Right to Know, Right to Live

Aruna Roy & Suchi Pande

The continuing attack on the lives of RTI Activists has given a curious twist to one of the first slogans of the campaign. Prabhash Joshi when he captioned his editorial in the Jan Satta “Hum Janenge, Hum Jiyange” in 1996 was referring to the livelihood issues of the poor. Today the same slogan has a more direct and diabolical meaning, when people have been killed for using the RTI.

On 26th July over hundred people gathered at the Gandhi Peace Foundation in Delhi to remember Amit Jethwa an environmentalist and RTI activist from Ahmedabad, the 8th in a series, who was recently shot dead near the Gujarat High Court. Jethwa was leading a campaign against illegal mining in the Sasan Gir area, which was allegedly backed by some BJP politicians.

In the last seven months, the eight RTI activists killed have been young people, between the age of 30-50 years. There have been four deaths in Maharashtra, two in Gujarat, and one each in Bihar and Andhra Pradesh. This is after Lalit Mehta and two others were killed in Jharkhand for accessing information about NREGA a couple of years ago. They were all ordinary citizens, seeking information on issues of public interest- mining, corruption, irregularities in the functioning of rural schools, fund utilisation for village drainage system, civic projects, illegal electricity connections and land. Most of them were first threatened with a demand that they withdraw their RTI applications, upon refusal, they were shot dead. One was brutally hacked to death. The true potential of the right to infor-
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TRANSPARENCY STUDIES

The Right to Information Act 2005 represents a historic breakthrough in recognising the citizen’s democratic rights to monitor measures affecting the public good. Following adoption of the Act by the Parliament of India, the CMS has set up a Transparency Studies wing to document, examine and publicise the interrelation between governance and society in all its aspects. It facilitates dissemination of relevant material, confers with experts and field workers and networks with the media to promote implementation and awareness.

The functions of Transparency Studies include:

- Publishing and distribution by electronic mail of Transparency Review, a journal designed to publicise news, articles and documentation concerning developments in Right to Information and the overall interface between governance and society. Priority is given to right to education, especially of children; right to work; right to justice and associated human and social rights, especially at the grassroots.
- Operating Transparency Features to disseminate articles and information on the above.
- Linking with civil society groups to further common objectives like exposing corruption, monitoring elections, improving civic services.
- Arranging discussions on emerging issues and problems between specialists and mediapersons.
mation, becomes apparent in light of the unfortunate deaths of these activists— who did no more than ask questions! This is a warning from the corrupt in India that they will go to any length to silence questioning and truth. It is therefore all the more crucial that RTI defenders and campaigners take this warning very seriously indeed.

It is true that such acts of courage are made possible because the RTI Act provides a sense of hope and purpose to citizens like Amit Jethwa; who have actively made use of the RTI to take up issues of public interest in the public domain and fight vested interests within the system. Corrupt parts of the Government system motivates the move to, to look for petty excuses to weaken the law and protect itself from public scrutiny. The system therefore is tardy and ineffective in its response to such acts of violence. It is appalling that a government that takes pride in enacting one of the most progressive transparency legislations in the world does not see its true potential for cleansing itself, and merely uses it to further its political gains. It is unacceptable in any decent democracy that the government remains silent and inactive.

One of the issues of utmost importance is therefore the protection of whistle blowers! In the chaotic law and order situation of the country today and the fast disappearing structure of the rule of law, this is as severe a warning as any other. It is about time the government stopped thinking about protecting its own petty, vested interests and bring in legal entitlements to protect what little there is of any worth in the system.

Lack of proper and appropriate action even after eight deaths is embarrassing for a government that heads one of the largest and successful democracies in the world. The government must provide assurance to the people of this country that it is serious about its commitment to transparency and accountability; upholding the rule of law and protecting the lives and interests of its people. The government must be proactive in its intent and action. They must create mechanisms and institutions to ensure that such deaths are appropriately investigated, and the perpetrators bought to task and ensure that such acts of violence do no occur. It is imperative that the government enact the Lokpal Bill and set up Lokayukts and empower them to function as independent, autonomous agencies. The government must talk of strengthening the implementation of the RTI Act rather than push attempts to weaken the law and make it ineffective.

