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“Rural India is witnessing ‘agrarian distress’ caused by structural changes in agriculture and changes in economic and agricultural policies. This along with the weakening of social bonds and community sentiments has given rise to farmers’ suicide in different parts of the country. A change in government policy aimed at ensuring decent earning, wage and safe working conditions for the farmers and agricultural labourers would make farming more dignified and sustainable.”

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About CMS Transparency

The CMS Transparency team focuses on issues of good governance, raising awareness about the Right to Information Act (RTI) and empowering citizens to benefit from the legislation. CMS Transparency has been providing significant database and momentum to create responsive governance systems in our country.

The team will continue to establish links with civil society groups and design campaigns for RTI to further social objectives like transparency in elections, exposing corruption and improving civic services.

"I am happy to note that Centre for Media Studies (CMS) has been carrying out the exceptional good work in various areas having substantial public interest. One of their initiatives is the study on corruption in the country in particular in certain geographical areas or on a theme."

...K.V.Chowdary, Central Vigilance Commissioner, Central Vigilance Commission (2015)



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Farmers right to a dignified livelihood

Dr Amit Rahul

Agriculture continues to be the backbone of rural economy with over 58 percent of the rural households depending on agriculture as their principal means of livelihood.¹ Agricultural land is not just a 'means of production' or a source of livelihood but the fulcrum around which the rural social life revolves. Several other activities providing livelihood to rural population are also dependent on the agriculture sector. According to Gandhi's vision of Gram-Swaraj, villages and specially farmers were to be the main focus of any development plan of India.² However, as years passed by, agriculture as an industry lost its importance for policy makers of India.³

Today this core sector providing livelihood to millions of people is passing through a crisis and the farmers find themselves at the receiving end. There is a deep sense of resentment among the farming community about the manner in which their issues are being addressed by the state. Farming no longer appears to be remunerative as despite best efforts and hard labour, farmers find it difficult to feed their family. Rising cost of inputs and their failure to fetch good price for their produce pushes them into a vicious cycle of poverty and debt. The failure of the state to address their concerns further gives rise to hopelessness and despair. Unable to cope with the psycho-social stress, several farmers have taken the extreme step of committing suicide.

Research studies on farmer's suicide have highlighted various reasons for farmers committing suicide, such as

monsoon failure, high debt burden, genetically modified crops, government policies, public mental health, personal issues and family problems. Eminent sociologist Emile Durkheim



writes, "Suicide is an individual phenomenon the causes of which are essentially in nature".⁴ The phenomenon of farmers' suicide has dominated the discourse on rural India in the recent past and it is not stopping despite several interventions by the state and central governments. As the farmers strive to feed the world despite all challenges, it is important to take a closer look at the issues that are adversely affecting the farm economy.

This paper tries to understand the phenomena of suicide from a sociological and livelihoods perspective.

Agrarian Changes and Farmers' Suicide

The rural social structure has undergone tremendous socio-economic transformation and change after the passage of the Zamindari abolition act in many provinces of the Indian Union in 1956. It was considered a remarkable step in bringing about agrarian reforms in the country which started the process of the demise of the feudal social order. Further, the introduction of 'positive discrimination' and affirmative action in the form of job and education-based reservations

Farming no longer appears to be remunerative as despite best efforts and hard labour, farmers find it difficult to feed their family.

considerably altered the village social system. The rural agrarian system too could not remain unaffected by these winds of change as the traditional order of dominance of a caste or sub-caste over landholding in the village too underwent significant changes. The traditional village landlords not only lost their landholdings due to land ceilings (in several states), laws of inheritance and selling of agricultural lands to other caste groups but also their exalted position in the village social order.

Various Agriculture Census since 1970-71 has shown a steady decline in the average landholding size in rural India.⁵ As evident from **Table 1**, the average size of landholdings has steadily declined in the last two-decades. According to the Minister of Agriculture of the Indian Union, 91 percent land holding would belong to small farmers by 2030. According to the Agriculture Census 2010-11, the total number of operational holdings in India numbered 138.4 million with an average size of 1.15 hectares. Of the total holdings, 85 percent are in marginal and small farm categories of less than 2 hectares.

A number of empirical studies conducted by CMS in the recent past have also provided data and information which points to the gradual decline in average landholding size of the households belonging to various social groups in the villages (see **Table 2**). The decline in average landholding size across all caste groups could not help in raising returns from farm despite the efforts of the

government to subsidize agriculture (electricity, water for irrigation, fertilizers, etc.) and increase the Minimum Support Price (MSP) of the grains procured by the government. Rising cases of farmer's suicide could be seen in the context of decline in landholding and farm income. Small and marginal farmers have limited access to technology, inputs, credit, capital and market and the households are mainly engaged in subsistence farming. Most glaring is the falling share of agricultural products/agriculture and allied sectors in the country's Gross Domestic Product (GDP), from 52 percent in 1950-51 to 14 percent in 2012-13.

Further, increase in work opportunities, brought about by the processes of urbanization and development, have pushed the skilled, semi-skilled and educated rural youth to cities and towns. Studies show that job and education related migration have started the process of upward mobility among the village folks.⁶ Outward migration of agricultural labours and shift to non-agricultural works has placed further burden on the farmers. However, the changes, brought about by these forces, are not enough to 'prevent Scheduled Caste and Scheduled Tribe households from being overrepresented among the country's poor, illiterate and the landless'.⁷

Rural distress and indebtedness have been found to be a major cause of farmer's suicide. NSSO data reveals that approximately 52 percent agricultural households are in debt. The levels of debt

Table 1: Comparison of average landholding size in India (in acres)

Year	Scheduled Castes	Scheduled Tribes	Others (including OBC)
1995-96	2.3	4.5	Data Not Available
2000-01	2.1	4.3	3.3
2005-06	2.0	4.0	3.0
2010-11	1.9	3.7	2.8
2013-14*	0.7	1.6	1.5 (OBC); 2.0 (Other)

Source: <http://agcensus.dacnet.nic.in/NL/natt1table4.aspx>; figures converted from hectares to acres

*NSSO 70th Round Survey on Household Ownership and Operational Holdings in India (Jan 2013 –Dec. 2013)

Table 2: Landholding of various social groups (in acres)					
Social Category	CMS FICCI Study 2016	CMS LBS Study 2015	CMS Godhan Study 2012	CMS OCP Study 2012	Overall (All studies combined)
General	2	1.1	3.8	5.3	3
OBC	1.1	1.4	3.7	4.3	2.6
SC	1.2	1	2.1	4.6	2.2
ST	2.2	0.7	4.2	4.5	2.9
*Muslims and other minority groups not taken separately due to their low numerical strength					

are as high as 93 percent in Andhra Pradesh and 89 percent in Telangana.⁸ Farmers live in a vicious cycle of debt, pressure, guilt and lies that drive them further into more debt.⁹ Year after year the farmers have to face the vagaries of weather, health expenses and falling returns.

