. Integral to this are freedom of assembly and association, including peaceful protest, and the right to information.
- ❑ **Protect Citizens and Ensure Standards in Business and Trade:** Governments should create and enforce regulatory frameworks to safeguard citizens—especially the most vulnerable—from the negative impacts of international trade and agriculture agreements and the actions of private firms that could endanger citizens' food sovereignty and food and nutrition security.
- ❑ **Analyze Power to Make Better Policies:** National policies should take into account how hunger and malnutrition are distributed across the population, and how power inequalities affect different groups in society—for example, how discriminatory gender norms and practices can harm the nutritional status of women and girls.
- ❑ **Increase Support for Small-Scale Food Producers:** Governments should build the capacity of small-scale producers, particularly women, by ensuring access to public services such as infrastructure, financial services, information, and training.
- ❑ **Advance Equality through Education and Social Safety Nets:** To reduce gross inequality and hunger, national governments must provide access to education and create social safety nets to ensure that all members of society—including the most vulnerable and marginalized—have income security and can access essential health care.
- ❑ **Hold Governments Accountable with Timely Data:** To monitor progress toward Zero Hunger and hold governments accountable to their commitments, critical data gaps in relation to both hunger and inequality must be addressed, and national governments and international organizations must support the collection of disaggregated, independent, open, reliable, and timely data.

Chapter 3.4

INSTITUTIONAL MEASURES FOR WELFARE OF VULNERABLE SECTIONS

- ❑ The Government of India provides welfare schemes for the social services sector and has increased the budgeted amount four-fold for welfare schemes for Scheduled Castes, Other Backward Classes and minorities as well as welfare and development of scheduled tribes. The Government also provides separate allocations for People with Disabilities (PWDS) under separate schemes.

Issues Related to the Weaker Sections & Vulnerable groups in India

- ❑ Issues of sustainable livelihood, social and political participation of the vulnerable groups exists as the major problem in the developing nations. Governments have failed to guarantee people's rights in the implementation level. People who belong to the vulnerable groups are unable to acquire and use their rights. Certain groups in the society often encounter discriminatory treatment and need special attention to avoid potential exploitation.
- ❑ Vulnerable groups are disadvantaged as compared to others mainly on account of their reduced access to medical services and the underlying determinants of health such as safe and potable drinking water, nutrition, housing, sanitation etc. For example, persons with disabilities often don't get employment or adequate treatment or people living with HIV/AIDS, face various forms of discrimination that affects their health and reduces their access to health services.

Constitutional Provisions for the Welfare of Society

- ❑ **Article 23: Prohibition of Traffic in Human Beings and Forced Labour**
 - Traffic in human beings and begar and other similar forms of forced labour are prohibited and any contravention of this provision shall be an offence punishable in accordance with law.
 - This right is available to both citizens and non-citizens.

- The traffic in human beings includes:
 - ▶ Selling and buying of men, women and children
 - ▶ Immoral traffic in women and children including prostitution.
 - ▶ Devadasis system practiced in southern states
 - ▶ Slavery
- **The term 'begar' means compulsory work without remuneration.**
- **Article 24: Prohibition of Employment of Children in Factories, etc.**
 - ▶ No child below the age of fourteen years shall be employed to work in any factory or mine or engaged in any other hazardous employment like construction work, firework factories etc. According to the statistics given by Indian government there are 20 million child laborers in the country. The main legislative measures to enforce this fundamental right at the national level are The Child Labour Prohibition and Regulation Act -1986 and The Factories Act -1948. India is also a signatory to the UN Convention on the Rights of the Child, ILO Abolition of Forced Convention.
- **Article 38: State to Secure a Social order for the Promotion of Welfare of the People**
 - ▶ The State shall strive to promote the welfare of the people by securing and protecting as effectively as it may a social order in which justice, social, economic and political, shall inform all the institutions of the national life.
 - ▶ The State shall, in particular, strive to minimize the inequalities in income, and endeavour to eliminate inequalities in status, facilities and opportunities, not only amongst individuals but also amongst groups of people residing in different areas or engaged in different vocations.
- **Article 39: Certain Principles of Policy to be followed by the State**

The State shall, in particular, direct its policy towards securing:

 - ▶ That the citizens, men and women equally, have the right to an adequate means of livelihood;
 - ▶ That the ownership and control of the material resources of the community are so distributed as best to subserve the common good;
 - ▶ That the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment;
 - ▶ That there is equal pay for equal work for both men and women;
 - ▶ That the health and strength of workers, men and women, and the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength;
 - ▶ Children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment.
- **Article 39A: Equal Justice and free Legal Aid**
 - ▶ The State shall secure that the operation of the legal system promotes justice, on a basis of equal opportunity, and shall, in particular, provide free legal aid, by suitable legislation or schemes or in any other way, to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities.

- **Article 46: Promotion of Educational and Economic Interests of Scheduled Castes, Scheduled Tribes and other Weaker Sections**
 - ▶ The State shall promote with special care the educational and economic interests of the weaker sections of the people, and, in particular, of the Scheduled Castes and the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation.

Institutional Measures for the Welfare of the Society

- ❑ The Constitution itself provides for various socio-economic and political safeguards to certain disadvantaged sections of society. These are guaranteed through enshrining of certain specific rights to such citizens and by laying down a number of 'Directive Principles of State Policy' for the State to act upon.
- ❑ Several Constitutional and statutory institutions which look into the grievances filed by citizens been discussed below.

Human Rights Commission

- ❑ National Human Rights Commission (NHRC) was constituted in 1994 following the enactment of the Protection of Human Rights Act, 1993.
- ❑ The Human Rights Protection Act, 1993 facilitates that State Government may constitute State Human Rights Commission to exercise the power conferred upon, and perform functions assigned to it under the Act.
- ❑ Analysis of NHRC and SHRC
- ❑ **Commissions make recommendations to government, which include:** payment of compensation to the victim or to her/his family; disciplinary proceedings against delinquent officials; etc however, they lack the power to enforce decisions.
- ❑ Governments often ignore the recommendation completely or furnish a long bureaucratic discourse on how compliance with the recommendation is not in the public interest.
- ❑ The law requires the NHRC to concentrate more on civil and political than on social and economic rights.
- ❑ Under the Act, human rights commissions cannot investigate an event if the complaint was made more than one year after the incident. Therefore, a large number of genuine grievances go unaddressed.
- ❑ State human rights commissions cannot call for information from the national government, which means that they are implicitly denied the power to investigate armed forces under national control. Even the powers of the National Human Rights Commission relating to violations of human rights by the armed forces have been restricted to simply seeking a report from the Government, (without being allowed to summons witnesses), and then issuing recommendations.
- ❑ Most human rights commissions are functioning with less than the prescribed five Members. This limits the capacity of commissions to deal promptly with complaints, especially as all are facing successive increases in the number of complaints.

National Commission for Women

- ❑ The National Commission for Women was set up as a statutory body in January 1992 with the mandate to review the constitutional and legal safeguards for women, recommend remedial legislative measures, facilitate redressal of grievances and advise the Government on all policy matters affecting women.

- ❑ To carry out these functions, the Commission has all the powers of a Civil Court trying a suit, as exists in the case of the NCSC/NCST.

❑ **Analysis of National Commission for Women**

- The commission is dependent on the grant from the Union Government
- The commission does not have the power to select own members. The power is vested with the Union Government.
- The commission has no right to concrete legislative power.
- It has only to power recommend amendments and submit reports which are not binding on state or Union Government.
- The Commission's Jurisdiction is not operative in Jammu and Kashmir.
- Financial assistance is so less.
- The National Commission for women in India seizes women's cause only when it is brought to light. Unreported cases of oppression and suppression of women are not attended to.
- In rural sector still there is lack of awareness education, opportunities and basic facilities for women for economic empowerment.

National Commission for Scheduled Castes

- ❑ The Constitution (Eighty-ninth Amendment) Act, 2003 provided for the constitution of separate Commissions for the Scheduled Castes and for the Scheduled Tribes. Accordingly, the first National Commission for Scheduled Castes (NCSC) was constituted in 2004.

● **Analysis of NCSC**

- The Commission has been active in suggesting ways of streamlining procedures or ensuring fairness in the implementation of reservations and development schemes. It is, however, less active in making a stronger case for fundamental change, or even a frank and sharp analysis of the social realities of discrimination.
- The lack of institutionalisation in the procedures of appointment to the Commission has meant that competent and committed members are less likely to be appointed, especially in a political and policy environment where membership of the Commission becomes a convenient sinecure for unemployable politicians or a temporary shelf for bureaucrats belonging to these groups.
- The most significant handicap of the Commission is the fact that its decisions are not binding, but recommendatory.
- The Commission is supposed to prepare an Annual Report for presentation to Parliament. Reports are often tabled two or more years after they have been submitted to the President. Such delays are usually on account of the requirement that the Action Taken Report be submitted along with the main report.
- In many policy sectors, as in the case of the Scheduled Castes, the proliferation of institutions has created an institutional jungle in which the roles and powers of each are obfuscated. The duplication and multiplication of institutions is, in such situations, primarily a symbolic low-cost response to political pressures, imbued with few serious expectations.

National Commission for Scheduled Tribes

- ❑ The National Commission for Scheduled Tribes had an origin similar to the NCSC. It was constituted as a separate Commission in 2004 following the amendment of Article 107 and insertion of Article 338A by the Constitution (Eighty-ninth Amendment) Act, 2003.

• Analysis of NCST

- ▶ It was lack of independent- financial authority over use of the funds.
- ▶ It handles low number of cases, compared to the large number of cases that occur in the country. It is due to lack of staff to deal with the volume of cases that come in.
- ▶ There is a tendency among staff to concentrate on the more easily manageable service cases where the petitioners are more organised and hence more vocal, and thus neglect the atrocities cases.
- ▶ Appointment of active politicians and regular government officials leads to the conflict of interest
- ▶ The National Commission for Scheduled Tribes has no information about the action taken by the concerned Ministry/ department on the advice / views given by the Commission.
- ▶ The Commission has to depend upon the Tribal Ministry for its day to day functioning. It has also to route its proposals on financial, administrative and legal matters through the Ministry.

National Commission for Backward Classes

- ❑ To investigate and monitor all matters relating to the safeguards provided for the socially and educationally backward classes under this Constitution or under any other law for the time being in force or under any order of the Government and to evaluate the working of such safeguards;
- ❑ To inquire into specific complaints with respect to the deprivation of rights and safeguards of the socially and educationally backward classes;
- ❑ To participate and advise on the socio-economic development of the socially and educationally backward classes and to evaluate the progress of their development under the Union and any State;
- ❑ To present to the President, annually and at such other times as the Commission may deem fit, reports upon the working of those safeguards;
- ❑ To make in such reports the recommendations as to the measures that should be taken by the Union or any State for the effective implementation of those safeguards and other measures for the protection, welfare and socio-economic development of the socially and educationally backward classes; and
- ❑ To discharge such other functions in relation to the protection, welfare and development and advancement of the socially and educationally backward classes as the President may, subject to the provisions of any law made by Parliament, by rule specify

National Council for Transgender Persons

The National Council shall perform the following functions, namely:—

- ❑ to advise the Central Government on the formulation of policies, programmes, legislation and projects with respect to transgender persons;
- ❑ to monitor and evaluate the impact of policies and programmes designed for achieving equality and full participation of transgender persons;
- ❑ to review and coordinate the activities of all the departments of Government and other Governmental and non-Governmental Organisations which are dealing with matters relating to transgender persons;
- ❑ to redress the grievances of transgender persons; and
- ❑ to perform such other functions as may be prescribed by the Central Government.

Issues with the Institutional Mechanisms

The overall issues related to these mechanisms and recommendations are:

- ❑ There is a lack of coordination among the different organizations. The suggestion for merging of the Commissions came from different experts, particularly in larger States, is impracticable and would fail to adequately address the special problems of different disadvantaged groups. However, this may be possible in case of some of the much smaller States where the various Commissions to redress the grievances of different sections of society could be constituted into a single 'multi-role' Commission to carry out the specific functions of the existing constitutional and statutory Commissions of that State.
- ❑ Thus there is need to provide a more meaningful and continuous mode of interaction between the National and State HRCs.
- ❑ The creation of a database and networking would assist these Commissions in not only streamlining their workload but also in deciding which body would be the best agency to carry out investigations. Further, it would also help in identifying those areas and groups where the rights of such groups of citizens are more prone to abuse. This would assist the respective governments in devising specific measures to address the situation.
- ❑ Further a large number of complaints are received by these Commissions which are regularly disposed by them by providing some relief to the victims. Efforts have to be made by the Union and State Governments to ensure that the cases of violation of the rights of citizens especially the vulnerable sections are significantly reduced if not eliminated altogether. Preventive measures would also have to be taken to eliminate cases of serious human rights violations such as custodial deaths, torture etc.
- ❑ In addition to the criminal justice system, the National and State Human Rights Commissions as well as the other Commissions could play an important role in preventing such violations of citizens' right and also in mitigating the hardships of the victims. An analysis of the cases disposed of by NHRC over the last three years reveals that a wide variety of complaints of human rights violations are received and processed. But despite the efforts of the NHRC/SHRCs, the number of such cases has not been significantly reduced.
- ❑ Lastly a separate Standing Committee of Parliament may be constituted to look into Annual Reports submitted by these statutory Commissions.

Welfare schemes for vulnerable sections

Pradhan Mantri Jan-Dhan Yojana (PMJDY)

Financial inclusion is delivery of financial services at an affordable cost to the vast sections of the disadvantaged and low-income groups, providing them with timely and adequate access to the financial products, services like Bank Accounts, Savings Products, Remittances & Payment services, Insurance, advisory services, Entrepreneurial and Micro credit, Micro finance, etc.

❑ About the Scheme

- Jan Dhan Yojana is National Mission for Financial Inclusion to ensure access to financial services, namely, Banking/ Savings & Deposit Accounts, Remittance, Credit, Insurance, Pension in an affordable manner.
- The implementation strategy of the plan is to utilize the existing banking infrastructure as well as expand the same to cover “**every adult**” (earlier, it was every household).
- The mission mode objective of the PMJDY consists of 6 pillars:

- ▶ Universal Access to Banking Facilities
- ▶ Financial Literacy Programme
- ▶ Providing Basic Banking Accounts with overdraft facility of Rs.5000 after 6 months and RuPay Debit card with inbuilt accident insurance cover of Rs. 1 lakh and RuPay Kisan card, will be implemented.
- ▶ Creation of Credit Guarantee Fund for coverage of defaults in overdraft Accounts
- ▶ Micro Insurance
- ▶ Unorganized Sector Pension schemes like 'Swalamban'.

Critical Analysis of PMJDY

❑ Impact of Jan Dhan Yojana

● For Common Man

- ▶ Anyone who does not have an account will get an account in bank.
- ▶ Common man will get direct benefit of government subsidies.
- ▶ Common man will also have a financial and credit history on government records.
- ▶ It will be easy to get loan directly from financial institutions instead of other modes that charge heavy interest rate.

● For Business

- ▶ More and more people will be doing shopping via debit cards, reducing time, manpower and risk involved in managing cash transactions.
- ▶ More relevant data will be available to perform various analysis to create marketing plans.

● For Government

- ▶ It will be a great milestone achieved after linking with Aadhaar card to make direct financial transactions, subsidies transfer and lot more.
- ▶ It will be easy to monitor transactions and collect financial data as more people will be using recorded mode of payments.

● For Banking Institutions

- ▶ Banks will get new customers that directly mean more money inflow.
- ▶ These customers may result in potential clients for other banking services like loans.

Challenges before Jan Dhan Yojana

- ❑ **Less Remunerative Business Correspondent Model:** Under the JDY, the business correspondent (BC) will get a minimum compensation of Rs.5000 per month. But, in reality, BCs are paid only Rs. 2000-3000. For such a meager amount, it is unfair to expect a business correspondent (BC) to visit villages or slums at regular intervals, open new bank accounts for the poor people, process financial transactions, educate customers about banking services and answer all queries of the customers.
- ❑ **Architectural Deficiency:** The expanded financial architecture will need personnel, which is lacking, and could be important supply side deficit. Banks have been advised under the PMJDY to open 200 accounts a day in each of their existing rural branches, but they are wary, as the existing infrastructure in those branches cannot handle the extra load.

- ❑ Inordinate delay in issuing smart cards to customers (3-6 months);
- ❑ Limited utility of smart cards as services such as remittance are not loaded;
- ❑ Inadequate cash handling limit given to business correspondent (BC);
- ❑ Devices not working properly due to technical problems or poor network connectivity;
- ❑ Lack of trust in BCs;
- ❑ Lack of customer-centric banking products and services;
- ❑ Poor governance and inadequate supervision of BCs;
- ❑ Absence of a comprehensive strategy for financial education.

❑ **Ways to educate people about Financial Management**

- **Academic Curriculum:** Financial education should begin at a very early age and be included into the curriculum of schools and colleges.
- **Technological Intervention:** Since very large section of society are unaware about financial management, Alternative financial delivery channels involving the use of modern technology are being tried out but these will succeed only if financial literacy deepens.
- **Indirect measures:** The recent mammoth exercise of demonetization should help bring many more people into the organized sector, thereby opening up possibilities for financial inclusion and literacy.
- **Unified Payment Interface:** The launch of digital wallets, Universal Payments Interface (UPI) and new-age commercial and payments banks have paved new ways for a less-cash economy. According to RBI, the total number of digital transactions has grown from over 419 million in November 2015 to 692 million in March 2017. But there is still huge scope.
- **Internet:** Total Mobile internet users in India are 350 million, and are expected to grow by 50 million every year till 2020. These numbers create enormous possibilities to go digital and create new opportunities to engage and share financial knowledge with consumers.

Swachh Bharat Abhiyan

- ❑ Under the new programme, Nirmal Bharat Abhiyan was re-structured into Swachh Bharat Mission with 2 sub-Missions - Swachh Bharat Mission (Rural) and Swachh Bharat Mission (Urban). The 2 missions will fall under the Union Ministry of Drinking Water and Sanitation (for Rural) and the Union Ministry of Urban Development (for Urban).

● **The Main Objectives Are:**

- To bring about an improvement in the cleanliness, hygiene and eliminating open defecation and manual scavenging system and to bring behavioral changes among Indian people regarding maintenance of personal hygiene and practice.
- To accelerate sanitation coverage all over India to achieve the vision of Swachh Bharat by 2nd October 2019.
- To motivate Communities and Panchayati Raj Institutions to adopt sustainable and scientific Solid & Liquid Waste Management sanitation practices and facilities through awareness and health education.

❑ **Funding Pattern Includes:**

- Budgetary allocations
- The funding for 9 crore toilets is expected to come from 3 primary sources - Ministry of Drinking Water & Sanitation, Ministry of Rural Development, and the States in the ratio of 75:25 between centre and State and 90:10 for North Eastern state.

- Funding and technical support from the World Bank, corporations as part of Corporate Social Responsibility (CSR) initiatives, and by state governments under the Sarva Shiksha Abhiyan and Rashtriya Madhyamik Shiksha Abhiyan schemes.
- **Swachh Bharat Cess:** Swachh Bharat cess is an improvement in the service tax by 0.5% on all the services in India.

Why Swachh Bharat Abhiyan, was brought when Nirmal Bharat Abhiyan (NBA) and other programs had been functioning?

There were implementation difficulties in convergence of NBA with MNREGA as funding from different sources created delays. A significant departure from the previous programme, NBA, is the de-linking of rural sanitation with the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA). NBA excluded the Urban area sanitation.

To strengthen monitoring mechanism, the SBA programme monitors both outputs (construction) and outcomes (usage) departing from previous effort of outputs based mechanism.

To accelerate the efforts to achieve universal sanitation coverage and to put focus on sanitation.

Flexibility to States with regard to use of funds by allowing interchangeability of funds between drinking water and sanitation so as to ensure that funds do not lie idle.

As per a 2010 U.N. report, India accounted for 60% of the overall population of 2.5 billion people that lacked access to toilets and latrines, and other basic sanitation facilities so, there was need of Massive National Mission to construct Sanitation Infrastructure.

In India, highest prevalence of stunted growth among children facilitated by extremely high population densities, open defecation, and lack of widespread sanitation, which creates the transmission of fecal-oral transmitted diseases and depletes vital nutrients in growing children. This needs awareness and outcomes based approach.

■ Performance OF SBM (G):

- The sanitation coverage in India was at **38.70% in 2014**. Swachh Bharat Mission has taken it to **99.7% as on May 2019** (as per government data).
- **30 States and Union Territories** have been declared Open Defecation Free.

■ Reasons of India's Failure on Sanitation Front

- **Ineffective and inefficient monitoring** – Construction of toilets and its usage were not monitored effectively. There is no special audit system to monitor outcome of mission.
- **Lack of expertise and innovation**- In general, India spends too less on innovation and that to in sanitary section is very less. Lack of innovation does not allow constructing cost effective toilets and monitoring them.
 - ▶ **Source of Funding**- Not enough ways to mobilize the funds for sanitation programmes. Only central government and state government allocate resources through budgets. No mechanism for private contribution.
 - ▶ **Non availability of adequate water is also a problem.** Only about 46% Households are reported to have adequate water for flushing and tap water is available in the latrines in only 3.61% households.
 - ▶ **Behavioural and attitudinal changes** - In many areas in country despite the construction of toilets people didn't use it. There was not enough focus on awareness campaign which could have educated people about harms caused by open defecation.

❑ Outcome of Poor Implementation

- ▶ Less than 50 percent of households in the country have access to sanitation facilities.
- ▶ 4 lakh children die of diseases such as cholera, dysentery and suffer from stunted growth as a result of poor sanitation each year.
- ▶ A World Bank study estimates that inadequate sanitation accounts for a loss of \$53.8 billion, which includes economic losses recorded from tourism, access time, water use and health related economic impacts.
- ▶ Millennium Development Goal, i.e. “halving the proportion of the population without sustainable access to safe drinking water and basic sanitation by 2015”. But India lagging behind very much.

❑ How to make Attitudinal Changes

- ◉ **By poking wrongdoers: ‘Roko And Toko’** Push To Stop Open Defecation: Indor (Madhya Pradesh) - Under this unique initiative taken up by Indore’s civic body, ‘dibba gangs’ have been created to ‘roko aur toko’ those who defecate in the open. These ‘gangs’, mostly made up of school children, have taken to spreading the message by beating metal boxes loudly whenever they come across anyone defecating in the open.
- ◉ **Sanitary workers:** Red Dots Unite to Segregate Waste in Pune Menstrual waste can is a huge hazard for both the environment and the people who have to collect and segregate it. To educate people about disposing of their menstrual waste properly and the importance of segregation, members of SWaCH, Pune-based waste collectors’ cooperative have been encouraging people to seal their sanitary waste in special red labeled bags.
- ◉ **By persuasion:** People need to persue through campaigns and awareness programs. Madan Nath, a resident of Ganahera Village in Pushkar, has been using his moustache to educate the people of his village about the basics of personal hygiene and public sanitation.

Conclusion

Making people aware is important, but more important is that this awareness is converted to actions. As government itself has taken the initiative, this will definitely motivate people and make them realize that cleanliness is not just government’s responsibility. On its part, government can introduce a separate awareness drive too, so that more and more people join this campaign. Ultimately, these efforts will not only force people to change their attitude of “nothing will change” but also ensures their participation too.

National Food Security Act, 2013

❑ What does Act Provide?

- ◉ The Act provides for coverage of up to 75% of the rural population and up to 50% of the urban population for receiving subsidized food grains under Targeted Public Distribution System (TPDS), thus covering about 2/3rd of the population. Under the Act, the eligible persons will be entitled to receive 5 Kgs of food grains per person per month at subsidized prices of Rs. 3/2/1 per Kg for rice/ wheat/coarse grains.
- ◉ To ensure the food security of poorest of poor, the existing Antyodaya Anna Yojana (AAY) households will continue to receive 35 Kgs of foodgrains per household per month. Pregnant women and lactating mothers are entitled to a nutritious “take home ration” of 600 Calories, 18-20 grams of protein and a maternity benefit of at least Rs 6,000 for 6 months; Children from 6 months to 14 years of age are to receive free hot meals or “take home rations”.

- The Central Government will be responsible to provide funds to states in case of short supplies of food grains; the states are responsible for determining eligibility criteria & will provide a food security allowance to the beneficiaries in case of non-supply of food grains.
- In order to address the concern of the States regarding additional financial burden, Central Government will provide assistance to the States towards cost of intra-State transportation, handling of foodgrains and Fair Price Shops dealers' margin, for which norms will be developed. This will ensure timely transportation and efficient handling of food grains.
- The Public Distribution System (PDS) is to be reformed like doorstep delivery of foodgrains, application of Information and Communication Technology (ICT) including end to end computerisation, leveraging 'Aadhaar' for unique identification of beneficiaries, diversification of commodities under TPDS for effective implementation of the Food Security Act. Some of these reforms are already underway.
- The eldest woman in the household, 18 years or above, is the head of the household for the issuance of the ration card; there will be state- and district-level redress mechanisms; and State Food Commissions will be formed for implementation and monitoring of the provisions of the Act. Provisions have also been made for disclosure of records relating to PDS, social audits and setting up of Vigilance Committees in order to ensure transparency and accountability. The cost of the implementation is estimated to be \$22 billion (1.25 lakh crore), approximately 1.5% of GDP.

■ Analysis

- The problem centers not necessarily on how much people eat, but on what they eat. Millions in India rely on rice and wheat to fill their stomachs, but those staple foods lack crucial vitamins, minerals and protein. Overcoming this micronutrient deficiency, called 'hidden hunger', should be given high priority because enough calories alone won't help. The Act does not focus on micro-nutrition supply, and food security is mainly focused on distribution of cereals.
- As India's agriculture is Monsoon dependent & country is in agricultural drought for last 2 years, the deficit of food in open market will add to the inflation. This will also impact the choice of farmers to grow cereals when shifts in consumer demand patterns indicate a need to focus more on protein, fruits and vegetables. Cropping pattern will also be adversely impacted & thus the production of pulses, oilseeds etc.
- It is also argued that Act would restrict private initiative in agriculture, reduce competition in the marketplace due to government domination of the grain market and shift money from investments in agriculture to subsidies.
- The identification of eligible households is left to the discretion of the government. In the absence of clear eligibility criteria, no one is really entitled to anything as a matter of right; this would defeat the purpose of having a law.
- Implementation also poses a significant challenge and will require careful attention at both the national and state levels. Storage, transportation, and distribution infrastructure and systems need to be improved in many parts of the country in order to prevent grain from going bad before it reaches the people who need it. FCI does not have the capacity & infrastructure to manage it and efficiency & management of stock at stores & warehouses of FCI is also poor. This will increase the wastage & carrying cost of government.

■ Recent initiative

- Centre has made Aadhaar card mandatory for receiving subsidised foodgrains from all PDS shops.
- In a complete overhaul of Public Distribution System (PDS) in the state of West Bengal, the state Food and Supplies department is developing an sms-based system to keep the beneficiaries updated about the quantity of their respective rations and status of all transactions while withdrawal from ration shops.

■ Proposed Benefits

- Using Aadhaar to identify beneficiaries in PDS databases will eliminate duplicate and fake beneficiaries from the rolls, and make identification for entitlements far more effective.
- Aadhaar enables remote, online biometric and demographic authentication of identity.
- It will also allow portability as residents can **collect entitlements from any FPS within the state**.
- This would curb diversions, and help identify bottlenecks in delivery.
- An Aadhaar-linked MIS would enable the PDS to address broader procurement, storage and monitoring challenges.
- Aadhaar authentication at the delivery point – the FPS – would enable governments to transfer entitlements to residents through an electronic system.

■ Challenges

- Installation of “Point of Sale” (PoS) machines at PDS shops, and verifying the identity of cardholders by matching their fingerprints against the Aadhaar database over the Internet has led to inefficiencies in states like Jharkhand and Rajasthan.
- This system requires multiple fragile technologies to work at the same time, the PoS machine, the biometrics, the Internet connection, remote servers, and often other elements such as the local mobile network.
- The Central government continues to push for compulsory Aadhaar-based biometric authentication in the PDS. This is a violation of the Supreme Court orders, as the Court did not make Aadhaar compulsory for PDS users.
- The main vulnerability today, is not identity fraud (e.g. bogus cards), but quantity fraud, PDS dealers often give people less than what they are entitled to, and pocket the rest.

Conclusion

- In spite of all this, Food Security Act is a must & inescapable option for the country like India; however it can be amended & reformed to take on the challenges that exists in the way.
- To ensure the nutritional security, protein component like pulses and nutria cereals can be added in the distribution items. Government should also provide the MSP for the pulses & oil seeds which would incentivize the farmers to produce theses crops and sustainable agriculture would be possible.

Smart City Mission

India is on the cusp of phenomenal change from rural to urban dominated population in future which is expected to grow to nearly 800 million (an addition of 400 million) by 2050. This is going to help India economically but may put severe pressure on existing infrastructure, both physical and social, if not properly managed. Any kind of unplanned or unorganized growth will result into unsustainably and high costs of retrofitting in the future. Cities are home to both rich and poor and therefore needs to be inclusive in its governance, availability of infrastructure and other aspects, which has been missing. Environment ethics must be brought to the center in times of climate change so that urban areas have low carbon footprint. All these things should be done in the prudent way, with minimum negative externalities and maximum spillover effects and that's why India need smart cities.

■ About Smart City

- Smart City uses digital technology and information and communication technologies (ICT) to engage more effectively and actively with its citizen. The Smart City includes government services, transport, traffic management, energy, health care, water and waste.

■ Need for Smart Cities

- India's rapid modernization over the last two and a half decades has essentially centered around cities built long time back. With opportunities remaining limited in rural areas, people are migrating to cities in search of better earnings and life styles. This has resulted in haphazard expansion of areas adjacent to the existing major cities. However with amenities and urban infrastructure always getting overwhelmed by a countless number of people moving in every day, planned development and expansion of Indian cities hardly ever got the due attention it deserved.
- Additionally, a large number of suburban clusters have also mushroomed in India to cater to the living requirements of people. Till now India could still sustain with whatever band-aid or say incremental development it did for cities. But this approach would not be sustainable in the times to come when there would be an exponential increase in the number of people in India aspiring to live in cities. As per a report by India's NITI AYOJ the Indian cities contribute around 62-63% of India's GDP which is expected to go up to 75% by 2021.

■ Special features of the mission

- It is based on comprehensive planning and people participation. SWOT analysis of the city is to be done and then projects to be decided based on the inherent potential.
- It is a competition based project in which cities compete with each other for getting selected for funding.
- Focus is not only on future urban reforms but incentivizing those cities which have undertaken reforms in past under JNNURM. 1/3 weightage has been given to past reforms during selection stage.
- Participation of all the stakeholders centers, state, Municipal Bodies is ensured.
- Both pan city project and area specific projects are to be taken.
- The area based project will be implemented through retrofitting, redevelopment and Greenfield strategies.
- Time bound implementation of the project.
 - ▶ Financial viability of the project is to be ensured so that the projects don't suffer from policy changes in future and are self-sustaining.
 - ▶ Focus on convergence of schemes like Digital India, Swachha Bharat, AMRUT Mission etc.
- Minister of Urban development stated that smart cities is all about 4S and 4P and the resource challenge can be met if citizens make a success of Public-Private-People Partnership (PPP) along with:
 - ▶ Smart leadership,
 - ▶ Smart Governance,
 - ▶ Smart Technologies and
 - ▶ Smart People make a city smart.

■ What is unique in this mission?

- Earlier initiatives on urban reform suffered from top down approach and failed to take into account the local aspirations and universalisation without quality syndrome. At the core of smart city concept is the uniqueness of the project from selected city.
- Another important feature is the competition among the cities for selection. This is based on SWOT analysis and people's participation. This will give administration, local bodies to undertake proper understanding of all the positive and negative aspects of the city and will help in other areas also.
- Mission gives cities an opportunity to learn from other selected cities and from their own mistakes made during the competition. The selected smart cities can become guiding forces for others.