As for ourselves, the RTI Campaigners and Activists, the warning is writ large on the wall, that we have to come together to protect what we gained in 2005.

**THE TOLL SO FAR**

Let’s look at some of the cases this year. In January 2010, Satish Shetty, 39, was hacked to death in Maharashtra. The activist had been battling land scams and government corruption, had received death threats and asked for police protection—which he didn’t get—and was killed while taking his morning walk.

In February, also in Maharashtra, RTI activist Arun Sawant was shot dead near the Badlapur Municipal Office in Thane for fighting administrative corruption. Meanwhile in Bihar, RTI activist Shashidhar Mishra was gunned down in front of his home in Begusarai. A tireless crusader against corruption in welfare schemes and the local government, he was called “Khabri Lal” for his dedication to information. Meanwhile in Gujarat, Vishram Laxman Dodiya, who had filed an RTI petition regarding illegal electricity connections by Torrent Power, was murdered.

In April, RTI activist Vitthal Gite, 39, was killed in Maharashtra for exposing village education scams. And in Andhra Pradesh, Sola Ranga Rao, 30, was murdered in front of his home for exposing corruption in the funding of the village drainage system.

In May, Dattatray Patil, 47, was murdered in Kolhapur, Maharashtra. A close associate of activist and RTI guru Anna Hazare, his fight against corruption had got some of the area’s top policemen removed and action initiated against local municipal corporators.

Besides murder, there are failed murder attempts, violent threats and fake police cases.
INDIA CORRUPTION STUDY: 2002-09
A Comparative Scenario

The 6th round of India Corruption study (ICS) of CMS in 2009 has reaffirmed the rampant and omni-presence of corruption in the country. No state or even a village could claim to be corruption-free. And the worst sufferer is - a common man-aam adami. The ICS 2007 conducted among below poverty line (BPL) households had brought out that every third household either paid bribe or used a contact to avail the services of government departments in the country. The earlier rounds of ICS too had shown that high percentage of households felt that the level of corruption has increased (reference being preceding year). Though the percentage of those who felt that ‘level of corruption is decreasing’ has shown an upward trend yet it was not substantial, only one out of five households felt so.

CMS carried out its 1st round of India Corruption Study in 2000 and was limited to six cities and six public services. With each round it not only expanded its coverage but also refined its research methodology. CMS strongly believe that it is important to have views and opinion of households, who had ‘experienced’ corruption. World over, most of the studies undertaken to measure the extent of corruption has been based on perception (opinion) of experts or a network of their local correspondents. However, in India, CMS developed a methodology, which captured both perception and experience of the households. Since 2005, CMS is using a model known as P+E+E model, where it presents the findings based on Perception and Experience. Based on this it estimates the monetary value of bribe being paid as well as the estimated number of households in the country, which pay bribe during the year.

In each round, the coverage and target population varied; while 2002 and 2003 rounds covered only urban households, in 2005 round, it was a mix of urban and rural households but proportion of households from urban locations was more. In 2007, the study focused on below poverty line (BPL) households and more than three-fourth of the households were from rural areas. As far as number of services is concerned, it too increased with every round. While in 2002 it was 7, in 2007, the number of services covered increased to 11. The number of services to be covered in each round was arrived at after lot of consultations and deliberations with a panel of experts and eminent persons of different fields and in particular of the services covered.

In this round (2009), although the focus of the study was corruption in political elections, but it did capture households perception and experience about two public services, namely, Public Distribution System (PDS) and Hospital services. The two services were selected on the basis of earlier rounds, where it was noticed that percentage of households interacting with these two services were more than other public services.