According to NSSO survey findings further showed that 12 percent of all agricultural households and 13 percent marginal land holding households did not have a ration card that entitles them to subsidized food.¹⁰ This puts the family under tremendous pressure as the question of survival hangs before the family. If agricultural output increases without any market in the vicinity offering to buy the produce at healthy prices, the agriculture sector will be set with insecurity, structural marginalization and agrarian anxiety. While middlemen and others thrive, it is the farmers who continue to suffer.

Ensuring dignified livelihood for the hands that feed us

According to Ramesh Chand, member of NITI Aayog, “India is expected to achieve the ambitious goal of doubling farm income by 2022 with increased investments in agricultural infrastructure such as irrigation facilities, warehousing and cold storage.”¹¹ However, it should be ensured that farmers in general, small and marginalized farmers, too become a part of this growth story. Farming should provide an opportunity to the dependent family members of the farmer’s household to earn enough to have a decent standard of living and well-being.

Agriculture related policies and efforts of the government should aim at realizing the Universal Declaration of Human Rights which states that “Everyone has the right to a standard of living adequate for the health and well-being of himself and his family.”¹² The International Covenant on Economic, Social and Cultural Rights states that “States Parties recognize the right of everyone to an adequate standard of living for himself and his family.”¹³

Agriculture sector in general and farmers in particular need the attention of policymakers and planners and mere lip service will not make farming dignified and infuse new life into the sector. For improving the living standard of the farmers and their families, government can form partnerships with the corporate sector and fund new innovations to modernize farming. Similarly, religious institutions and prominent sects and leaders should adopt villages and promote agriculture activities.

Media can play a crucial role in rebranding agriculture and showcasing it in a new way to promote and popularize the activity among younger generation. Through mobile and internet, the farmers should be given information about the best prices being offered for their produce, more so for the perishable items such as fruits and vegetables. Road connectivity should be strengthened and farmers should be provided timely information on pest control measures, sowing and harvesting period, rainfall and weather changes, etc. Timely inputs in the form of water and other required assistance should be provided to the farmers in

distress and the Gram Panchayat (GP) should have season wise information on various crops grown by the farmers in the GP and the reasons for crop failure if any on an individual basis. The records should also be verified by the block and compiled at the district level.

Such farmers should be provided timely assistance in case of crop failure like extension or temporary suspension of loan repayment, preventing their harassment by the banks or money lenders. The Reserve Bank of India has permitted the State and district level banks to take a lenient view on rescheduling of loans if crop loss is 33 percent or more. More number of such initiatives are needed to bring the farming sector on the right track.¹⁴

Farmers have deep and extensive traditional knowledge about farming and the crop that grows best on their land. Much of this indigenous knowledge developed over the years, is vanishing as hybrid and genetically modified seeds are being promoted. However, many hybrid varieties have proved to have negative environmental and social impact. Hybrid variety should not be blindly promoted and a return to sustainable traditional methods of cultivation should be encouraged.

At the policy level, efforts need to be made to promote agriculture as a cooperative activity involving SHGs and small & marginal farmers. Further, land records should be digitized and anomalies in ownership rights should be minimised. This would impart greater degree of professionalism in the sale, purchase and operation of land resulting in better land management.

Conclusion

Rural India is witnessing 'agrarian distress' caused by structural changes in agriculture and changes in economic and agricultural policies. This along with the

weakening of social bonds and community sentiments has given rise to farmers' suicide in different parts of the country. A change in government policy aimed at ensuring decent earning, wage and safe working conditions for the farmers and agricultural labourers would make farming more dignified and sustainable. Adoption of realistic farmer friendly policies and targeted interventions would ultimately strengthen the institutional safety nets and help in mitigating distress and preventing farmers from plunging into the jaws of untimely death.

(Endnotes)

¹ <https://www.ibef.org/industry/agriculture-india.aspx>

² file:///C:/Users/Amit%20Rahul/Desktop/Farmers%20Suicide/Farmers%20suicide.htm

³ Ibid.

⁴ <http://journals.sagepub.com/doi/pdf/10.4256/mio.2007.0008>

⁵ See, <http://pib.nic.in/newsite/PrintRelease.aspx?relid=132799>; Borah K. C. (1985) Income, Expenditure and Saving in Rural India: A Micro Level Study, Mittal Publications, New Delhi

⁶ www.cedefop.europa.eu/files/6109_en.pdf

⁷ Iversen Vegard, Adriaan Kalwij, Arjan Verschoor, et al. (February 10), Discussion Paper 10-01, "Caste Dominance and Economic Performance in Rural India" Indian Statistical Institute, Delhi.

⁸ <http://www.livemint.com/Politics/ZFPXWN8hdAAUb49jVl2NqK/Nearly-52-agricultural-households-indebted-shows-NSSO-survey.htm> (Accessed on 20/12/2017)

⁹ <http://fletcher.tufts.edu/Praxis/Archives/~media/DD8E2DF1EA6C47028EB789DCD7ED5D37.pdf>

¹⁰ Op cit (NSSO Survey)

¹¹ Op cit., <https://www.ibef.org/industry/agriculture-india.aspx>

¹² Excerpt from Universal Human Rights Declaration, Article 25.1

¹³ Excerpt from The International Covenant on Economic, Social and Cultural Rights, Article 11.1

¹⁴ <https://www.rbi.org.in/scripts/NotificationUser.aspx?Id=9992&Mode=0>

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Going beyond right to work

Alok Srivastava

Right to work is a sustainable and long-term solution to reduce poverty and financial insecurity of common citizens in the country. Creating job opportunities is a more viable and reliable solution towards improving people's purchasing power and thereby ensuring a better living standards. Undoubtedly, since independence Indian governments have made efforts to improve the economic status of the vulnerable population by providing them income-generating opportunities. Though many a times the programmes and schemes for providing livelihood are implemented half-heartedly or without thinking about sustainability of such measures.

Around 70 percent of population residing in rural India, the regular employment opportunities for rural workforce is essential for their economic inclusion, bringing them out of debts and loans and thereby ensuring better living for them and their families. However, the data on unemployment rate in India generated through various rounds of National Sample Survey Organization (NSSO) reports show an alarming increase in the unemployment rate over the previous rounds.

The unemployment rate was more on the basis of current daily status implying a high degree of sporadic employment,

which could be due to absence of regular employment for workers.