Concerns raised

- In the development process each step should be organically linked to higher levels and should lead to value addition across the sectors. The linkages between smart cities and other initiatives like skill India, Make in India and Rurban mission are missing. In absence of these, the mission will become a foreign industries and organization led mission and may not result into knowledge gain for India in the domain.
- Constitution assigns District Planning Committees and Metropolitan Planning Committees with the responsibilities for planning for the whole district or metropolitan area. Their role in the process is missing.
- Apprehensions are raised that Smart cities may emerge as exclusive societies or cities catering to the needs of only well off. Like the retrofit proposal of New Delhi Municipal Corporation has no mention of street hawkers and vendors in the Connaught Place area.
- Level of involvement of Indian Educational institutions like IITs and IIMs is not clear. There is too much focus on getting handholding support from foreign or multilateral agencies like Japan International Cooperation Agency (JICA), owned a, German Government development bank.
- Smart cities must contain smart houses, smart offices and smart people. All these require behavioural change. There is no mention of these aspects in the mission.

Conclusion

The success of the smart city mission will depend on the ability to smartly solve the issues that will come during implementation. It is a step in the uncharted territory, each step must be taken with caution and calculation but with swiftness and confidence. The success of the mission will give future generations and cities an opportunity to look for inspiration and handholding within the country, rather than outside which we have to do in present.

Saubhagya Plan

Introduction

- Prime Minister Narendra Modi has launched the Pradhan Mantri Sahaj Bijli Har Ghar Yojana to provide electricity connections to over 40 million families in rural and urban areas. The households in remote and inaccessible areas, where grid lines extension is not feasible, solar power pack and battery will be provided to such households.

Salient Features:

- By providing universal access to electricity under the scheme, the government plans to leverage the same to promote induction cooking, heating and charging electric vehicles, apart from the initial target of providing lighting.
- Poor households would be provided electricity connections free of cost. Other households would also be provided electricity connections under the scheme on payment of Rs.500 only which shall be recovered by the DISCOMs/Power Departments in ten (10) installments along with electricity bills.
- The beneficiaries for free electricity connections would be identified using **Socio Economic and Caste Census (SECC) 2011** data.
- There will be no subsidy component for monthly electricity consumption and the **Gram Panchayat** and public institutions in the rural areas will be authorised to carry out billing and collection tasks which have been pain points for the discoms.

- ❑ **The Rural Electrification Corporation Limited (REC) will remain the nodal agency** for the operationalisation of the scheme throughout the country.
- ❑ All power meters will have technology driven registration, payment and consumer billing to avoid any leakage.
- ❑ There will be both centre and state-level monitoring and web-based monitoring mechanism of the scheme.

- **An electrified village is defined as one that has the following:** (i) provision of basic infrastructure such as distribution transformers and lines in the inhabited locality, (ii) provision of electricity in public places like schools, panchayat office, health centers, dispensaries, and community centers, and (iii) at least 10% of the total number of households in the village are electrified.
- Therefore, a village is considered to be electrified if 10% of the total number of households in the village have been electrified.

❑ **Need for new scheme**

- In villages which are electrified in past for a long period, many households do not have electricity connections for many reasons.
- Some of the really poor households do not have BPL cards but these households are not capable of paying applicable initial connection charges.
- Further, lack of awareness about procedure to obtain electricity connection including cost of connection, uses of electricity, cost of uses vis-à-vis kerosene, benefits of using electricity (Direct & Indirect) etc. has been cited as one of the major reasons of slow progress on household electrification in various research studies.
- Similarly in urban areas, **Integrated Power Development Scheme (IPDS)** provides for creation of necessary infrastructure to provide electricity access but some households are not yet connected mainly on account of their economic condition as they are not capable of paying the initial connection charges.
- Discoms are already facing huge financial losses and hence are unable to supply electricity to the villages.
- Therefore, Saubhagya has been launched to plug such gaps and comprehensively address the issues of entry barrier, last mile connectivity and release of electricity connections to all un-electrified households in rural and urban areas.

❑ **Benefits of the Scheme:**

- Access to electricity definitely has positive impact on quality of life of people in all aspects of daily household chores and human development.
- Substitution of use of kerosene with electricity for lighting purposes would reduce annual subsidy on kerosene and would also help reduce the import of petroleum products.
- Electricity access would help in establishing efficient and modern health services in all parts of the country.
- Lighting after the sunset also provide a sense of enhanced personal safety especially for women and increase in post sunset social as well as economic activities.
- Availability of electricity will boost education services across all areas and quality lighting post sunset would facilitate children to spend more time on studies and move ahead further in prospective careers.

- Household electrification also increases the likelihood that women would study and earn income.
- Help financially weaker sections including Dalits and other backward classes.
- Electricity in each home would provide improved access to all kind of communications like Radio, Television, Internet, mobile etc. through which everyone would be able to access all kind of important information available through these communication mediums.
- Farmers can access information about new and improved agriculture techniques, agro-machinery, quality seeds etc. resulting in significant increase in agriculture production and consequently increase in income.
- Availability of reliable electricity services would also facilitate establishment of new shops of daily use goods, fabrication workshops, flour mills, cottage industries etc. and such economic activities would generate direct as well indirect employment.

■ Challenges:

- Even if all rural households get power, making adequate returns on their investment will be a challenge for retailers given the low-usage pattern.
- Implementation capacity at the local level for enrolling new consumers will be a challenge.
- Even though it provides electricity connections free of cost, but it will not address the recurring burden of power bills.
- Improving affordability require that supply be increased drastically to lower the price paid by retail consumers.
- Poor cost recovery can result in poor maintenance and thus huge investments in network infrastructure can go waste.
- Regular metering, billing and collection from power consumers besides the stringent timeline will be the biggest challenge in implementation of the Pradhan Mantri Sahaj Bijli Har Ghar Yojana (Saubhagya) .
- Providing electricity to every household will require huge skilled human resource.

Stand up India scheme

Introduction

The “Stand up India Scheme” launched to promote entrepreneurship among Scheduled Caste/Schedule Tribe and Women for loans in the range of Rs. 10 Lakhs to Rs. 100 Lakhs.

Benefits of Stand Up India Scheme

■ Capital Access to Female entrepreneurs made easier.

- Under the scheme, there are provisions for providing support to women as well as SC/ST borrowers through all stages, right from the loan application stage to business operations. They will be trained to familiarise them with guidelines and terminologies of banks, how to register online and use e-markets, and other relevant entrepreneurial practices. All the scheme related information will be brought together on the web portal of Stand Up India.
- The participation of women in entrepreneurship still remains low in numbers. There could be many reasons for it including access to capital, lack of training and knowledge, lack of confidence, etc.

Through this scheme, every bank branch will start minimum two entrepreneurial projects. This initiative will significantly increase the number of women entrepreneurs in the country. As it is expected that the Stand Up India scheme will benefit more than 250,000 potential borrowers, the participation of female entrepreneurs is also expected to rise.

Challenges

❑ Losses incurred for banks:

- The scheme provides much lower interest rates than the market rate. This low rate of interest is for the poor people. It definitely incurs huge losses for the PSU banks. On the other, it will be like investing more and more in non-performing assets.
- According to the scheme there will be creation of jobs, encouraging new talents but also there will be a flood of loans that must be fulfilled by the PSU banks which is definitely not very good news for any of the banks.

❑ Delays:

- The criterion for this scheme says that the company needs to be innovative. Judging whether a product is innovative or not is left to the discretion of the DIPP. This may lead to delays and also potentially good entrepreneurial ventures may be lost in the process.

❑ Lack of awareness:

- The education of the people about the socio-economic dimensions of Dalit entrepreneurship and women entrepreneurship has not been paid much attention. If this is not done, the Stand up India scheme may not be very effective.
- The SC/ST's and women have not been fully and meaningfully empowered in terms of tech-know how, access to skilled labour, knowledge about the sectors and so on.

❑ Weak infrastructure:

- Instead of financing business or self-employed programs, government should have invested in basic amenities like electricity, road developments, basic education and such things.
- A major part of the nation is still not receiving these basic amenities due to weak infrastructure. GOI must work on these areas first before financing small start-ups which are still a wild dream for mass Indians.

❑ Lack of institutional bank linkages:

- The banking sector has not yet penetrated to the hinterlands in a meaningful manner. Therefore, the challenges of lack of institutional bank linkages, awareness among the people, digital divide and many other technological challenges can be obstacles to bank account linkages despite the success of Pradhan Mantri Jan Dhan Yojana.

❑ Technological dependency:

- In India, there are several places where latest technologies haven't reached yet. At the same time, poor people, backward classes, dalits and other applicants, who fall under such scheme, are also not aware of technology evolution till today. It looks little difficult for lot of people to compete in long run.

❑ Inadequate fund:

The funding support of about 10 lakhs to 1 crore is inadequate for manufacturing sector.

Way Forward

- ❑ India has a high percentage of people who are unable to start their own business because of the capital shortage. This leads to death of several innovations and hence in the end economy suffers. By implementing such schemes, the government is providing an opportunity to the people to grow and innovate. The scheme would also help in reducing the unemployment rate which in turn also helps in increasing the GDP and the national income.
- ❑ The need of the hour is to create awareness about this, and various other schemes for women entrepreneurs in India. The SC/ST population needs to be educated and socio-politically empowered further to reap the benefits of this scheme meaningfully. If implemented with the adequate ecosystem support, this scheme can indeed transform the socio-economic architecture of rural and urban India.

MGNREGA in times of COVID-19

Context

The Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) has been one of the main avenues for the Centre to provide employment to returning migrants and others in rural areas who have been rendered jobless due to the lockdown.

❑ What is the current situation?

- MGNREGA continues to attract rural labourers pushed into distress due to the Covid-19 crisis triggering calls for increasing the mandatory workdays to 200 and raising the minimum wages under the scheme to Rs 600 per day.
- Data sourced from the MGNREGA website shows that in June 2020 around 43.7 million households sought work under the scheme that was the highest in last seven years, maintaining a trend seen in May as well.
- The surge in work demanded under the scheme comes after more than 20 million migrants returned to villages from the cities to avoid COVID-19 lockdown announced in March.
- To provide more work to the migrant laborers, the Central government in May raised the budget under the scheme by Rs 40,000 crore for 2020-21, taking the full year allocation for the scheme to over Rs 100,000 crore for the first time ever.
- The additional funds is meant to generate additional 0.2 billion person-days of work in 2020-21 over and above the budgeted 2.8 billion person-days.

❑ Mandate of Mahatma Gandhi Employment Guarantee Act 2005 (MGNREGA)

- The mandate of the MGNREGA is to enhance livelihood security in rural areas by providing at least 100 days of wage employment in a financial year to every household whose adult members volunteer to do unskilled manual work.

❑ Problems facing MGNREGA

- **Low wage rate:** The low wage rates have resulted in lack of interest among workers in working for MGNREGA schemes, making way for contractors and middle men to take control, locally.

- **Insufficient budget allocation:** MGNREGA's success at the ground level is subject to proper and uninterrupted fund flow to the states. But the fund allocation is insufficient to ensure proper implementation on the ground.
- **Regular payment delays:** Despite the order of the Supreme Court and initiatives and GO (Government Order) by the Union Ministry of Finance, no provision has yet been worked out in the MIS for calculation of full wage delays and payment of compensation for the same.
- **Workers penalised for administrative lapses:** The ministry withholds wage payments for workers of states that do not meet administrative requirements within the stipulated time period. It is beyond any logic as to why workers would be penalised for administrative lapses.
- **The banking puzzle:** Due to great rush and poor infrastructure, the bank passbooks are not updated in many cases. Often, the workers do not get their wages during times of need due to the hassle and the cost involved in getting wages from the bank.
- **Faulty MIS data:** There is a growing pile of evidence on how real-time MIS has made MGNREGA less transparent for workers, reduced accountability of frontline functionaries and aided in centralisation of the programme.
- **Non-payment of unemployment allowance:** There are a huge number of unemployment allowances being shown in the MIS currently.
- **Genuine job cards being deleted to meet 100% DBT targets:** While the government has been boasting about Aadhar-based savings, the reality is that a huge number of genuine job cards and ration cards are getting deleted and genuine people have been deprived of their due entitlements.

■ Suggestions:

- **Creation of awareness:** The awareness programmes should be organized at war footing in the rural areas for educating people about these special provisions, which can go a long way in bringing further improvements in the implementation of the programme.
- **Training of Gram Sabha & Panchayat members:** The specialised training programmes be organised in the rural areas preferably in the village panchayats so that these functionaries get proper training for the better execution of the works.
- **Exposure visits:** It is recommended that Gram Sabha and panchayat members should be sent for exposure visits to other states like Andhra Pradesh, Kerala where NREGA has done wonderful work.
- **Effective supervision:** To curb corruption & malpractices, it is a requirement that MGNREGA works are properly monitored and supervised.
- **Increase in wages:** The wage rates to be paid under NREGA should be revised on one hand and subsequently every year there should be enhancement in the existing wage rates by a reasonable percentage say around 10-15% or so.
- **Availability of worksite facilities:** Women workers, particularly those with children, face major inconvenience due to lack of Creche facility and toilets. So the steps should be taken to provide adequate worksite facilities.
- **Increase in employment (man working days):** The programme has the provision for 100 days employment per household. As such if a household who has more than one adult member, the mandays should be increased suitably however with some ceiling.
- **Skill generating work:** The MGNREGS should develop a relevant instrument to provide skill generating work and activities for literate beneficiaries instead of engaging them completely in manual work.
- **Participation of Women:** Women participation can be enhanced by appointing female supervisors on MGNREGS works. Women should be involved in the selection of works, which can create further mainstream employment in the village.
- **Action against Corruption:** Strict actions should be taken against the officers and other employees who are found involved in misguiding the persons who make their approaches to them to know about the Government Schemes for employment opportunities.

Conclusion:

The government has done the right thing by stepping up allocations both for MGNREGA and PDS grains. But in the end, MGNREGA cannot be any more than a scheme that provides employment during the agricultural lean season for landless labourers and marginal cultivators. Now, the focus has to be on getting people, including the migrant labourers, back to normal work. Also, it may be inferred that above suggestions, if taken care of, will definitely make MGNREGA a real instrument for overall rural upliftment, in general & improve the lot of the rural poor s, in particular.

Second Delta Ranking of the Aspirational Districts Programme

Context

- ▣ NITI Aayog has released the second delta ranking of the Aspirational Districts Programme (ADP).
- ▣ The ranking measured the incremental progress made by districts between June 1, 2018 and October 31, 2018.

▣ Aspirational Districts programme

It aims to expeditiously improve the socio-economic status of 115 districts from across 28 states. The three core principles are - Convergence (of Central & State Schemes), Collaboration (among citizens and functionaries of Central & State Governments including district teams), and Competition among districts.

▣ How does it approach the development of these districts?

- The programme focuses on 5 main themes - Health & Nutrition, Education, Agriculture & Water Resources Financial Inclusion & Skill Development, and Basic Infrastructure, which have direct bearing on the quality of life and economic productivity of citizens.
- Institutional arrangement for collaboration, coordination and competition
- It is a product of collective effort in which States are the main drivers. At GOI level, programme is anchored by NITI Aayog.
- In addition, individual Ministries have assumed responsibility to drive progress of districts.
- For each district, a central Prabhari officer of the rank of Additional Secretary/Joint Secretary has been nominated.
- An Empowered Committee under the convener-ship of CEO, NITI Aayog has been notified to ensure convergence in schemes and address specific issues brought out by Prabhari officers.
- States have been requested to form a committee under Chief Secretary to implement the programme. States can also have nominated officers and State level Prabhari off

▣ Monitoring of the progress of these districts

- Real-time monitoring & ranking with 49 key performance indicators (81 data points) have been identified across 5 themes, in consultation with Ministries.
- The dashboard is designed, developed, and maintained by the Planning Department of the Government of Andhra Pradesh.
- The ranking of districts is dynamic and would reflect the incremental (delta) improvement made month on month.

■ Means of collecting data for beta ranking

The initial delta ranking was largely based on data filled by District teams.

- NITI Aayog has entered into partnership with Tata Trusts, and Bill & Melinda Gates Foundations (ID Insight) to assist the districts in enumerating improvement in key performance indicators a through household survey.

■ Purpose of Ranking

- Since these districts face many challenges including legacy, unexploited or weak resource base, deficit of manpower at different level due to difficult living conditions etc, the ranking is also a tool to identify sectors and indicator specific challenges so that the “Team India” which is driving this programme can take corrective measures.
- District teams have the benefits of current data so that they can fine tune their response and improve impact of their effort

■ Is the ranking of these districts dynamic?

- Yes, several districts that had ranked low in the baseline ranking released in April 2018 have shown remarkable improvement. Similarly, districts that are ranked low in this delta ranking have to accept the challenge of dramatically improving their ranks in the recent months.

Chapter 3.5

WELFARE OF SCHEDULED CASTES

- The Constitution of India defines the 'Scheduled Castes' means "such castes, races or tribes or parts of or groups within such castes, races or tribes as are deemed under Article 341 to be Scheduled Castes for the purpose of this constitution." Article 341, the President of India is empowered to specify "the castes, races, or tribes or tribes or part of or groups within castes, races or tribes or part of or groups within castes, races or tribes which shall for the purposes of the constitution be deemed to be Scheduled Castes."
- The SCs constitute 16.23% of India's population spread all over the country, with 80% of them living in the rural areas.

Issues Faced by Schedules Castes

■ Low Human Development Status

- The (HDI) of the SC population are much lower than the rest of the population in terms of all parameters such as education, health, income, etc. this can be elaborated by following data:
 - ▶ Although the literacy rate of SCs has increased considerably, from 10.3% in 1961 to 54.7% in 2001, till recently the gap between literacy rates of the general and SC population had not reduced.
 - ▶ 45.61% of SC workers at the all-India level and 52% at the rural level were agricultural labourers, compared to 26.55 and 33.05% among all workers at the national and rural levels, respectively.

■ Lack of Basic Amenities

- There is a wide gap between the SCs and the rest of the population with respect to the availability of basic civic amenities such as electricity, banking services, pucca houses, water supply, toilet facilities, drainage and telephone facilities.
- In 2000, about two-thirds of rural SC households were landless and near landless, compared to one-third among others.

■ Discrimination and Social Exclusion

- The discrimination against SCs often manifests itself in the form of socio-economic exploitation, denial of civil rights, social ostracism and even violence against them which sometimes assumes brutal proportions in the form of massacres, rape, burning of colonies, etc.

❑ Poverty and Unemployment

- According to the NSS data of the total SCs households about 17 per cent pursued cultivation as a self-employed occupation while 12 per cent were employed in some kind of non-farm self-employment activities (or business). In rural areas thus, about 28 per cent of SCs households had acquired some access to fixed capital assets.

❑ Atrocities against SC/STs

- Social inequalities of the tribal population are manifested in various forms of exploitation such as bondage, forced labour and indebtedness. They are also exploited by merchants, money lenders and forest contractors.
- Crimes committed against members of the Scheduled Castes and Scheduled Tribes under the Prevention of Atrocities Act are pending in the courts and conviction rates are very low. Thus 2nd ARC has suggested following measures:
- The administration and police should be sensitised towards the special problems of the Scheduled Castes and Scheduled Tribes. Appropriate training programmes could help in the sensitising process.
- The administration and police should play a more proactive role in detection and investigation of crimes against the weaker sections.
- Enforcement agencies should be instructed in unambiguous terms that enforcement of the rights of the weaker sections should not be downplayed for fear of further disturbances or retribution and adequate preparation should be made to face any such eventuality.
- The administration should also focus on rehabilitation of the victims and provide all required support including counselling by experts.
- As far as possible the deployment of police personnel in police stations with significant proportion of religious and linguistic minorities should be in proportion to the population of such communities within the local jurisdiction of such police station. The same principle should be followed in cases of localities having substantial proportion of Scheduled Tribes population.

Educational Development Schemes

- ❑ **Pre-Metric Scholarships for Children of those engaged in Unclean Occupation.**
- ❑ **Pre-Matric Scholarship Scheme for SC students.**
- ❑ **Post-Metric Scholarships for SC Students.**
- ❑ **National Fellowship Scheme:** National Fellowship (RGNF) for Scheduled Caste Students provides fellowships, in the form of financial assistance to students belonging to Scheduled Castes to pursue higher studies for M.Phil and Ph.D. degree. The scheme is being implemented through the University Grants Commission.
- ❑ **National Overseas Scholarship and Passage Grants for Higher Education.**
- ❑ **Upgradation of Merit for SC Students:** The main objective of the scheme is to upgrade the merit of Scheduled Caste students by providing them with facilities for all-round development through education in residential schools.
- ❑ **Coaching and Allied Scheme for Weaker Sections including SCs, OBCs and Minorities:** The scheme aimed to equip aspiring students for preparing them for various competitive exams. Aspiring students take their guidance and coaching from the centers run by State Governments/UTs, Universities and NGOs.

Economic Development Schemes

- ❑ **National Scheduled Castes Finance and Development Corporation:** The National Scheduled Castes Finance and Development Corporation (NSFDC) provides concessional finance for employment generation to the persons belonging to the Scheduled Castes living below double the poverty line, skill development through training, entrepreneurial development and innovative projects. The Corporation is also implementing 'Mahila Samridhi Yojana'.
- ❑ **National Safai Karamcharis Finance and Development Corporation:** It was established in 1997 to provide financial support to the safai karamcharis (scavengers) to take up various income-generating activities. The National Commission for Safai Karmacharis, a statutory body has, inter-alia, been empowered to investigate into specific grievances as well as matters relating to implementation of programmes and schemes for welfare of Safai Karmacharis. The authorized share capital of NSFDC has been enhanced from Rs. 300.00 crore to Rs. 600.00 crore by the Government in January, 2012. These would enable the Corporation to cover additional number of Safai Karamcharis under its Schemes for enabling them to undertake income generating activities etc.
- ❑ **Venture Capital Fund for Scheduled Castes:** It is a Social Sector Initiative to be implemented nationally in order to promote entrepreneurship among the Scheduled Castes population in India. "Entrepreneurship" relates to entrepreneurs managing businesses which are oriented towards innovation and growth technologies. The spirit of the above mentioned fund is to support those entrepreneurs who will create wealth and value for society and at the same time promoting profitable business.
- ❑ **Stand up India Scheme:** Stand-Up India Scheme facilitates bank loans between Rs 10 lakh and Rs 1 Crore to at least one Scheduled Caste (SC) or Scheduled Tribe (ST) borrower and at least one-woman borrower per bank branch for setting up a greenfield enterprise. This enterprise may be in manufacturing, services or the trading sector. In case of non-individual enterprises at least 51% of the shareholding and controlling stake should be held by either an SC/ST or woman entrepreneur.

Schemes for Social development

❑ Pradhan Mantri Adarsh Gram Yojana:

The principal objective of the Scheme is integrated development of SC Majority Villages:

- Primarily through convergent implementation of the relevant Central and State Schemes;
 - By providing these villages Central Assistance in form of gap-filling funds to the extent of Rs.20.00 lakh per village, to be increased by another 5 lakh if State make a matching contribution.
 - By providing gap-filling component to take up activities which do not get covered under the existing Central and State Government Schemes are to be taken up under the component of 'gap filling'.
- ❑ Protection of Civil Rights Act, 1955 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989: Article 17 of the Constitution of India has abolished 'untouchability', and forbidden its practice in any form. Enforcement of any disability arising out of 'untouchability', is an offence in accordance with provisions of the Protection of Civil Rights {PCR} Act, 1955, which is an Act of Parliament. Likewise, the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) {PoA} Act, 1989, another Act of Parliament which also falls within the provisions of Article 17 and 35(a) (ii) of the Constitution, was enacted for preventing atrocities against members of Scheduled Castes and Scheduled Tribes, to provide for Special Courts for the trial of such offences as well as relief and rehabilitation of the victims of atrocities. These two Acts are implemented by the concerned State Governments/Union Territory Administrations.

- As the PCR and PoA Acts are implemented by the respective State Governments and Union Territory Administrations, with a view to ensure its effective implementation, Central assistance is provided to them under the Centrally Sponsored Scheme for implementation of the PCR and PoA Acts, mainly for following purposes:
 - Functioning and strengthening of the Scheduled Castes and Scheduled Tribes Protection Cell and Special Police Stations.
 - Setting up and functioning of exclusive Special Courts.
 - Relief and Rehabilitation of atrocity victims.
 - Incentive for inter-caste marriages.
 - Awareness generation.
- The funding pattern of the Scheme is such that, over and above the committed liability of respective State Governments, the expenditure is shared between Centre and States on 50:50 basis and Union Territories receive 100% Central assistance, on the basis of their specific proposals in a prescribed performa for a financial year.

Chapter 3.6

WELFARE OF SCHEDULED TRIBES

- The Constitution of India does not define Scheduled Tribes but Article 366(25) refers to scheduled tribes as those communities who are scheduled in accordance with Article 342 of the Constitution. According to Article 342 of the Constitution, the Scheduled Tribes are the tribes or tribal communities or part of or groups within these tribes and tribal communities which have been declared as such by the President through a public notification. Scheduled Tribes are spread across the country mainly in forest and hilly regions.
- The essential characteristics of these communities are:
 - Primitive Traits
 - Geographical isolation
 - Distinct culture
 - Shy of contact with community at large
 - Economically backward

Issues Faced by Scheduled Tribes

■ Human Development Status

- The (HDIs) of the ST population are much lower than the rest of the population in terms of all parameters such as education, health, income, etc. This can be analysed by following data:
 - ▶ Between 1961 and 2001, the literacy rate of STs increased 5.32 times, while that of total population increased 2.69 times. However, the gap between the literacy rates of STs and of the general population continued during the three decades between 1971 and 2001 almost at the same level of 17.70% and above.
 - ▶ 81.56% of the total ST workers, both rural and urban taken together, are engaged in the primary sector, of whom 44.71% are cultivators and 36.85% are agricultural labourers. This indicated that STs are essentially dependent on agriculture.
- Though the Departments of Elementary Education and Literacy and of Higher Education in States have provided special incentives to ST students which include textbooks, uniform, abolition of tuition fee, and so on.

❑ Lack of Basic Amenities

- ❖ Since most of the tribal habitations are located in isolated villages and hamlets in undulating plateau lands coinciding with forest areas, they have limited access to critical infrastructure facilities such as roads, communication, health, education, electricity, drinking water, and so on. This widens the gap between the quality of their life and the people in the country.
 - The incidence of poverty amongst STs still continues to be very high at 47.30% in rural areas and 33.30% in urban areas, compared to 28.30% and 25.70%, respectively in respect of total population in 2004-05.

❑ Displacement of Tribal

- ❖ Tribals have been displaced in large numbers on account of various large development projects like irrigation dams, hydro-electric and thermal power plants, coal mines and mineral-based industries. A National Policy on Relief and Rehabilitation of Project Affected Families (PAFs) was notified in February, 2004 with a relief package of seventeen parameters to be fulfilled before permitting dislocation.

❑ Conflicts Related to Inclusion in the List of Scheduled Tribes

- ❖ There have been agitations –sometimes violent – by certain groups, while laying their claims for inclusion in the list of Scheduled Tribes. The agitation by Gujjars in Rajasthan, and a few groups in Assam are some recent examples of such conflicts. Thus the authorities involved in determining the inclusion and exclusion of tribes in the list of Scheduled Tribes should adopt a mechanism of consultation with the major States and those with tribal populations, on the basis of which a comprehensive methodology with clearly defined parameters is arrived at.

Educational Development Schemes

- ❑ **Post-Metric Scholarship for Scheduled Tribes Students.**
- ❑ **Upgradation of Merit of ST Students.**
- ❑ **Ashram Schools:** The scheme of Ashram School has as its objective the establishment of residential schools for STs in an environment conducive to learning to increase the literacy rates among the tribal students and to bring them at par with the other population of the country.
- ❑ **Vocational Training Centers in Tribal Areas:** The scheme aims at upgrading the skills of the tribal youths in various traditional/modern vocation depending upon their educational qualification, present economic trends and the market potential, which would enable them to gain suitable employment or enable them to become self employed.
- ❑ **National Overseas Scholarship Scheme for ST:** The Scheme provides financial assistance to meritorious students belonging to STs for pursuing higher studies abroad in specified fields of Master level courses, Ph.D. and Post-Doctoral research programmes, in the field of Engineering, Technology and Science for Scheduled Tribes, Denotified, Nomadic and Semi-nomadic tribes.
- ❑ **Eklavya Model Residential Schools:** The objective of EMRS is to provide quality middle and high level education to Scheduled Tribe (ST) students in remote areas, not only to enable them to avail of reservation in high and professional educational courses and as jobs in government and public and private sectors but also to have access to the best opportunities in education at par with the non ST population.

Economic Development Schemes

- ❑ **TRIBAL SUB-PLAN (TSP):** This special strategy was expected to ensure that all the general development sectors, both at the Central and State levels, earmark funds for STs in proportion to their population so that adequate benefits from all the concerned sectors flow to this disadvantaged group. Thus the TSP strategy seeks to ensure adequate flow of funds for tribal development not only under every State Plan funds, but also from all the Central Ministries/Departments. TSP is a part of the overall plan of a State/UT or a Central Ministry/Department, and is therefore called a Sub-Plan.
- ❑ **TRIFED:** The Tribal Cooperative Marketing Development Federation of India Limited (TRIFED) was set up by the Government of India in 1987, with the prime objective of providing marketing assistance and remunerative prices to ST communities for their minor forest produce and surplus agricultural produce and to wean them away from exploitative private traders and middlemen. TRIFED now functions as a 'market developer' for tribal products and as 'service provider' to its member federations through its own shops ('TRIBES India').
- ❑ **National Scheduled Tribes Finance and Development Corporation:** NSTFDC provides financial assistance at concessional rates of interest to STs for undertaking income generating activities and for procurement and marketing of minor forest produce and other tribal products. The financial assistance of NSTFDC is provided through its State level Channelizing Agencies (SCAs), certain Public Sector Banks, certain Regional Rural Banks, National Cooperative Development Corporation (NCDC), etc.

Prime Minister Van Dhan Yojana

Context

- ❑ Minister of State for Tribal Affairs will be announcing 100 Days achievements of 'Prime Minister Van Dhan Yojana'.
- ❑ TRIFED under Ministry of Tribal Affairs is going to forge a partnership with Ritu Beri Designs to promote Indian tribal crafts and culture across the country and the world.
- ❑ Ms. Beri will be the Chief Design Consultant for Tribes India.
- ❑ Pradhan Mantri Van Dhan Yojana (PMVDY) is a Market Linked Tribal Entrepreneurship Development Program for forming clusters of tribal SHGs and strengthening them into Tribal Producer Companies has been launched with participation from all the 27 States from the Country.

Additional information about Prime Minister Van Dhan Yojana

- ❑ The Van Dhan Scheme is an initiative of the Ministry of Tribal Affairs and TRIFED.
- ❑ It was launched in 2018 and seeks to improve tribal incomes through value addition of tribal products.
- ❑ The scheme will be implemented through Ministry of Tribal Affairs as Nodal Department at the Central Level and TRIFED as Nodal Agency at the National Level.
- ❑ At State level, the State Nodal Agency for MFPs and the District collectors are envisaged to play a pivot role in scheme implementation at grassroot level.
- ❑ Locally the Kendras are proposed to be managed by a Managing Committee (an SHG) consisting of representatives of Van Dhan SHGs in the cluster.

The Tribal Cooperative Marketing Development Federation of India Limited (TRIFED)

- ❑ TRIFED is engaged in marketing development of tribal products and provides marketing support to the products made by tribals through a network of retail outlets.
- ❑ It is indulged in capacity building trainings of tribal handicraft artisans and tribal people engaged in the collection of Minor Forest Produce like Honey, Gum Karaya, Mahuwa Flower, Lac Cultivation and Dona Pattal making etc., with the ultimate objective of increasing their income and ensuring sustainable economic development.
- ❑ It has following four main activities
 - ❑ Retail Marketing Development Activity
 - ❑ MFP Marketing Development Activity
 - ❑ Vocation Training, Skill Upgradation and Capacity Building of ST Artisans and Minor Forest Produce (MFP) Gatherers
 - ❑ Research & Development/Intellectual Property Right (IPR) Activity.