Perception about Corruption in Public Services

By State/Region- Among states, in Delhi more than 86 percent of the respondents felt that level of corruption in public services has increased in the last one year (2009). Other states, where more than two-third households reported increase in corruption were Maharashtra (74%), Chhattisgarh (71%) and Tamil Nadu (70%). Regional variation in perception about

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*U= Urban Households; R= Rural Households; BPL= Below Poverty Line

Source: CMS India Corruption Study, 2002-09
the level of corruption in public services/departments is visible. While in states of western and northern region, around 67 percent of the respondents felt that there has been an increase in level of corruption compared to the preceding year, in states of Eastern region, only 40 percent of the households opined so; however the percentage of households noticing ‘no change’ i.e. level of corruption has remained same was more (24%) in Eastern region compared to other three regions.

Comparison between different rounds shows that the percentage of respondents reporting increase in corruption level is showing a downward trend. While in 2002 and 2005, as high as 95 percent and 92 percent households respectively, felt that the level of corruption has either increased or remained same compared to the previous year, in 2007, a little lesser percentage of BPL households (82%) had a similar perception. During last round (2009), the percentage of households holding similar opinion came down to 76 percent. In spite of initiatives to bring more transparency and accountability public service delivery system, the households holding the opinion that level of corruption has ‘remained same’ raises concern on the accessibility and effectiveness of the measures taken. Particularly for a very high percentage of BPL households, the situation as far as service delivery is concerned is no better than the last one year.

By Education- Respondents, who had attained graduation and above level of education seemed to be not satisfied with the initiatives taken to curb corruption, as around 60 percent of them felt that level of corruption has increased during the last one year (2008). In ICS 2007 conducted among BPL households, the percentage of graduates feeling that the level of corruption has increased compared to the preceding year was around 47 percent, while in the 2005 round, which was carried among general population like in the present round, around 74 percent of the respondents with educational qualification of graduation and above had opined that the level of corruption has increased.

By Social Group- Among respondents belonging to OBC, around two-third felt that corruption has increased during the last one year. Compared to 2007 round with BPL population, the percentage of OBC households reporting so was much less (42%). This suggests that general population might have experienced such practices more than the BPL population; among other social groups too, a lesser percentage in 2007 compared to this round opined so (in 2008, between 50 and 55 vs. between 37 and 47, in 2007).

Households paid Bribe

At national level, this round of CMS survey shows that a little more than one out of five households had paid bribe to avail services of any government department during the last one year. On a positive note, compared to earlier rounds of ICS (2002-07), the percentage of households reported paying bribe has come down from 34 percent (2002) to 22 percent (2009).

However, in some states, it is more than all-India average i.e. one out of every three households had to pay ‘extra’ money to avail the services. These include Karnataka (40%), Maharashtra (38%), Delhi (35%), Madhya Pradesh (30%), Tamil Nadu and Orissa (29% each).

(Incomplete)
INDIA’S CHILDREN HAVE A PRECARIOUS FUTURE

One hardly needs a reminder that the Right to Education is different from the others enshrined in the Constitution, in that the beneficiary cannot demand it nor fight a legal battle when the right is denied or violated.

Now that India’s children have a right to receive at least eight years of education, the gnawing question is whether it will remain on paper or become a reality. One hardly needs a reminder that this right is different from the others enshrined in the Constitution, in that the beneficiary—a six-year old child—cannot demand it, nor can she or he fight a legal battle when the right is denied or violated. In all cases, it is the adult society which must act on behalf of the child. In another peculiarity, where a child’s right to education is denied, no compensation offered later can be adequate or relevant. This is so because childhood does not last. If a legal battle fought on behalf of a child is eventually won, it may be of little use to the boy or girl because the opportunity missed at school during childhood cannot serve the same purpose later in life. This may be painfully true for girls because our society permits them only a short childhood, if at all. The Right to Education (RTE) has become law at a point in India’s history when the ghastly practice of female infanticide has resurfaced in the form of foeticide. This is symptomatic of a deeper turmoil in society which is compounding traditional obstacles to girls’ education. Tenacious prejudice against the intellectual potential of girls runs across our cultural diversity, and the system of education has not been able to address it.