As per Fifth Annual Employment - Unemployment Survey (2015-16) Report, Government of India, overall, only about 24 percent households benefitted from employment generating schemes like Mahatma Gandhi National Rural Employment Act (MGNREGA), Pradhan Mantri Employment Guarantee Programme (PMEGP), Swarnajayanti Gram Swarozgar Yojana (SGSY) and Swarna Jayanti Shahari Rozgar Yojana (SJSRY) etc. In other words, at the All India level, about 77 percent households were reported to be having no regular wages. Further the report states that the Worker Population Ratio (WPR) was estimated to be 47.8 per cent at the All India level under the UPS (Universal principal status) approach i.e. less than half (47.8%) of the persons aged 15 years & above were reported to be employed under the reference period (*of last 365 days prior to the survey*).

In the rural sector, the WPR was estimated to be 50.4 percent under the UPS approach as compared to 41.4 percent in the urban sector.



The national average is less than 50 working days per household in a year and less than 10 percent households have got the mandated 100 days of work in one financial year. The Comptroller and Auditor General (CAG) of India in its performance audit of the implementation of MGNREGA have found significant deficiencies. As per Ministry of Labour, GoI 2015-16 report, only three North Eastern States, namely Tripura, Manipur and Mizoram have more than 70 percent of the households benefitted from MGNREGA.

Parameters	Financial Year				
	2017-18	2016-17	2015-16	2014-15	2013-14
Average days of employment provided per Household	36.13	46.01	48.85	40.17	45.97
Total No of HHs completed 100 Days of Wage Employment [In Lakhs]	10.02	39.92	48.48	24.93	46.59
Total Households Worked[In Crore]	4.37	5.12	4.81	4.14	4.79

Source: website of Ministry of Rural Development, Government of India

To address the livelihood concerns of the rural workforce, in 2005, the Indian government made right to work an act for rural unskilled workforce by introducing Mahatma Gandhi National Rural Employment Act (MGNREGA) with the aim to provide 100 days of unskilled manual work to households in rural India. However, more than a decade has passed since enactment of the Right to Work, we are still far off from the target of providing 100 days of wage labour to families (see **Table 1**).

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Apart from availability of less days of employment, the households under MGNREGA have also been facing problems of delay in payment or calculated at a rate less than the fixed wage rate.

Due to lack of work opportunities, delay in release of payments, in short, ineffective implementation of Right to Work Act have forced families to migrate with families and small children, in search of employment. Another worrisome issue in context of rural India is losing interest among farmers to continue with agriculture. According to NSS (59th round),

27 percent farmers at all India level did not like farming; they felt that agriculture was not a profitable occupation. In all 40 percent of the farmers felt that given a choice, they would take up some other employment.

The employment scenario even in urban areas is far from satisfactory. In recent years, India has witnessed a transformation of the country's economic structure, from a predominantly agrarian economy to a manufacturing and services sector-oriented economy.

Measurement Approach	Rural	Urban	Rural+Urban
Usual Principal and Subsidiary Status (UPSS)*	55.8	43.7	52.4
Usual Principal Status (UPS)**	53	43.5	50.3

**employed at least for 30 days during the reference period of 365 days (1 year)*
***in employment for at least 183 days during the reference period of 365 day (1 year)*
Source: Fifth Annual Employment – Unemployment Survey (2015-16), Ministry of Labour & Employment, GoI

The share of urban population to total population has grown from 17.3 percent in 1951 to 31.16 percent in 2011 (Census 2011). The number of metropolitan cities with a population of one million and above has increased from 35 in 2001 to 50 in 2011. But what is worrisome is the fact that on average, 25 percent of the population in many Indian cities lives in slums. Slums misses basic living facilities expected and needed by every citizen. The poor migrant workforce therefore lacks leading a decent life in big cities-places which are

It is pretty well-known that many of the persons who are reported as 'employed' or 'workers' in official publications do not get work for the entire duration of their stay in the Labour Force. And even those who get some work or the other for the entire duration may be getting work for only a small fraction of the time they are available for work. This apart, some may be working on jobs which do not allow them to fully utilize their abilities or from which they earn very low incomes. All this constitutes under employment which remains a worrying aspect of the employment –unemployment scenario in the country.

(Source: Report on Fifth Annual Employment – Unemployment Survey (2015-16), Ministry of Labour & Employment, Government of India)

identified as ones with better standard of living. An increasing need of India's population has no doubt resulted in overstraining of infrastructure. It has outpaced Indian government's ability to provide basic public services such as Water, Sanitation, Housing and Public health.

Poor work and employment opportunities' major reflection could be seen on other rights of citizens and the poor population, in particular. These families have to live in inhuman conditions which are unhygienic and unsafe for women and children. Living in poor conditions have two grave repercussions, one, it ill- impacts the food security status of families and their right to have at least two square meals a day leave aside the nutritive contents of the food intake. Two, live and provide a living to their women and children, which is physically and psychologically unhealthy.

The National Family Health Survey (NFHS-4) report (2017) shows that 53 percent women aged 15-49 years in India are anaemic while among men, the percentage is around 23 percent. This cannot be taken lightly as it not only affects at individual level but at nation's level where it has its impact on the efficiency of the available workforce. According to Sen and Himanshu (2004) and Ghosh (2004), the bottom 80 percent of the rural population who now number almost 600

million, have seen declining per capita consumption since 1989-90. The averages of the parameters of wealth ownership may look impressive but they obscure a serious problem of the rising number that go hungry every day. According to the 2011 Census, there were 1.77 million homeless people in India.

In fact, lack of employment to adult workforce has its impact on other rights of these persons and their dependent family members. To list some of the missing rights include, right to food, right to good health and hygiene, right to education, right to safe and secure shelter. In short, lack of work means lack of a decent living, which every citizen of India is entitled to irrespective of the region or religion, caste or creed, age or gender, they belong to.

All governments, Union and state levels, should sincerely aim at creating job opportunities, whether as employee or as self-employed. Apart from this, it is equally important to ensure dignity of labour. Irrespective of the type and nature of work, as long as it is within the law of the land, all persons should feel proud of the income-generating activity they are engaged in. Community should not look down upon any such livelihood activity, which is providing income to families. As *Gandhiji* said, "No labour is too mean for one who wants to earn an honest penny."

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Why ban only condom ads

P N Vasanti

I am neither surprised nor outraged as many in the media are on the ban on advertising of the condom ads during 6 am to 10 pm on television.

In the last month of 2017, the Ministry of information and Broadcasting strictly asked TV channels, not to air advertisements selling and promoting condoms because they are ‘indecent especially for children’ and can create unhealthy practices among them.

In fact, many concerned advocates like me have been advocating for a watershed hour on television for safe family viewing during regular hours, for more than a decade now.

It was way back in 1998 when CMS held the first seminar on children and television that this concept was proposed. The watershed means the time when TV programs (including advertisements) which might be unsuitable for children can be broadcast. This is with the belief that controlling what my children, my family members and I watch should be unquestionable and totally up to us – the viewer. The need for a watershed hours is that we should not be surprised or unexpectedly see content that is either disturbing or unpleasant to us.