Development And Welfare Board for De-Notified, Nomadic and Semi-Nomadic Tribes

Context

- ❑ Amongst the most disadvantaged communities in the country are the Denotified, Nomadic and Semi-Nomadic Communities (DNCs). These communities are hard to reach, less visible, and therefore frequently left out. While most Denotified Tribes (DNTs) are spread across the Scheduled Castes (SC), Scheduled Tribes (ST) and Other Backward Classes (OBC) categories, some DNTs are not covered in any of the SC, ST or OBC categories.
- ❑ Ministry of Social Justice and Empowerment has therefore, notified in March, 2019 to constitute Development and Welfare Board for Denotified, Nomadic and Semi-Nomadic Communities chaired by Sh. Bhiku Ramji Idate. The Ministry has now come up with the Terms of Reference for the Board.

Commissions and committees constituted since Independence have referred to the problems of these communities.

- ❑ These include the **Criminal Tribes Inquiry Committee, 1947** constituted in the United Provinces (now Uttar Pradesh),
- ❑ **Ananthasayanam Ayyangar Committee in 1949** (it was based on the report of this committee the Criminal Tribes Act was repealed).
- ❑ **Kaka Kalelkar Commission** (also called first OBC Commission) constituted in 1953.
- ❑ The **B P Mandal Commission** constituted in 1980 also made some recommendations on the issue.
- ❑ **The National Commission to Review the Working of the Constitution (NCRWC), 2002** held that DNTs have been wrongly stigmatised as crime prone and subjected to high handed treatment as well as exploitation by the representatives of law and order and general society.

Development and Welfare Board for De-notified, Nomadic and Semi-Nomadic Communities (DWBDNC)

- ❑ A new Commission was constituted in February 2014 to prepare a state-wise list, which submitted its report in 2018, identified 1,262 communities as de-notified, nomadic and semi-nomadic.
- ❑ The commission recommended the setting up of a permanent commission for these communities.
- ❑ The government set up the **Development and Welfare Board for De-notified, Nomadic and Semi-Nomadic Communities (DWBDNC)**.
- ❑ DWBDNC was established under the Societies Registration Act, 1860 under the aegis of the Ministry of Social Justice and Empowerment for the purpose of implementing welfare programmes.
- ❑ The DWBDNC was constituted on 21st February 2019, under the chairmanship of Bhiku Ramji Idate.

Terms Of Reference of The Board

- ❑ To formulate and Implement Welfare and Development program as required, for De-notified, Nomadic and Semi-Nomadic Communities.
- ❑ To identify the locations/areas where these communities are densely populated.
- ❑ To assess and identify gaps in accessing existing programs and entitlements and to collaborate with Ministries/Implementing agencies to ensure that ongoing programs meet the special requirements of De-notified Nomadic and Semi-Nomadic Communities.
- ❑ To monitor and evaluate the progress of the schemes of Government of India and the States/UTs with reference to De-notified Nomadic and Semi-Nomadic Communities.
- ❑ To redress the grievances of DNTs communities and fulfil their expectations.

Other Steps by Government for NCTs

- ❑ Development and Welfare Board for De-notified, Nomadic and Semi-Nomadic Communities (DWBDNCs) have been working on classification of 269 communities which are currently not classified under SC/ST/OBC/Other communities.
- ❑ Further NITI Aayog has assigned the task of ethnographic survey of 62 tribes to the Anthropological Survey of India (ANSI) to conduct the studies of these communities in different parts of the country.
- ❑ The following schemes are being implemented by State Government/UT Administrations for the DNTs:
 - Pre-Matric Scholarship to DNT Students
 - Post-Matric Scholarship to DNT Students
 - Nanaji Deshmukh Scheme of Construction of Hostels for DNT Boys and Girls

Special Schemes

- ❑ **Adivasi Mahila Sashaktikaran Yojana (AMSY):** Adivasi Mahila Sashaktikaran Yojana (AMSY) is an exclusive scheme for the economic development of ST women, at a highly concessional rate of interest. Under the scheme, NSTFDC provides Term Loan for schemes costing upto Rs.50,000/- per individual profit centre. Financial assistance up to 90% of the cost of the schemes is provided by the NSTFDC. The SCAs may charge a maximum interest @ 4% per annum from the ultimate women beneficiaries.
- ❑ **Development of Particularly Vulnerable Tribal Groups (PVTGs):** This scheme adopts a habitat level development approach to improve the quality of life through intervention in housing, drinking water, education and health services, livelihood support, and cultural aspects.

- **Van Bandhu Kalyan Yojana:** VKY a strategic process. It aims at creating enabling environment for need based and outcome oriented holistic development of the tribal people. This process envisages to ensure that all the intended benefits of goods and services under various programmes/schemes of Central as well as State Governments actually reach the target groups by convergence of resources through appropriate institutional mechanism.

- **Scope**

- ▶ It covers all tribal people and all areas with tribal population across the country.

- **Objectives**

- ▶ Improving the quality of life in tribal areas
- ▶ Improving the quality of education
- ▶ Qualitative and sustainable employment for tribal families
- ▶ Bridging infrastructure gaps with focus on quality
- ▶ Protection of tribal culture and heritage

Chapter 3.7

WELFARE OF MINORITIES

The notified minority communities in India are- Muslim, Christian, Buddhist, Sikhs, Parsis and Jains. The mandate of the Ministry includes formulation of overall policy and planning, coordination, evaluation and review of the regulatory framework and development programmes for the benefit of the minority communities.

Issues Related to Minorities in India

Religious minorities get special benefits, especially in the field of education and educational institutions. Minority communities can establish their own educational institutions, and can reserve 50% seats of students reserved for own community members. In addition, they can recruit 100% staff from their own community.

▣ Education

- The literacy rate among minorities is poor. Another issue was biased curriculum content, that either distorted history by excluding the achievements of religious minority communities or by breeding hatred through specific anti-minority rhetoric in textbooks.
- Further many minority community children do not even come to know of the various scholarship programmes of the government which are made only for them due to lack of awareness. Thus to increase awareness government is hiring NGOs who will organize workshops and seminars at every school in the state and inform students about the various schemes for the minority communities.

▣ Customary Laws

- The issue of customary laws is quite complicated because they can have both a negative and positive impact on human rights. Customary laws, also called personal laws, may discriminate against certain sections of society, like women. It is here that problems arise, as governments remain uncertain of how such cases should be handled. For example, in India, the adoption of a Uniform Civil Code has been hotly contested as it is thought to be an imposition of majority community law on minorities.
- The issue related to Triple Talaq is going on.
- Most participants agreed that the main problem facing all countries was the extremely low level of awareness of people, especially women, regarding human rights, and the lack of implementation of international and even constitutional human rights guarantees signed up to by states.

■ Employment Status

- Worker population ratios for Muslims are significantly lower than for all other religious communities in rural areas, but only marginally lower in urban areas. The lower ratios are mainly due to much lower participation in economic activity by Muslim women.
- Government is planning to earmarked a proportionate percentage of funds in all Central Sector and Centrally Sponsored Schemes in the field of employment in both rural and urban sectors for beneficiaries belonging to the minority communities for creation of durable, social, physical and economic infrastructure.

■ Employment in Government Sector

- In spite of the fact that the Constitution of India provides equal opportunities to all irrespective of any discrimination on the basis of the religion etc. The number of Muslims recruited to various services have never been above 5% and mostly lower around two or three percent in the govt. service.

■ Poverty and Low Social Status

- Minorities face high and disproportionate levels of poverty and the dynamics of that poverty are often more complex in nature for minority groups and defy the rationale of common denominator policies of poverty alleviation.
- Financial inclusion is also low among religious communities. To increase their financial participation government is planning to earmarked a proportionate percentage of priority sector lending viz. agricultural loans, loan to small-scale industries & small business, loans to retail trade, professional and self-employed persons, education loans, housing loans and micro-credit etc. for the minority communities.

■ Security

- Internal security laws and anti-terror laws are being used against communities that do not fall in line with state policies. Such laws are used to quash dissent and are often misused against political opponents, minorities and other vulnerable groups. In India, the Prevention of Terrorism Act (POTA) has been used to detain Muslims unlawfully. The police have become communalized and are biased against religious minority communities.
- Thus to overcome this problem National Commission for Minorities has issued some guidelines: Thus to overcome this problem National Commission for Minorities has issued some guidelines:
- State Governments shall be advised that Police officials of highest known efficiency, impartiality, integrity and secular record must be posted in sectarian sensitive and riot prone districts and areas to create a sense of confidence.
- Prevention of sectarian tension would be first and foremost duties of the District Magistrate and Superintendent of Police. They would be held unequivocally responsible in the event of outbreak of sectarian violence. Their performance in this regard would be an important factor in determining their promotion and career progression prospects. Intelligence mechanism in this regard should also be strengthened.
- Special (Fast Track) Courts should be exclusively set up to try sectarian offences to be set up so that offenders are brought to book, investigated and punished speedily i.e. within three months, and if necessary, an extension of another three months will be given.
- National Human Rights Commission will be given statutory powers to monitor the performance of Special Courts and place the performance reports before the legislature of the concerned States as well as before the Parliament.

Institutional Measures for the Development of Minorities

- ❑ **National Commission for Religious and Linguistic Minorities:** The Government has constituted a National Commission for Religious and Linguistic Minorities, with the following terms of reference: (a) to suggest criteria for identification of socially and economically backward sections among religious and linguistic minorities; (b) to recommend measures for welfare of socially and economically backward sections among religious and linguistic minorities, including reservation in education and government employment; (c) to suggest the necessary constitutional, legal and administrative modalities, as required for the implementation of their recommendations; and to present a Report of their deliberations and recommendations. The Commission has started functioning since 21 March 2005.
- ❑ **Special Officer for Linguistic Minorities:** The Office of the Special Officer for Linguistic Minorities (commonly known as the Commissioner for Linguistic Minorities) was created in July 1957, in pursuance of the provision of Article 350-B of the Constitution. The CLM takes up all the matters pertaining to the grievances arising out of the non-implementation of the Constitutional and Nationally Agreed Scheme of Safeguards provided to linguistic minorities that come to its notice or are brought to its knowledge by the linguistic minority individuals, groups, associations or organizations at the highest political and administrative levels of the State Governments and UT Administrations and recommends remedial actions to be taken.

Schemes for Minorities

Nai Roshni Scheme

- ❑ **Objective:** Leadership Development of Minority Women
- ❑ **Ministry:** Ministry of Minority Affairs
- ❑ **Salient Features:**
 - To empower and instil confidence among minority women by providing knowledge, tools and techniques for interacting with Government systems, Banks and other institutions at all levels.
 - Training modules including audio visual aids and case studies and qualities of leadership will form an integral part of the training.
 - Leadership development training modules will be developed pertaining to rights of women in education, employment, livelihood etc; these will be used to empower women.
 - Specific training modules will also be based on local needs and issues faced by women from the minority community.
 - The scheme is implemented through Non-Governmental Organizations (NGOs).

USTAAD Scheme (Upgrading the Skills and Training in Traditional Arts/ Crafts for Development)

- ❑ **Objective:** Upgrading Skills and Training of minority communities by preservation of traditional ancestral Arts and Crafts.

❑ **Ministry:** Ministry of Minority Affairs

❑ **Salient Features:**

- Under the scheme, assistance will be provided to traditional artisans to sell their products in order to make them more compatible with modern markets.
- It also envisages at boosting the skill of craftsmen, weavers and artisans who are already engaged in the traditional ancestral work.
- It is fully funded by Union Government.
- Applicable for all areas in India.

Nai Manzil Scheme

❑ **Objective:** To address educational and livelihood needs of minority communities lagging behind in terms of educational attainments.

❑ **Ministry:** Ministry of Minority Affairs

❑ **Salient Features:**

- Under the scheme girls from minority communities are being imparted three-month skill development training in seven identified sectors relevant to the region. These include training in saffron processing, food processing, embroidery, computers IT (both software and hardware), tourism/hospitality, electronics and plumbing.
- The scheme aims to benefit the minority youths in the age group of 17 to 35 years who are school-dropouts or educated in the community education institutions like Madarsas, by providing them an integrated input of formal education (up till Class VIII or X).
- Skill training along with certification, with a view of enabling them to seek better employment in the organized sector and equipping them with better lives.
- It seeks to provide trade based skill training in four courses at the same time of formal education, in field of:
 - ▶ Manufacturing,
 - ▶ Engineering,
 - ▶ Services, and
 - ▶ Soft skills.
- Minimum 30% seats are earmarked for minority girls.
- The scheme covers the entire country.
- Initiative supported by the **World Bank**.
- For implementation of the scheme, the Project Implementing Agencies (PIAs) have been shortlisted for project allocation as per laid down procedure.

Seekho aur Kamao:

- ❑ The objective of the scheme is to allow urban and rural livelihoods to improve for inclusive growth by providing skill to the minority communities who do not possess any skill.
- ❑ For those who already possess skills, the Scheme proposes to upgrade the same to enhance their employment opportunities and also provide credentials to allow such persons to gain access to credit to help them expand their enterprises.

■ Scheme for Leadership Development of Minority Women:

- To ensure that the benefits of growth reach deprived women, such women are being provided with, leadership training and skill development so that they are emboldened to move out of the confines of their homes and community and begin to assume a leadership role in accessing services, skills and opportunities available to them under various programmes and schemes.

■ Hamari Dharohar:

- Hamari Dharohar scheme is proposed to preserve rich heritage of minority communities of India under the overall concept of Indian culture.

■ Progress Panchayats:

- An information campaign at ground level. “Progress Panchayat” will prove to be an effective mission for informing people about welfare measures as there is no dearth of schemes and funds for development of Muslim and other Minority communities.

Chapter 3.8

WELFARE OF PERSONS WITH DISABILITY

What is the meaning of disability?

- The definition of disability as provided by the UN Convention on Rights of Persons with Disabilities (UNCRPD) which states that “Persons with Disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.”
- According to the central government following 19 conditions are included under disability: autism spectrum disorder; low vision; blindness; cerebral palsy; deaf blindness; hemophilia; hearing impairment; leprosy cured person; intellectual disability; mental illness; locomotor disability; muscular dystrophy; multiple sclerosis; specific learning disabilities; speech and language disability; sickle cell disease; thalassemia; chronic neurological conditions and multiple disability. The Bill allows the central government to notify any other condition as a disability.

United Nations Convention on the Rights of People with Disabilities (UNCRPD)

- The United Nations Convention on the Rights of People with Disabilities (UNCRPD) was ratified by India in October 2007. It enjoins upon India to ensure that all the rights enshrined in the Constitution, the current legislations, as well as UNCRPD, are speedily and effectively operationalized. It is now obligatory upon India to incorporate the essence of the convention in our planning, implementation, monitoring, and review processes.
- **The eight basic principles of the Convention are:** (i) respect for inherent dignity, individual autonomy including the freedom to make one’s own choices, and independence of persons with disabilities; (ii) non-discrimination; (iii) full and effective participation and inclusion in society; (iv) respect for difference and acceptance of disabled people as part of human diversity and humanity; (v) equality of opportunity; (vi) accessibility; (vii) equality between men and women; and (viii) respect for the evolving capacities of children with disabilities and respect for their right to preserve their identities. There is an urgent need to review all the four disability legislations and to amend them suitably to bring them in consonance with UNCRPD.

Present statistics on disability

- ❑ The World Report on Disability published by the World Health Organization (WHO) and the World Bank states that 15 per cent of the world's population or 1 billion people live with a disability.
- ❑ The country's disabled population has increased by 22.4% between 2001 and 2011. The number of disabled, which was 2.19 crore in 2001, rose in 2011 to 2.68 crore—1.5 crore males and 1.18 crore females.
- ❑ Rural areas have more disabled people than urban areas.
- ❑ The growth rate of disabled population is more in urban areas and among urban females.
- ❑ Most of the disabled are those with movement disability. According to the census, 20.3% of the disabled are movement disabled followed by hearing impaired (18.9%) and visually impaired (18.8%). Nearly 5.6% of the disabled population is mentally challenged, a classification introduced in the 2011 census.

Constitutional Rights

- Indian Constitution ensures equality, freedom, justice and dignity of all citizens of the country including persons with disabilities without any discrimination, which implies an inclusive society for all (**Article- 14**).
- **Article- 21** ensures right to life to all, which includes persons with disability also.
- **Article 41** of the Constitution of India relating to right to work, to education and to public assistance in certain cases, states that “the State shall, within the limits of its economic capacity and development, make effective provision for securing the right to work, to education and to public assistance in cases of unemployment, old age, sickness and disablement, and in other cases of undeserved want.”
- **State subject:** Disability is mainly a state subject. “Relief of the disabled and unemployable” in the Seventh Schedule of the Constitution.
- “Disability” also appears in the **11th & 12th Schedules** (pertaining to Panchayats & Municipalities) of the Constitution, Panchayats and municipalities to implement schemes for economic development and social justice.
- Above all our **Preamble** envisages a society based on equality, justice and fraternity. Hence a society which cares for persons with disabilities is considered to be inclusive and progressive, as disability affects not only the individual and family but also society and the nation.

Legal Rights

- Disability rights in India are protected by **four basic legislations** namely Rehabilitation Council of India Act, 1992, Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995; National Trust for the Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999 and Mental Health Act, 1997.
- In view of Government of India's strong commitment to the empowerment of Persons with Disabilities, the **Department of Disability Affairs** has been created in May 2012 under the Ministry of Social Justice & Empowerment to give greater emphasis on their policy issues and implementation.
- The **National Policy for Persons with Disabilities 2006** recognizes the fact that they are a valuable human resource for the country and seeks to create an environment that provides them equal opportunities, protection of their rights and full participation in the society.
- The policies are in consonance with the basic principles of equality, freedom, justice and dignity of all individuals that are enshrined in the Constitution.

Welfare Initiatives for the Disabled Persons

Rashtriya Vayoshri Yojana

- ❑ **Objective:** It is a scheme for providing Physical Aids and Assisted-Living Devices for Senior Citizens belonging to BPL Category.
- ❑ **Parent Ministry:** Ministry for Social Justice and Empowerment.
- ❑ **Salient Features:**
 - Under the Scheme, the following Aids and Assisted-Living Devices will be provided to eligible elderly beneficiary senior citizens, depending upon their physical impairment :- Walking sticks, Elbow crutches, Walkers/Crutches, Tripods/Quadpods, Hearing Aids, Wheelchair, Artificial Dentures and Spectacles.

ANUYATRA

- ❑ **Objective:** For making Kerala a disabled-friendly State.
- ❑ **Initiative by:** Kerala Government
- ❑ **Salient Features:**
 - It is a comprehensive project for making Kerala a disabled-friendly State.
 - The project adopts a rights-based life cycle approach to disability management, from primordial prevention to organising sustainable rehabilitation programmes for the disabled.
 - Primordial and primary prevention of disabilities will be ensured through awareness creation regarding pre-natal determinants of disability. In this context, the government would take steps to introduce universal and mandatory screening of newborns to check for any hearing disabilities.
 - Secondary and tertiary prevention will include early identification through screening and disability management, including rehabilitation and palliative care services.
 - The government would also establish District Early Intervention Centres (DEIC) with all facilities in all districts for the early management of disabilities.

Accessible India Campaign (Sugamya Bharat Abhiyan)

Launched on International Day of Persons with Disabilities on 3rd December, 2015.

- ❑ **Objective:** To achieve universal accessibility for persons with disabilities.
- ❑ **Ministry:** Ministry of Social Justice and Empowerment
- ❑ **Salient Features:**
 - Enable persons with disabilities to gain universal access, equal opportunity for development, independent living and participation in all aspects of life in an inclusive society.
 - The campaign has been drafted by Union Ministry of Social Justice & Empowerment in line with the UN Convention on the Rights of Persons with Disabilities (UNCRPD) to which India is a signatory.

- Under the campaign, at least 50% of all the government buildings of National Capital and all the State capitals will be made fully accessible for persons with disabilities by June 2022.
- All the international airports in the country and railway stations of A1, A & B categories will be made fully accessible by June 2022.
 - At least 50% of all public documents issued by the Central Government and the State Governments meet accessibility standards for persons with disabilities by June 2022.

Rare Disease Day in India

Context

The World Rare Disease Day takes place worldwide on the last day of February every year. The day aims to improve knowledge amongst the general public of rare diseases while encouraging researchers and decision-makers to address the needs of those living with rare diseases.

Background

- ❑ Each rare disease may only affect a handful of people, scattered around the world, but taken together the number of people directly affected is equivalent to the population of the world's third-largest country.
- ❑ New diseases are discovered each year and added to the databases such as Orphanet database maintained by the European Union.
- ❑ There is no universal definition of rare disease but the importance of having a consistent definition across each country is well acknowledged.
- ❑ The WHO defines rare disease as a debilitating lifelong disease or disorder condition with a prevalence of 1 or less per 1000 population.
- ❑ **United States:** In the United States, a rare disease is defined as a condition that affects fewer than 200,000 people in the US.
- ❑ **European Union:** In the European Union, a disease is defined as rare when it affects fewer than 1 in 2,000 people.
- ❑ Having and adopting a standard definition of rare disease is a pre-requisite for public policy development.
- ❑ Due to lack of definition and more importantly, due to lack of diagnostic infrastructure and systematic data collection systems in India, the country does not yet have accurate statistics on the incidence or prevalence of rare diseases.
- ❑ About 80% of all rare diseases are genetic in origin, most of them monogenic. Half of the rare diseases are early-onset childhood diseases.
- ❑ Rough conservative estimates indicate over 70 million people in India are affected by rare diseases many of whom may still not have a diagnosis.

Key-figures

- ❑ Over 350 million people are living with one or more of over 7,000 identified rare diseases around the world.
- ❑ Rare diseases currently affect 3.5% - 5.9% of the worldwide population.

- ❑ 72% of rare diseases are genetic whilst others are the result of infections (bacterial or viral), allergies, and environmental causes, or are degenerative and proliferative.
- ❑ 70% of those genetic rare diseases start in childhood.

Rare diseases

- ❑ Rare diseases, as the name suggests, are health conditions that have a very low prevalence.
- ❑ Any disease that affects a small percentage of the population is a rare disease.
- ❑ In many parts of the world, they also go by the term 'orphan disease', for the lack of a market large enough to capture the support and resources needed to develop treatments for them.
- ❑ Most rare diseases are genetic, and present throughout a person's lifetime, even if symptoms do not immediately appear.
- ❑ Many rare diseases appear early on in life, and about 30 percent of children with rare diseases will die before reaching their fifth birthday.
- ❑ At first glance, it might seem to be a marginal issue that affects a handful of people, but there are more than 7,000 diagnosed rare diseases in the world and over 350 million individuals suffer from them, with nearly one-fifth in India.

Orphan Drugs:

- ❑ As the number of persons suffering from individual rare diseases is small, they do not constitute a significant market for drug manufacturers to develop and bring to market drugs for them. For this reason, rare diseases are also called '**orphan diseases**' and drugs to treat them are called "**orphan drugs**".

Rare Disease Day

- ❑ Rare Disease Day was first celebrated in 2008 on 29th February, a Leap day that comes once in four years.
- ❑ Since then, the occasion has been observed on the last day of February, a month with fewer days than others, to build awareness.
- ❑ The main objective of Rare Disease Day is to raise awareness amongst the general public and decision-makers about rare diseases and their impact on patients' lives.

Causes rare diseases

- ❑ There are many different causes of rare diseases. The majority are thought to be genetic, directly caused by changes in genes or chromosomes.
- ❑ **Hereditary:** In some cases, genetic changes that cause disease are passed from one generation to the next.
- ❑ **Acquired:** In other cases, they occur randomly in a person who is the first in a family to be diagnosed. Many rare diseases, including infections, some rare cancers, and some autoimmune diseases, are not inherited.
- ❑ While researchers are learning more each year, the exact cause of many rare diseases is still unknown.

Most common rare diseases

- ❑ Hemangiomas (blood vessels forming a birthmark)
- ❑ lupus (an inflammatory disease)

- ❑ cystic fibrosis (a genetic disorder affecting lungs and the digestive system)
- ❑ Hirschsprung disease (blockage of the large intestine)
- ❑ muscular dystrophies (progressive weakness and degeneration of the muscles)
- ❑ Other common rare disease includes sickle cell anaemia, primary immunodeficiency in children, autoimmune disease.
- ❑ About 80% of all rare diseases are genetic in origin, most of them monogenic.

India's Positions in terms of its efforts

- ❑ With its sizeable population, India has an increased frequency of rare diseases when compared to the rest of the world.

National Policy for Rare Diseases (NPRD), 2021

- ❑ The Government has launched National Policy for Rare Diseases (NPRD), 2021 in March, 2021 for the treatment of rare disease patients. **The salient features of NPRD, 2021 are as under:**
- ❑ The rare diseases have been identified and categorized into 3 groups namely Group 1, Group 2 and Group 3.
 - ❶ **Group 1:** Disorders amenable to one-time curative treatment.
 - ❷ **Group-2:** Diseases requiring long term/lifelong treatment having relatively lower cost of treatment and benefit has been documented in literature and annual or more frequent surveillance is required.
 - ❸ **Group 3:** Diseases for which definitive treatment is available but challenges are to make optimal patient selection for benefit, very high cost and lifelong therapy.
- ❑ **Provision for financial support of up to Rs. 50 lakhs** to the patients suffering from any category of the Rare Diseases and for treatment in any of the Centre of Excellence (CoE) mentioned in NPRD-2021, outside the Umbrella Scheme of Rashtriya Arogya Nidhi.
- ❑ In order to receive financial assistance for treatment of rare disease, the patient of the nearby area may approach the nearest Centre of Excellence to get him assessed and avail the benefits.
- ❑ Eight (08) Centres of Excellence (CoEs) have been identified for diagnosis, prevention and treatment of rare diseases.
- ❑ Five Nidan Kendras have been set up for genetic testing and counselling services.

Areas where India lacks

- ❑ India does not have a definition for rare diseases.
- ❑ Rare diseases are not covered under the Rights of Persons with Disabilities Act.
- ❑ There is no law that recognizes medical disability, depriving patients of all facilities and benefits.
- ❑ This year's budget made no new allocation for such a plan.
- ❑ Only 450 of the 8,000 known rare diseases in the world are recognized in India, an anomaly that underscores a mounting health crisis in which many patients go without being diagnosed accurately or treated on time.

Measures were taken by foreign countries

- ❑ The Orphan Drugs Act(ODA) of 1983 in the United States marked the most significant milestone in shaping rare disease policies around the world.
- ❑ ODA offers significant tax and other incentives to companies investing in the research and development of treatments for rare diseases.

- ❑ Several European countries, Japan and others have adopted policies over the last 35 years - but the adoption has been far and few in some of the most populous countries such as China and India.

Challenges/Issues

The main challenges include:

- ❑ lack of awareness among the medical fraternity
- ❑ lack of dedicated healthcare policies, schemes, and diagnostic facilities
- ❑ absence of counseling or even just a database of rare diseases
- ❑ **Lack of efforts:** Despite the large number of patients suffering from rare diseases, efforts to properly diagnose and treat these conditions have been lagging.
- ❑ **Limited help:** Due to the low prevalence of individual diseases, medical expertise is rare, knowledge is scarce, care offerings inadequate, and research limited.
- ❑ **Denied treatment:** Despite the large overall estimate, patients with a rare disease are the orphans of health systems, often denied diagnosis, treatment, and the benefits of research.
- ❑ **Expensive treatments:** The unavailability and high cost of treatment remain one of the biggest obstacles.

Measures required

- ❑ **Sufficient information regarding the disease:** Currently, both the public and policy-makers are in need of more information regarding rare diseases, only then can plans be put in place to move forward in providing adequate treatment and support for the millions affected by these conditions.
- ❑ **Effective policy formulation:** The Union government needs to craft a stronger, more holistic and empathetic policy, along with clear direction and support to State Governments, to improve the quality of life for rare disease patients and reduce their medical costs.
- ❑ **Collaborative approach:** A multi-stakeholder consensus, across sectors, regions, and political affiliations needs to emerge to tackle this invisible yet urgent public health concern.

Conclusion

Managing health complexities such as rare diseases amidst the COVID-19 pandemic is a daunting task. However, it is essential to re-address focus on all health areas and not choose areas of primacy for policy action. The Economic Survey 2021 cautions about the “**saliency bias**” where a policy may over-weigh a recent phenomenon neglecting other areas that may require equal attention. Thus, tackling rare diseases is as important as keeping an adequate focus on the COVID-19 damage.

Chapter 3.9

WELFARE OF THE SENIOR CITIZENS

As per Census 2011, the population of senior citizens in the country is 10.38 crore, which is about 8.6% of the total population of the country. A study by the National Commission on Population projects that senior citizens will comprise 9.3 per cent by 2016, 10.7 per cent by 2021 and 12.40 per cent by 2026. According to the UN, by 2050 about 20 per cent of India's population is likely to be over 60 years.

Issues Related to Welfare of Old Citizens

- Well-being of older persons has been mandated in the Constitution of India. Article 41, Directive Principle of State Policy has directed that the State shall, within the limits of its economic capacity and development, make effective provision for securities, right to public assistance in case of old age.
- The major area of concern is the health of the elderly with multiple medical and psychological problems. Falls are one of the major problems in older people and are considered one of the "Geriatric Giants". Recurrent falls are an important cause of morbidity and mortality among the older people and are a marker of poor physical and cognitive status.
- Inadequate financial resources are one of the major problems of the older people in the country. In India approximately 60 percent continue to work beyond 60 years whereas in some developed nations only 2 percent over 65 years are part of the labour force. It is not that the elders who do not participate in the workforce do not contribute to the economy – only it is not taken into account.
- There is a transformation occurring in households in India, where the traditional extended family make-up of households is moving to a nuclear one. There is also a trend of migration from rural to urban areas, leaving many older people without familial support in rural areas. Much higher cost of bringing up and educating children and pressures for gratification of their desires affects transfer of shares of income for the care of parents. Due to shortage of space in dwellings in urban areas and high rents, migrants prefer to leave their parents in their native place. Changing roles and expectations of women, their concepts of privacy and space, desire not to be encumbered by caring responsibilities of old people for long periods, career ambitions, and employment outside the home implies considerably reduced time for caregiving.

National Policy for Senior Citizens 2011

- GOI has proposed the “National Policy for Senior Citizens 2011” which is based on several factors. These include the demographic explosion among the elderly, the changing economy and social milieu, advancement in medical research, science and technology and high levels of destitution among the elderly rural poor (51 million elderly live below the poverty line). The policy addresses issues concerning senior citizens living in urban and rural areas, special needs of the “oldest old and older women.”
 - Mainstream senior citizens, especially older women, and bring their concerns into the national development debate with priority to implement mechanisms already set by governments and supported by civil society and senior citizens associations. Support promotion and establishment of senior citizens associations, especially amongst women.
 - Promote the concept of “Ageing in Place” or ageing in own home, housing, income security and homecare services, old age pension and access to healthcare insurance schemes and other programmes and services to facilitate and sustain dignity in old age. The thrust of the policy would be preventive rather than cure.
 - The policy will consider institutional care as the last resort. It recognizes that care of senior citizens has to remain vested in the family which would partner the community, government and the private sector.
 - Being a signatory to the Madrid Plan of Action and Barrier Free Framework it will work towards an inclusive, barrier-free and age-friendly society.
 - Long term savings instruments and credit activities will be promoted to reach both rural and urban areas. It will be necessary for the contributors to feel National Policy on Senior Citizens 2011 assured that the payments at the end of the stipulated period are attractive enough to take care of the likely erosion in purchasing power.
 - Employment in income generating activities after superannuation will be encouraged.
 - Support and assist organizations that provide counselling, career guidance and training services.
 - States will be advised to implement the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 and set up Tribunals so that elderly parents unable to maintain themselves are not abandoned and neglected.
 - States will set up homes with assisted living facilities for abandoned senior citizens in every district of the country and there will be adequate budgetary support.
- Government of India (GOI) will also provide the ADHAAR Unique identity number to them so that implementation of assistance schemes of Government of India and concessions can be offered to them.

National Council of Senior Citizens

- ▶ The mandate of the National Council of Senior Citizens is to advise the Central and State Governments on the entire gamut of issues related to the welfare of senior citizens and enhancement of their quality of life, with special reference to the following:
- ▶ Policies, programmes and legislative measures;
 - ▶ Promotion of physical and financial security, health and independent and productive living; and
 - ▶ Awareness generation and community mobilization.