The new law has many critics. Some of them are among the nation’s best known educators and, therefore, their concerns must be heard. They have raised two major issues: one, the law does not cover pre-school education; and two, it offers no vision of systemic reforms leading to a decent common school system. Both issues are valid and the government’s strategy to implement the law must cover them. As for the first issue — coverage of early childhood — a first step can be recognising the year before Class I as a necessary pre-school year to provide an enabling experience for the success of eight years of formal education stipulated by law. This step would require substantial planning and coordination among the departments of Child Development, Health and Education. The second point the RTE critics are making draws attention to the divisive, and not just divided, character of our system of education. A vast gap of resources, facilities and efficiency exists between the private schools which cater for the better-off strata of society and the ones run by the government. Within government schools, there is a vast difference between Central schools and those run by municipalities and village panchayats. It is not true that RTE offers no vision of improving our fragmented system. The provision for 25 per cent reserved seats for poor children in all private schools as well as Central schools makes a gesture towards the common school model. Critics of the RTE rightly find it a weak gesture but they forget how difficult the execution of even this diluted form of common schooling is going to prove in a stratified and divided society.

Already, lobbyists of private schools have gone to court, challenging the legal validity of the RTE. The private sector in school education has grown quite substantially and rapidly over the last two decades. Not just private schools, a strong ideological lobby which favours privatisation has also grown. Members of this lobby believe that the RTE can best be implemented by market forces and the government should subsidise these forces by distributing school vouchers. This remarkable philosophy sees the RTE as a crowning moment in the ongoing history of the state’s withdrawal from education. Critics of the RTE rightly suspect that it could speed up commercial privatisation. Considering how fast popular disillusionment with the state’s capacity to provide education of reasonable quality is spreading, we should not be astonished if the critics are proved right. Many State governments see privatisation as a real option,
and the signals coming from the Centre seem to endorse this view.

However, the debate over private versus public interests conceals the single greatest problem both private and government schools face: the shortage of qualified teachers. Behind this shortage lies a long history of neglect of teacher training and the poor social status of the elementary school teacher. Teacher training has remained on the margins of the Indian academia, and the training of primary school teachers outside it. The National Council for Teacher Education (NCTE) has reinforced this message of the RTE by demanding a higher entry-level qualification for elementary teachers’ training. The NCTE has also sent a strong policy signal that all courses for this level should come under the purview of universities. These signals will require sustained follow-up action, for which the NCTE will have to improve its own functioning and image as a regulatory body.

Going by RTE norms, at least a million teachers will need to be freshly recruited and trained. The challenge of teacher recruitment and training will prove especially grim in the Hindi belt and the northeast, West Bengal, and Jammu and Kashmir. In Bihar, the number of teachers required is very huge and the institutional capacity for training very low, and in Madhya Pradesh, no one knows how to undo the decision taken long ago to stop the recruitment of career-path teachers. In West Bengal, overlapping structures have impeded curricular and administrative reforms. These States are not the only ones battling internal legacies of neglect or confused planning. The northeastern States have a vast number of untrained and poorly qualified teachers who are already in the system. Violent conflict between the government and the people has cast a shadow on childhood in many parts of central and northeastern India. The progress of the RTE in these parts cannot be easy or smooth. This also holds true for mega-cities like Delhi, Kolkata and Mumbai where children of the poor live in Dickensian misery.

For the southern States where the system is in better health, the RTE will pose the challenge of radical improvement in quality. How things turn out will depend on the willingness of the directorates to adjust their outworn perspective and policies to the new expectations the RTE arouses in syllabus design, teacher preparation and deployment. Kerala and Tamil Nadu are better placed than any other State to implement the RTE with confidence, but even they require radical measures to improve teacher training. The courses available are uninspiring and based on obsolete ideas. The pedagogic perspective of the National Curriculum Framework (2005) is yet to percolate into teacher education programmes.

While the RTE’s future depends on the initiative and resolve of the State governments, the Centre’s role is going to be crucial too. If its policy signals remain coherent, the States will have a better chance of staying on track. One major signal the Centre must send pertains to institutional strength and capacity to deliver the RTE. No case illustrates this better than the National Commission for the Protection of Child Rights (NCPCR), which has the responsibility to monitor the RTE. It is supposed to keep a vigilant eye on several million classrooms where children are to be taught and protected from corporal punishment, mental harassment and discrimination.