According to the ministry advisory, It has been brought to the notice of ministry that some channels carry advertisements of condoms repeatedly which are alleged to be indecent especially for children.

Generally, most viewers do get irritated with any advertising while watching our

favorite programs. However, it is now given that they are critical for the television industry and are here to stay. In addition, they also provide many other benefits like providing consumer information.



But, it does shock me to see vulgar underwear ads or offensive condom ads or even scary promos of horror films when I am watching with my family a wonderful children’s classic on television. This total unhindered scheduling of advertisements or even content without any concern for who could be watching and on what time, is not a consumer (viewer) friendly practice.

Having a watershed hours on television makes it very clear and give more choice and power to the viewer to decide on what to watch! The watershed hours also help in putting concerned parents anxiety at rest as they know that during regular television viewing they will not be attacked with unexpected content or advertisements. Also, they will certainly have the freedom to watch such adult content or advertisements during watershed viewing hours.

Now the ban on advertising condom ads is perplexing. As part of the consumer complaints committee (CCC) of Advertising Standards Council of India (ASCI), we have often debated on advertising (including condom ads)

It was way back in 1998 when CMS held the first seminar on children and television that this concept was proposed. The watershed means the time when TV programs (including advertisements) which might be unsuitable for children can be broadcast.

That is why my question – why only condom ads being banned from 6 am to 10 pm? There are a range of other advertisements that many of us find objectionable, vulgar, harmful and indecent. How come then such obscene advertisements on deodorants or even clothing brands are allowed anytime during the day?

which push the envelope of vulgarity and general standards of public decency. As a group of concerned experts we do look at each and every complaint with great seriousness, but with the objectivity of the detailed guidelines of ASCI.

In fact, last year, least number (12) of complaints were received by ASCI under chapter 2 – advertising that is offensive or indecent (ASCI 31st Report & Accounts of 2016-17). More complaints were on false or misleading advertisements (1790) under chapter 1 of ASCI guidelines. Though only 20 percent complaints addressed by ASCI were on television and most (64 percent) were from print media.

And for the products like chocolates or deodorants or washing machines or even tyres, we have taken a strict view and upheld complaints and made advertising go off air or change. However, there are some advertisements of such products which are generally for adult consumers – condoms being one of them and others like pan masala. One can easily argue that a number of adolescents today are consumers of such products, however, these are products which we generally do not want to be promoted among children or adolescents. And certainly, these titillating ads do not serve the purpose of sex education as many might argue!

The I&B Ministry has cited the Cable Network Rules of 1994 that bars

advertisements that “create in them [children] any interest in unhealthy practices”. Two components – treatment of a product/service advertisement or the product itself, if undesirable in terms of spreading widespread harm or being offensive, should certainly be debatable.

Is it not better than to have such ads be allowed to be aired in water-shed hours than being totally banned?

As far as condom ads are concerned, in country like India, where efforts and resources are heavily invested in family planning and HIV- AIDS control, condoms are certainly not to be played around with. We certainly need all to be aware and educated about healthy practices like use of sanitary napkins and safe sexual practices, including use of condoms.

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Arbitrary, disjointed and reactive policies like this in media have already harmed our media and society much. It is time we take a larger view and have a well laid out vision for popular medium like television.

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Good Governance is much beyond a popular Government

Dr N Bhaskara Rao

Good governance' is a buzz, word for many leaders in power and also those who are trying to get into power positions. What this good governance is all about?

For most it means government working against corruption. For many others, governance is what the government is seized with. These are limited perspectives. Whereas governance is an outcome and sum of total performance of different pillars of the State, which includes civil society as well. As GDP consist of product estimation by all sections of society and enterprises, governance includes what every section of people, institutes and enterprises, engaged in outside and beyond the scope of the government. What is not part of a good governance could be outlined far more easily than what it includes or comprises.

Leaders of the country looked at good governance idea with the different perspectives. Soon after 1947, the immediate concern for the government was to provide food for every one and reduce the poverty. Roti, Kapada and Makan were the basic needs for everyone. For Mahatma Gandhi decentralised governance, where citizen depend the least on government, was a main criteria for the governance. For Jawahar Lal Nehru, people's participation and community development were a priority where school was viewed as a modern

temple. More recently for Prime Minister Modi, corruption free government and 'Swaraj to Suraj' and 'Sab ke Sath, Sab ka Vikas' have become the call for a good governance.



A rejected referendum by two-thirds majority in Switzerland (2016) for guaranteed income idea for every family, adds yet another dimension of good governance. Also, of late, 'happiness' (instead of GDP) too is being talked about as the ultimate of a good governance.

Origin of Good governance as a concept

Although political leaders have been talking about good governance for a long time, 'good governance', concept emerged for renewed discourse in 1989 by the World Bank based on its experiments in African countries with its 'structural adjustment policy'. That has not lead to much difference in the functioning of the government and has not brought much sought after difference in the scope of economy and stature of the government. Initially, good governance meant efficient implementation of policies (and fulfilling electoral promises to people). But later with adoption of more and more technologies in the functioning of

As GDP consist of product estimation by all sections of society and enterprises, governance includes what every section of people, institutes and enterprises, engaged in outside and beyond the scope of the government.

government, idea of e-governance and then the idea of mobile governance have come into circulation. Now some are even talking of real-time governance as if all that is good governance.

Different Perspectives

Good governance idea could be looked at least from five fundamental features. One is how active and participative different pillars of democracy are, not merely the government of the day or merely the three conventional pillars of the state. How well involved are the citizenry, the political parties, the civil society and the education system of the country. They all need to be sensitive and contribute to delivery of basic services, respect values and are concerned about the futures.

Second, how well pyramid of economic structure is reversed as to socio economic conditions in terms of access, empowering and equity aspects of resources, power and policies. Third, how well entrenched are citizen rights, freedom, social justice, plurality and decentralization aspects. And, how widely the outcomes are distributed and availed by people. Fourth, how sensitive and restrained are citizens about dependence on government. Fifth, concern and pursuit of pillars of the State beyond GDP parameters and focus is as much with country specific development.

Some distinguishing features of good governance

What are the features that a good governance implies? I consider, ten as minimum attributes. First, the very idea of governance is not static to define. There could be not a single definition which

could be inclusive of totality. Second, as a phenomena governance is a process. It is on-going, beyond terms and tenures of elected ones. ICT is constantly changing the scope of a governance. Third, governance implies and involves much beyond the government. It encompasses the pillars of democracy with focus on the citizen and the civil society. Fourth, governance expects some kind of equilibrium between the pillars of the State. Fifth, governance is much beyond GDP terms where social development remains a constant and core concern. Sixth, where the poor, weak and minorities are viewed specifically, with a trusteeship concern. Seventh, Citizen's dependence on the government will not be a virtue. Eighth, quantitative yardsticks will not be the only key criteria for accountability and performance. Ninth, a good governance implies limited government, limited to delivery of essential primary services and for making laws. Tenth, equity concerns between regions and sections of people with level playing remain a core concern.