Welfare Schemes for Senior Citizens

- ❑ **Scheme of Integrated Programme for Older Persons (IPOP):** Under the scheme Financial assistance is provided under it to State Governments/ Panchayati Raj Institutions/ Urban Local Bodies and Non Governmental Organisations for running and maintenance of projects like:
 - Old Age Home;
 - Day Care Centre;
 - Mobile Medicare Unit;
 - Day Care Centre for Alzheimer's Disease/ Dementia Patients;
 - Physiotherapy Clinic for Older Persons;
 - Help-lines and Counseling Centres for Older Persons;
 - Sensitizing Programmes for Children particularly in Schools and Colleges;
 - Regional Resource and Training Centres; etc.
- ❑ **National Old Age Pension Scheme:** Under the Scheme, Central assistance is given towards pension @ Rs. 200/- per month to persons above 60 years, and @ Rs. 500/- per month to persons above 80 years belonging to a household below poverty line, which is expected to be supplemented by contribution by the States.
- ❑ **National Programme for the Health Care for the Elderly:** Major components of this programme, launched in 2010-11, are:
 - Community based Primary Healthcare approach;
 - Strengthening of health services for senior citizens at District Hospitals/ CHC/ PHC/ Sub-Centres;
 - Dedicated facilities at 100 District Hospitals with 10 bedded wards for the elderly;
 - Strengthening of 8 Regional Medical Institutions to provide dedicated tertiary level Medical Care for the elderly, with 30 bedded wards, at New Delhi (AIIMS), Chennai, Mumbai, Srinagar, Varanasi, Jodhpur, Thiruvananthapuram and Guwahati; and
 - Introduction of PG courses in Geriatric Medicines in the above 8 Institutions and In-Service training of health personnel at all level.

Indira Gandhi National Old Age Pension Scheme (IGNOAPS)

- ❑ The Ministry of Rural Development runs the National Social Assistance Programme (NSAP) that extends social assistance for poor households for the aged, widows, disabled, and in cases of death where the breadwinner has passed away.
- ❑ Under this scheme, financial assistance is provided to person of 60 years and above and belonging to family living below poverty line as per the criteria prescribed by Government of India. Central assistance of Rs 200 per month is provided to person in the age group of 60-79 years and Rs 500 per month to persons of 80 years and above.

Varishtha Pension Bima Yojana (VPBY)

- ❑ This scheme is run by the Ministry of Finance. The Varishtha Pension Bima Yojana (VPBY) was first launched in 2003 and then relaunched in 2014. Both are social security schemes for senior citizens intended to give an assured minimum pension on a guaranteed minimum return on the subscription amount.

Vayoshreshtha Samman

- Conferred as a National award, and given to eminent senior citizens & institutions under various categories for their contributions on international day of older persons on 1st October.

Senior care Aging Growth Engine Initiative (SAGE)

- The Ministry of Social Justice and Empowerment virtually launched the SAGE (Senior care Aging Growth Engine) initiative and SAGE portal for elderly persons.
- It has been launched with a view to help such persons who are interested in entrepreneurship in the field of providing services for elderly care.
- The SAGE portal will be a “**one-stop access**” of elderly care products and services by credible start-ups.

Chapter

WELFARE SCHEMES FOR YOUTH

- India is one of the youngest nations in the World, with about 65 per cent of the population being under 35 years of age. While most of these developed countries face the risk of an ageing workforce, India is expected to have a very favourable demographic profile.
- It is estimated that by the year 2020, the population of India would have a median age of 28 years only as against 38 years for United States, 42 years for China and 48 years for Japan. This 'demographic dividend' offers a great opportunity. However, in order to capture this demographic dividend, it is essential that the economy has the ability to support the increase in the labour force and the youth have the appropriate education, skills, health awareness and other enablers to productively contribute to the economy.
- **The need for empowering youth arises due to the following reasons:**
 - To enable youth to acquire such knowledge, skills and techniques which will help them in their personal and social growth as well as foster in them sensitivity towards problems in the society.
 - To promote national integration and international understanding by developing youth leadership and providing a forum for youth from diverse background.
 - To promote regional co-operation and exchange between people of various countries.
 - To foster initiatives for unfolding the potential of youth through a constant process of self evaluation and self -exploration.
 - To promote research in youth work.

National Youth Policy, 2014

- The government has launched the National Youth Policy (NYP 2014) to cater the needs of youth in India. It is a comprehensive policy document that states the vision of the Government of India (GOI) for the youth of the country and also how this vision is sought to be realised by the government.
- NYP-2014 caters to needs of the youth in the age-group of 15-29 years, which constitutes 27.5 per cent of population. The target groups identified are (i) Student Youth (ii) Migrant Youth (iii) Rural Youth (iv) Tribal Youth (v) Youth At Risk (vi) Youth in violent conflicts (vii) out of school/dropouts (viii) groups with social /moral stigma (ix) Youth in Institutional Care. Young women, Youth belonging to socially and economically disadvantaged communities /groups, and differently abled youth form the three priority groups among the target age group.

- NYP 2014 identifies the vision and the five key objectives for youth development that are further subdivided into 11 priority areas. It further suggests policy imperatives that should be implemented in each of these identified priority areas. The concerns of target groups and the priority groups therein, shall be addressed through a subsequent action plan based on policy interventions.
- NYP 2014 seeks to achieve a productive workforce through education, skill development for better employability and entrepreneurship training; a healthy generation with sports as a way of life; a sense of community service and strong social values; high levels of participation in governance; and social inclusiveness by creating equitable opportunities for all. The thrust areas are promotion of National values, social harmony, national unity, and empowering youth through employable skills, education, health, sports and recreation, gender justice, participation in community service, environment and local governance.
- **The NYP 2014 will be implemented in four steps:**
 - GOI will formulate an action plan within 6 months for the implementation of the policy across all the concerned ministries and department;
 - The MYAS also constituted a Youth Council consisting of exceptional youth from across the country to oversee the implementation of the policy;
 - A set of short-term and long-term indicators for measuring the success of the policy; and
 - The youth are encouraged to engage their elected representatives and the government if there is any shortcomings in the implementation of youth oriented schemes as outlined in the NYP. Youth Development Index will include the indices viz. Youth Health Index, Youth Education Index, Youth Work Index, Youth Amenities Index, and Youth Participation Index.

Welfare schemes by Ministry of Youth Affairs and Sports:

■ **National Service Scheme (NSS):**

- National Service Scheme (NSS) was introduced in 1969 with the primary objective of developing the personality and character of the student youth through voluntary community service. An NSS volunteer places the 'community' before 'self'.
- NSS aims at developing the following qualities/competencies among the volunteers:
 - ▶ to understand the community in which the NSS volunteers work and to understand themselves in relation to their community;
 - ▶ to identify the needs and problems of the community and involve themselves in problem-solving exercise;
 - ▶ to develop among themselves a sense of social and civic responsibility;
 - ▶ to utilize their knowledge in finding practical solutions to individual and community problems;
 - ▶ to gain skills in mobilizing community participation;
 - ▶ to acquire leadership qualities and democratic values;
 - ▶ to develop capacity to meet emergencies and natural disasters; and
 - ▶ to practice national integration and social harmony. NSS attempts to establish meaningful linkages between 'Campus and Community', 'College and Village' and 'Knowledge and Action'.

■ **National Young Leaders Programme (NYLP):**

- In pursuance to the Budget announcement during 2014-15, a new Scheme, namely, 'National Young Leaders Programme (NYLP)' was launched in December, 2014 in order to develop leadership qualities among the youth.

■ Scouting and Guiding

- The Department provides financial assistance to the Scouting and Guiding Organisations, with a view to promoting the Scouts and Guides movement in the country.
- Scouts and Guides movement is an international movement aimed at building character, confidence, idealism and spirit of patriotism and service among young boys and girls.
- Scouting and Guiding also seeks to promote balanced physical and mental development among the boys and girls.
- The activities, inter alia, include programmes related to adult literacy, environment conservation, community service, health awareness and promotion of hygiene and sanitation.

Revamped Khelo India Programme

■ Objective:

- To identify and groom young sporting talent, the Union cabinet has approved a revamped Khelo India (Play India) scheme under which selected athletes will receive an annual scholarship of Rs. 5 lakh each for eight years.

■ Ministry: The Ministry of Youth Affairs and Sports

■ Salient features:

- An unprecedented Pan Indian Sports Scholarship scheme, which would cover 1,000 most talented young athletes each year across select sports disciplines.
- Each athlete selected under the scheme shall receive an annual scholarship worth Rs. 5 lakh for 8 consecutive years.
- This is the first time ever that a long-term athlete development pathway would be made available to gifted and talented youngsters to excel in competitive sports and will create a pool of highly competitive athletes who can compete to win at the world stage.
- The Programme aims to promote 20 universities across the country as hubs of sporting excellence, which would enable talented sports persons to pursue the dual pathway of education and competitive sports.
- The Programme also aims at creating an active population with healthy life-style.
- The Programme would cover about 200 million children in the age group of 10-18 under a massive national physical fitness drive, which will not only measure the physical fitness of all children in the age group, but also support their fitness related activities.

■ Impact:

- The power of sport in promoting gender equity and social inclusiveness is also fully recognized and special measures are provided for to achieve these objectives.
- The programme also aims at engaging youth living in disturbed and deprived areas, in sporting activities, to wean them away from unproductive and disruptive activities and mainstream them in the nation-building process.
- The programme strives to raise the standards of competition, both at school and college level, to have maximum access to organized sports competitions.

- It also includes the use of latest user-friendly technology in all aspects of sports promotion such as, use of mobile apps for dissemination of sports training; National Sports Talent Search portal for talent identification; interactive website for indigenous sports; GIS based information system for locating and using sports infrastructure, etc.
- This programme strives to promote “Sports for All” as well as “Sports for Excellence.”

Chapter 3.11

WELFARE SCHEMES FOR CHILDREN

- India is home to the largest child population in the world. The Constitution of India guarantees Fundamental Rights to all children in the country and empowers the State to make special provisions for children. The Directive Principles of State Policy in the Constitution specifically guide the State in securing the tender age of children from abuse and ensuring that children are given opportunities and facilities to develop in a healthy manner in conditions of freedom and dignity. The State is responsible for ensuring that childhood is protected from exploitation and moral and material abandonment.
- India ratified the Convention on the Rights of the Child in the year 1992. The CRC draws attention to the four sets of civil, political, social, economic and cultural rights of the child:
 - **The Right to Survival:** includes the right to life, the highest attainable standard of health, nutrition and adequate standard of living. It also includes the right to name and nationality.
 - **The Right to Protection:** includes freedom from all forms of exploitation, abuses, inhuman or degrading treatment and negligence including the right to special protection in situation of emergency and armed conflicts.
 - **The Right to Development:** consists of the rights to education, support for early childhood, development and care, social security and right to leisure, recreation and cultural activities.
 - **The Right to Participation:** includes respect for the views of the child, freedom of expression, access to appropriate information and freedom of thought, consensus and religion.

National Commission for Protection of Child Rights

- The National Commission for Protection of Child Rights (NCPCR) was set up in March 2007 under the Commissions for Protection of Child Rights (CPCR) Act, 2005, an Act of Parliament (December 2005).
- National Commission for Protection of Child Rights (NCPCR) is a statutory body under the Commissions for Protection of Child Rights (CPCR) Act, 2005 under the administrative control of the Ministry of Women & Child Development, Government of India.
- The Commission's Mandate is to ensure that all Laws, Policies, Programmes, and Administrative Mechanisms are in consonance with the Child Rights perspective as enshrined in the Constitution of India and also the UN Convention on the Rights of the Child.
- The Child is defined as a person in the 0 to 18 years age group.

- ❑ The Commission visualizes a rights-based perspective flowing into National Policies and Programmes, along with nuanced responses at the State, District and Block levels, taking care of specificity and strengths of each region.
- ❑ In order to touch every child, it seeks a deeper penetration to communities and households and expects that the ground experiences gathered at the field are taken into consideration by all the authorities at the higher level.
- ❑ Thus the Commission sees an indispensable role for the State, sound institution-building processes, respect for decentralization at the local bodies and community level and larger societal concern for children and their well-being.

Issues Related to Welfare of Children

- ❑ **Poor Health:** Almost half of all children under the age of 5 suffer from stunted growth due to malnutrition. 46% children under the age of 3 are too small for their age, and at least 16% show signs of wasting. Anemia affects 74% of all children under the age of three, and a shocking 90% of all adolescent girls. Preventable diseases like diarrhea and respiratory infections continue to be leading causes of death among children. The under-five mortality rate in the country is 32 deaths per 1000 live births, which is below the world average. A country where medical tourism is opening up new avenues of prosperity, children of poor families continue to die from vaccine-preventable diseases such as measles and tetanus.
- ❑ **Lack of Education:** There is a sharp decline in the enrolment ratio at the upper primary level. Also, the dropout rate increases cumulatively as it proceeds towards higher levels. Although showing improvement, the enrolment of girls is still below that of boys. The dropout rate for girls too is higher. Children belonging to scheduled castes and scheduled tribes continue to face discrimination in schools and have lower enrolment and higher dropout rates.
- ❑ **Child Labour:** India has the highest number of child labourers in the world.
 - According to Yamina de Laet of the International Chemical, Energy and Mine Workers' federation (ICEM), children aged 6-14 years represent 40% of the labour force in the precious-stone-cutting sector.
 - Rescue operations in Mumbai and Delhi in 2005-2006 highlight the employment of children in zari and embroidery units.

Recently the Union Cabinet has approved Child Labour (Prohibition and Regulation) Act to ban employment of children aged up to 14 in any form of industry.

It will be an offence to employ such children not only in factories or industries but also in home or on farms, if their labour is meant to serve any commercial interest. The Cabinet also approved amendment to define those children aged 14-18 as "adolescents" and prohibit their employment in mines, explosive industries, chemical and paint industries and other hazardous establishments.

- ❑ **Crime Against Children:** Crimes against children included infanticide, murder, rape, kidnapping and abduction, foeticide, abetment of suicide, exposure and abandonment, buying and selling of minor girls for prostitution and child marriage. According to the the Child Rights Index (CRI) released by NGO HAQ, Karnataka is the best state for children to live in as it has the least number of cases of crime against children, followed by Andhra Pradesh, Gujarat, Maharashtra and Rajasthan. While crimes against children are highest in Nagaland (in proportion to the number of children), and Manipur is the worst performer in crimes by children. Despite being ostensibly backward on social sector parameters, Bihar is ranked number 1 when it comes to crimes committed by children. It has the least number of such cases.

GOI had formed the Protection of Children from Sexual Offences Act in 2012, which will address the issue of sexual offences against children for the first time. The Act provides for stringent punishments, which have been graded as per the gravity of the offence. The punishments range from simple to rigorous imprisonment of varying periods. There is also provision for fine, which is to be decided by the Court.

National Policy for Children 2013

- The National Policy for Children (NPC), 1974 was adopted by the Government of India on 22nd August, 1974. This Policy describes children as a supremely important asset and makes the State responsible to provide basic services to children, both before and after birth, and also during their growing years and different stages of development.

■ Key priorities of the policy are:

- **Survival, Health and Nutrition:** The State stands committed to ensure equitable access to holistic and essential health care, both preventive and curative, of the highest standard, for all children before, during and after birth, and throughout the period of their growth and development.

The State shall take all necessary measures to: Improve maternal health care, including safe delivery by skilled health personnel; Provide universal access to information for making informed choices related to birth and spacing of children; Secure the right of the girl child to life, survival and health; Provide access to management of neo-natal and childhood illnesses and protect children from all water borne, vector borne, communicable and other childhood diseases and Prevent discrimination faced by children with disabilities and provide health services needed by them.

- **Education and Development:** Every child has equal right to learning, knowledge and education. The State recognises its responsibility to secure this right for every child, with due regard for special needs, through access, provision and promotion of required environment, information, infrastructure, services and supports, towards the development of the child's fullest potential.

The State shall take all necessary measures to: ensure that all children enjoy their right to free and compulsory education from preschool to completion of secondary school without any disruption. The State shall ensure that every child in the 6-14 years of age is in school and enjoys her fundamental right to education as enshrined in the Constitution under the RTE Act.

The State shall ensure that there is universalisation of secondary school education so that children are in schools until 18 years of age and provision for hostels and residential facilities, scholarships and free education are made to enable children continue in the education stream.

- **Protection:** A safe, secure and protective environment is a precondition for the realisation of all other rights of children. Children have the right to be protected wherever they are.

It is the responsibility of the State to create a caring and protective environment for all children, to reduce their vulnerability in all situations and protect them from all forms of violence and abuse, neglect, stigma, discrimination, deprivation, exploitation including economic exploitation and sexual exploitation, abandonment, separation, abduction, sale or trafficking for any purpose or in any form, pornography, substance abuse, or any other activity that takes undue advantage of them, or harm their personhood and affects their development.

The State shall promote child friendly jurisprudence, enact progressive legislation, build a child responsive protection system, and promote effective enforcement of legislative and administrative measures for comprehensively addressing issues related to child protection.

- **Participation:** The State has the primary responsibility to ensure that children are made aware of their rights, and provided with opportunities and support to develop skills to form aspirations and express their views, in accordance with their age, maturity and evolving capacities, and enable them

to be involved in their own development and in all matters concerning and affecting them. The State shall engage all stakeholders in developing mechanisms for children to share their grievances without fear in all settings (family, schools, institutions, community). Children must know that the grievance procedure exists, know how it works, and know how to file a complaint.

The State shall promote and strengthen respect for the views of the child, within the family; community; schools and institutions; different levels of governance; as well as in judicial and administrative proceedings that concern them.

The State commits to allocate the required financial, material and human resources, with transparency, and their efficient and effective use, with accountability, to implement this Policy. Child budgeting will track allocation and utilisation of resources and their impact on outcomes for children.

Child Welfare Programmes

- ▣ Several Ministries and Departments of the government of India are implementing various schemes and programmes for the benefit of children. Some of the Schemes and programmes are as under:
- ▣ **Integrated Child Development Services (ICDS)**
 - It was launched in 1975 with the following objectives:
 - ▶ to improve the nutritional and health status of children in the age-group 0-6 years;
 - ▶ to lay the foundation for proper psychological, physical and social development of the child;
 - ▶ to reduce the incidence of mortality, morbidity, malnutrition and school dropout.
 - It provides supplementary nutrition, immunization, regular health check-up, pre-school non-formal education and nutrition & health education.
- ▣ **Mid-Day Meal Scheme (MDMS):**
 - This scheme launched in 1995, aims to enhance enrolment, retention, and attendance of children in schools apart from improving their nutritional levels.
 - As part of this scheme, cooked meals with a minimum content of 450 calories and 12 grams of protein are to be provided to children in school.
 - The Scheme was extended, with effect from October 1, 2007, to children in the upper primary stage of education (Classes in 3,479 Educationally Backward Blocks (EBBs).
 - Over the next four years, there are plans to converge MOMS with the school health program as well as to expand MDMS to cover pre-primary schooling.
 - PM POSHAN is a revamped version of the existing Mid-Day Meal scheme. 'Mid-Day Meal' scheme has been included in this programme.
- ▣ **PM Poshan Scheme**
 - The Government has approved the Centrally Sponsored Scheme 'Pradhan Mantri Poshan Shakti Nirman (PM POSHAN)' for providing one hot cooked meal in Government and Government – aided Schools from 2021-22 to 2025-26.
 - The Scheme is being implemented by the Ministry of Education. It has a financial outlay of Rs 1.31 trillion.
 - The scheme will replace the existing national programme for mid-day meal in schools or Mid-day Meal Scheme.

- Under the Scheme, there is provision of hot cooked meal to children of pre-schools or Bal Vatika (before class I) in primary schools also in addition to the 11.80 crore children of classes I to VIII studying in 11.20 lakh schools.
- The Scheme is implemented across the country covering all the eligible children without any discrimination of gender and social class.

■ Objective:

- The main objectives of the PM POSHAN Scheme are to address two of the pressing problems for majority of children in India, viz. **hunger and education** by improving the nutritional status of eligible children in Government and Government-aided schools as well as encouraging poor children, belonging to disadvantaged sections, to attend school more regularly and help them concentrate on classroom activities.

■ Integrated Programme for Juvenile Justice

- The programme is being implemented by the Ministry of Social Justice and Empowerment with a view to providing care to children in difficult circumstances and children in conflict with the law through Government institutions and through NGOs. Some special features of the scheme areas:
 - ▶ Establishment of a National Advisory Board on Juvenile Justice.
 - ▶ Creation of a Juvenile Justice Fund.
 - ▶ Training, orientation and sensitization of judicial, administrative police and NGOs responsible for implementation of JJ Act.
 - ▶ Institutional care shall be used but only as a last measure by enlarging the range of suitable alternatives.
 - ▶ Financial assistance to bring about a qualitative improvement in the existing infrastructure.
 - ▶ Expansion of non-institutional services such as sponsorship, foster care, probation etc. as an alternate to institutional care.

■ National Rural Health Mission

- It is a scheme of health Ministry seeks to provide effective healthcare to rural population including large population of children throughout the country with special focus on 18 States, which have weak public health indicators and/or raise public spending on health from 0.9% of GDP to 2-3% of GDP.
- It aims to undertake architectural correction of the health system to enable it to effectively handle increased allocations as promised under the National Common Minimum Programme and promote policies that strengthen public health management and service delivery in the country.

■ Elimination of Child Labour

- It is being implemented by the Ministry of Labour which sanctions projects for rehabilitation of working children and for elimination of child labour.
- Under the project based Action Plan of the Policy, National Child Labour Projects (NCLPs) have been set up in different areas to rehabilitate child labour.
- A major activity undertaken under the NCLP is the establishment of special schools to provide non-formal education, vocational training, supplementary nutrition etc. to children withdrawn from employment.

■ Prevention of Offences against Children

After wide consultations a draft Bill for offences Against Children has been prepared and circulated to the State Governments for their comments and views. After obtaining the comments of the State governments and concerned Ministries and Departments a draft has been prepared and circulated to the concerned Ministries and Departments for their comments and use.

■ Child Budgeting

- The key objectives of the endeavor would be analyze budgetary provisions on social sector, to identify the magnitude of budgetary allocations made by the Centre/State Governments on schemes meant for addressing specific needs of children, to examine the trend in child specific expenditure etc.
- The main agenda for the exercise of child budgeting is to review resource allocations related to children; explore ways to increase budgetary allocations for children;
- Assess budget utilization rates for social sector and child specific programmes, identify blockages and constraints to effective utilization;
- Identify methods for tracking expenditure and monitoring performance to ensure that outlays translate into outcomes for children.

■ Launch of Beti Bachao Beti Padhao (BBBP):

- The WCD Ministry has taken a major step to arrest this trend by launching its flagship programme Beti Bachao Beti Padhao (BBBP) this year. BBBP seeks to improve the declining trend of Child Sex Ratio (CSR) in 100 selected districts in every State/ UT from the current level of 918 by preventing gender-biased sex selection and ensuring survival, protection and education of the girl child.
- Multi-sectoral District Action Plans have been operationalized in all states. District Collectors are leading the initiative.
- The objectives of this initiative are: Prevention of gender biased sex selective elimination; Ensuring survival & protection of the girl child and Ensuring education and participation of the girl child.

■ Khoya Paya:

- The web portal 'Khoya-Paya' will have information of missing and sighted children. The information will be shared in real time with police and state authorities, who are mandated to register the complaint and investigate the case.

■ National Nutrition Mission:

- It will put in place a comprehensive set of measures and activities that will address pivotal and complex issues of malnutrition and focus on outcome monitoring, training and capacity building.

Chapter 3.12

WELFARE SCHEMES FOR WOMEN

Issues Related to Welfare of Women

- Though the Constitutional commitments of the nation to women was translated through the planning process, legislation, policies and programs, a situational analysis of social and economic status of women reflects less than satisfactory achievements in almost all important human development indicators.
- **Human Development Status:** The maternal mortality rate is estimated at 200 per 100,000 live births (2010) in India compared to figures of 35 in Sri Lanka, 37 in China and 59 in Vietnam; the growing female face of HIV/AIDS is reflected in the fact that the number of pregnant women (between 18-24 years) with HIV prevalence comprise 0.86 % in 2003 of the total women pregnant compared to 0.74% in 2002.
- **Poor Empowerment of Women:** Four of the main processes that could lead to women's empowerment
 - ◆ Changes in women's mobility and social interaction;
 - ◆ Changes in women's labour patterns;
 - ◆ Changes in women's access to and control over resources; and
 - ◆ Changes in women's control over decision-making.

In India, women are still facing different obstacles in male-dominated cultures.

- **Discrimination Against Women:** It should be noted that in a vast country like India - spanning 3.29 million sq. km, where cultural backgrounds, religions and traditions vary widely - the extend of discrimination against women also varies from one societal stratum to another and from state to state - some areas in India being historically more inclined to gender bias than others. The stages can be divided in following sections.
- **Discrimination against Women:** Before Birth/As an Infant: India is one of the few countries where males outnumber females; the sex ratio at birth (SRB) - which shows the number of boys born to every 1000 girls - is usually consistent in human populations, where about 1000 males are born to every 914 females.

Though "prenatal sex discrimination" was legally banned in 1996, the law is nearly impossible to enforce and is not even familiar to all Indian families. Hence, the preference for a male child persists,

quite often out of mere practical, financial concerns, because the parents might not be able to afford the marriage dowry for (another) daughter abortions take place annually and around 20,000 women die every year due to abortion related complications.

National Policy for Women, 2016

Ministry of Women and Child Development has unveiled the draft National Policy for Women 2016.

- Salient features of the National policy for women empowerment:
 - To create a society with women working as equal partners in all spheres of life
 - To develop a framework to ensure equal rights and opportunities for women
 - To make cyber space a safe place for women and to address “redistribution of gender roles, for reducing unpaid care work, review of personal and customary laws in accordance with the Constitutional provisions and many more.”
 - It also seeks to review the criminalization of marital rape keeping women’s rights in mind.
 - The draft has proposed to “improve access to pre-primary education, enrolment and retention of adolescent girls.”
 - To carry out skill development and provide equal employment opportunities.
 - To provide suitable benefits related to maternity and child care services.
 - To improve child sex ratio (CSR)
 - To prevent trafficking at source, transit and destination areas for effective monitoring of the networks.

Schemes for Women and Child Development

Beti Bachao Beti Padhao

- **Objective:** To address the issue of declining Child Sex Ratio (CSR) through a mass campaign across the country targeted at changing societal mindsets & creating awareness about the criticality of the issue.
- **Ministry:** It is a joint initiative of Ministry of Women and Child Development, Ministry of Health and Family Welfare and Ministry of Human Resource Development.
- **Salient Features:**
 - The Scheme will have focussed intervention & multi-sectoral action in 100 districts with low Child Sex Ratio.
 - This scheme will also generate awareness and improve the efficiency of delivery of welfare services meant for women.
 - To prevent gender biased sex selective elimination by strict enforcement of laws with stringent punishment to violators.
 - Union government will try to ensure access and availability of essential requirements related to nutrition, health-care, education, protection and elimination of discrimination of girl child.

- Implemented under the overall guidance and supervision of concerned District Magistrate/Deputy Commissioners.
- Madhuri Dixit is the brand ambassador of this scheme.

Sukanya Samriddhi Yojana

- ▣ **Objective:** To ensure a bright future for the girl children by facilitating their education and marriage expenses.

- ▣ **Salient Features:**

- ‘**Sukanya Samriddhi Yojna**’ is a small deposit scheme for girl child, launched as a part of the ‘**Beti Bachao Beti Padhao**’ campaign, which would fetch an attractive interest rate and provide income tax rebate.
- ‘**Sukanya Samriddhi Account**’ can be opened at any time from the birth of a girl child till she attains the age of 10 years, with a minimum deposit of Rs 250. A maximum of Rs 1.5 lakh can be deposited during a financial year.
- The account can be opened in any post office or authorised branches of commercial banks.
- The scheme primarily ensures equitable share to a girl child in resources and savings of a family in which she is generally discriminated as against a male child.
- In an effort to motivate parents to open an account in the name of a girl child and for her welfare to deposit maximum of their savings upto the prescribed limits, higher rates of interest is given on the deposits on annually compounded basis with income tax concession.
- The account will remain operative for 21 years from the date of opening of the account or marriage of the girl child after attaining 18 years of age.
- To meet the requirement of higher education expenses, partial withdrawal of 50 per cent of the balance would be allowed after the girl child has attended 18 years of age.
- The provision of not allowing withdrawal from the account till the age of 18 has been kept to prevent early marriage of girls.

Deposits

- The account may be opened with an initial deposit of Rs 250 and thereafter any amount in multiple of one hundred rupees may be deposited subject to the condition that a minimum of Rs 250 shall be deposited in a financial year but the total money deposited in an account on a single occasion or on multiple occasions shall not exceed one lakh fifty thousand rupees in a financial year.

Interest on deposit

- On the basis of the decision of the Government, interest rates for small savings schemes including Sukanya Samriddhi Yojna are notified on quarterly basis since April, 2016.
- The Sukanya Samriddhi Yojana interest rate for the first quarter of FY2022-23 (April-June 2022) is 7.6%.

Digital Gudda Guddi Board

- ▣ **Ministry:** Union Ministry of Child and Development under Beti Bachao Beti Padhao as a best practice Scheme.

❑ **Salient Features:**

- ❖ The digital Board has been popularized in the district of **Jalgaon, Maharashtra** and works as a platform for dissemination of IEC (Information, Education, Communication) Material on BBBP as well as updating monthly birth statistics.
- ❖ The digital board displays audio video material as well as still frames for disseminating information.
- ❖ It is also used to update monthly birth statistics.

Sabla

- ❑ **Objective:** Empowering Adolescent Girls (AGs) (11-18 years) through nutrition, health care and life skills education.

- ❑ **Ministry:** Ministry of Women and Child Development

❑ **Salient Features:**

- ❖ It is being implemented using the platform of Integrated Child Development Services (**ICDS**) Scheme. Anganwadi Centres are the focal point for the delivery of the services.
- ❖ Scheme Sabla has two major components viz:
 - **Nutrition:** Take Home Ration or Hot Cooked Meal.
 - **Skill development:** Health check-up, Supplements, Vocational training etc.
- ❖ It also aims towards mainstreaming out of school AGs into formal/non formal education.

Ujjawala Scheme

- ❑ **Objective:** Prevention of Trafficking and Rescue, Rehabilitation, Re-tegration and Repatriation of Victims of Trafficking for Commercial Sexual Exploitation.

- ❑ **Ministry:** Ministry of Women and Child Development

❑ **Salient Features:**

- ❖ Protective and Rehabilitative Centres are given financial support for providing shelter and basic amenities such as food, clothing, medical care, legal aid; education in the case the victims are children, as well as for undertaking vocational training and income generation activities to provide the victims with alternate livelihood option.
- ❖ The Scheme is being implemented mainly through NGOs.

Pradhan Mantri Matritva Vandana Yojana

❑ **Objectives:**

- ❖ Providing the partial compensation to working women against their wage loss and ensure their proper rest nutrition.
- ❖ Improving the health of pregnant women and lactating mothers and reducing the effects of under-nutrition through cash incentives.

- ❑ **Ministry:** Ministry of Women and Child Development

- ❑ **Salient Features:**

- Pradhan Mantri Matritva Vandana Yojana (PMMVY) is the renamed and revamped version of Matritva Sahyog Yojana.
- The scheme would benefit pregnant women and lactating mothers for the birth of their first live child. The benefit amount would be sent directly to the bank account of the beneficiary through DBT mode.
- Under this, government would provide Rs. 6000 aid to pregnant and lactating mothers for the first live birth.
- **Exemption:** Pradhan Mantri Matritva Vandana Yojana (PMMVY) would not be applicable for the following category of pregnant women and lactating mothers:
 - Those who are in regular employment with central or state government or any public sector undertaking.
 - Those who are the recipients of similar benefits under any other scheme or law.

SHeBOX

- ❑ SHe-Box portal offers the facility of making online complaints of sexual harassment at workplace to all women employees in the country including government and private employees.

Nari Arthik Sashaktikaran Yojana

- ❑ The Ministry of Social Justice and Empowerment implements Nari Arthik Sashaktikaran Yojana to support Scheduled Castes, Single Women/Widows to take up income generating activities

‘Pradhan Mantri Mahila Shakti Kendra’

- ❑ To provide an interface for rural women to approach the government for availing their entitlements and for empowering them through training and capacity building.