How is the NCPCR going to perform this huge task with the extremely meagre infrastructure it has today? When a child falls victim to neglect, abuse or violence, the protective arms of the state must reach out fast. For a national commission to serve children in every corner of the country, it must have good State-level units with district-level branches. As of now, the NCPCR’s presence in most States is barely symbolic. Between the responsibility entrusted to it and its apparatus, there is a vast gap. It has no academic staff to study cases and to work with the States to find solutions. Its first chairperson, Professor Shantha Sinha, was a tall academic figure who put in a monumental effort to make its presence felt. Asking her to stay on to initiate institution-building would have been a sensible step, and one hopes that the Ministry of Women and Child Development might still take this decision. If the NCPCR becomes an empty shell, so might the RTE.
FOLLOW THE LEARNING CURVE

Karin Hulshof

The coming into effect of the Right of Children to Free and Compulsory Education (RTE) Act, 2009 marks a historic moment for the children of India. This Act serves as a building block to ensure that every child has the right to guaranteed quality elementary education. The state, with the help of families and communities, has a legal obligation to fulfil this duty.

Few countries in the world have such a national provision to ensure both free and child centred, child-friendly education to help all children develop their fullest potential. There are an estimated eight million children and young people between the ages of six and 14 out of school. Without India, the world cannot reach the Millennium Development Goal of having every child complete primary school by 2015.

The gains in India’s education system over the past few decades have been tremendous. According to India’s Education For All Mid-Decade Assessment, in just five years between 2000 and 2005, the country increased primary school enrolment by 13.7 per cent overall and by 19.8 per cent for girls, reaching close to universal enrolment in Grade 1.

Even with these laudable efforts, one in four children in 2005 left school before reaching Grade 5 and almost half before reaching Grade 8. Learning assessments also show that the children who do remain in school are not learning the basics of literacy and numeracy or the additional knowledge and skills necessary for their all round development as specified under RTE.

The RTE Act provides a ripe platform to reach the unreached, with specific provisions for disadvantaged groups, such as child labourers, migrant children, children with special needs, or those who have a “disadvantage owing to social, cultural, economical, geographical, linguistic, gender or such other factor”. In view of reducing disparities, private schools must admit at least 25 per cent of children belonging to these groups.

The Act strives for quality with equity by banning corporal punishment to ensure classrooms free of fear and anxiety as well as providing mother tongue education to the extent possible. Moreover, RTE focuses on the quality of teaching and learning, which requires accelerated efforts and substantial reforms.

Creative and sustained initiatives are crucial to train more than one million new and untrained teachers within the next three to five years and to reinforce the skills of in service teachers to ensure child friendly education.

Families and communities also have a large role to play to ensure child-friendly education for each and every one of the estimated 190 million girls and boys in India who should be in elementary school today. School management committees will be made up of parents along with local authorities, teachers and children themselves. The inclusion of 50 per cent women and parents of children from disadvantaged groups in these committees should also help overcome past disparities. The committees will need support to form school development plans and monitor the whole school environment, including sanitation and hygiene practices and the management of mid-day meals. We know that adequate sanitation has an impact on school attendance. Providing private and separate sanitary latrines in school can increase girl’s enrolment by as much as 11 per cent.

RTE does pose a number of challenges. Substantial efforts are essential to eliminate disparities and ensure quality with equity. For example, as the Act states, starting at six years of age may be too late to lay the foundations to be ready for school, so investing in early learning is a key strategy in meeting goals. In addition, bringing eight million out-of school children into classes at the age-appropriate level with the support to stay in school and succeed poses a major challenge necessitating flexible and innovative approaches. States, such as Bihar and Uttar Pradesh, which have the largest numbers of children out of school, will also require strong support to close the gaps.

At the same time, RTE presents a great opportunity. India’s past achievements in education indicate that it is possible to reach its goals and RTE sets a target that can be met. UNICEF is joining hands with the government and partners at community, state and national levels to help make the Right to Education Act a reality for India’s children.