Not any one of these ten features but in what combination most of these can be vogue at any point that determines the meaning of a 'Good Governance'. But these need not be conclusive parameters for all time.

In the overall assessment, in good governance means minimal government, dependence of citizen on government becomes minimal and yet outcomes are maximized. Good governance means where the role of government is at best as a facilitator and where checks and balance provision ensures equilibrium between different pillars of the state, Including civil society. Conventionally, only three

Good governance means where the role of government is at best as a facilitator and where checks and balance provision ensures equilibrium between different pillars of the state, Including civil society.

pillars were considered as pillars of state. But over the decades a lot has been changed including in the case of judiciary, legislature and the executive.

With the rise of public opinion, the institution of media has come to be viewed as the Fourth Pillar. With the rise of the right era, I have been talking of civil society as the Fifth Pillar. This fifth pillar includes citizen-led groups and citizen-initiated functions under public-preview. It is all these together contribute to the state of a good governance. The democracy, development and governance paradigm should be the concern of all the pillars of the Republic.

A missing aspect in that process of World Bank's prescription was realization that better governance is not possible without a 'good government.' They however have not taken up linkage aspect as seriously. The good government in a parliamentary democracy is not possible without good politics and good politics is not feasible without the good political parties. All this is not sustainable without active citizenry. That is why our Constitution starts with "WE, THE PEOPLE".

In my understanding, a good governance should mean much more and beyond performance and efficiencies of the government. Good governance should not mean merely doing better what was expected, but doing more and much beyond. And, Good governance is not limited to functioning and services of the government.

Switzerland, Finland and Netherland have explored and accomplished with 'least depends of citizen on government' and spending a much higher percent on basics like health and education. Even Italy, despite fragile politics with frequent

polls and change in the ruling party, the governments continue to be vibrant and sustained.

More than a decade ago, Dr Subhash Kashyap reminded about 'good governance'. As a constitutional authority, he did that from outside the context of political rhetoric. He reminded that although Constitution of India referred to 'governance' only once in the Article 37 under the Directive Principles. It indicates certain 'principles' as fundamental in the governance of the country (although not enforceable by any court). He concluded "that there was little emphasis on the principles of the governance" as focus of the constitutional assembly was on organisations of the state apparatus. As Dr Subhash Kashyap has summed up, "The whole idea of a good governance is that of giving, of serving, of doing good to the people, of solving their problems and making their lives more liveable, satisfying and enjoyable". As he observed, "good governance is limited governance", it is 'participative system' and it is about 'citizen friendly administration, economic growth and nation building'.

Political leaders and people need to be sensitive towards features and dimensions of good government so that public discourse differentiates government for its governance features. Values, beliefs and faiths should never be at stake. In the ultimate analysis, proof of pudding of good governance scenario is that people get together with ease and mutual respect, discuss and even argue on concerns and futures and agree up on a course to pursue beyond who wins and losses in the polls.

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Ministers not under RTI: Delhi High Court

Court overturns CIC verdict, says 'direction issued by panel outside its scope'.

The Delhi High Court has set aside the Central Information Commission order declaring Ministers as 'public authorities' and answerable under the Right to Information law.

Justice Vibhu Bakhru overturned the March 12, 2016, CIC verdict saying "there was no occasion for the CIC to enter upon the question as to whether a minister is a 'public authority' under Section 2(h) of the Act". "Further, directions issued by the CIC are also wholly outside the scope of the matter before the CIC," the judge said, adding that the order cannot be sustained and was, accordingly, set aside Centre's appeal.

The High Court's order came on the Centre's appeal against the CIC order.

The case emanates from an application filed by a Maharashtra resident who wanted to know how to get an appointment with the Union Law Minister. In Novem-

ber 2014, the man moved an application before Additional Private Secretary, Ministry of Law and Justice, seeking to know the time period of the Minister or Minister of State meeting the public.

As the information sought was not received, the matter reached the CIC. Here the Commission went on to frame the questions whether the Minister or his office was a "public authority" under the RTI Act.

It gave the Cabinet Secretary at the Centre and Chief Secretaries in the States two months to appoint public information officers for each Minister's office. Also, the CIC said each Minister should get a website of his/her own where information can be disclosed.

The HC said that the Commission could not have gone into the above question. "The information as sought for by respondent No.2 (man) was provided to him and there was no dispute that he was entitled to such information," the court added.

(Source: The Hindu, 08 December 2017)

RTI Act status in graft fight

The Right to Information (RTI) Act is helping India find its way out of the labyrinth of corruption, according to Justice R.K. Merathia, a retired judge of Jharkhand High Court.

Speaking as the chairperson at a seminar on the status of RTI in Jharkhand, organised by the state centre of Transparency International India (TII) at Chamber Bhavan on Friday, Merathia said, "We often hear many chief ministers saying errant officials will be taken to task but no one knows for sure if it actually happens."

RTI activists are playing the role of responsible torch bearers to help the country come out of the labyrinth of corruption, he said.

"It may not be convincing at the first glance but the state information commission is doing rather well as it doesn't dispose of complaints by just instructing authorities to furnish information but ensures that the work is actually done," said Himanshu Sekhar Chaudhary, information commissioner of the state and the chief guest of the seminar. TII executive director Rama Nath Jha said India's RTI Act was the

fourth best in the world but our country was ranked 66th in implementing it. He said everyone should promote the culture of transparency to change the current scenario.

A Jharkhand-specific state transparency report was also released on the occasion.

The report mentioned that the maximum RTI applications filed in Jharkhand were against the functioning

of the state government's departments of human resources, personnel and water resources.

The report, which was nationally released in October in New Delhi, had stated that applications seeking information was far less in Jharkhand compared with the rest of the country.

Of the 2.44-crore RTI applications received in the country between 2005 and 2016, only 21,327 were from the state.

(Source: The Telegraph, 30 December 2017)

Budget allocation for school education seen increasing by up to 14%

Innovation in schools, mapping of learning outcomes and school assessments like the national assessment survey are expected to find mentions in the 2018 budget.

The budget allocation for school education is expected to rise by up to 14% in the 2019 fiscal year, with the focus on accelerating schemes already put in place and a special top-up likely for quality improvement.

The mid-day meal scheme and right to education are likely to get higher allocations than they did last year, two government officials said, requesting anonymity.

Innovation in schools, mapping of learning outcomes and school assessments like the national assessment survey are expected to find mentions in the budget to be unveiled on 1 February.