‘Vatsalya – Maatri Amrit Kosh’

- ❑ **Objective:** With this donor human milk bank, all newborns in and around Delhi will have access to life saving human milk regardless of the circumstances of their birth. “Vatsalya – Maatri Amrit Kosh” is established in collaboration with the Norwegian government, Oslo University and Norway India Partnership Initiative (NIPI).

- ❑ **Ministry:** Ministry of Health and Family Welfare

- ❑ **Salient Features:**

- It is a national human milk bank and lactation counseling centre that will collect, pasteurize, test and safely store milk that has been donated by lactating mothers and make it available for infants in need.
- In addition, this facility will protect, promote and support breastfeeding of their own healthy mothers by providing lactation support to mothers through dedicated lactation counsellors.
- This project will not only act as a dedicated centre to support breastfeeding and improve infant survival but also act as the teaching, training and demonstration site for other milk banks to be established under the Ministry Of Health and Family Welfare, Government of India.

Pradhan Mantri Matru Vandana Yojana (PMMVY)

❑ Objective:

- Providing partial compensation for the wage loss in terms of cash incentives so that the woman can take adequate rest before and after delivery of the first living child; and
- The cash incentives provided would lead to improved health seeking behaviour amongst the Pregnant Women and Lactating Mothers (PW&LM).

❑ Ministry: Ministry of Women and Child Development

❑ Salient Features:

- To address the problem of malnutrition and morbidity among children, the Anganwadi Services Scheme, which is universal, is available to all PW&LM including the second pregnancy.
- Further, in order to address the malnutrition and morbidity during pregnancies a number of interventions are provided to the pregnant women, viz. universal screening of pregnant women for Anaemia and Iron and Folic Acid (IFA) supplementation, Calcium supplementation in pregnancy, Deworming in pregnancy, Weight gain monitoring and Counselling on nutrition, family planning and prevention of diseases.
- The Government of India has approved Pan-India implementation of PMMVY in all districts of the country under which the eligible beneficiaries gets Rs. 5,000 under PMMVY and the remaining cash incentive as per approved norms towards Maternity Benefit under Janani Suraksha Yojana (JSY) after institutional delivery so that on an average, a woman gets Rs. 6000.

SWADHAR GREH:

Swadhar Scheme was launched as a Central Sector Scheme for the benefit of women in difficult circumstances.

❑ Objective of the scheme:

- To provide primary need of shelter, food, clothing and care to the marginalized women/girls living in difficult circumstances who are without any social and economic support.
- To provide emotional support and counselling to such women.
- To provide for help line or other facilities to such women in distress.
- Swadhar scheme is being implemented through implementing agencies, i.e. Social Welfare/Women and Child Welfare Departments of State Governments, Women's Development Corporations, Urban Local Bodies, reputed Public/Private Trusts or Voluntary organisations.

One Stop Centres:

The Ministry has launched the Scheme for setting up One Stop Centres to facilitate access to an integrated range of services including medical, legal, and psychological support to women affected by violence to be funded through Nirbhaya Fund. The One Stop Centres will be integrated with 181 and other existing helplines. The centres will be established in every State/UT on a pilot basis.

Mission Parivar Vikas:

For the improvement in family planning services government has launched "Mission Parivar Vikas".

▢ Objectives of the scheme:

- The main objective of 'Mission Parivas Vikas' is to accelerate access to high quality family planning choices based on information, reliable services and supplies within a rights-based framework.
- Improve access to contraceptives through delivering assured services, dovetailing with new promotional schemes, ensuring commodity security.
- It will also ensure building capacity (service providers), creating an enabling environment along with close monitoring and implementation.

Chapter 3.13

EDUCATION

The education sector in India is one of the most important sectors, as it holds the key to social and economic development of the country. It is an established fact that basic education improves the level of human well being especially with regard to life expectancy, infant mortality, and nutritional status of children etc. It also provides the foundation for creating future human resources.

Data Related to Education

Key features of All India Survey on Higher Education Report 2019-20

- ❑ Total Enrolment in Higher Education stands at 3.85 crore in 2019-20 as compared to 3.74 crore in 2018-19, registering a growth of 11.36 lakh (3.04 %). Total enrolment was 3.42 crore in 2014-15.
- ❑ **Gross Enrolment Ratio (GER)**, the percentage of students belonging to the eligible age group enrolled in Higher Education, in 2019-20 is 27.1% against 26.3% in 2018-19 and 24.3% in 2014-2015.
- ❑ **Gender Parity Index (GPI)** in Higher Education in 2019-20 is 1.01 against 1.00 in 2018-19 indicating an improvement in the relative access to higher education for females of eligible age group compared to males.
- ❑ **Pupil Teacher Ratio** in Higher Education in 2019-20 is 26. In 2019-20: Universities: 1,043(2%); Colleges: 42,343(77%) and stand-alone institutions: 11,779(21%).
- ❑ 3.38 crore Students enrolled in programmes at under-graduate and post-graduate level. Out of these, nearly 85% of the students (2.85 crore) were enrolled in the six major disciplines such as Humanities, Science, Commerce, Engineering & Technology, Medical Science and IT & Computer.
- ❑ The number of students pursuing PhD in 2019-20 is 2.03 lakh against 1.17 lakh in 2014-15.
- ❑ The Total Number of Teachers stands at 15,03,156 comprising of 57.5% male and 42.5% female.

Different Schemes Covered by the Ministry

Schemes for Improvement of Education Status

- ❑ **Sarva Shiksha Abhiyan (SSA)**

- **Sarva Shiksha Abhiyan** is implemented as a Centrally Sponsored Scheme in partnership with State Governments for universalizing elementary education across the country. Its overall goals include universal access and retention, bridging of gender and social category gaps in education and enhancement of learning levels of children.
- SSA provides for a variety of interventions, including inter alia, opening of new schools, construction of schools and additional classrooms, toilets and drinking water, provisioning for teachers, periodic teacher training and academic resource support, textbooks and support for learning achievement. These provisions are made in accordance with norms and standards and free entitlements as mandated by the Right of Children to Free and Compulsory Education (RTE) Act, 2009.

▣ **Padhe Bharat Badhe Bharat:**

- Launched to improve learning outcomes, the program focuses on language development to create interest in reading and writing in comprehension & teaching mathematics in a way that develops liking and understanding during the early years of schooling, particularly in class I and II.
- The focus of the programme is on the development of System Level Component and School - Classroom Level Components.

▣ **Shagun Portal – an Initiative to monitor the implementation of SSA:**

- ShaGun a web portal (from the words **Shaala and Gunvatta**) is being developed by Ministry of HRD. It has two components i.e. one is a Repository of best practices, photographs, videos, studies, newspaper articles etc. on elementary education, State /UT wise. These provide a platform for all stakeholders to learn from success stories of each other and a positive competitive spirit among all the States and UTs.
- The online monitoring of the SSA implemented by States and UTs and will be accessed by Government Officers at all levels using their specific passwords.

▣ **Saransh:**

- Saransh- is a tool which allows the schools to identify areas of improvement in students, teachers and curriculum to facilitate and implement change.

▣ **Mid-Day Meal Scheme:**

The objectives of the Mid-Day Meal Scheme are:

- Improving the nutritional status of children in classes I-V in Government, Local Body and Government aided schools, and EGS and AIE centres.
- Encouraging children, belonging to disadvantaged sections, to attend school more regularly and help them concentrate on classroom activities.
- Providing nutritional support to children of primary stage in drought affected areas during summer vacation.

The Central Government has requested the States to consider the concept of Tithi Bhojan for mid day meals in a suitable manner, along with the Social Audit and public vigilance to encourage local community participation the programme.

▣ **Rashtriya Avishkar Abhiyan (RAA):**

- It is also under the SSA, was launched by Late Dr. A.P.J. Abdul Kalam.
- This aims to motivate and engage children of the age group 6-18 years, in Science, Mathematics and Technology by observation, experimentation, inference drawing and model building, through both inside and outside classroom activities.

- Schools have been adopted for mentoring by Institutions of Higher Education like IIT's, IISER's and NIT's.
- In some States students have been taken for exposure visits to factories, research hubs; science and mathematics clubs are being formed at the school levels, students are participating in competitions and exhibitions to showcase their innovations in Maths, Science and Technology.

■ **Vidyanjali:**

- This is sub-programme under SSA launched to enhance community and private sector involvement in Government run elementary schools across the country under the overall aegis of the SSA.
- The aim of the programme is to strengthen implementation of co-scholastic activities in government schools through services of volunteers. So far 3306 Volunteers registered for the programme creating 10443 activities to be conducted in schools, 841 Volunteers have gone to schools and conducted activities.

■ **Know Your College Portal:**

- This portal provides information about the colleges across the country, including their fee structure, details of faculty, faculty-student ratio, hostels and other facilities available.

■ **SWAYAM:**

- SWAYAM is an indigenous (Made in India) IT Platform for hosting the Massive Open Online Courses (MOOCs) with a capacity to revolutionize the education system by providing best quality education covering all the subjects and courses being taught in the high schools, colleges and universities in the Country using the IT system to the students even in the remotest corner of the Country.
- SWAYAM would provide High quality learning experience-using multimedia on anytime, anywhere basis and provide one-stop web location for interactive e-content for all courses from School to University level.

■ **Rashtriya Uchchatam Shiksha Abhiyan (RUSA):**

The following as the objectives that must guide central, state and Private institutions in the country:

- Higher education in India to be brought in line with and at the frontiers of global trends in higher education and knowledge development;
- Improvement in the overall quality of teaching-learning in an average higher education institution in the country;
- Arresting and reversing the trend of group inequalities in access to quality higher education;
- Creation of additional capacity for 10 million more students from eligible age cohort to have access to higher education in a demand-driven manner; and
- Undertaking governance and regulatory reforms that focus on institutional autonomy within a framework of accountability and build adaptive capacity of the system.

■ **Ishan Uday:**

- The UGS had launched a special scholarship scheme for student of North- east region from the academic session 2014-15.
- The Objectives of the Special Scholarship Scheme for North Eastern Region are:
 - ▶ To provide equal opportunities for higher studies in NE Region.
 - ▶ To increase the Gross Enrolment Ratio (GER) in NE Region.

- ▶ To focus more on professional education in NE Region.
- ▶ Optimum utilization of NER Budgetary Allocation.
- ▶ It is envisaged to provide ten thousand (10,000) fresh scholarships every year beginning from the academic year 2014-15 for general degree courses, technical and professional courses, including medical and para-medical courses.
- ▶ **Some of the significant initiatives, under RMSA for improving quality of education are as below:**

■ **Shaala Siddhi:**

- School Standards and Evaluation Framework and its web portal were launched on 7th November 2015. It is a comprehensive instrument for school evaluation leading to school improvement.
- It aims to enable schools to evaluate their performance in a more focused and strategic manner and facilitate them to make professional judgments for improvement.
- The objective is to establish an agreed set of standards and benchmarks for each school, by focusing on key performance domains and their core standards. The web portal for the framework will enable all schools to engage in self-evaluation in the 7 key domains under the Framework. The results of the evaluations will be available on a public platform along with the School Report card.

■ **Shaala Darpan:**

- The “Shaala Darpan Project” to cover all the 1099 Kendriya Vidyalayas was launched on 05.06.2015. The objective of this project is to provide services based on School Management Systems to Students, Parents and Communities.
- Under School Information Services, the following list of services will be enabled i.e., School Profile Management, Student Profile Management, Employee Information, Student Attendance, Leave Management, Report Cards, Curriculum Tracking Custom, SMS Alerts for Parents / Administrators on student & teacher attendance.

■ **e-PATHSHALA:**

- It is a single point repository of e-resources containing, NCERT textbooks and various other learning resources. It is a joint initiative of Ministry of Human Resource Development (MHRD), Govt. of India and National Council of Educational Research and Training (NCERT) developed for showcasing and disseminating all educational e-resources including textbooks, audio, video, periodicals, and a variety of other print and non-print materials.
- Students, Teachers, Educators and Parents can access e-Books through multiple technology platforms i.e. mobile phones and tablets (as e-pub) and from the web through laptops and desktops (as Flipbook).
- e-Pathshala also allows user to carry as many books as their device supports. Features of these books allow users to pinch, select, bookmark, highlight, navigate, share and make notes digitally.

■ **GIS MAPPING:**

- To ensure universal access to schools including secondary schools within a reasonable distance of any habitation and without any discrimination, the Geographic coordinates of school along with the school information available in UDISE is being uploaded on the school GIS Web enabled platform i.e. <http://schoolgis.nic.in>.
- All states have conducted GIS mapping and shared geographical coordinates of schools with the NIC except the State of Jammu and Kashmir. This mapping is linked to the UDISE database to ensure that every school is mapped and is backed by a detailed school report card based on UDISE information.

This effort of developing web enabled platform about school information (Spatial and Non Spatial data) will add to the quality of planning and better utilization of resources available under SSA and RMSA.

■ **Kala Utsav:**

- Kala Utsav is an initiative of MHRD to promote Arts (Music, Theatre, Dance, Visual Arts and Crafts) in education by nurturing and showcasing the artistic talent of school students at secondary stage in the country, and it is also a platform to bring arts to the centre stage in an inclusive environment.
- As part of Kala Utsav, Competitions in the four themes of Music, Dance, Theatre and Visual Arts were held at District and State levels and the winning teams thereafter participated at the National level Kala Utsav 2016.

■ **Higher Education Financing Agency (HEFA):**

- The HEFA would finance the academic and research infrastructure projects through a 10-yr loan. The principal portion of the loan will be repaid through the 'internal accruals' of the institutions. The Govt would service the interest portion through the regular Plan assistance.
- All the Centrally Funded Higher Educational Institutions would be eligible for joining as members of the HEFA. For joining as members, the Institution should agree to escrow a specific amount from their internal accruals to HEFA for a period of 10 years. This secured future flows would be securitised by the HEFA for mobilising the funds from the market. Each member institution would be eligible for a credit limit as decided by HEFA based on the amount agreed to be escrowed from the internal accruals.
- The HEFA would be jointly promoted by the identified Promoter and the Ministry of Human Resource Development (MHRD) with an authorized capital of Rs.2,000 crore. The Government equity would be Rs.1,000 crore. The HEFA would also mobilize CSR funds from PSUs/Corporates, which would in turn be released for promoting research and innovation in these institutions on grant basis.
- **Swayam Prabha:** The SWAYAM PRABHA has been conceived as the project for telecasting high quality educational programmes through 34 DTH channels on 24X7 basis. Every day, there will be new content of at least (4) hours which would be repeated 6 times a day, allowing the student to choose the time of his convenience.

■ **National e-Library:**

- The National Digital Library of India is envisaged as a National knowledge asset which will provide ubiquitous digital knowledge source.
- It will support and enhance education, research and innovation catering to the needs of all types of learner groups over the country.
- Developing and providing efficient access to quality e-content addressed to various learners with different backgrounds, expectations and languages.
- The project will help collate (and if needed generate) a large body of e-content for school, college and higher category students with special emphasis on e-learning.

Scholarships

■ **PRAGATI- Girls in technical education:**

- PRAGATI aims at providing encouragement and support to girl child to pursue technical education.
- The scheme envisages providing a scholarship of Rs. 30000 and tuition fees Rs. 2000/ month for 10 months until the duration of the course.
- 4000 girls will be benefited every year with the restriction that only one girl per family with income less than 6lakhs/annum will be considered.

- The Candidates will be selected on merit through the qualifying examination of the State.

■ **SAMVAY:**

- Skill Assessment Matrix for vocational Advancement (SAMVAY) - a credit framework for skills and choice based credit system.
- **Salient Features:** Short duration, focused and modular programs, Practical hands-on focus, Delivery in the local language, Full day, half day or week-end programs, A network of centres, Full mobility between formal, vocational streams of education and the job market with multi-point entry and exit.
- An exercise in recognizing skills and education as part of an integrated learning system
- The strength of this framework is the seamless integration of pursuit of academic knowledge and practical vocational skills.
- Efforts like these will improve the employability of our educated youth.

■ **SAKSHAM:**

- Saksham' Scheme of AICTE aims at providing encouragement and support to Differently-Abled children to pursue Technical Education.
- Scholarships amounting to Rs. 5 Cr per annum as tuition fees and incidentals are to be provided to needy and meritorious students for pursuing technical education at AICTE approved institutions, aiding them to achieve their college goals, despite learning issues, environmental challenges or medical bills.
- 1000 Scholarships per annum. For Differently-Abled students whose family income is less than Rs. 6 Lakhs per annum. Candidates are selected on the basis of merit at the qualifying examination to pursue Technical Education. Amount of Scholarship: Tuition fees of Rs. 30,000/-or actual, whichever is less and Rs. 2,000/- per month for 10 months as incidentals each year.

Teacher Education

- National Council for Teacher Education (NCTE) Regulations, 2014- Norms and Standards.
- National and Regional workshop under TE-Scheme.
- Prashikshak Teacher Education Portal.
- NISHTHA

National Education Policy 2020

- An NEP is a comprehensive framework to guide the development of education in the country.
- The NEP proposes sweeping changes including opening up of Indian higher education to foreign universities, dismantling of the UGC and the All India Council for Technical Education (AICTE), introduction of a four-year multidisciplinary undergraduate programme with multiple exit options, and discontinuation of the M Phil programme.
- In school education, the policy focuses on overhauling the curriculum, “easier” Board exams, a reduction in the syllabus to retain “core essentials” and thrust on “experiential learning and critical thinking”.
- In a significant shift from the 1986 policy, which pushed for a 10+2 structure of school education, the new NEP pitches for a “5+3+3+4” design corresponding to the age groups 3-8 years (foundational stage), 8-11 (preparatory), 11-14 (middle), and 14-18 (secondary).

- ❑ Class 10 and 12 board examinations to be made easier, to test core competencies rather than memorised facts, with all students allowed to take the exam twice.
- ❑ School governance is set to change, with a new accreditation framework and an independent authority to regulate both public and private schools.
- ❑ Emphasis on Foundational Literacy and Numeracy, no rigid separation between academic streams, extracurricular, vocational streams in schools.
- ❑ This brings early childhood education (also known as pre-school education for children of ages 3 to 5) under the ambit of formal schooling. The mid-day meal programme will be extended to pre-school children. The NEP says students until Class 5 should be taught in their mother tongue or regional language.
- ❑ The policy also proposes phasing out of all institutions offering single streams and that all universities and colleges must aim to become multidisciplinary by 2040.

Implementation of the Reforms

- ❑ The NEP only provides a broad direction and is not mandatory to follow. Since education is a concurrent subject (both the Centre and the state governments can make laws on it), the reforms proposed can only be implemented collaboratively by the Centre and the states. This will not happen immediately. The incumbent government has set a target of 2040 to implement the entire policy. Sufficient funding is also crucial; the 1968 NEP was hamstrung by a shortage of funds.
- ❑ The government plans to set up subject-wise committees with members from relevant ministries at both the central and state levels to develop implementation plans for each aspect of the NEP. The plans will list out actions to be taken by multiple bodies, including the HRD Ministry, state Education Departments, school Boards, NCERT, Central Advisory Board of Education and National Testing Agency, among others. Planning will be followed by a yearly joint review of progress against targets set.

Higher Education:

- ❑ Gross Enrolment Ratio in higher education to be raised to 50% by 2035. Also, 3.5 crore seats to be added in higher education.
- ❑ The current Gross Enrolment Ratio (GER) in higher education is 26.3%.
- ❑ Holistic Undergraduate education with a flexible curriculum can be of 3 or 4 years with multiple exit options and appropriate certification within this period.
- ❑ M.Phil courses will be discontinued and all the courses at undergraduate, postgraduate and PhD level will now be interdisciplinary.
- ❑ Academic Bank of Credits to be established to facilitate Transfer of Credits.
- ❑ Multidisciplinary Education and Research Universities (MERUs), at par with IITs, IIMs, to be set up as models of best multidisciplinary education of global standards in the country.
- ❑ The National Research Foundation will be created as an apex body for fostering a strong research culture and building research capacity across higher education.
- ❑ Higher Education Commission of India (HECI) will be set up as a single umbrella body for the entire higher education, excluding medical and legal education. Public and private higher education institutions will be governed by the same set of norms for regulation, accreditation and academic standards. Also, HECI will be having four independent verticals namely,
 - National Higher Education Regulatory Council (NHERC) for regulation,
 - General Education Council (GEC) for standard setting,
 - Higher Education Grants Council (HEGC) for funding,
 - National Accreditation Council (NAC) for accreditation.

- Affiliation of colleges is to be phased out in 15 years and a stage-wise mechanism to be established for granting graded autonomy to colleges.
- Over a period of time, every college is expected to develop into either an autonomous degree-granting College, or a constituent college of a university.

Challenges in New Education Policy 2020

■ In Primary Education

- Lack of adequate classroom facilities means that children from different age groups typically sit in the same classroom, leading to boredom and disinterest.
- Driven by pressing short-term economic needs, most parents are reluctant to send their children to school. They often pose obstacles to learning. In some cases, the State has to offer incentives, such as subsidized rice through the mid-day meal scheme to attract children to school.
- Teaching and learning methods used in most schools discourage questioning, learning, application and creativity.
- An education system focused on exams and marks ("factory approach") has produced few world-class creators and original thinkers.
- Teachers are the missing link in Indian education. Although demand for quality teachers greatly exceeds supply, the teaching profession has become a profession of last resort attracting either low caliber individuals or people for whom teaching is a hobby or only a supplementary source of family income.

■ In Secondary Education

- Even with increased participation in secondary education in recent years, there still exists a large gap between Grade VIII and Grade IX enrolment. At the all India level, while the promotion rate from Grade IX to X seems to be very high (more than 95%), there has always been substantial transition loss (around 10-15% without adjusting for repeaters in Grades VIII and IX) between elementary and secondary stages. It, of course, varies greatly across regions and social categories. Besides, the poor internal efficiency of the elementary education sets the limits of expansion of secondary education.

■ In Higher Education

- **Faculty shortage:** There is 40% and 35% shortage of faculty in state and central universities, respectively.
- **Accredited institutions** - 62% of universities and 90% of colleges were average or below average in 2010, on the basis of their National Assessment and Accreditation Council (NAAC) accreditation.
- Inadequate infrastructure and facilities, large vacancies in faculty positions and poor faculty thereof, low student enrolment rate, outmoded teaching methods, declining research standards, unmotivated students, overcrowded classrooms and widespread geographic, income, gender, and ethnic imbalances.
- Research in higher education institutions is at its lowest ebb. There is an inadequate and diminishing financial support for higher education from the government and from society.

Suggestions to overcome Inefficiencies

- The government needs to make long-term commitments to improving infrastructure, which will require the international minimum of 6% GDP investment.

- ❑ In terms of targeted investment, it is essential to improve classroom practices and assessment/audit processes. The establishment of an independent auditory body will enhance the accountability of state governments in providing equitable education to all children.
- ❑ State governments must maintain accurate monitoring mechanisms, records and up to date data including that on out of school children.
- ❑ Motivated staffs are also essential for a well-functioning school system. There should be regular meetings between teachers and local officials so that grievances can be aired, and teachers should be provided with a redressal mechanism in the Bill in the case of a complaint against the management team or the local authority.
- ❑ There may also be a demand for professional development trainings and workshops to enhance the knowledge of teachers and update their teaching methodology, but these trainings must be constructive and run by professional, highly qualified staff.
- ❑ There is a need to develop a standard nationalized curriculum to be followed by all schools in key areas of learning, and schools will need to be audited to check that they are following these guidelines and keeping to required standards.

Reshaping the online education

Context

With the coronavirus creating havoc globally closing down schools, colleges, universities and other educational institutions, the education sector is under tremendous pressure. However, this is a major opportunity for technology-based education organizations and online education.

Background:

- ❑ In the wake of COVID-19 and evolving situation, given that the universities and the schools are shut down, more and more students are opting for online courses.
- ❑ According to UNESCO monitoring, more than 100 countries have closed their educational institutions, impacting half of the world's student population.
- ❑ In what amounts to a grand global experiment in remote learning, schools and colleges around the world have cancelled in-person training and moved to online instruction.
- ❑ Daily watch minutes are almost doubled in the past two to three days as students are at home and attending regular classes.
- ❑ Many students and professionals are also signing up for online classes, for entrance exams like the JEE, NEEET, UPSC, SSC or for upskilling.
- ❑ Professionals are thinking beyond the traditional notions of learning to further excel their careers, using the power of Internet and advanced tools and technologies.
- ❑ This signals a massive opportunity for education providers to reinvent learning to meet the needs of a new economy.

Scope of online education in India:

- ❑ India holds an imperative place in the worldwide education industry. The nation has more than 1.5million schools with more than 260 million students enrolled and around 751 universities and 35,539 colleges.

- ❑ India has one of the biggest advanced education frameworks on the planet.
- ❑ Online education goes beyond the realms of secondary, post secondary and tertiary education.
- ❑ It also includes courses and modules for competitive exam preparation, professional skill enhancement, and other non-academic subjects.
- ❑ The online education in India is evolving at a swift pace. The number of internet users is expected to reach 730 million by 2020, almost double from what it is today at 432 million.
- ❑ India may replace China to have the second largest users after the US.

Constitutional provisions about education at a glance:

- ❑ Education was sole responsibility of state till 1976 but constitutional amendment made it concurrent subject.

Fundamental Rights

- ❑ Article 21A: Right to Education
- ❑ Article 28: Freedom as to attendance at religious instruction or religious worship in certain educational institutions.
- ❑ Article 29: Equality of opportunity in educational institutions.
- ❑ Article 30: Right of minorities to establish and administer educational institutions.

Directive Principles:

- ❑ **Article 41:** Right to work, to education and to public assistance in certain cases
- ❑ **Article 45:** Provision for free and compulsory education for children and Provision for early childhood care and education to children below the age of six years
- ❑ **Article 46:** It provides for special care to the promotion of education and economic interests of the scheduled caste, scheduled tribes and the weaker sections of society.

New National education policy:

- ❑ At the launch of India's 2020-21 Budget, Finance Minister Nirmala Sitharaman spoke about the need to make India's young people more employable through better higher education opportunities.
- ❑ By 2030, India is set to have the largest working-age population in the world. Not only do they need literacy, they need both job and life skills.
- ❑ The government is currently working on a new national education policy. A draft version of the policy outlines the important role online learning could play in reforming India's education system and expanding access to higher education.
- ❑ The policy encourages Indian institutions not only to develop their own online programs, but also to recognize and award credit for online programs offered by foreign institutions.
- ❑ The policy proposes that some foreign institutions may be invited to operate in India -- something the country has long resisted.

Government initiatives promoting online education in India:

- ❑ A comprehensive initiative called PM e-Vidya has been started as part of Atma Nirbhar Bharat Abhiyan on 17th May, 2020, which unifies all efforts related to digital/ online / on-air education to enable multi-mode access to education. The initiative includes the following components:

- ❑ **DIKSHA** the nation's digital infrastructure for providing quality e-content for school education in states/UTs and QR coded Energized Textbooks for all grades (one nation, one digital platform).
- ❑ **SWAYAM**: The 'Study Webs of Active Learning for Young Aspiring Minds' (SWAYAM) is an integrated platform for offering online courses and covering school (9th to 12th) to Post Graduate Level.
- ❑ **SWAYAM Prabha**: SWAYAM Prabha is an initiative to provide 34 High Quality Educational Channels through DTH (Direct to Home) across the length and breadth of the country on 24X7 basis.
- ❑ **National Digital Library (NDL)**: The National Digital Library of India (NDL) is a project to develop a framework of virtual repository of learning resources with a single-window search facility.
- ❑ **Free and Open Source Software for Education (FOSSEE)**: FOSSEE is a project promoting the use of open source software in educational institutions.
- ❑ **E-Yantra**: e-Yantra is a project for enabling effective education across engineering colleges in India on embedded systems and Robotics.
- ❑ **Shiksha Vani**: Extensive use of Radio, Community radio and CBSE Podcast.
- ❑ **DAISY**: Special e-content for visually and hearing impaired developed on Digitally Accessible Information System (DAISY) and in sign language on NIOS website/ YouTube.

Other major initiatives include:

- ❑ UG/PG MOOCs for non-technology courses
- ❑ e-PG Pathshala or e-content containing modules on social science, arts, fine arts, natural and mathematical science

CEC-UGC YouTube channel

- ❑ Vidwan – a database of experts who provide information to peers and prospective collaborators,
 - ❖ NEAT – an initiative by AICTE based on the PPP model to enhance the employability skill among students, in collaboration with Education Technology Companies and National Digital Library (NDL), a repository of learning resources with single window facility.
 - ❖ Many noteworthy initiatives have been taken up like Spoken Tutorial, Google Classroom and so on.

Significance of online education:

- ❑ **Cost effectiveness**: If online education becomes a norm, no doubt the benefits are many, including cost effectiveness.
- ❑ **Quality education for all**: Students may also no longer travel to other countries to attain a quality education that they are not able to receive in their home country for socio-economic or political reasons.
- ❑ **Access to everyone irrespective of location**: Online learning helps to eliminate borders and barriers, both social and physical. Online courses are a great solution to the challenges that these people face as they are provided with high-quality education and on their own place and time.
- ❑ **A wide field**: Increase in employment is another important aspect of this revolution. With Online Education, skillful trainers and teachers can expand their reach. Students in India can receive education by the top notch professors and instructors in the world.
- ❑ **Updated knowledge**: Online Education provides professionals with the flexibility to improve and update their skill set while working simultaneously. This helps them in staying updated about the existing advancements and technologies.

The perils of online learning:

- ❑ **Not considerable as a permanent option:** Despite the high momentum, online options are still not considered permanent alternatives to classrooms. The sector can at best make a useful supplementary learning system.
- ❑ **Lack of cultural experience:** It needs to be understood that it is not just the classroom that prompts many to study internationally, but also the irreplaceable cultural experiences that international study offers.
- ❑ **Uncertainty & quality issues:** Other issues, such as uncertainty over accreditation and quality control also remain unresolved.
- ❑ **Lack of infrastructure:** Lack of proper IT infrastructure in smaller education centers can be a deterrent as well.
- ❑ **Issue for poor households:** A sudden shift to online learning is bound to worsen the learning gap for low-income households, poor districts, and poorer countries. Online education is an elite concept that will only work well in developed countries. In India, where midday meals have great appeal to school children, setting up online classes is not a feasible idea.

Issues faced in online education

- ❑ stable electricity
- ❑ a reliable internet connection
- ❑ lack of awareness on cybersecurity and other technical glitches
- ❑ The above challenges could easily impede a student or teacher's ability to get the most out of the education experience. Overall, moving the physical education to the virtual world is a mammoth task, but with policymakers and leaders in the education sector taking the realm, overcoming these challenges is not insurmountable.

Conclusion:

Summing it up, at this stage, online education is all set to transform the education scenario in India and the world. However, it would require a significant change in pedagogy to take advantage of innovation in this space.

National Recruitment Agency

Context:

The Union Cabinet given its approval for creation of National Recruitment Agency (NRA), paving the way for a transformational reform in the recruitment process for central government jobs.

National Recruitment Agency (NRA)

- ❑ A multi-agency body called the National Recruitment Agency (NRA) will conduct a Common Eligibility Test (CET) to screen/shortlist candidates for the Group B and C (non-technical) posts.
- ❑ NRA will have representatives of Ministry of Railways, Ministry of Finance/Department of Financial Services, the SSC, RRB & IBPS.
- ❑ It is envisioned that the NRA would be a specialist body bringing the state-of-the-art technology and best practices to the field of Central Government recruitment.

Recruitment Reform – a major boon for the youth

- ❑ At present, candidates seeking government jobs have to appear for separate examinations conducted by multiple recruiting agencies for various posts, for which similar eligibility conditions have been prescribed.
- ❑ Candidates have to pay fee to multiple recruiting agencies and also have to travel long distances for appearing in various exams.
- ❑ These multiple recruitment examinations are a burden on the candidates, as also on the respective recruitment agencies, involving avoidable/repetitive expenditure, law and order/security related issues and venue related problems. On an average, 2.5 crore to 3 crore candidates appear in each of these examinations.
- ❑ A common eligibility Test would enable these candidates to appear once and apply to any or all of these recruitment agencies for the higher level of examination. This would indeed be a boon to all the candidates.