With RTE, India can emerge as a global leader in achieving the Millennium Development Goal of ensuring that all children complete their primary Right to Education will propel India to greater heights of prosperity and productivity
schooling by 2015. It is a challenge, but with the resources and political will fuelling progress on RTE, not an impossible task. The world is watching India as it positions itself to take its rightful leadership role in education on the global stage. Millions of children will benefit from this initiative ensuring quality education with equity. RTE will propel this great nation to even higher heights of prosperity and productivity, by guaranteeing all children their right to a quality education and a brighter future.

LEARNING THE ABC

Vimala Ramachandran

Today, the day on which the Right to Education (RTE) is being notified and will become a legally enforceable right, there is one group that is uncomfortable. For many decades now NGOs have been running night schools and non-formal centres in this country. Many of these so-called schools run for a couple of hours and children — mostly very poor, especially girls — attend when they are through with work.

Well-known philanthropies and donor agencies support such initiatives in the name of promoting education. In the last few months, I have had the opportunity to attend meetings where donors and NGOs met to understand the implications of RTE. In more than one instance, organisations running non-formal centres and night schools have expressed their displeasure at closing down such schools as they will lose money.

The RTE not only gives every child the right to be educated, but also clearly lays down what a school is supposed to be. Any centre that runs for a few hours will no longer be recognised as a school. More importantly, it is now mandatory for every single school to acquire a certificate of recognition after complying with norms and standards specified in the Act. Donors and recipients alike have known for a long time — at least since 2003 when the 86th Constitutional Amendment was passed — that the right to education essentially means that every child has the right to a proper school. In other words, a school that functions for five-six hours a day, where there is one teacher for every 30 children, where children have access to textbooks and learning material, where they get a mid-day meal and a place where children are with other children of their age.

Furthermore, the Act stipulates that “where a child is directly admitted in a class appropriate to his or her age, then he or she shall, in order to be at par with others, have a right to receive special training, in such a manner, and within such time limits, as may be prescribed... further that a child so admitted to elementary education shall be entitled to free education till completion of elementary education even after 14 years...”. The administration is expected to maintain records of children up to the age of 14 residing within its jurisdiction. The onus of ensuring compliance lies with the administration.

We all have known for a long time that night schools and non-formal centres are apologies for schools and that children who go to these centres for a few hours barely learn beyond basic alphabets and numbers.

Way back in the mid-1980s, there was compelling evidence about the dismal failure of the government’s non-formal education (NFE) programme. Subsequently, due to the tireless work done by people like Shanta Sinha, the government withdrew the NFE scheme and started advocating full-time schooling as a right of every child.

This was also the time when research-based evidence pointed out that poverty is not the only reason for non-enrolment or for children dropping out. A range of in-school factors like availability of teachers who actually attend school everyday and teach, non-discriminatory environment in school, absence of verbal or physical punishment and abuse, basic facilities, availability of teaching and learning material — all determine the ability of children to be retained and to learn.

The time has come for donors and the larger NGO community to introspect and ask if the centres they support or run actually benefit children. Equally, the media and the larger education community should join hands with local authorities to ensure that children can realise their rights. Maybe we need to start with educating our peers about the right and why it is important to comply with it.

No right, however just and timely, can become a reality unless societies as whole and interested actors in particular make an effort to educate and enforce. The Right to Information would have remained in the statute books but for the tireless work of hundreds of activists. A similar movement is called for if RTE has to become a reality.
THEY NEED SCHOOLS OF JOY, NOT HATE

Free and compulsory elementary education for all children in the age group of 6-14 has at long last become a legal reality with the Right of Children to Free and Compulsory Education Act, 2009 (RTE), being made enforceable from April 1, 2010. What could have been easily done 60 years ago with massive support from a newly liberated nation and a brand new Constitution has been enacted with much fanfare but little preparation. For implementation, the RTE depends predominantly on the States, many of which are not in a comfortable position, financially and administratively. Anyway, better late than never. The Act is expected immediately to benefit about 9.2 million children in the age group of 6-14 who have never been to school or have dropped out for various reasons.