"It will be much less than what the ministry demanded, but higher than the previous year's allocations in the range of 11-14%," said one of the two officials cited above.

In 2017, the school sector had a budget allocation of Rs46,356 crore.

India spends around 4% of gross domestic product on education—both school and higher education—despite a long-pending demand for raising it to 6% of GDP.

Expectations from this year's budget have been heightened because it would be

the last full budget before the 2019 general elections.

Given the financial constraints of the government, one cannot complain about the expected size of the increase in allocation, the second official said.

With the goods and services tax collection sliding month-on-month, it would be tough for the government to spend more, the second official cited above said.

In December, GST collection of the central and state governments, including taxes on inter-state supplies and the cess on certain items, added up to Rs80,808 crore, a 14% dip from August collections, *Mint* reported on 26 December.

The Sarva Shiksha Abhiyan, (SSA, education for all), having achieved near 100% enrolment, will focus on teaching-learning outcomes.

The national assessment survey, which was allocated a meagre amount of less than Rs1 crore last year, may see a hike along with other programs to monitor school education sector.

The National Council for Education Research and Training (NCERT) is working to map the learning outcomes of students from district level upward, and a portion of Sarva Shiksha Abhiyan money may be used to improve outcomes in districts that are lagging. Nearly 250 million students are pursuing education

across 1.5 million schools in India. "By next financial year, the SSA may be spending around 40% of its budget on improving quality of school learning," said the second official cited above.

Several international agencies, including the World Bank, have pointed to a chronic decline in the quality of school education. A structured plan may be implemented to improve quality, the official added.

Extra allocations may be in the offing for setting up Kendriya Vidyalayas (KVs) and Jawahar Navodaya Vidyalayas (JNVs).

"Since such schools are performing better than the even leading private schools, you may see more budgetary allocations for them," said the first official.

An impressive 3,563 JNV students cleared the prestigious joint entrance exam (JEE-Main) 2017 for getting admission to top engineering colleges,

including the Indian Institutes of Technology. Launched in 1985-86 with two schools under the human resource development ministry, the chain has around 590 schools across India.

Union human resource development minister Prakash Javadekar told reporters on 29 December that Prime Minister Narendra Modi's government wanted to provide quality education to all and improve the school sector although he did not spell out the specifics.

"With higher education sector getting a lot of private investment, the government needs to focus on school sector with more funds. The school education sector needs to map classroom learning for better outcomes and policy making," said D. Narayana Rao, pro-vice chancellor of SRM University in Andhra Pradesh and a former scientist at the Indian Space Research Organisation.

(Source: Livemint, 02 January 2018)

Does Intelligence Bureau have to provide info on corruption under RTI: Delhi High Court asks

The Delhi High Court today asked the Intelligence Bureau (IB) to state whether it fell under the ambit of the Right to Information Act in cases where information about corruption or human rights violation is sought from it.

Till date, the IB has been maintaining that it and its information are exempted from the purview of the transparency law.

The query by a bench of Justices Siddharth Mridul and S P Garg came after it perused a 2007 Ministry of Personnel office memorandum asking all such agencies, which are exempted from purview of the RTI Act, to appoint central public information officers to provide information on corruption and human rights violations.

The IB's stand with regard to the office memorandum (OM) was sought during the hearing of its appeal challenging a

single judge order upholding a CIC direction to the agency to give its report on alleged harassment and false cases against Indian Forest Service officer Sanjiv Chaturvedi for exposing graft.

While giving the agency time till March 7 to indicate its stand, the bench made it clear that there will be no interim stay of the single judge's decision.

During the hearing, Chaturvedi told the court that based on the IB report indicating a threat to his life, the Appointments Committee of Cabinet (ACC) had changed his cadre from Haryana to Uttarakhand, where he is a Conservator of Forests at Haldwani in Nainital District.

He has argued that the harassment and false allegations against him were directly linked to his exposure of corruption in the Haryana government as well as the All India Institute of Medical Sciences (AIIMS).

He had sought through RTI, a copy of the IB report submitted in regard to alleged false cases filed against him.

Chaturvedi, who served as the chief vigilance officer at AIIMS from 2012-14, in his application to the CIC, had said that this report would help him fight violation of his human rights caused by those public servants whose corruption he had exposed as part of his duties as an IFoS officer.

The information was sought from the Ministry of Environment which had sought the opinion of the IB before

furnishing the details sought. The IB had objected to the disclosure, after which Chaturvedi had approached the Central Information Commission (CIC).

The CIC on April 21, 2016, had held that even though the IB is exempted from sharing information under section 24 of the RTI Act, it has to provide information pertaining to allegations of corruption and human rights violations.

The agency appealed against the decision in the high court where a single judge bench had dismissed its plea on August 23.

(Source: The Economics Times, 12 December 2017)

'RTI Act should be working much better'

Activists unhappy, will not let the Act get diluted

Anyone who has tracked the evolution of the Right to Information (RTI) Act will be familiar with the name of Nikhil Dey. One of the main players behind rights-based laws such as the RTI, Right to Food, and the Mahatma Gandhi National Rural Employment Guarantee Act, Nikhil, spoke on social audits, RTI Act, the accountability law and the Modi government.

Social audits in the country

Social audits emerged as an offshoot of the RTI. However, it has been a struggle to implement them, as no one wants to give up power or be answerable to people. Social audit will work only if it is independent of whoever is running a department. It helps the common man confront petty centres of power. States such as Andhra Pradesh and Telangana had introduced social audits years ago for MGNREGS. Now, Meghalaya has become the first State to pass a law saying that all notified departments should have social audits. In Meghalaya, 26 programmes will be audited concurrently.

The RTI Act today...

RTI activists are unhappy as the Act should work much better. But we will not allow it to get it diluted. Today, there are six to eight million applications a year, and there are no signs of this stopping.

Twelve years after it was enacted, the RTI is one of the most successful laws on governance.

Criticisms about MGNREGS

In Kerala, for instance, to have women come out and say we will work for our development is a big thing even if they are not as productive as they should be.

The fact that the women are working, there is a dignity about it, and there is development at the village level makes MGNREGS an attractive programme.

The lack of productivity reflects the system's incapacity. The alternative is a dole, like in countries in the West.

MGNREGS needs second and third generation thought.

By guaranteeing more than 100 days of work, ensuring minimum wages, varying

the kind of works, and bringing in transparency and social audit, the programme can take a quantum leap.

The push for an accountability law...

Accountability law incorporates social audit, Right to Hearing, proactive disclosure, public service guarantees, and citizen charter among other things.

So, when a person complains about water supply, they also need to know who is responsible for what at the supervisory level.