Major Relief to poor Candidates

- ❑ Presently, the candidates have to appear in multiple examinations conducted by multiple agencies.
- ❑ Apart from the examination fees, candidates have to incur additional expenses for travel, boarding, lodging and other such. A single examination would reduce the financial burden on candidates to a large extent.

Women candidates to benefit greatly

- ❑ Women candidates especially from rural areas face constraints in appearing in multiple examinations as they have to arrange for transportation and places to stay in places that are far away. They sometimes have to find suitable persons to accompany them to these Centres that are located far away. The location of test centres in every District would greatly benefit candidates from rural areas in general and women candidates in particular.

Bonanza for Candidates from Rural Areas

- ❑ Given the financial and other constraints, the candidates from rural background have to make a choice as to which examination they want to appear in.
- ❑ Under the NRA, the candidates by appearing in one examination will get an opportunity to compete for many posts. NRA will conduct the first-level /Tier I Examination which is the stepping stone for many other selections.

Chapter 3.14

HEALTH

Health', a state of complete physical, mental, and social well-being and not merely the absence of disease or infirmity, is a pre-condition to the realization of human potential and for attainment of happiness. Thus, health is both a social and an economic good. The Directive Principles of State Policy in the Constitution of India mandate 'improvement of public health' as one of the primary duties of the State. The Central and State Governments have been taking proactive steps to promote health of the people by creating a network of public healthcare facilities, which provide free medical services, and also proactively control the spread of diseases.

Health Indicators & India

Indicators for Maternal Health

- ❑ The Maternal Mortality Ratio (MMR) is the number of women who die from any cause related to or aggravated by pregnancy or its management (excluding accidental or incidental causes) during pregnancy and childbirth or within 42 days of termination of pregnancy, irrespective of the duration and site of the pregnancy, per 100,000 live births. The National Maternal Mortality Rate (MMR) level has come down from 327 per 100,000 live births in 1999-2001 to 103 per 100,000 live births in 2017-18.

Indicators for Child Health

- ❑ U5MR in India reduced by 9% from 35 in 2019 to 32 per 1000 live births in 2020, and neonatal mortality rate (NMR) reduced by 14% from 22 to 19 per 1000 live births during this period. There were 1.04 million under-5 deaths in India in 2017, of which 0.57 million were neonatal deaths, down from 2.24 million under-5 deaths including 1.02 million neonatal deaths in 2000
- ❑ The number of infant deaths in less than a year of birth per 1000 live births is referred to as Infant Mortality Rate (IMR). Data is expressed as number of deaths per 1000 live births. The country has observed a continuous decline in IMR.
- ❑ As per the Sample Registration System (SRS) Bulletin of Registrar General of India (RGI), the Infant Mortality Rate (IMR) has reduced from 37 per 1000 live births in 2015 to 30 per 1,000 live births in 2019 at National Level.

- India's infant mortality rate (IMR) has improved very marginally from 37 per 1,000 live births in 2015 to 28 in 2020, according to data released by the Registrar General of India.

Initiatives taken in Health Sector

- Mission Indradhanush:** The Ministry of Health & Family Welfare has launched "Mission Indradhanush", to fully immunise more than 89 lakh children who are either unvaccinated or partially vaccinated; those that have not been covered during the rounds of routine immunisation for various reasons. They will be fully immunised against 7 life-threatening but vaccine preventable diseases which include diphtheria, whooping cough, tetanus, polio, tuberculosis, measles and hepatitis-B. In addition, vaccination against Japanese Encephalitis and Haemophilus influenza type-B will be provided in selected districts/states of the country. Pregnant women will also be immunised against tetanus.
- In a bid to protect the children from more vaccine preventable diseases, new vaccines are proposed to be introduced as part of India's Universal Immunisation Programme (UIP). Introduction of these vaccines will be done in a phased manner over a period of time, depending upon the field level assessments and preparedness. In addition, it has been decided to introduce an adult vaccine against Japanese Encephalitis (JE) in the high burden districts.
- The new vaccines are:**
 - Covaxin:** It is a whole inactivated virus-based COVID-19 vaccine developed by Bharat Biotech in collaboration with the Indian Council of Medical Research - National Institute of Virology.
 - Cervavac:** It is India's first Quadrivalent Human Papillomavirus Vaccination (qHPV) designed to protect women from cervical cancer.
 - Inactivated Polio Vaccine (IPV):** India is Polio free but to maintain this status, the Inactivated Polio Vaccine was introduced on 30th October 2015.
 - Adult Japanese Encephalitis (JE) Vaccine:** 21 high burden districts have been identified in Assam, Uttar Pradesh and West Bengal for adult JE vaccination in the age-group of 15-65 years. This will cut down deaths and morbidity due to Japanese Encephalitis in adults as well.
 - Rotavirus Vaccine:** Rotavirus is the leading cause of severe diarrhoea among infants and young children in the world. Each year India loses approximately 2 lakh children to diarrhoea out of which 1 lakh deaths are caused by Rotavirus. Rotavirus vaccine implemented to full scale would save approximately 1 lakh lives every year. The vaccine is planned to be introduced in first quarter of 2016 in 4 states initially i.e. Odisha, Himachal Pradesh, Haryana and Andhra Pradesh.
 - Measles Rubella (MR) Vaccine:** Measles Rubella vaccine eliminates measles and controls Rubella in the country. The vaccine will help to reduce incidence of Congenital Rubella Syndrome. As on date, approximately 25,000 cases of Congenital Rubella Syndrome (CRS) are estimated each year and if the child survives, this adds to the disabilities in the country. MR vaccination campaign will be carried out after appropriate planning and will cover 45 crore children.
 - Daksh:** For improving the skills of healthcare providers and to enhance their capacity to provide quality (Reproductive, Maternal, Neonatal, Child & Adolescent Health) RMNCH+A services, Government of India has established 5 National Skills lab "Daksh" at Delhi and in NCR region with support from Maternal health division, Government of India and Liverpool School of Tropical Medicine (LSTM).
 - Family Planning:** Three new choices are now being introduced in the National Family Planning program.
 - Injectable Depot Medroxy Progesterone Acetate:** The Drugs Technical Advisory Board (DTAB) agreed to the introduction of the injectable contraceptive DMPA in the public health system under the National Family Planning Programme.
 - Progestine-only Pills (POP):** Progesterone only pill for the lactating mothers.

- **Centchroman:** A non-hormonal once a week pill.
- **The National Health Mission (NHM):** The National Health Mission (NHM) encompasses its two Sub-Missions, the National Rural Health Mission (NRHM) and the National Urban Health Mission (NUHM). The main programmatic components include Health System Strengthening in rural and urban areas, Reproductive-Maternal- Neonatal-Child and Adolescent Health (RMNCH+A), and Communicable and Non-Communicable Diseases. The NHM envisages achievement of universal access to equitable, affordable & quality health care services that are accountable and responsive to people's needs.

Key Initiatives Under NHM:

- ❑ **Launch of National Quality Assurance Framework for Health facilities:** To improve quality of health care in over 31000 public facilities and provide a clear roadmap to states, Quality Standards for District Hospitals (DHs), Community Health Centres (CHCs) and Primary Health Care PHCs under National Quality Assurance Framework.
- ❑ **Launch of Kayakalp- An initiative for Award to Public Health Facilities:** Kayakalp- initiative has been launched to promote cleanliness, hygiene and infection control practices in public health facilities. Under this initiative public healthcare facilities shall be appraised and such public healthcare facilities that show exemplary performance meeting standards of protocols of cleanliness, hygiene and infection control will receive awards and commendation. Further, Swachhta Guidelines for public health facilities to promote Cleanliness, Hygiene and Infection Control Practices in public health facilities. The Guidelines provide details on the planning, frequency, methods, monitoring etc. with regard to Swachhta in public health facilities.
- ❑ **Launch of National Family Health Survey (NFHS)-IV:** NFHS-IV was launched in mid-2014 to provide essential data and information on important emerging health and family welfare elements to track progress on key parameters and provide evidence for policy and programme. The field work of NFHS-IV is under progress. This survey results are expected in 2016 and will provide national, state and district level data.
- ❑ **Launch of India Newborn Action Plan (INAP):** Currently, there are estimated 7.47 lakh neonatal deaths annually. In September 2014, INAP was launched for accelerating the reduction of preventable newborn deaths and stillbirths in the country. With the goal of attaining 'Single Digit Neo-natal Mortality Rate (NMR) by 2030' and 'Single Digit Still Birth Rate (SBR) by 2030'. The neo-natal deaths are expected to reduce to below 2.28 lakh annually by 2030, once the goal is achieved.
- ❑ **Free Drugs Service Initiative:** An incentive of up to 5% additional funding (over and above the normal allocation of the state) under the NHM is provided to those States that introduce free medicines scheme. Under the NHM-Free Drug Service Initiative, substantial funding is available to States for provision of free drugs subject to States/UTs meeting certain specified conditions. Detailed Operational Guidelines for NHM- Free Drugs Service Initiative have also been released to the States.
- ❑ **Kilkari & Mobile Academy:** To create proper awareness among pregnant women, parents of children and field workers about the importance of Anti Natal Care (ANC), institutional delivery, Post-Natal Care (PNC) and immunization, it was decided to implement the Kilkari and Mobile Academy services in Pan India in phased manner. In the first phase Kilkari would be launched in 6 states viz. Uttrakhand, Jharkhand, Uttar Pradesh, Odisha, Rajasthan (HPDs) & Madhya Pradesh (HPDs). The Mobile Academy would be launched in 4 states viz. Uttrakhand, Jharkhand, Rajasthan & Madhya Pradesh.

MAA-Mother's Absolute Affection:

- ❑ A nationwide programme launched in an attempt to bring undiluted focus on promotion of breastfeeding and provision of counselling services for supporting breastfeeding through health systems.
- ❑ The programme has been named 'MAA' to signify the support a lactating mother requires from family members and at health facilities to breastfeed successfully.

- ❑ The chief components of the MAA Programme are Community awareness generation, Strengthening inter personal communication through ASHA, Skilled support for breastfeeding at delivery points in public health facilities, and monitoring and award/recognition.

Shortcomings of the Healthcare Sector

The system suffers from the following weaknesses:

- ❑ **Availability of healthcare services:** At the start of the 11th Plan, the number of doctors per lakh of population was only 45, whereas, the desirable number is 85 per lakh population. Similarly, the number of Nurses and Auxiliary Nurse and Midwives (ANMs) available was only 75 per lakh population whereas the desirable number is 225. The overall shortage is exacerbated by a wide geographical variation in availability across the country. Rural areas are especially poorly served.
- ❑ **Quality of healthcare services:** It varies considerably in both the public and private sector. Many practitioners in the private sector are actually not qualified doctors. Regulatory standards for public and private hospitals are not adequately defined and, in any case, are ineffectively enforced.
- ❑ **Affordability of healthcare:** The lack of extensive and adequately funded public health services pushes large numbers of people to incur heavy out of pocket expenditures on services purchased from the private sector. Out of pocket expenditures arise even in public sector hospitals, since lack of medicines means that patients have to buy them. This results in a very high financial burden on families in case of severe illness.
- ❑ **Poor Rural Healthcare Infrastructure:** Mahatma Gandhi had a dream that India would be a land of self-sustaining villages. The true India is to be found not in its few cities, but in its 700,000 villages. If the villages perish, India will perish too.” The health scenario in rural India would’ve caused him great pain. The basic problem in this case is the lack of resources – human or otherwise. Initiatives like the National Rural Health Mission (NRHM) haven’t made much headway.
- ❑ **Stark facts indicating the lives of our rural brethren:**
 - 50% of all villagers have no access to healthcare providers.
 - 37% are chronically starved.
 - 10% of all babies die before their first birthday.
 - 50% of all babies are likely to be permanently stunted due to lack of proper nutrition.
 - 33% people have no access to toilets, while 50% defecate in the open.
- ❑ **Women’s and Children’s Health:** According to a poll by Thomson Reuters, India is the worst place for women among G20 nations. Female foeticide, unequal rights, dowry killings, poor maternal health and lack of sexual education are just some of the reasons for the same.
- ❑ **Few facts about women health in India:**
 - 12 million girls were aborted in the last 3 decades in India.
 - Child marriage has a domino effect since this also leads to lowered education levels and lower levels of awareness.
 - 45% Indian women are married before they turn 18. This results in early pregnancies, higher morbidity and mortality rates.
 - A mother dies every 10 minutes in India.
- ❑ **Low government spending, high out-of-pocket expenses and lack of insurance:** The government spending on healthcare is grossly inadequate. It spends about 1% of the nation’s GDP on healthcare. This has led to very high Out-Of-Pocket (OOP) expenditure for the general public. This means that 78% of all spends on healthcare are paid by the people and 72% of this is on drugs alone. Estimates suggest that 39 million people are forced into poverty because of medical expenditure.

- ❑ **Rise of lifestyle diseases:** While rural India battles 3rd world diseases like Malaria and Dengue, rising urbanisation has led to the middle and upper classes being afflicted with 'developed world' lifestyle diseases like Diabetes and Obesity. A fast food culture, increased smoking and alcohol consumption has led to a rise in Obesity related diseases like Diabetes and Cardiovascular ailments.
- ❑ **Medical Education and Healthcare Human Resources:** India has some top quality medical institutes which provide quality education and a huge number of medical professionals are added to the task-force every year. While that is indeed a huge number, most of them are based in urban centres resulting in deficit of healthcare services in rural and semi-urban India.

National Health Policy 2017

- ❑ Healthcare has become one of India's largest sectors - both in terms of revenue and employment. Healthcare comprises hospitals, medical devices, clinical trials, outsourcing, telemedicine, medical tourism, health insurance and medical equipment. The Indian healthcare sector is growing at a brisk pace due to its strengthening coverage, services and increasing expenditure by public as well private players.
- ❑ Recently, the Government of India declared a new National Health Policy 2017 with the primary aim to inform, clarify, strengthen and prioritize the role of the Government.

Goal

- ❑ NHP 2017 builds on the progress made since the last NHP 2002. The policy envisages as its goal the attainment of the highest possible level of health and well-being for all at all ages, through a preventive and promotive health care orientation in all developmental policies, and universal access to good quality health care services without anyone having to face financial hardship as a consequence.
- ❑ This would be achieved through increasing access, improving quality and lowering the cost of healthcare delivery.
- ❑ The policy recognizes the pivotal importance of Sustainable Development Goals (SDGs).

TARGETS

Mortality, disease, life expectancy related targets:

- Life expectancy from 67.5 to 70 by 2025.
- Reduction of TFR to 2.1 at national and sub-national level by 2025.
- Under Five Mortality to 23 by 2025.
- **IMR:** 28 by 2019.
- **Neo-natal MR:** 16 and still birth to single digit by 2025.
- **MMR:** 100 by 2020.
- Reduce premature mortality from cardiovascular diseases, cancer, diabetes or chronic respiratory diseases by 25% by 2025.
- Achieve global target 90:90:90, for HIV/AIDS by 2020.
- Access to safe water and sanitation to all by 2020 (Swachh Bharat Mission).

Coverage of Health Services

- ▶ Increase utilization of public health facilities by 50% by 2025.
- ▶ Immunization (for less than 1 yr age) levels of >90% by 2025. Meet need of family planning above 90% at national and sub national level by 2025.
- ▶ Establish primary and secondary care facility as per norms in high priority districts (population as well as time to reach norms) by 2025.

Key Policy Principles

- ❑ **Professionalism, Integrity and Ethics:** The health policy commits itself to the highest professional standards, integrity and ethics to be maintained in the entire system of health care delivery in the country, supported by a credible, transparent and responsible regulatory environment.
- ❑ **Equity:** Reducing inequity would mean affirmative action to reach the poorest. It would mean minimizing disparity on account of gender, poverty, caste, disability, other forms of social exclusion and geographical barriers. It would imply greater investments and financial protection for the poor who suffer the largest burden of disease.
- ❑ **Affordability:** As costs of care increases, affordability, as distinct from equity, requires emphasis. Catastrophic household health care expenditures defined as health expenditure exceeding 10% of its total monthly consumption expenditure or 40% of its monthly non-food consumption expenditure, are unacceptable.
- ❑ **Universality:** Prevention of exclusions on social, economic or on grounds of current health status. In this backdrop, systems and services are envisaged to be designed to cater to the entire population-including special groups.
- ❑ **Patient Centered & Quality of Care:** Gender sensitive, effective, safe, and convenient healthcare services to be provided with dignity and confidentiality. There is need to evolve and disseminate standards and guidelines for all levels of facilities and a system to ensure that the quality of healthcare is not compromised.
- ❑ **Accountability:** Financial and performance accountability, transparency in decision making, and elimination of corruption in health care systems, both in public and private.
- ❑ **Inclusive Partnerships:** A multi-stakeholder approach with partnership & participation of all non-health ministries and communities. This approach would include partnerships with academic institutions, not for profit agencies, and health care industry as well.
- ❑ **Pluralism:** Patients who so choose and when appropriate, would have access to AYUSH care providers based on documented and validated local, home and community based practices. These systems, inter alia, would also have Government support in research and supervision to develop and enrich their contribution to meeting the national health goals and objectives through integrative practices.
- ❑ **Decentralization:** Decentralisation of decision making to a level as is consistent with practical considerations and institutional capacity. Community participation in health planning processes, to be promoted side by side.
- ❑ **Dynamism and Adaptiveness:** Constantly improving dynamic organization of health care based on new knowledge and evidence with learning from the communities and from national and international knowledge partners is designed.

Critical analysis of the Policy

- ❑ Policy is being commended for its strategic shift in focus towards wellness and greater role of government. But the main issue with Indian policies have been their lackadaisical implementation and absence of accountability ensuring mechanisms. The present policy also seems to suffer from that.

- ❑ It does not make Right to Health a fundamental right or a legal right. Unless there is legal obligation there will be no accountability on government.
- ❑ It does not talk of Universal Health Coverage that guarantees free, cashless health services to all the citizens of the country irrespective of the type of care needed. This is the minimum standard that most of the countries are adopting now a days.
- ❑ It does acknowledge that UHC is the way to go, but makes a clear commitment only in primary care. In secondary and tertiary care, which in fact accounts for most of the catastrophic expenses, that push people into poverty - some irreversibly - it's not as unequivocal.
- ❑ The implementation of the policy will be fraught with formidable challenges because of the disparate health infrastructure landscape in the country, particularly in the poor states, and the need for aligning existing systems in the states with a national plan of action.
- ❑ Public health is a state subject and providing healthcare is a responsibility of the states. With greater financial devolution to states how the financing will be shared will be another issue.
- ❑ Only nearly 11% of registered health professionals work in public sector and very few in rural areas. How to bring them to public sector in itself will be a challenge.
- ❑ Regulatory mechanisms of the health sector in itself needs a overhaul with MCI in dire state. The new bill is still pending in Parliament.
- ❑ Regulation of private sector services will be very important to ensure that health services are affordable. Mechanisms for this will have to be planned with great care so that it does not interfere with the autonomy of private sector. Lessons from countries like Japan, Germany which have efficiently controlled costs by regulating the private sector can be very useful.

National Health Profile

- ❑ The Central Bureau of Health Intelligence (CBHI) has been releasing its annual publication "National Health Profile (NHP)" on a regular basis since 2005.
- ❑ It involves prolonged, systematic and genuine efforts to collect an enormous amount of national data from the Directorates of Health & Family Welfare of all the 36 States/UTs, Central Government Organizations, National Health Programmes and various other concerned national and international agencies in India.

National Health Profile 2021

- ❑ **Life Expectancy:** According to the Survey life expectancy in India has increased from 49.7 years in 1970-75 to 68.7 years in 2013-17.
- ❑ For the same period, the life expectancy for females is 70.2 years and 67.4 years for males.
- ❑ **Population Density:** According to the survey, the highest population density of 11,320 people per square kilometre was reported by the NCT of Delhi whereas Arunachal Pradesh has reported the lowest population density of 17.
- ❑ **Non Communicable Diseases:** On the non-communicable diseases, the survey notes that out of 6.51 crore patients who attended NCD clinics, 4.75 per cent people are diagnosed with diabetes and 6.19 per cent are diagnosed with hypertension.
- ❑ **Demographics:** On demographics, the survey found the high incidence of the young and economically active population.
- ❑ The survey notes that 27 per cent of the total estimated population of 2016 were below the age of 14 years and majority (64.7 per cent) of the population were in the age group of 15-59 years.
- ❑ **Birth Rate and Death Rate:** There has been consistent decrease in the birth rate, death rate and natural growth rate in India since 1991 to 2017.

- ❑ As on 2017, India has registered birth rate of 20.2 per 1,000 population and death rate of 6.3 per 1,000 population while the natural growth rate was 13.9 per 1,000 population in India.
- ❑ The birth rate in rural areas was higher than in the urban. Similarly, the death rate and natural growth rate were also higher in rural areas as compared to the urban.
- ❑ The population continues to grow, as the decline in the birth rate is not as rapid as the decline in the death rate.
- ❑ **Infant Mortality:** The infant mortality rate has declined considerably (30 per 1,000 live births in 2016), however differentials of rural (34) & urban (20) are still high.
- ❑ **Total Fertility Rate:** Total Fertility Rate (TFR) for the country is stable at 2.2 in 2018 and 2017. During 2018, Bihar has reported the highest TFR (3.2) while Delhi and West Bengal have reported the lowest TFR.
- ❑ **Health Status:** On the health status indicators, the survey finds that on communicable diseases, in 2020, maximum number of cases and deaths due to malaria have been reported in Odisha (41,739 cases and 9 deaths).
- ❑ In 2020, in India, in terms of burden of diseases, malaria and dengue emerged as the toppers, while in terms of deaths, Acute Encephalitis Syndrome emerged as the top - most killer.
- ❑ Dengue and Chikungunya, transmitted by Aedes mosquitoes, are a cause of great concern to public health in India.
- ❑ Dengue outbreaks have continued since the 1950s but severity of disease has increased in the last two decades.
- ❑ The reported cases of Chikungunya in the country has shown a slight decrease from 67,769 to 43,424 in 2020 as compared to 2017.
- ❑ There has been considerable decrease in the number of swine flu cases/deaths in the year 2014 as compared with 2012 and 2013.
- ❑ Besides diseases road traffic accidents also contribute to a lot of deaths. Between 2018 (1,78,832 deaths) and 2019 (1,81,113 deaths) there has been a 1.2% increase in the number of deaths due to road traffic accidents.
- ❑ Suicide rates are increasing significantly among young adults. Total Suicides recorded in 2019 were 1,39,123. Maximum number of Suicide Cases (48,774) are reported between the age group 18- 30 years, followed by 44,287 cases in age group of 30 -45 years.

UNIT
4

MISCELLANEOUS

Chapter 4.1

ORGANIZATIONS/BODIES/ POLICIES

Unique Identification Authority of India (UIDAI)

Context

The Delhi High Court has recently granted Twitter three weeks' time to state on record that it has appointed a resident grievance officer and observed that it has to comply with the IT Rules, 2021, if they have not been stayed.

Background

- ❑ The new Rules were notified in February this year by the Ministry of Electronics and Information Technology (MeitY) under the Information Technology Act, 2000. They will replace the Information Technology (Intermediaries Guidelines) Rules, 2011.
- ❑ Social Media intermediaries were given a three-month period to comply with the new rules.
- ❑ The government in May issued fresh notice to all social media intermediaries seeking details on the status of compliance with the new rules that came into effect on that day.
- ❑ Companies like Google, Facebook, WhatsApp, Telegram, Koo, Sharechat, and LinkedIn have shared details with MeitY as per the requirement of the new norms.
- ❑ Twitter sought an extension of the compliance window and called for a constructive dialogue and a collaborative approach from the government to safeguard freedom of expression of the public.
- ❑ WhatsApp filed a case in the Delhi High Court against the government on grounds that the new rules violated customer privacy.
- ❑ The new Intermediary Guidelines and Digital Media Ethics Code have also been challenged by entities like The Wire, LiveLaw and The Quint.

IT Act, 2000

- ❑ The Act provides a legal framework for electronic governance by giving recognition to electronic records and digital signatures.
- ❑ It also defines cybercrimes and prescribes penalties for them.

- ❑ The Act directed the formation of a Controller of Certifying Authorities to regulate the issuance of digital signatures.
- ❑ It established a Cyber Appellate Tribunal to resolve disputes arising from this new law.
- ❑ The Act amended various sections of the Indian Penal Code, 1860, the Indian Evidence Act, 1872, the Banker's Book Evidence Act, 1891, and the Reserve Bank of India Act, 1934 to make them compliant with new technologies.

What are IT Rules, 2021?

- ❑ The Rules aim to empower ordinary users of social media and OTT platforms with a mechanism for redressal and timely resolution of their grievance with the help of a Grievance Redressal Officer (GRO) who should be a resident in India.
- ❑ **Safety measures:** Special emphasis has been given on the protection of women and children from sexual offences, fake news and other misuse of the social media.
- ❑ **Source identification:** Identification of the "first originator of the information" would be required in case of an offence related to sovereignty and integrity of India.
- ❑ **Appointment of Chief Compliance Officer:** A Chief Compliance Officer, a resident of India, also needs to be appointed and that person shall be responsible for ensuring compliance with the Act and Rules.
- ❑ **Complaint monitoring:** A monthly compliance report mentioning the details of complaints received and action taken on the complaints would be necessary.
- ❑ **Code of Ethics:** The OTT platforms, online news and digital media entities, on the other hand, would need to follow a Code of Ethics.
- ❑ **Self-classification:** OTT platforms would be called as 'publishers of online curated content' under the new rules.
- ❑ They would have to self-classify the content into five categories based on age and use parental locks for age above 13 or higher. They also need to include age verification mechanisms for content classified as 'Adult'.
- ❑ **Redressal mechanism:** A three-level grievance redressal mechanism has been mandated. This includes the appointment of a GRO, self-regulatory bodies registered with the Ministry of Information & Broadcasting (MIB) to look after the Code of Ethics and a Charter for the self-regulating bodies formulated by MIB.

Grounds for challenge

- ❑ While the new rules were challenged by many on grounds of violation of free speech, the government has clarified that these rules permit social media platforms to operate in India freely but with due accordance to the law.
- ❑ Every entity has to abide by the Constitution of the country and the Rule of Law.
- ❑ Also, as per Article 19 of the Constitution, freedom of speech and expression is not absolute and is subject to reasonable restrictions, especially in case of a threat to national sovereignty and security.
- ❑ Failure to comply with any one of these requirements would take away the indemnity provided to social media intermediaries under Section 79 of the Information Technology Act.

Section 79 of the IT Act, 2000

- ❑ It says any intermediary shall not be held legally or otherwise liable for any third party information, data, or communication link made available or hosted on its platform.

- ❑ This protection, the Act says, shall be applicable only if the intermediary acts just as the messenger carrying a message from point A to point B, without interfering in any manner. It will be safe from any legal prosecution brought upon due to the message being transmitted.
- ❑ The protection accorded under Section 79, however, is not granted if the intermediary, despite being informed or notified by the government or its agencies, does not immediately disables access to the material under question.
 - ❖ The intermediary must not tamper with any evidence of these messages or content present on its platform, failing which it lose its protection under the Act.
 - ❖ Like Section 79 of India's IT Act, Section 230 of the Communications Decency Act of the US states that "no provider or user of an interactive computer service shall be treated as the publisher or speaker of any information provided by another information content provider".

Need for the new Rules

- ❑ The rules come at a time when the country is constantly striving to ensure the safety and sovereignty of the cyberspace and of personal data.
- ❑ **Wide coverage:** Social media is increasingly becoming an important part of our life.
- ❑ For example, WhatsApp currently has a user base of 340 million in the country, accounting for the largest number of subscribers in the world, even more than the US. Facebook has 290 million, Twitter 17.5 million, YouTube 265 million and Instagram, 120 million.
- ❑ **Bundle of issues:** With such a huge population dependent on social media platforms, the tech-giants cannot ignore the new and emerging challenges like-
 - ❑ persistent spread of fake news
 - ❑ rampant abuse of the platforms to share morphed images of women
 - ❑ deep fakes and other contents that threaten the dignity of women
 - ❑ child pornography
 - ❑ threat to security
- ❑ Hate speech: Instances of use of abusive language, defamatory contents and hate speech in these platforms have become very common.

Supreme Court's take on emerging challenges of social media

- ❑ In view of such emerging challenges, the Supreme Court in 2018, in the Tehseen S. Poonawalla v/s Union of India case, directed the government to curb and stop dissemination of explosive messages and videos on various social media platforms.
- ❑ The Court in 2017 also observed that the government may frame necessary guidelines to eliminate child pornography, rape and gang rape imageries, videos and sites in content hosting platforms and other applications.
- ❑ The new rules are thus in accordance with the previous Supreme Court observations.
- ❑ As per the rules, intermediaries are mandated to remove or disable contents that are against the safety and dignity of individuals within 24 hours of receiving of complaints. Such complaints can be filed either by the individual or a person on his/her behalf.
- ❑ According to the government, knowing the "first originator of information" (also known as "traceability") of messages that cause violence, riots, terrorism, rape or threat to national security fall under reasonable exceptions to Right to Privacy - which again is not absolute as per the Constitution.

Technological Hurdles with Respect to Traceability

- ❑ Social media companies have expressed apprehensions about the identification of traceability when required to do so by authorities which could possibly lead to the breaking the of end-to-end encryption and can compromise users' privacy.
- ❑ The government, however, has stated that traceability would only be required in case of "very serious offences" that threaten the sovereignty and integrity of India.
- ❑ Further, it could also be implemented without breaking the end-to-end encryption.
- ❑ The onus, however, will lie on the companies to find a technological solution for the same.

Conclusion

- ❑ The imperative of striking the right balance between fundamental rights and ascertaining the reasonableness of a restriction has been a constant effort since the adoption of the Constitution.
- ❑ The debate has now reached the digital world. The on-going tussle between private, tech giants who own a substantial amount of Big Data, governments desirous of imposing reasonable restrictions and users worried about issues relating to data privacy and constraints on freedom of speech and expression is likely to get more complicated before optimum solutions can be arrived at.
- ❑ The IT Rules 2021 seek to address concerns of the citizens without infringing on their privacy and personal liberties, while maintaining digital sovereignty at the same time.

Finance Commission

- ❑ Finance Commission is a body set up under Article 280 of the Constitution. Its primary job is to recommend measures and methods on how revenues need to be distributed between the Centre and the states.
- ❑ Besides suggesting the mechanism to share tax revenues, the Commission also lays down the principles for giving out grant-in-aid to states and other local bodies.
- ❑ The Commission also addresses the imbalances that often arise between the taxation powers and expenditure responsibilities of the centre and the states, respectively. Primarily, it has to ensure a sense of equality in public services across the states.
- ❑ The Fifteenth Finance Commission was constituted by the President in November 2017, under the chairmanship of NK Singh, to make recommendations for the period 2020-25.

Key recommendations in the first report (2020-21 period) include:

Devolution of taxes to states: The share of states in the centre's taxes is recommended to be decreased from 42% during the 2015-20 period to 41% for 2020-21. The 1% decrease is to provide for the newly formed union territories of Jammu and Kashmir, and Ladakh from the resources of the central government.

Criteria for devolution

- ❑ **Income distance:** Income distance is the distance of the state's income from the state with the highest income. The income of a state has been computed as average per capita GSDP during the three-year period between 2015-16 and 2017-18. States with lower per capita income would be given a higher share to maintain equity among states.

- ❑ **Demographic performance:** The Terms of Reference (ToR) of the Commission required it to use the population data of 2011 while making recommendations. Accordingly, the Commission used only 2011 population data for its recommendations.
- ❑ The Demographic Performance criterion has been introduced to reward efforts made by states in controlling their population. It will be computed by using the reciprocal of the total fertility ratio of each state, scaled by 1971 population data. States with a lower fertility ratio will be scored higher on this criterion. The total fertility ratio in a specific year is defined as the total number of children that would be born to each woman if she were to live to the end of her child-bearing years and give birth to children in alignment with the prevailing age-specific fertility rates.
- ❑ **Forest and ecology:** This criterion has been arrived at by calculating the share of dense forest of each state in the aggregate dense forest of all the states.
- ❑ **Tax effort:** This criterion has been used to reward states with higher tax collection efficiency. It has been computed as the ratio of the average per capita own tax revenue and the average per capita state GDP during the three-year period between 2014-15 and 2016-17.