The Statement of objects and reasons of the Act explains: “The crucial role of universal elementary education for strengthening the social fabric of democracy through provision of equal opportunities to all has been accepted since inception of our Republic. The Directive Principles of State Policy enumerated in our Constitution has laid down that the State shall provide free and compulsory education to all children up to the age of 14 years. Over the years there has been significant spatial and numerical expansion of elementary schools in the country, yet the goal of universal elementary education continues to elude us. The number of children, particularly children from disadvantaged groups and weaker sections, who drop out of school before completing elementary education, remains very large. Moreover, the quality of learning achievement is not always entirely satisfactory even in the case of children, who complete elementary education.”

Funds

The Act draws its strength from Article 21A of the Constitution, which was inserted by the Constitution (Eighty-sixth Amendment) Act, 2002. The inserted Article provides for free and compulsory education to all children in the 6-14 age group, as a Fundamental Right in such manner as the State may, by law, determine.

As for the funds to implement the massive scheme, the Centre and the States would share the burden in the ratio of 55:45. The Finance Commission has provided Rs. 25,000 crore for the States in the current financial year (2010-2011) to implement the Act. The Centre has an allocation of Rs 15,000 crore for its part. The Act provides for the participation of private educational institutions under this scheme: they have been instructed to reserve 25 per cent of the seats available with them for the weaker sections of society. The task of identifying dropouts and out-of-school children aged six and above and getting them admitted has been left to school managing committees. They have also been asked to give girls left out in the cold, special training in subjects.

The States are also expected to undertake the challenging task of improving and increasing infrastructure facilities to meet the expanding
needs. Recruitment of qualified and dedicated teachers for these institutions has been left with the schools. The Act is also expected to take care of aspiring physically challenged people.

**Issues of quality and discrimination**

Enrolment is the relatively easy part. But how will the institutions involved in this gigantic foundational project ensure that all the children admitted in the schools are retained until they complete their studies? Apart from a possible repeat of large-scale dropout of students, there is this widely heard complaint: the education offered in most schools is of poor and substandard quality. “The right to education,” Kapil Sibal, Union Minister for Human Resource Development, wrote in The Hindu (April 1, 2010), “goes beyond free and compulsory education to include quality education for all. Quality is an integral “part of the right to education. If the education process lacks quality, children are being denied their right.”

Poverty and the consequential need to support parents in the earning process is often cited as the major cause for dropouts from school. But some recent studies indicate that there are also other factors that force boys and girls, particularly Dalits, to leave schools abruptly. Discrimination by caste Hindu teachers and fellow-students; the open practice of the constitutionally outlawed untouchability; confrontationist attitudes of caste Hindu students; denial of access to drinking water and other facilities; refusal of opportunities to participate in the cultural, sports, and other social programmes of the schools; the reluctance of teachers to help Dalit students in studies while doing it willingly for students from other social groups; the segregation of Dalits in the mid-day meal arrangements in schools; and the humiliation inflicted on Dalit boys and girls in the classrooms have been identified by researchers in States such as Rajasthan as reasons for Dalit children dropping out of school. The mental torture inflicted often drives these children out of school, the studies have found.

**Government schools**

As for quality education, nothing much has been done by most governments and school managements in government schools, especially in rural India. Despite frequent talk of “inclusive growth,” “inclusive education,” and “inclusive society,” no big, countrywide initiative has been taken in this direction. Unfortunately, even “equitable standard” education has been taken to mean “common syllabi” for all schools. What socially disadvantaged students ask for, and desperately need, is “equal opportunity” — not a “common syllabus.” If RTE is to become a success story, the central and State governments must address these issues with more seriousness so that equitable standard education can be provided in a hate-free, congenial, and progressive learning atmosphere in schools across the country. In implementing something as gigantic and socially, financially, and pedagogically challenging as the RTE, it is vital to set up systems to monitor performance and measure results and to ensure transparency. Monitoring committees must necessarily be made up of representatives drawn from all social strata and sections of the community.