Switching accountability to the people is what the law is about. If a bureaucrat or official fails to do their job, they should

pay penalties, just as the wages of a MGNREGS labourer who does not do their job are cut.

Transparency under the Modi government

It is not good times for participatory governance under this government.

They have not notified the Lokpal law or done anything about the whistleblower protection or the grievance redressal law. It is a challenging period. However, there is a lot of space opening in many States.

(Source: The Hindu, 05 December 2017)

In 2017, Haryana officials broke record in violating RTI Act

According to the latest data, the Commission, till the end of November, recommended action in at least 266 cases against the Public Information Officers under Section 20 (2) of the RTI Act

Haryana saw the highest number of cases in which officials were found to be in violation of the Right to Information Act during the year 2017 since the enactment of the law in 2005. The state's Information Commission has, in more than 200 cases, recommended disciplinary action against the guilty officials.

According to the latest data, the Commission, till the end of November, recommended action in at least 266 cases against the Public Information Officers under Section 20 (2) of the RTI Act. As per the law, the disciplinary action proceedings are recommended against the officials for persistent denial of the information within the specified time or for providing it in an incomplete or misleading manner. This year's number on disciplinary action recommendations

from the Commission is the highest since 2005 as it has crossed the 200 mark for the first time. During last year, the Commission recommended disciplinary action against officials in 186 cases while in 2015, the figure stood at 157.

"The reason of denial of information may be their fear that they may be caught in any case of corruption or irregularity but the primary reason is that there is no cataloguing or indexing of the information in the government departments as demanded by the Section 4 of the RTI Act," said advocate Pradeep Kumar Rapria, who was a legal adviser with the Central Information Commission in the past.

Rapria said that most of the information sought through the RTI applications is usually required to be declared suo motu by the public authorities as is provided in the Act. "Since there is no cataloging and indexing of the documents, there is a sea of information and officials don't know where to find the information sought by the citizens," he said.

Over 9,000 applicants had to approach the Information Commission this year with complaints or appeals for redressal of their grievances related to their RTI requests and in 310 of these cases, the Commission imposed a total penalty of Rs 48.41 lakh on the officials for violation of the Act.

(Source: The Indian Express, 30 December 2017)

Govt & EC Fight Over RTI Portal, Nearly 2,000 RTIs Lie Unanswered

In the last nine months, the Election Commission of India (ECI) and the Department of Personnel & Training (DoPT) have been writing to each other about RTI Online. While the ECI wants its name to be removed from the RTI Online Portal, the DoPT has other plans. In the midst of this tussle, 100s of RTI applications addressed to the ECI remain. The ECI is reluctant to be part of RTI Online, the online portal of the Government of India that is used for filing Right to Information (RTI) applications online.

It is now known that close to 2,000 RTI applications addressed to the ECI remain unanswered on the RTI Online portal. Amidst the ongoing tussle between the government and ECI, the citizen is the ultimate sufferer.

'Remove our name from the portal: ECI'

In February 2017, the Under Secretary and the Central Public Information Officer (CPIO) of the ECI wrote to the DG of the National Informatics Center with a request that the ECI's name be immediately removed from the RTI Online portal since it was not a part of it.

In response to that letter from the ECI, the Under Secretary in the DoPT said that it is not possible to remove ECI's name from the portal since it was not an exempted organization (as per Section 24 of the RTI act). Further, he offered training to the nodal officers in ECI in case they face difficulties in using the RTI Online portal.

ECI Writes to DoPT Again

The ECI had written one more letter to the DoPT in April 2017 with a similar

request, that its name be removed till the ECI approves using RTI Online. He further asked the DoPT to inform all the applicants whose applications are pending on the RTI Online portal to file them in physical form once again.

It has to be noted that the DoPT has not informed even a single applicant whose RTI application is pending with the ECI, that the ECI is not accepting applications filed through the online portal.

In fact, the DoPT had once again written to the ECI in August 2017 reminding them that a number of applications filed with the ECI are pending, and that the nodal officer is not forwarding them to the relevant CPIO.

In response to another complaint, the ECI in November 2017 has categorically stated that it is not part of the RTI Online portal and that it is developing its own facility for online applications.

The Citizen Is the Ultimate Victim

In this tussle between the ECI and the government, it is the citizen who is ultimately suffering. Both the organisations have done precious little to help the hundreds of applicants who have filed applications on the portal.

The ECI could have easily accepted the existing applications while notifying on its portal about it not being a part of RTI Online.

The DoPT on the other hand could have informed all the applicants that the ECI is refusing to accept such applications. With their hardened positions, neither is helping the citizen.

(Source: The Quint , 15 December 2017)

Ignoring the message, shooting the messenger

Annu Anand

In the first week of the year 2018, a correspondent with Chandigarh newspaper published a story claiming that the entire demographic Aadhaar database could be bought by anyone for a paltry sum of Rs 500. While the concern of security of Aadhaar numbers and instances of its misuses were not uncommon, the newspaper, The Tribune's investigation was biggest and the most explosive. It effectively meant that the personal information of the Aadhaar card holders –including their name, address, phone numbers and Aadhaar numbers – was compromised.

How did UIDAI respond to a newspaper report exposing the loopholes in the Aadhaar eco system? By filing an FIR against the journalist.

The Unique Identification Authority of India immediately issued the statement mentioning that this is “misreporting” and there is no breach in their security system of their database. The authority stated that their data is safe and secure.

Two days after the article was published, a FIR was lodged against the ‘The Tribune’ newspaper and its reporter Ms. Rachna Khaira along with sellers.

The FIR mentioned about the detail of the reporter getting in touch with sellers and it further stated, “Unauthorised access to

Aadhaar ecosystem in connivance of criminal conspiracy. The act of the aforesaid involved persons is in violation (the various section mentioned in the FIR)... hence, an FIR needs to be filed at the cyber cell for the said violation.”

UIDAI, a statutory authority established under the provisions of The Aadhaar Act, 2016, doesn't have a good track record when it comes to journalists.

In the past too, UIDAI, instead of taking the cognizance, of the reported leaks of Aadhaar numbers, it has sought to intimidate the journalists and the organisations involved. In 2017, CNN_News 18 did a story on how one could get two Aadhaar IDs, with the same set of biometrics. That time too UIDAI had filed an FIR against the journalist and the channel for violating sections of Aadhaar Act and some section of IPC. Similarly, when Sameer Kochhar, SKoch Group Chairman revealed that biometric authentication can be a vulnerable in blogpost and a video, a complaint was registered under the Delhi police's crime branch by the UIDAI.



This move of UIDAI is not only condemnable, and has shocked many media organisation as it is clear case of shooting the messenger and ignoring the message. Instead of awarding the reporter for her work for exposing the loopholes in public welfare scheme and alerting the government and other investigative agencies that confidential data of around one billion persons was available in the market at the payment of paltry amount, Authority chose to penalise the reporter.