Grants-in-aid

- ❑ In 2020-21, the following grants will be provided to states: (i) revenue deficit grants, (ii) grants to local bodies, and (iii) disaster management grants. The Commission has also proposed a framework for sector-specific and performance-based grants. State-specific grants will be provided in the final report.
- ❑ **Revenue deficit grants:** In 2020-21, 14 states are estimated to have an aggregate revenue deficit of Rs 74,340 crore post-devolution. The Commission recommended revenue deficit grants for these states.
- ❑ **Special grants:** In case of three states, the sum of devolution and revenue deficit grants is estimated to decline in 2020-21 as compared to 2019-20. These states are Karnataka, Mizoram, and Telangana. The Commission has recommended special grants to these states aggregating to Rs 6,764 crore.
- ❑ **Sector-specific grants:** The Commission has recommended a grant of Rs 7,375 crore for nutrition in 2020-21. Sector-specific grants for the following sectors will be provided in the final report: (i) nutrition, (ii) health, (iii) pre-primary education, (iv) judiciary, (v) rural connectivity, (vi) railways, (vii) police training, and (viii) housing.
- ❑ **Performance-based grants:** Guidelines for performance-based grants include: (i) implementation of agricultural reforms, (ii) development of aspirational districts and blocks, (iii) power sector reforms, (iv) enhancing trade including exports, (v) incentives for education, and (vi) promotion of domestic and international tourism. The grant amount will be provided in the final report.
- ❑ **Grants to local bodies:** The total grants to local bodies for 2020-21 has been fixed at Rs 90,000 crore, of which Rs 60,750 crore is recommended for rural local bodies (67.5%) and Rs 29,250 crore for urban local bodies (32.5%). This allocation is 4.31% of the divisible pool. This is an increase over the grants for local bodies in 2019-20, which amounted to 3.54% of the divisible pool (Rs 87,352 crore). The grants will be divided between states based on population and area in the ratio 90:10. The grants will be made available to all three tiers of Panchayat- village, block, and district.
- ❑ **Disaster risk management:** The Commission recommended setting up National and State Disaster Management Funds (NDMF and SDMF) for the promotion of local-level mitigation activities. The Commission has recommended retaining the existing cost-sharing patterns between the centre and states to fund the SDMF (new) and the SDRF (existing). The cost-sharing pattern between centre and states is (i) 75:25 for all states, and (ii) 90:10 for north-eastern and Himalayan states.

Recommendations on fiscal roadmap

- ❑ **Fiscal deficit and debt levels:** The Commission noted that recommending a credible fiscal and debt trajectory roadmap remains problematic due to uncertainty around the economy. It recommended that both central and state governments should focus on debt consolidation and comply with the fiscal deficit and debt levels as per their respective Fiscal Responsibility and Budget Management (FRBM) Acts.

- ❑ **Off-budget borrowings:** The Commission observed that financing capital expenditure through off-budget borrowings detracts from compliance with the FRBM Act. It recommended that both the central and state governments should make full disclosure of extra-budgetary borrowings. The outstanding extra-budgetary liabilities should be clearly identified and eliminated in a time-bound manner.
- ❑ **Statutory framework for public financial management:** The Commission recommended forming an expert group to draft legislation to provide for a statutory framework for sound public financial management system. It observed that an overarching legal fiscal framework is required which will provide for budgeting, accounting, and audit standards to be followed at all levels of government.
- ❑ **Tax capacity:** In 2018-19, the tax revenue of state governments and central government together stood at around 17.5% of GDP. The Commission noted that tax revenue is far below the estimated tax capacity of the country. Further, India's tax capacity has largely remained unchanged since the early 1990s. In contrast, tax revenue has been rising in other emerging markets. The Commission recommended: (i) broadening the tax base, (ii) streamlining tax rates, (iii) and increasing capacity and expertise of tax administration in all tiers of the government.
- ❑ **GST implementation:** The Commission highlighted some challenges with the implementation of the Goods and Services Tax (GST). These include: (i) large shortfall in collections as compared to original forecast, (ii) high volatility in collections, (iii) accumulation of large integrated GST credit, (iv) glitches in invoice and input tax matching, and (v) delay in refunds. The Commission observed that the continuing dependence of states on compensation from the central government (21 states out of 29 states in 2018-19) for making up for the shortfall in revenue is a concern. It suggested that the structural implications of GST for low consumption states need to be considered.

Other recommendations

Financing of security-related expenditure: The ToR of the Commission required it to examine whether a separate funding mechanism for defence and internal security should be set up and if so, how it can be operationalised. In this regard, the Commission intends to constitute an expert group comprising representatives of the Ministries of Defence, Home Affairs, and Finance. The Commission noted that the Ministry of Defence proposed following measures for this purpose: (i) setting up of a non-lapsable fund, (ii) levy of a cess, (iii) monetisation of surplus land and other assets, (iv) tax-free defence bonds, and (v) utilising proceeds of disinvestment of defence public sector undertakings. The expert group is expected to examine these proposals or alternative funding mechanisms.

Government accepted the recommendations

Government accepted the recommendations of the 14th Finance Commission, although it puts a tremendous strain on the Centre's finances. This is a major shift in Indian financial structure as we are moving away from rigid centralised planning, forcing a 'one size fits all' approach on States.

Various Implications

❑ Cooperative Federal Polity

- The broad contours of a cooperative federal polity are now emerging where the Centre and States engage as equal partners in development. It's an unequivocal signal of commitment to the principle of 'Cooperative Federalism'. The Idea of Cooperative federalism was first mentioned by the government in the context of replacing the Planning Commission with the NITI Aayog.

■ Greater Freedom and Responsibility to States

- “The higher tax devolution will allow States greater autonomy in financing and designing schemes as per their needs and requirements,” says the report. Practically, it will give more power to states in determining how they spend this money.
- The key to the success of the recommendations lie in how well the States use the higher revenues and the accompanying freedom to frame their development priorities. Some of the better-developed States such as Tamil Nadu might feel aggrieved at a reduction in their share of devolved funds, ironically because of their better development metrics relative to other States. But this is federalism at work, because the resources freed up thus go to support another State that might be lagging behind on development parameters and per capita income. What is important is whether the FFC has adopted logical and fair measures while designing the allocations — which it indeed has done.

■ Re-evaluation of Centrally Sponsored Schemes

- Consequent to the higher devolution of funds, the Centre is likely to re-evaluate several schemes that it sponsors for the States. This is a natural consequence as the Centre needs to offset its loss of revenue even as States devise their own spending programmes tailored to their needs. It is a fact that some States have been weighed down by the need to cough up their share of funds for centrally sponsored schemes even if such schemes are not relevant to their needs. For example, for a State such as Kerala with its high literacy levels, a scheme to promote primary education is not relevant, just as promoting power generation is not relevant to a power-surplus State such as Gujarat.

■ Push to GST Initiative

- Well, it comes at a time when the Centre is trying to push GST (Goods and Services Tax). Perhaps, higher devolution will help to reassure the States that they will not be at the wrong end of the stick if GST is introduced.
- FFC’s report, along with the setting up of the NITI Aayog and the consensus on the implementation of the Goods and Services Tax, are important components of the emerging federal landscape where the Centre confers greater freedom and responsibility on the latter by devolving greater resources to them.

AFSPA & Second ARC

The Armed Forces Special Powers Act (AFSPA) is an act empowering armed forces to deal effectively in disturbed areas. The Act was passed on 11 September 1958 by the Parliament of India to provide special legal security to the armed forces carrying out operations in the troubled areas of Arunachal Pradesh, Assam, Meghalaya, Manipur, Mizoram, Nagaland, and Tripura (seven sisters). However, in 1990 the Act was extended to the state of Jammu and Kashmir to confront the rising insurgency in the area. In Manipur, despite opposition from the Central government, state government withdrew the Act in some parts in August, 2004.

About AFSPA

- Any area which is declared “disturbed” under Disturbed Areas Act enables armed forces to resort to the provisions of AFSPA. The choice of declaring any area as ‘disturbed’ vests both with state and central government. After an area comes under the ambit of AFSPA, any commissioned officer, warrant officer, non-commissioned officer or another person of equivalent rank can use force for a variety of reasons while still being immune to the prosecution.

- Power to Declare Areas to be Disturbed Areas lies to the Governor of that State or the Administrator of that Union Territory or the Central Government, in either case, if of the opinion that the whole or any part of such State or Union territory, as the case may be, is in such a disturbed or dangerous condition that the use of armed forces in aid of the civil powers is necessary, the Governor of that State or the Administrator of that Union Territory or the Central Government, as the case may be, may, by notification in the Official Gazette, declare the whole or such part of such State or Union Territory to be a disturbed area.

Special Powers of the Armed Forces provided under the Act

- Any commissioned officer, warrant officer, non commissioned officer or any other person of equivalent rank in the armed forces have the following powers-
- If he is of opinion that it is necessary to do so for the maintenance of Public order, after giving such due warning as he may consider necessary, fire upon or otherwise use force, even to the causing of death, against any person who is acting in contravention of any law or order for the time being in force in the disturbed area prohibiting the assembly of five or more persons or the carrying of weapons or of things capable of being used as weapons or of fire-arms, ammunition or explosive substances;
- Arrest, without warrant, any person who has committed a cognisable offence or against whom a reasonable suspicion exists that he has committed or is about to commit a cognisable offence and may use such force as may be necessary to effect the arrest; and
- Enter and search without warrant any premises to make any such arrest as aforesaid or to recover any person believed to be wrongfully restrained or confined or any property reasonably suspected to be stolen property or any arms, ammunition or explosive substances believed to be unlawfully kept in such premises and may for that purpose use such force as may be necessary.
- The Act states that after the military have arrested someone under the AFSPA, they must hand that person over to the nearest police station with the “least possible delay”. There is no definition in the Act of what constitutes the least possible delay. Some case-law has established that 4 to 5 days is too long. But since this provision has been interpreted as depending on the specific circumstances of each case, there is no precise amount of time after which the Section is violated. The holding of the arrested person, without review by a magistrate, constitutes arbitrary detention.
- The Act establishes that no legal proceeding can be brought against any member of the armed forces acting under the AFSPA, without the permission of the Central Government. This section leaves the victims of the armed forces abuses without a remedy.

Issues

- Under the Indian Constitution, the AFSPA violates the following articles: **(a) Article 21** – The right to life – is violated by section 4(a) of the AFSPA, which grants the armed forces the power to shoot to kill in law enforcement situations without regard to the restrictions of international human rights law on the use of lethal force; **(b) Article 14** – The right to equality – This article guarantees that “the State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India”; **(c) Article 22** – Protection against arrest and detention.
- The Armed Forces (Special Powers) Act has come in for widespread criticism in Jammu and Kashmir, Manipur and other parts of the north-east because of the human rights abuses that have come to be associated with its operation.
- AFSPA does not define the term “disturbed areas”. The decision of the government to declare a particular area ‘disturbed’ cannot be challenged in a court of law.
- The Criminal Procedure Code lays out the procedures that police is to follow for carrying out arrests and searches. CrPC also advocates use of minimum force for dispersing an unlawful assembly. No such provisions exist in any sections of Armed Forces Special Powers Act.

- With AFSPA around, military or paramilitary units do not feel the need for restraint or fire control (leading to incidents like the one at Malom which led Irom Sharmila to start her hunger strike). That leads to a sharp drop in professionalism and actually dehumanises and corrupts the Army and paramilitary forces.

Second ARC on AFSPA

- The **Second Administrative Reforms Commission (ARC)** has recommended repeal of the controversial Armed Forces Special Powers Act (AFSPA), 1958, saying that its scrapping would remove the feeling of discrimination and alienation among the people of the north-eastern States.
- Incidentally, the repeal of AFSPA was recommended also by the **Justice B.P. Jeevan Reddy panel**, set up by the United Progressive Alliance Government in the wake of widespread agitation in Manipur.
- Civil rights groups, NGOs and student bodies then demanded repeal of the Act. However, the Government did not take any decision on the panel's recommendations.

Need for AFSPA

- It is invariably seen that the following circumstances drive the employment of the security forces:
- Administrative failures have time and again contributed to insurgencies in the past. Once they have erupted, the local functionaries and the police forces have proved inadequate in coping with them. As a result, the states are simply forced to turn to central paramilitary forces or the army for protection of life and property.
- Having undertaken concerted counter insurgency operations over time, the affected states have simply failed to make capital out of the "peace dividend" delivered by the security forces. This has often resulted in their extended presence with no signs at all of return to normalcy.
- Consequently, the security forces have a right to seek legal provisions to undertake operations for *three* fundamental reasons. One, a soldier unlike a policeman is not empowered by the law to use force. Next, while operating in far flung areas, it is simply not possible to requisition the support of magistrates every now and then. Lastly, their employment is an instrument of 'last resort' when all other options have been exhausted.

Risk involved in dilution of AFSPA

- The annulment of the Act, as being debated by sections of the civil society, could prove disastrous at the central and the state government levels. The risk of dilution of AFSPA are as follows :-
- Firstly, it would dilute the capacity of an important instrument of the state – the armed forces – to tackle the security challenges faced by the country.
- Secondly, it would motivate the insurgent leadership, field cadres and their over ground supporters to engage in reckless damage to public life and property. It may well result in a security situation which slides beyond redemption, necessitating major political compromise.
- Thirdly, the annulment of the law and the resultant lack of security cover would adversely affect the governance and development capacities in the insurgency affected states, and the eventual redress of local grievances.

Role Of NITI Aayog

- India has undergone a paradigm shift over the past six decades – politically, economically, socially, technologically as well as demographically.

- ❑ The role of government in national development has seen a parallel evolution. Keeping with these changing times, the Government of India has decided to set up NITI Aayog (National Institution for Transforming India), in place of the erstwhile Planning Commission, as a means to better serve the needs and aspirations of the people of India.

About NITI Aayog

- ❑ The new institution will be a catalyst to the developmental process; nurturing an overall enabling environment, through a holistic approach to development.
- ❑ The NITI Aayog aim to accomplish the following objectives and opportunities:
 - An administration paradigm in which the Government is an ‘enabler’ rather than a “provider of first and last resort.”
 - Progress from “food security” to focus on a mix of agricultural production, as well as actual returns that farmers get from their produce.
 - Ensure that India is an active player in the debates and deliberations on the global commons.
 - Ensure that the economically vibrant middle-class remains engaged, and its potential is fully realized.
 - Leverage India’s pool of entrepreneurial, scientific and intellectual human capital.
 - Incorporate the significant geo-economic and geo-political strength of the Non-Resident Indian Community.
 - Use urbanization as an opportunity to create a wholesome and secure habitat through the use of modern technology.
 - Use technology to reduce opacity and potential for misadventures in governance.

Proposed benefits of NITI Aayog

- ❑ NITI Aayog will seek to provide a critical directional and strategic input into the development process. The centre-to-state one-way flow of policy, that was the hallmark of the Planning Commission era, is now sought to be replaced by a genuine and continuing partnership of states.
- ❑ NITI Aayog will emerge as a “think-tank” that will provide Governments at the central and state levels with relevant strategic and technical advice across the spectrum of key elements of policy.
- ❑ The NITI Aayog will also seek to put an end to slow and tardy implementation of policy, by fostering better Inter Ministry coordination and better Centre-State coordination. It will help evolve a shared vision of national development priorities, and foster cooperative federalism, recognizing that strong states make a strong nation.
- ❑ The NITI Aayog will develop mechanisms to formulate credible plans to the village level and aggregate these progressively at higher levels of government. It will ensure special attention to the sections of society that may be at risk of not benefitting adequately from economic progress.
- ❑ The NITI Aayog will create a knowledge, innovation and entrepreneurial support system through a collaborative community of national and international experts, practitioners and partners.
- ❑ It will offer a platform for resolution of inter-sectoral and inter-departmental issues in order to accelerate the implementation of the development agenda.
- ❑ In addition, the NITI Aayog will monitor and evaluate the implementation of programmes, and focus on technology upgradation and capacity building.

Role of NITI Aayog in Cooperative Federalism

- ❑ NITI Aayog acts as a coordinating bridge between state and centre.
- ❑ It envisages formation of national development priorities sectors and strategies with the active involvement of States in the light of national objectives by fostering cooperative federalism and to develop mechanisms to formulate credible plans at the village level and aggregate these progressively at higher levels of government.
- ❑ Role of Niti Aayog in establishment of Cooperative Federalism.
- ❑ Consultative and direct decision making of the state chief ministers in governing council to deliberate on complex issues.
- ❑ Niti Aayog governing council is playing a greater role in assisting states where Centre-state investment agreements signed for bilateral invest treaty to boost investments in states to ensure better implementation of international treaties that is building the spirit of competitive federalism.
- ❑ Niti Aayog knowledge hub to act as knowledge and best practises repository for all states who want to emulate.
- ❑ Niti Aayog creates a congenial atmosphere for states in planning with recent upgradation of share in divisible pool to 42%, it can help in better utilization of resources.
- ❑ Niti Aayog constituted sub group of chief ministers for rationalizing and restructuring the centrally sponsored schemes to states, giving way to greater freedom in designing and restructuring of developmental plans. Ex the Beti Bacho scheme would be of little relevance to states like Kerala while they are important to Haryana.
- ❑ Niti Aayog have constituted task forces on agriculture and poverty alleviation. In this regard NITI has come up with Model Land Leasing Bill that each state would adopt according to their needs to ensure effective land leasing and tenancy to increase agriculture productivity and farmer incomes.
- ❑ Niti aayog role in ensuring implementation of SDGs analysing the present targets and demands of each state.
- ❑ Niti aayog as a think tank can help in guiding the states in a co-operative spirit and be a force multiplier in national development by building strong states.

NITI Aayog's Report on Rationalization of Centrally Sponsored Schemes (CSS)

- ❑ Government has decided to reduce the Centrally Sponsored Schemes (CSS) to 27 from 72 after recommendation of this report.
- ❑ Out of 27 CSS, the Centre would fully fund (100%) 10 schemes and provide maximum 60% of the funds for the 17 others.

Rationalization of CSS

The broad issues are:

- ❑ Number of CSS to be implemented.
- ❑ Funding pattern of CSS.
- ❑ Measures to be recommended for improving the design of CSS and flexibility of implementation.
- ❑ Measures to be adopted to simplify and improve mechanisms for releases to States.

- ❑ Arrangements to be put in place to ensure that incomplete projects are completed.
- ❑ Measures for coordination between the Centre and the States, and among the States, for achieving the objectives of the CSS.

Objectives

- ❑ To ensure adequate funding of schemes which are crucial to the National Development Agenda.
- ❑ Reducing the proliferation of CSS and sub-components with varying sharing patterns.
- ❑ Flexibility to States in implementation of schemes.
- ❑ Funding pattern in a CSS should indicate shared responsibilities between the Centre and the State in the sectors in which CSS are being implemented. However, the sharing pattern should not be such that States with weak revenue bases are not able to access Central funds.
- ❑ Removal of uncertainty regarding funds likely to be received by a State under CSS for better formulation of State Plans and Budgets.
- ❑ Timely releases to States through a predictable and simplified process, to take full advantage of the working season.
- ❑ Shift from expenditure-based monitoring to outcome-based monitoring and evaluation. Funds for completion of incomplete projects.

Need for Rationalization of CSS

❑ Views of Central Government:

- The size of the schemes has been reduced because of the constrained availability of Central resources.
- There are specific targets required to realize Vision 2022. The availability of funds for implementing schemes in Core sector needs to be protected. Therefore, States should come forward and commit a larger quantum of resources for these schemes.
- Post 14th Finance Commission, if a States, share does not increase then a reduction in the size of a scheme is inescapable.

❑ Views of State Governments:

- States must have voice as to which scheme to implement.
- The funding pattern should not be so onerous that the State may find it difficult to access the Central funds.
- The scheme design should provide for flexibility in implementing the scheme. The Centre should monitor outcomes and leave implementation to States.
- Procedure for release of installments should be simplified.
- Shift from expenditure-based monitoring and release of funds to outcome based monitoring and release of fund.

❑ Views of Union Territory (UTs):

- 14th Finance Commission devolution is not applicable to UTs. Hence, CSS should be 100% funded by Centre.
- The size, resource endowments, requirements and cost norms are very different across UTs. Hence, a much greater degree of flexibility is needed for implementing CSS.
- UT administration has the responsibility to provide infrastructure and basic services to its citizens, CSS as a whole should be implemented in UTs by the Central Government.

Major Recommendations of NITI Aayog

- ❑ **National Development Agenda:** Focus of CSS should be on the Schemes that comprise the National Development Agenda: Sectors/ tasks/objectives like Poverty Elimination including MGNREGA and Schemes for social inclusion, Drinking water and Swachh Bharat Mission; Rural Connectivity including Electrification, Access Roads and Communications; Agriculture including Animal Husbandry, Fisheries and Irrigation; Education including Mid Day Meal, Health, Nutrition, Women and Children, Housing for All, Urban Transformation and Law and Order and Justice Delivery System would be Core Sectors as they constitute important elements of the National Development Agenda.
- ❑ Large number of schemes results in spreading the resources too thin. Given significant variation across States in terms of development indicators and resource endowments, many schemes are simply not relevant to many States. To, address this issue CSS divided in to two schemes:
- ❑ **Core Schemes:** Core Schemes would have compulsory participation by States. MGNREGA, National Social Assistance Programme, National Programme for persons with disabilities, SCs, STs, Minorities and backward Classes are National Development Agenda Schemes.
- ❑ **Optional Schemes:** States could choose some or all of them apart from National Development Agenda Schemes.
- ❑ **Budgeting Core and Optional schemes:** NITI Aayog in consultation with State and Central Ministries would evolve transparent criteria based on the development needs, population, potential of the State in that sector, special needs of North-East and Himalayan States etc. The first such exercise may be taken up after the completion of the 12th Plan.
- ❑ **Funding pattern:** In any sector there should be one Umbrella scheme having the same funding pattern for all its sub-components. There should be no CSS with less than 50% share from the Central Government.
- ❑ For 8 North Eastern and Himalayan States of Himachal Pradesh, J&K and Uttarakhand (11 States): Core Sector Schemes-Centre 90%, State 10% and Optional Schemes-Centre 80%, State 20%.
- ❑ For Other States: Core Sector Schemes- Centre 60%, State 40% and Optional Schemes- Centre 50%, State 50%.
- ❑ **For Union Territories:** 100% Central Funding through NITI Aayog Ministry of Finance Cost norms: Cost norms should be inflation indexed and they take into account the prevailing different cost in different States or flexibility be given to a State to adjust cost norms in a Scheme across various components, subject to an overall allocation and mutually agreed outcomes.
- ❑ **Flexibility and Flexi-funds:** Flexibility in choice of components, design and implementation be provided for all Core and Optional Schemes.
- ❑ **Release of funds:** The procedure for release of funds from the Centre to the States should be streamlined. The present system is process ridden and, as a result, funds are often released towards the end of the financial year when they cannot be utilized effectively.
- ❑ **Local Body grants:** Providing more funds for drinking water, sanitation, drainage, local roads, school buildings, solid waste management, street lighting, maintenance of burial and cremation grounds and parks.
- ❑ **Incomplete Projects:** Due to sudden discontinuation of Schemes, arrangement for funds for incomplete projects may be made so that benefit of these projects are available to people, and huge amount of expenditure incurred so far does not become infructuous.
- ❑ **Institutional arrangement:** Creation of appropriate institutional arrangements at the Centre and State levels to ensure better implementation and for :
 - ❖ **Problem solving**
 - ❖ **Monitoring outcomes.**

- ❑ **Evaluation:** NITI Aayog should undertake independent evaluation of major Centrally Sponsored Schemes from time to time.
- ❑ **Arrangements for UTs:** Union Territory (without Legislature) is funded 100% by the Central Government which forms part of the budget of Ministry of Home Affairs.

Conclusion

Large outlays of our Centrally Sponsored Schemes programmes are crucial for better governance and translating into enduring outcomes on the ground. Implementation of programmes may be improved through a multi-faceted approach by adopting the above recommendations. It can also be improved through greater emphasis on social mobilisation and capacity building, strengthening of local institutions, and building deeper partnerships with civil society organisations and the community to determine the needs and aspirations of the people.

Law Commission's 268th Report On Bail Reforms

The 21st Law Commission of India, headed by Justice BS Chauhan submitted its 268th report titled “Amendments to Criminal Procedure Code, 1973 – Provisions relating to Bail”. According to the report the arbitrariness in exercising judicial discretion while granting bail are compelling reasons to examine the issue of bail and to chart a roadmap for further reform. It indicated that overcrowding of prisons may be due to inconsistency in the bail system as 67% prison population is comprised of undertrials.

❑ About Bail

- ❖ The **Code of Criminal Procedure 1973 (Cr.P.C.)** does not define the term “bail” although offences are classified as bailable and non-bailable.
- ❖ **Bailable offence:** These are less serious offences and any person accused of committing these is entitled to be released on bail as soon as s/he is willing to furnish bail.
- ❖ **Non-Bailable offences:** These are serious offences. When accused of committing non-bailable offences, a person can only be released on bail by the court if it is satisfied that the person shall attend the court to stand trial; will not tamper with evidence or influence witnesses or obstruct police investigation in any manner; will not commit any other offence or hinder the interest of justice.

❑ Key observations made in this report

- ❖ The present system of bail in India is “inefficient” and ‘inadequate’ to accomplish its purpose as applying for bail and pondering over bail applications forms the most accessed part of the criminal justice system.
- ❖ It has become the norm for the rich and powerful to get bail with ease, while others languish in prison. The principle of “bail is the norm and jail the exception” is limited in its application to the powerful and affluent only.
- ❖ Inconsistency in the grant of bail is one of the main reasons that 67% of the current prison population is made up of undertrials.
- ❖ Even when given bail, most of the prisoners remain in prison because they are unable to afford bail bonds or provide securities.

❑ Key recommendations of the report

- ◉ **Avoid needless arrest:** Police should avoid needless arrests and magistrates should avoid mechanical remand orders.
- ◉ **Fair and evidence-based bail:** Those administering criminal justice should ensure that bail practices are “fair and evidence-based”. Decisions about custody or release should not be influenced by factors such as gender, race, ethnicity, financial condition or social status.
- ◉ **Inform about the bail:** When a person is arrested without a warrant the arresting officer should inform the person about the available legal remedies including applying for bail. Such advice should be given in the language that person understands and in an oral and written form.
- ◉ **Speed up the bail process:** Bail applications should be decided by subordinate courts within a week. High courts should frame the rules accordingly.
- ◉ **Release of under-trials:** Amend the bail provisions under Section 436A of the CrPC to ensure early release of undertrials.
 - ▶ **For offences with punishments up to seven years:** Those who had completed one-third of the maximum sentence for offences up to seven years should be released.
 - ▶ **For offences with punishments more than seven years:** Those who were awaiting trial for offences punishable with imprisonment of more than seven years should be let out on bail if they had completed half their sentence.
- ◉ **Bail in economic offences:** Courts should not opt for a “liberal approach” while deciding granting of bail in cases of economic offences.
- ◉ **Rules related to Economic Offences:** All forms of economic offences which include tax evasion, customs offences or bank fraud should be dealt with strictly and provision for restricted bail in such offences should be incorporated in the Criminal Procedure Code or appropriate special statutes for the purpose of granting or refusing bail.
- ◉ **Bail in Special laws:** It has been suggested that in terrorism laws, NDPS law etc., there should be a stricter scrutiny in granting the bail and only in exceptional cases bail should be granted.

❑ What is the view of legal experts on these the recommendation made in the 268th Report?

- ◉ Legal experts have welcomed the suggested reforms of India’s dysfunctional criminal justice system.
- ◉ Providing relief to undertrials is not only be a humane move, but it will also reform present system of long periods of incarceration for alleged petty crimes which give rise to hardened criminals.
- ◉ So government should accept the recommendations. But we should also keep in mind what the law commission stated: “Bail law reform is not the panacea for all problems of the criminal justice system like overcrowded prisons or unjust incarceration of the poor. **The ultimate solution lies in expediting the trial process.**”

T.K. Viswnathan Committee on Hate Speech

Section 66A of the IT Act

- ❑ According to this section any person who sends, by means of a computer resource or a communication device:
- ❑ Any information that is grossly offensive or has menacing character; or

- ❑ Any information which he knows to be false, but for the purpose of causing annoyance, inconvenience, danger, obstruction, insult, injury, criminal intimidation, enmity, hatred or ill will, persistently by making use of such computer resource or a communication device; or
- ❑ Any electronic mail or electronic mail message for the purpose of causing annoyance or inconvenience or to deceive or to mislead the addressee or recipient about the origin of such messages,
- ❑ Shall be punishable with imprisonment for a term which may extend to three years and with fine.”
- ❑ Section 66A provides punishment for sending offensive messages through communication services. These messages may be any information created, transmitted or received on a computer system, resource or device including attachments in the form of Text, Images, Audio, Video or Any other electronic record which may be transmitted with the message.
- ❑ The law targets messages that:
 - ❖ Are grossly offensive or menacing.
 - ❖ Proffer false information intending to cause annoyance, inconvenience, intimidation, insult, obstruction, etc.
 - ❖ Are intended at deceiving the addressee about the origin of the message.

Supreme Court judgment on Section 66A

- ❑ The apex court has struck down the provision in the cyber law which provides police power to arrest a person for posting “offensive” content online and provides for a three-year jail term.
- ❑ In the judgment, the court said the liberty of thought and expression was a cardinal value of paramount significance under the Constitution. Three concepts, fundamental in understanding the reach of this right were discussion, advocacy and incitement. Discussion, or even advocacy, of a particular cause, no matter how unpopular it was, was at the heart of the right to free speech and it was only when such discussion or advocacy reached the level of incitement that it could be curbed on the ground of causing public disorder.
- ❑ The court then went on to say that Section 66A actually had no proximate connection with public order or with incitement to commit an offence. “The information disseminated over the Internet need not be information which ‘incites’ anybody at all. Written words may be sent that may be purely in the realm of ‘discussion’ or ‘advocacy’ of a ‘particular point of view’. Further, the mere causing of annoyance, inconvenience, danger, etc., or being grossly offensive or having a menacing character are not offences under the [Indian] Penal Code at all.
- ❑ Further Section 69A allows the government to block online content that “threatens the security of the state” or fulfills other conditions. The Supreme Court order upheld the section, noting that 69A is a “narrowly drawn provision with several safeguards”. However, it clarified that the blocking order must be specific and clear and should come from the government, or from a court.

About T.K. Viswnathan Committee

- ❑ An expert committee was constituted by the Centre after the Supreme Court struck down the controversial Section 66A of the Information Technology Act in 2015.
- ❑ The Committee has accordingly proposed substantive alterations in the IPC and procedural safeguards in the Information Technology Act.
- ❑ The recommendations have been discussed below:
- ❑ Amend IPC Section 153C to include in communication “spoken or written words, signs, visible representation, information, audio, video, or combination of both, transmitted, retransmitted through any telecommunication service, communication device or computer resource”. Punishment should be up to two years or fine of Rs 5,000 or both.

- Punishment for causing fear, alarm or provocation of violence in certain cases by amending IPC Section 505A, punishment of any person or group of persons who intentionally, on grounds of religion, race, caste or community, gender, sexual orientation, place of birth, residence, language, disability or tribe, uses any means of communication to communicate. Punishment should be upto a year, or Rs 5000 or both.
- Amendment to Code of Criminal Procedure, 1973 by adding sections 25B and 25C — creating the post of a State Cyber Crime Coordinator and District Cyber Crime Cell, respectively.
- Amendments to the Information Technology Act 2000 because at present Section 78 of the IT Act 2000 authorises only officer of the rank of Inspector and above to investigate offences under this Act. However, as young police officers, who are directly recruited at the level of Sub-inspectors are better equipped and trained to investigate cyber offences, there has been a demand from the State Police that this provision needs an amendment. Based on requests received from various stakeholders, an amendment to Section 78 of the Information Technology Act 2000 has been suggested to authorize a police officer not below the rank of Sub Inspector, assisted by a District Cyber Crime Cell, to investigate into any offence committed under the Information Technology Act 2000.
- The Guidelines also cover the offences that are likely to be most commonly committed by the sending of communications via social media. These Guidelines equally apply to the re-sending (or re-tweeting/sharing) of communications and whenever they refer to the sending of a communication, the guidelines should also be read as applying to the re-sending of a communication.

Law commission report on Tribunals in India

Introduction

‘Tribunal’ is an administrative body established for the purpose of discharging quasi-judicial duties. An Administrative Tribunal is neither a Court nor an executive body. It stands somewhere midway between a Court and an administrative body.

Features of Tribunals

- As a quasi-judicial body, the Tribunal performs the judicial functions for deciding the matters in a judicious manner. It is not bound by law to observe all the technicalities, complexities, refinements, discriminations, and restrictions that are applicable to the courts of record in conducting trials, but at the same time, a Tribunal is required to look at all matters from the standpoint of substance as well as form and be certain that the hearing is conducted and the matter is disposed of with fairness, honesty, and impartiality.
- To improve the working of the tribunals, Law commission has made following recommendations.

Recommendations of Law Commission

- In case of transfer of jurisdiction of High Court to a Tribunal, the members of the newly constituted Tribunal should possess the qualifications akin to the judges of the High Court. Similarly, in cases where the jurisdiction and the functions transferred were exercised or performed by District Judges, the Members appointed to the Tribunal should possess equivalent qualifications required for appointment as District Judges.
- There shall be uniformity in the appointment, tenure and service conditions for the Chairman, Vice-Chairman and Members appointed in the Tribunals. While making the appointments to the Tribunal, independence shall be maintained.

- ❑ There shall be constituted a Selection Board/Committee for the appointment of Chairman, Vice-Chairman and Judicial Members of the Tribunal, which shall be headed by the Chief Justice of India or a sitting judge of the Supreme Court as his nominee and two nominees of the Central Government not below the rank of Secretary to the Government of India to be nominated by the Government. For the selection of Administrative Member, Accountant Member, Technical Member, Expert Member or Revenue Member, there shall be a Selection Committee headed by the nominee of the Central Government, to be appointed in consultation with the Chief Justice of India.
- ❑ The Chairman of the Tribunals should generally be the former judge of the Supreme Court or the former Chief Justice of a High Court and Judicial Members should be the former judges of the High Court or persons qualified to be appointed as a Judge of the High Court.
- ❑ While making the appointments to the Tribunal, it must be ensured that the independence in working is maintained. The terms and conditions of service, other allowances and benefits of the Chairman shall be such as are admissible to a Central Government officer holding posts carrying the pay of Rs.2,50,000, as revised from time to time.
- ❑ Vacancy arising in the Tribunal should be filled up as early as possible by initiating the procedure well in time, as early as possible, preferably within six months prior to the occurrence of vacancy.
- ❑ The Chairman should hold office for a period of three years or till he attains the age of seventy years, whichever is earlier. Whereas Vice-Chairman and Members should hold the office for a period of three years or till they attain the age of sixty seven years whichever is earlier. It will be appropriate to have uniformity in the service conditions of the Chairman, Vice-Chairman and other Members of the Tribunals to ensure smooth working of the system.
- ❑ The Tribunals must have benches in different parts of the country so that people of every geographical area may have easy Access to Justice. Ideally, the benches of the Tribunals should be located at all places where the High Courts are situated. In the event of exclusion of jurisdiction of all courts, it is essential to provide for an equally effective alternative mechanism even at grass root level. This could be ensured by providing State level sittings looking to the quantum of work of a particular Tribunal. Once that is done, the access to justice will stand ensured.

Law Commission Report on United Nations Convention against Torture

India signed the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment [adopted by General Assembly of the UN on 10th December, 1984 (Resolution No.39/46)] (known as the UN Convention against Torture, in short “CAT”) on October 14, 1997, however, so far it has not been ratified.

Convention against Torture

- ❑ The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) is an international human rights treaty, under the aegis of the United Nations that aims to prevent torture and other acts of cruel, inhuman, or degrading treatment or punishment around the world. “The Convention puts victims at the heart of its normative mechanism, partly by combating the impunity enjoyed by the perpetrators of such acts in authorising the arrest of alleged torturers on the sole ground of their presence in the territory under a State Party’s jurisdiction and also by defining the widespread and systematic use of torture as a crime against humanity.

Constitutional Provisions

- Article 20(3) provides that a person accused of any offence shall not be compelled to become a witness against himself. The accused has a right to maintain silence and not to disclose his defence before the trial. 67 Test results of polygraph and brain finger printing tests have been held to be testimonial compulsions and thus have been held to be barred by Article 20(3).
- Article 21 provides that nobody can be deprived of his life and liberty without following the procedure prescribed by law. The Supreme Court has consistently held that custodial torture violates right to life enshrined in Article 21 of the Constitution. It is settled legal proposition that Article 21 may also supplement various requirements laid down in Article 20.
- Article 22 (1) & (2) provide for protection against arrest and detention in certain cases. It prohibits detention of any person in custody without being informed the grounds for his arrest nor he shall be denied the right to consult and to be defended by a legal practitioner of his choice. "Every person who is arrested and detained in custody shall be produced before the nearest judicial magistrate within a period of twenty four hours of such arrest.....and no such person shall be detained in custody beyond the said period without the authority of a magistrate."

Recommendations by previous Committees

- Torture is "is not merely physical, there may be mental torture and psychological torture calculated to create fright and submission to the demands or commands."
- The National Commission to Review the Working of the Constitution (2002) set up by the Law Ministry specifically recommended for 'prohibition of torture and cruel, inhuman or degrading treatment or punishment' as one of the additions to the fundamental rights chapter as Article 21(2) on the basis of the dicta laid down in various Supreme Court judgments in recognition of torture in our constitutional jurisprudence.
- The National Police Commission, in its Fourth Report (1980) took note of the fact that custodial torture had been prevalent and admitted that torture on a person in police custody was the most dehumanizing. The police did not have a good image in the estimation of the public. Police practice torture in order to achieve quick results by short cut methods. Causing hurt is a punishable offence under Sections 330-331 of the Indian Penal Code, 1860, but the atrocities were committed within the four walls of the police stations and thus, no evidence could be available and as a result thereof the conviction in torture by police cases has been a rare phenomenon. It was difficult to find as to who was the offender.

Recommendations by Law Commission

- While deciding on as to what amounts to torture by a public servant, the Commission has suggested definition of 'torture' wide enough to include inflicting injury, either intentionally or involuntarily, or even an attempt to cause such an injury, which will include physical, mental or psychological injury.
- **Ratification of Convention against Torture:** In order to tide over the difficulties faced by the Country in getting criminals extradited, in the absence of an anti-torture law; and to secure an individual's right to life and liberty, the Commission recommends consideration of the Convention Against Torture for ratification and in the event, the Central Government decides to ratify the Convention, then the Prevention Of Torture Bill 2017 may be considered.
- **Amendment to Existing Statutes:** The Commission has analysed the existing legal provisions in Chapter IV. The Commission has come to the conclusion that the Criminal Procedure Code, 1973 and the Indian Evidence Act, 1872 require amendments to accommodate provisions regarding compensation and burden of proof, respectively.

- ❑ **Criminal Procedure Code, 1973:** The Commission recommends amendment to Section 357B to incorporate payment of compensation, in addition to payment of fine, as provided under Section 326A or Section 376D of the Indian Penal Code, 1860.
- ❑ **Indian Evidence Act, 1872:** The Commission endorses the recommendation made by the Law Commission of India vide its Report No.113, and, as reiterated in Report No.152, that the Indian Evidence Act, 1872 requires insertion of Section 114B. This will ensure that in case a person in police custody sustains injuries, it is presumed that those injuries have been inflicted by the police, and the burden of proof shall lie on the authority concerned to explain such injury.
- ❑ **Compensation to Victims:** The Courts will decide upon a justiciable compensation after taking into account various facets of an individual case, such as nature, purpose, extent and manner of injury, including mental agony caused to the victim.
- ❑ The Courts will bear in mind the socio-economic background of the victim and will ensure that the compensation so decided will suffice the victim to bear the expenses on medical treatment and rehabilitation.
- ❑ **Protection of Victims, Complainants and Witnesses:** The Commission recommends that an effective mechanism must be put in place in order to protect the victims of torture, the complainants and the witnesses against possible threats, violence or ill treatment.

Conclusion

In light of the aforesaid discussions, the Central Government may take a decision on the issue of ratification of the Convention, and in case it is decided to go for ratification, then, the Prevention of Torture Bill, 2017 may be considered.

Chapter 4.2

OTHER ISSUES

Inter-State Water Dispute

Introduction

Water disputes in India are not a new phenomenon, and dates back to pre-independence era and subsequently the legislation to resolve the disputes.

Water Disputes and Associated States:

- ❑ As of today, more than ten disputes are going on regarding sharing of river water among states across various rivers of India. Following are the disputes and associated states:
- ❑ **Narmada Water Dispute**- Gujarat, Maharashtra, Madhya Pradesh and Rajasthan
- ❑ **Mahi River Dispute**- Gujarat, Rajasthan and Madhya Pradesh
- ❑ **Ravi and Beas Water Dispute**- Punjab, Haryana, Himachal Pradesh, Rajasthan, Jammu and Kashmir and Delhi
- ❑ **Satluj-Yamuna Link Canal Dispute**- Punjab, Haryana and Rajasthan
- ❑ **Yamuna River Water Dispute**- Uttar Pradesh, Haryana, Himachal Pradesh, Punjab, Rajasthan, Madhya Pradesh and Delhi.
- ❑ **Karmnasa River Water Dispute**- Uttar Pradesh and Bihar
- ❑ **Barak River Water Dispute**- Assam and Manipur
- ❑ **Cauvery Water Dispute**- Tamil Nadu, Kerala, Puducherry and Karnataka
- ❑ **Krishna Water Dispute**- Maharashtra, Karnataka and Andhra Pradesh
- ❑ **Tungabhadra Water Dispute**- Andhra Pradesh and Karnataka
- ❑ **Aliyar and Bhivani River Water Dispute**- Tamil Nadu and Kerala
- ❑ **Godavari River Water Dispute**- Andhra Pradesh, Odisha, Chattisgarh, Karnataka, and Madhya Pradesh

Causes of Inter-State Water Disputes:

- ❑ Increased population subsequently increased the demand of water for agriculture, industrial and daily human needs which are further added by rapidly growing urbanization and changing lifestyle of populace.
- ❑ Fresh Water is a scarce resource and out of total fresh water less than 1% is available for usage. The scarcity in one region due to natural or anthropogenic factors aggravates water dispute among different states and between centre and state(s).
- ❑ The moment upper state(s) (in the river flow) accumulate water at large scale; it generates threat for the lower state and give rise to dispute where commissions come into play and this goes on. This is also more of a political issue because when these disputes are used as emotive issues, all parties jump in, several vested interest are created which leads to further problems like bandhs and strikes.

❑ Constitutional and Legal Provisions regarding Water Dispute Resolution:

- Water is a state subject (Entry 17 of State List) but the “regulation and development of inter-state rivers and river valleys in the public interest” is on the Union list.
- The Constitution of India under **Article 262** talks about establishing tribunal in order to resolve the arising water disputes among or between states. So far, many tribunals have been constituted under the provision but the result remains unsatisfactory barring few. At present Eight (8) such tribunals exist.
- States being quasi-sovereign bodies (since many princely states joined with pre-conditions), they cannot be treated as ordinary entities involved in property disputes. This is perhaps the rationale for the Article 262, enabling the Parliament to make separate laws for adjudication of water disputes between states.
- Parliament enacted two laws based on the Article 262:
 - ▶ **River Board Act – 1956:** In pursuance of the power provided under **Entry 56 of Union List of 7th Schedule**, the Parliament passed the River Boards Act in the year 1956. It enables Union to create Boards for Inter-state Rivers and River valleys in consultation with State Government(s). The objective of Boards is to advise on the inter-state basin to prepare development scheme and to prevent the emergence of conflicts.
 - ▶ **Inter-states Water Dispute Act 1956:** It enables states to approach the centre for the constitution of the tribunal in order to resolve the matter. The tribunal’s award is final and binding and the Supreme Court has no jurisdiction over decisions of tribunal. SC shall not question the award or formula given by tribunal but can question about their functions.

Lessons learnt from different Tribunal Verdicts

- ❑ The Cauvery water sharing dispute has been a bone of contention between Karnataka and Tamil Nadu since the time of the British Raj.
- ❑ The time lost in delays due to wrangling both before and during tribunal proceedings is very costly, in terms of loss of production, loss of farmers’ income growth and the rising cost of constructing irrigation systems.
- ❑ Increasingly, States are becoming resistant to compliance with Awards of tribunals in spite of express provisions in the Constitution regarding the finality of such awards.
- ❑ Another lesson is that a long time is taken to constitute tribunals and giving awards and in pronouncements of interim Awards that have led to further complications. After an Award is given, there are problems of interpretation and implementation and there is no mechanism to enforce the binding character of such Awards.

- ❑ Courts are barred from reviewing the Awards of the tribunals, but matters are still taken to the Supreme Court on related issues. The questions raised before the Supreme Court are usually not so much on the subject of allocation of waters, but on questions of its sharing during years of poor rainfall and on those relating to environmental aspects, displacement and rehabilitation of people and human rights in the context of specific projects. Such references delay the settlement of disputes and implementation of projects for years.
- ❑ Further, there is an institutional vacuum for implementing tribunal awards. The law entrusts the Central government with the responsibility of framing institutions for implementing tribunal awards. The government is at a loss as there are no proven institutional models for inter-state coordination. When tribunal recommends such mechanisms, states object to these arrangements, as it happened in the Cauvery and Krishna disputes.
- ❑ There is an absence of transparent information gathering and sharing, it also becomes an operational challenge.
- ❑ Thus, Government has proposed Single Tribunal for Inter-state Water Dispute

Single Tribunal for Inter-state Water Dispute

Inter-state river water disputes are on the rise on account of increase in water demands by the States. The **Inter State Water Dispute Act, 1956** which provides the legal framework to address such disputes, suffers from many drawbacks. Under this act, a separate Tribunal has to be established for each Inter-state River Water Dispute. The **Inter-state River Water Disputes (Amendment) Bill, 2017** proposes to streamline the adjudication of inter-state river water disputes and make the present legal and institutional architecture robust.

Features of the Proposed Amendment

- ❑ Setting up of Disputes Redressal Committee
 - Under the Act, when a complaint is received from a state government regarding a water dispute, the central government may ask the affected states to undertake negotiations to settle the dispute. If the dispute cannot be settled through negotiations, the central government has to set up a Water Disputes Tribunal within a year of receiving such a complaint.
 - The Bill replaces this provision and requires the central government to set up a **Disputes Resolution Committee (DRC)**, for resolving any inter-state water dispute amicably. The DRC will get a period of one year, extendable by six months, to submit its report to the central government.

Formation of Single Tribunal for Dispute Settlement

- ❑ The Bill proposes to set up an Inter-State River Water Disputes Tribunal, for adjudication of water disputes, if a dispute is not resolved through the DRC. This tribunal can have multiple benches.
- ❑ All existing tribunals will be dissolved and the water disputes pending adjudication before such existing tribunals will be transferred to this newly formed tribunal.
- ❑ The tribunal shall consist of a Chairperson, Vice-Chairperson, and not more than six nominated members (judges of the Supreme Court or of a High Court), nominated by the Chief Justice of India. The central government may appoint two experts serving in the Central Water Engineering Service, not below the rank of Chief Engineer, as assessors to advise the bench in its proceedings.
- ❑ Under the Bill, the proposed tribunal has to give its decision on a dispute within a period of two years. This period is extendable by a maximum of one year.

Setting up of National Water Commission

- ❑ The government has proposed a new National Water Commission (NWC) in place of the existing Central Water Commission (CWC) and Central Ground Water Board (CGWB).
- ❑ One of the departments of the NWC is supposed to act as a comprehensive and specialized water data bank.
- ❑ It's an agency to collect and maintain all relevant water data, like rainfall, water flow and irrigation area, in each of the river basins of the country.
- ❑ Collection of data is usually the first exercise in resolution of water disputes.
- ❑ A specialized agency like NWC would ensure that this kind of data is always available, in updated form, and does not need to be collected after a dispute has arisen.

Debate On The Issue Of Lobbying In India

- ❑ Lobbying is the act of attempting to influence decisions made by officials in the government, most often legislators or members of regulatory agencies. Lobbying is done by many different types of people and organized groups, including individuals in the private sector, corporations, fellow legislators or government officials, or advocacy groups.
- ❑ In India, corporate lobbying, in the form of intensive briefings and presentations to ministers and senior civil servants, has expanded and the current political climate also makes ministers, officials, and legislators more receptive to it. Lobbying is not yet recognized in a statutory or non-statutory form in India. Thus, there is no formal organization for lobbying. Operations like these are being routed through Public Relations Firms and some well connected individuals. However, due to lack of organizational set up these firms largely operate on word of mouth. Scams like the recent 2G spectrum scam in India only go onto highlight the dire need to regulate legitimate lobbying.

Types of Lobbying

- ❑ **Direct lobbying:** Direct lobbying involves meeting personally with decision makers and providing them with information pertinent to a bill or policy on which they will be voting.
- ❑ Methods of direct lobbying include personal meetings, telephone conversations, individually written letters or faxes, mass mailings, and petitions. The most effective techniques are personal meetings and telephone conversations.
- ❑ **Indirect lobbying:** It is also known as Grassroots lobbying. Grassroots lobbyists enlist the help of the community to influence politicians by writing, calling, or demonstrating on the organization's behalf. This means long hours spent on the phone and writing letters, trying to rouse the community to get involved.
- ❑ Methods of indirect lobbying include writing and calling member of officials, local government etc. For this to be effective a large number of people need to be involved. Ten or twenty is not enough to persuade a member to vote a certain way. The more people that participate in these methods the more the issue will be listened to, and because of this, indirect lobbying is very time consuming.

Ethical issues involved in lobbying

- ❑ **Fairness:** Fairness questions arise when some lobbyists have easier access to lawmakers than others. Frequently discussed is the problem of revolving door lobbyists those people who once served as public officials who then go into the private sector and work to influence their former colleagues. In addition to relationships with lawmakers, they may, for example, still have access codes to offices, use lawmakers' exercise facilities, or otherwise have easier entrée to the corridors of power.

- ❑ **Transparency:** One way to improve the fairness of the lobbying process is to make sure that possible sources of influence are visible to the public. Thus lobbying to certain extent can be considered to be ethical by increasing the level of transparency.
- ❑ **Common good:** An ethical approach to lobbying must ensure that someone stands up for the common good. Lawmakers have an obligation to solicit the views of those who are not represented by powerful lobbying groups.
- ❑ In India, the only law that has some relevance to lobbying is Section 7 of the Prevention of Corruption Act, 1988, which makes it illegal for a “public servant taking gratification other than legal remuneration in respect of an official Act”.
- ❑ India needs to determine a regulatory model that suits its socio-political needs. Furthermore, it should tread a fine line while drafting the disclosure requirements.

Way forward

- ❑ To make business lobbying more ethical the below points can be implemented by the government.
- ❑ Lobbyists must be made to register with the government and disclose all their financial details.
- ❑ Government officials must be trained on ethics and lobbying, and should be made aware of ethical dilemma's involved.
- ❑ A regulatory lobbying model needs to be implemented to suit the socio-economic model of the country such that the citizens of the country are benefitted by the corporate lobbying.
- ❑ Universal access to information and finances should be provided to the citizens and the lobbyists.

Media Role & Censorship Issue

Role of Media in Democracy

- ❑ The role of media in a democracy has greater significance. An independent media is a vital feature of any liberal democracy. If the government was able to control all the information regarding its own actions then it could most certainly escape all accountability and even have an unacceptable level of influence over its citizen's actions. This is why the importance of a free press cannot be underestimated.
- ❑ In a liberal democracy, the aim of a free press is to continually scrutinize the government and provide people with accurate and impartial information so that they can act on it accordingly.
- ❑ The media acts as an effective check on government power and influence over its citizens. In the last few decades, there has been an unprecedented growth in mass media accompanied by the falling costs of radio, TV, satellite and Internet services. This phenomenon has helped bring political information to a much wider audience. On the other hand, the boom in media services has also allowed various organizations from all over the political spectrum to quickly and effectively reach their target audiences.

Censorship on Media

- ❑ As a community, we are heavily influenced by the media and other sources of information. However, we tend to overlook the fact that there are not only much bias but also skewed perceptions of events and reports in the news today. Media has the ability to manipulate its viewers in many ways that are often unseen.

- ❑ The media does a poor job portraying things as they really are in order to follow a sort of convention and to keep their show on air or their papers in stores. Sometimes these activities of media aggravate the law and order situation inflicting the bloodshed in society.
- ❑ In order to control such situations there is a need to impose censorship (or certain restriction) on media for particular information being made public.
- ❑ Censorship is the suppression of free speech, public communication or other information which may be considered objectionable, harmful, sensitive, politically incorrect or inconvenient as determined by governments, media outlets, authorities or other groups or institutions.
- ❑ The Constitution of India guarantees freedom of expression but places certain restrictions on content, with a view towards maintaining communal and religious harmony, given the history of communal tension in the nation.
- ❑ According to the Information Technology Rules 2011, objectionable content includes anything that "threatens the unity, integrity, defence, security or sovereignty of India, friendly relations with foreign states or public order".
- ❑ Today, censorship has become a global phenomenon. Time and again, there have emerged news of something getting banned somewhere in the world for reason that seem unreasonable to many while a necessary to the rest.
- ❑ In 1975, the Indira Gandhi government imposed censorship of press during the Emergency and remained in force till March 1977.

Editors Guild of India response of media ban. It stated that the decision to take the channel off the air for a day is a direct violation of the freedom of the media and therefore the citizens of India and amounts to harsh censorship imposed by the government reminiscent of the Emergency. This first-of-its-kind order to impose a blackout has seen the Central government entrust itself with the power to intervene in the functioning of the media and take arbitrary punitive action as and when it does not agree with the coverage. There are various legal remedies available to both, a citizen and a state, in the Court of Law to have action taken for any irresponsible media coverage. Imposing a ban without resorting to judicial intervention or oversight violates the fundamental principles of freedom and justice. The Editors Guild of India called for an immediate withdrawal of the ban order.

- ❑ Around the world the utmost concern of censors is the depiction of violence and physical intimacy. The censor board's job is to control the "corruption of the mind" and to stop pornographic films. But with the deep penetration of internet and its easy availability makes easy for everyone to watch obscene materials by just clicking on internet device while the censor board has long discussions on the permissible duration of a kissing scene in a movie.

The Role of States in India's Foreign Policy

Introduction

India's growing international engagement at present focusing towards brighter future mandates the discussion on the importance of para-diplomacy a 'neologism' which forms not just a quintessential part of the country's foreign policy analysis but also makes space for a subsequent and crucial shift in India's strategies in conducting international relations.

About Para-diplomacy

- ❑ Para-diplomacy allows the Federal States to broker international relations directly (without central interference) for advancing their own interests in this globalized world.

- ❑ This is the opposite of ‘**Conventional Diplomatic Relations**’ which fall under the exclusive domain of sovereign nation states exercised by central governments, para-diplomacy, a ‘neologism’ makes space for ‘external relations’ of sub-national or federal units which might indulge themselves in international activism in order to promote their own interests.

Why it evolved in India?

- ❑ With the advent of globalization and the region specific economic advantages which mandates the decentralized policy making in global politics as it offers states (local bodies) a chance to advance their own interest.
- ❑ Subsequently, over the years, different states of India have formulated their respective economic policies to promote foreign investment, resulting in direct economic relations of regional states with respective foreign investors along with the increasing power of regional parties.
- ❑ This has, in turn, led to increasing assertiveness by different states, especially the Border States, in the political arena with issues relating to the foreign policy of India. Be it Tamil Nadu advocating its own foreign policy towards Sri Lanka, or West Bengal towards Bangladesh, this conflict occurring in most of the border states remain an area of concern for India’s foreign policymakers.

Demand for individual foreign policy by smaller states

- ❑ In Indian scenario the Central Authority alone is not very much capable in dealing with geographically vast size of India added with huge population, diversity in language and culture which essentially dominates the foreign policy at least towards their immediate neighbours (with same culture and language).
- ❑ Cultural similarities, regional potentialities added with region specific quality production has given fuel to Indian states to negotiate international relations especially in trade and commerce area apart from others.
- ❑ With the growth of the economy, the exposure of ordinary Indians to international affairs is increasing. Citizens hold an opinion and viewpoint vis-à-vis India’s policies. In such a scenario, building domestic consensus on foreign policy decisions has become increasingly crucial by the federal states.

What went wrong in past years?

- ❑ With lack of control at the Line of Control (LoC), tensions between India and Pakistan have been escalating on account of continuous terror attacks. This continued security skirmishes along the border have spooked both countries.
- ❑ The current regime of Pakistan restraint in granting India the Most Favoured Nation (MFN) trade status, and suspension of trade dialogues under which India promised to supply energy-starved Pakistan with 500 MW of power, stand testimony to the big moments both these nations have lost to reconcile their lingering impasse.
- ❑ With Bangladesh, India failed to secure the Teesta Agreement from the clutches of West Bengal Chief Minister. Though it was a bold effort for a comprehensive overhaul of bilateral relations with Bangladesh, it ended only when the government backed off amidst domestic opposition.
- ❑ With regard to Sri Lanka, the UPA Government voted against Colombo at the UNHRC succumbing to the state polity of Tamil Nadu. This shows that centre has not been able to work out a significant understanding with state governments on the balance between local politics and national interest.
- ❑ Problems at the domestic front have kept India busy, forcing regional diplomatic ties to take a backseat.

States' Assertiveness and the Constitution of India

- ❑ The Constitution clearly defines India as a quasi federal state through different mechanisms, which empowers the centre over the states and hence formulation and implementation of foreign policy is clearly a central government subject.
- ❑ For instance, the Constitution clearly delineates a Union List of 97 items, a State List of 66 items, and a Concurrent List of 47 items which are both the states' and the centre's jurisdiction. However, the centre prevails whenever there is any conflict over the laws within the concurrent list.
- ❑ Article 248 allows the Parliament to legislate on items in the State List. With regards to conducting foreign affairs, Article 246 in Schedule 7, List I (Union List) of the Constitution defines foreign affairs as "all matters which bring the union into relation with any foreign country."
- ❑ Therefore, the Constitution puts the onus of conducting foreign policy on the centre, leaving little room for individual states.
- ❑ Despite this clear demarcation of subjects and the role of the centre in conducting foreign policy issues, states that share an international border and those with commercially-driven agendas are playing an increasing role in foreign policy matters.
- ❑ Foreign Policy have taken centre stage in electoral campaigns at the state level. Some regional parties have promised for a train service between Rajasthan and Sind that is between India and Pakistan.

Economic Imperatives

- ❑ Post 1991 reforms, the nation witnessed for the first time in its history that individual states began pushing their economic agendas with respective potential foreign partners.
- ❑ Chief Ministers have increasingly participated in forums like the World Economic Forum in Davos, Switzerland and various other places.
- ❑ The bi-annual investor summit, "Vibrant Gujarat," launched by the state government, is an initiative to showcase it as a business-friendly destination. It could be deceptive to interpret that these investor summits are a mere game of economics.
- ❑ With the then United States' (US) Secretary of State John Kerry, United Nations' (UN) Secretary-General Ban Ki-moon, among others, joining the summit, it is worth noting that this is equally a political game.
- ❑ There has been an increase in the number of negotiations and agreements signed between various state governments and the World Bank.
- ❑ While the external debt of Indian states is being financed by the World Bank, the legal nature of these agreements puts the central government in a position of great leverage.
- ❑ States are assuming new roles vis-à-vis their encounters with external actors—multinational capital and international financial institutions. But it needs to be noted that this does not represent a net gain in autonomy from the centre, as regulatory powers, in most cases, remain with the central government. There is a shifting pattern of central restraint, but not its outright reduction.
- ❑ There is no doubt that India needs to stick to the Constitution—the centre has to be the vanguard of foreign policy making—but a collaborative and non-conflict-ridden centre–state relationship could do wonders for India's neighbourhood policy.

Climate Governance: Role of State– Non–State Partnership

- ❑ Climate governance deals with the decision-making process at the national and international levels, including the Framework Convention on Climate Change, how it works and the mechanisms for participation.

- ❑ Modern climate governance is organized around three pillars: mitigation, adaptation and means of implementation. Under each pillar are many issues and policies, illustrating the many ways climate change affects our lives.

Role of State– Non–State Partnership

- ❑ Climate action from state and non-state actors such as subnational governments, cities, corporations and NGOs has very significant potential to enhance national efforts to curb CO₂ emissions, close the so-called '**emissions gap**' – between current commitments and the action necessary to meet climate targets.
- ❑ State/non-state actors can contribute to climate governance by developing new policies and business models to support emissions cuts and build resilience. Knowledge exchange and capacity-building have a role to play in helping these innovations to spread internationally.

Flaws in Indian Climate Governance:

- ❑ India's climate governance system suffers from several flaws. India needs to reconceptualize its climate governance model, and emulate the best practices across the globe.
- ❑ There is lack of accountability for climate action in India. It remains at the whim of the government, with no independent body monitoring/evaluating its actions.
- ❑ India lacks a single, cohesive, binding plan for all facets of climate action, including adaptation.
- ❑ There is no initiative which ensures/incentivizes community involvement in climate action at the grassroots level.

Suggestion:

- ❑ A **Climate Act**, which accounts for both mitigation and adaptation, and creates a hierarchal system of enforcement and monitoring right up from the district/village level, can go a long way in helping India achieve its climate goals.
- ❑ System of **Citizens' climate assemblies** can solve the problem of top-down climate governance which India currently faces.
- ❑ Citizens' Climate Assemblies **consisting of NGO members, students and citizens, who meet periodically** to further climate education/awareness or discuss local climate issues and solutions, must be created, and incentives must be formulated for people's participation.
- ❑ **Officials at panchayats/municipal corporations/committees must work in tandem** with these assemblies in cities/villages, and in case of non-compliance with directions of state authorities, specific officials responsible for implementing measures specified by state governments must be held accountable.

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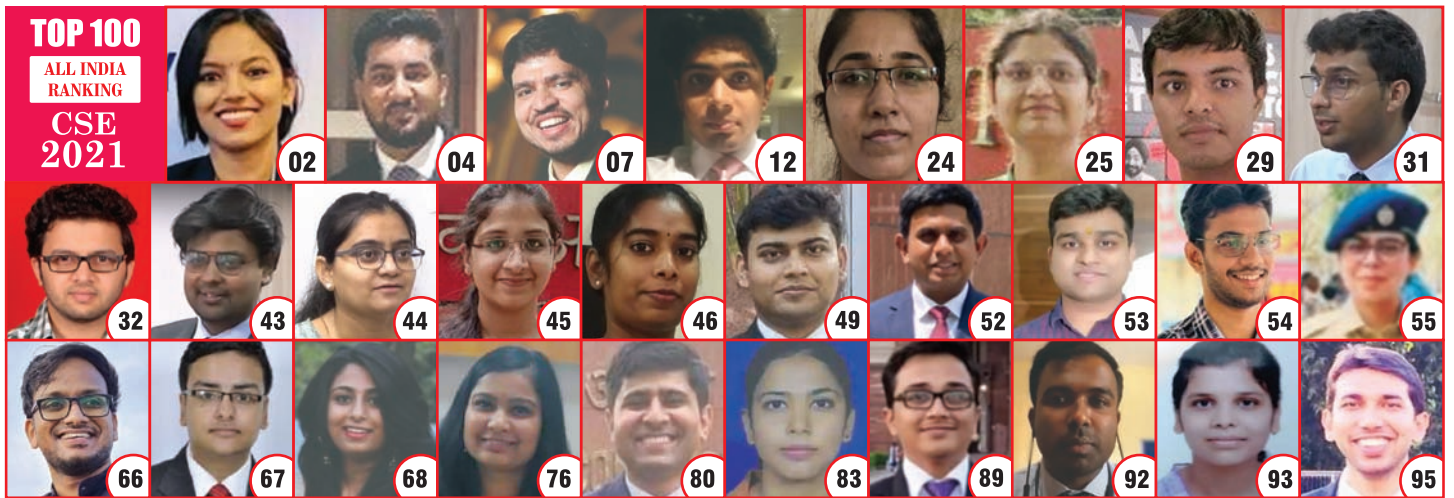
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