In fact, the basis for taking such action against journalists by the UIDAI, is the Section 47 of the Aadhaar act which permits only the UIDAI to initiate criminal prosecution for any offence under the Aadhaar Act.

However, here the question arises that whether a journalist doesn't have any immunity in breaking the law, if its proven that the reported truth is in public interest.

This move of UIDAI is not only condemnable, and has shocked many media organisation as it is clear case of shooting the messenger and ignoring the message. Instead of awarding the reporter for her work for exposing the loopholes in public welfare scheme and alerting the government and other investigative agencies that confidential data of around one billion persons was available in the market at the payment of paltry amount, Authority chose to penalise the reporter.

The media has been in the role of exposing the weaknesses of the government since long. The thumb rule in most cases is to examine whether a news report is reporting facts which is in public good. In such cases, government agencies refrain from filing an FIR against the journalist for fear of vilification and appearing draconian.

Most of us, as journalists, remember the incident when resident editor of Indian Express had commissioned his correspondent to buy a woman in the Madhya Pradesh to prove rampant human trafficking in the state. The government refrained from charging the correspondent and the editor of the newspaper, since it was clear that the intention was to illuminate and not harm.

In a speech, read out at an event in Delhi on the 'Right to Investigate', Mr. Khare also tried to prove this point. He talked about media freedom and the importance of investigative reporting.

He stated, "I wish to reiterate – with all the seriousness and as responsibly as possible – that what Ms Khaira did was nothing more than perform her duty as a professional journalist. And we at *The Tribune* did nothing more than what any other set of editors in a newspaper would have done." He also added that "We at *The Tribune* do not think of ourselves as manning the barricades. We do not subscribe to permanent insurrection. We are not chasing any revolution. We believe in the Constitution and its values; we assiduously seek to provide space to the voices of dissent. And yet we are sought to be hauled up for doing a spot of honest, legitimate investigative reporting; we are sought to be intimidated for practising a bit of old fashioned journalism. We need to be thankful to the authorities for suddenly making the entire media fraternity realise the need for solidarity and strength."

Many media organisations like Editor Guild, IWPC, Press Club of India also issued the statement condemning the authority for shooting the messenger.

Taking suo-motu cognisance of the FIR the against the Tribune and Rachna Khaira, by the UIDAI, the Press council of India (PCI) chairman justice Chandramauli Kumar Prasad has sought a comprehensive report on the facts of the case from the authority.

The crux of the question at hand — why shoot the messenger, when the intention is clearly journalistic?

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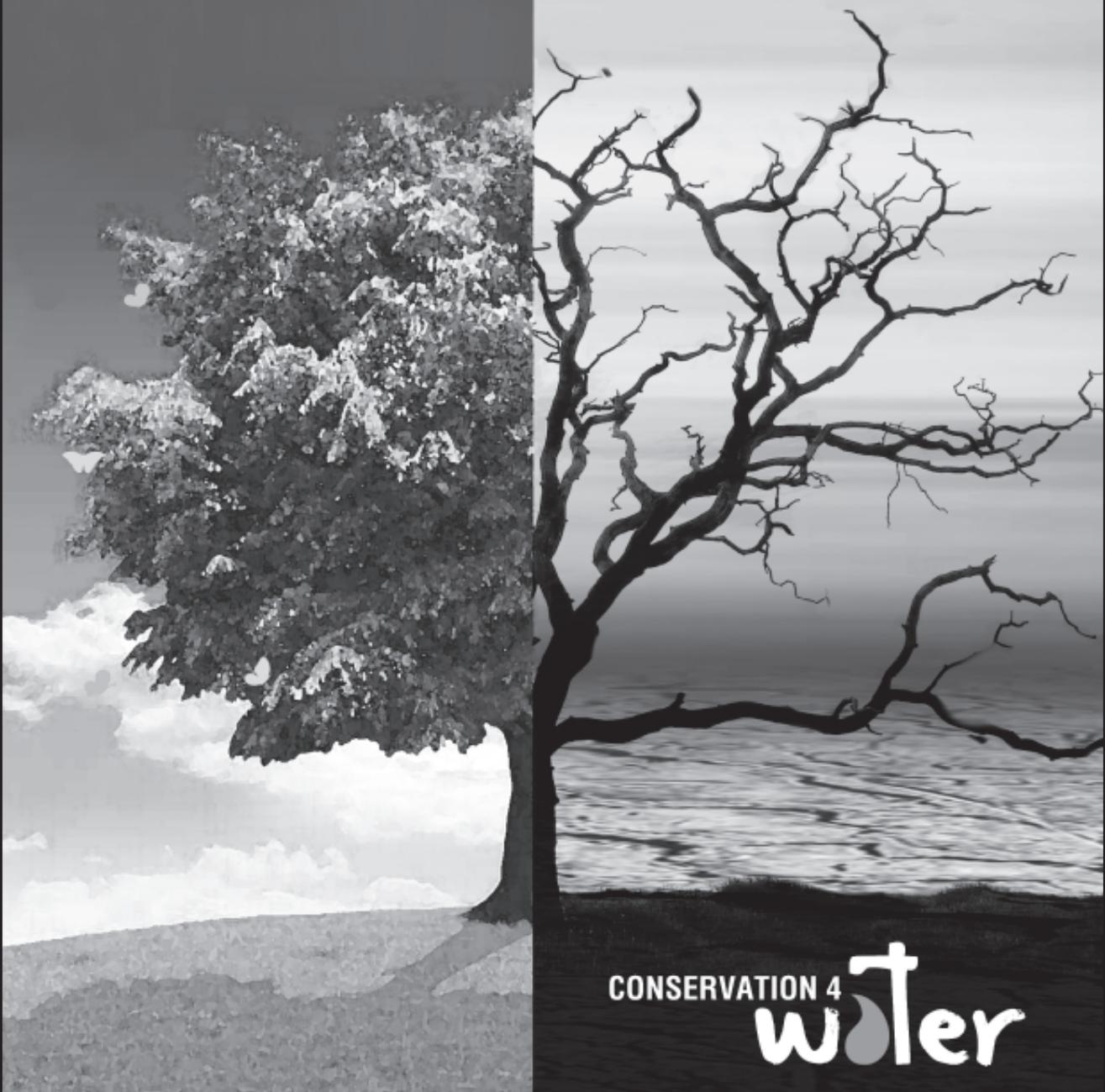
- Interested applicants can send a proposal with story ideas, updated resume along with recent published work samples to mediaapplications@cmsindia.org.
- An undertaking that, in the event of their selection, the applicant will produce a letter of support from their respective editor/ competent authorities, indicating support during the Fellowship. The letter must also mention that they are on contract with an established, mainstream media outlet in India.



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