Quite obviously, the role of the press and other news media in reporting, analysing, and commenting on the issues raised by the RTE, and on how the governments, schools, and communities across India go about implementing it, will be crucial. Here is a great opportunity for the media to show, while doing their professional job, that they can contribute pro-actively to agenda-building and overcoming national deficits accumulated over decades of neglect of the well-being of India’s children.
RIGHT TO FOOD

PRE-REQUISITES FOR SUSTAINABLE FOOD SECURITY

M. S. Swaminathan

The President, in her address to Parliament on June 4, 2009, announced: “My Government proposes to enact a new law — the National Food Security Act — that will provide a statutory basis for a framework which assures food security for all. Every family below the poverty line in rural as well as urban areas will be entitled, by law, to 25 kg of rice or wheat per month at Rs. 3 per kg. This legislation will also be used to bring about broader systemic reform in the public distribution system.”

Since then, various arms of the government as well as civil society organisations have been working to help redeem this pledge. The National Advisory Council (NAC) headed by Sonia Gandhi recently provided a broad framework to achieve the goal of food for all and forever. The NAC’s suggestions include the swift initiation of programmes to insulate pregnant and nursing mothers, infants in the age group of zero to three, and other disadvantaged citizens, from hunger and malnutrition. Such special nutrition support programmes may need annually about 10 million tonnes of foodgrains. The NAC has stressed that in the design of the delivery system there should be a proper match between challenge and response, as for example, the starting of community kitchens in urban areas to ensure that the needy do not go to bed hungry. Pregnant women should get priority.

The NAC has proposed a phased programme of implementation of the goal of universal public distribution system. This will start with either one-fourth of the districts or blocks in 2011-12 and cover the whole country by 2015, on lines similar to that adopted for the Mahatma Gandhi National Rural Employment Guarantee Programme (MGNREGP). This will provide time to develop infrastructure such as grain storage facilities and Village Knowledge Centres and the issue of Household Entitlements Passbooks. The NAC is developing inputs for the proposed Food Security Act covering legal entitlements and enabling provisions based on the principle of common but differentiated entitlements, taking into account the unmet needs of the underprivileged.

The food security legislation will be the most significant among the laws enacted by Parliament. It will mark the fulfillment of Mahatma Gandhi’s call for a hunger-free India. It should lend itself to effective implementation, in letter and spirit. This will call for attention to four pre-requisites. These are food production, procurement, preservation and public distribution.

Production: India faces a formidable task on the food production front. Production should be adequate to provide balanced diet for over 1.2 billion persons. Over a billion cattle and other farm animals need feed and fodder. The recommendations of the National Commission on Farmers (NCF) made in five reports submitted to the Minister of Agriculture between 2004 and 2006, and the National Policy for Farmers placed in Parliament in November 2007 need to be implemented. These provide a road map to strengthen the ecological-economic foundations for sustainable advances in productivity and production and impart an income orientation to farming, helping bridge the gap between potential and actual yields and income in farming systems. Since land and water are shrinking resources, and climate change is a real threat, the NCF has urged the spread of conservation and climate-resilient farming. A conservation-cultivation-consumption-commerce chain should be promoted in every block. This will call for technological and skill upgradation of farming practices. Methods to achieve a small farm management revolution that will result in higher productivity, profitability and stability under irrigated and rain-fed conditions are detailed.

The widening of the food basket through the inclusion of nutritious millets, the mainstreaming of nutritional considerations in the National Horticulture Mission, and the consumption of salt fortified with iron and iodine will help reduce chronic protein-energy under-nutrition and hidden hunger caused by the dietary deficiency of micronutrients such as iron, iodine, zinc, Vitamin A and Vitamin B12. A sustainable food security system can be developed only with home-grown food, not imports.

Procurement: Procurement should cover not only wheat and rice but also jowar, bajra, ragi, minor millets and pulses. When India started the High Yielding Varieties Programme in 1966, jowar, bajra and maize
along with rice and wheat were included in the food basket in order to keep it wide. Community Grain Banks operated under the social oversight of Gram Sabhas will facilitate the purchase and storage of local grain. Farmers are now worried that the government may lower the minimum support price (MSP) to reduce the subsidy burden. This will kill the food security system. The MSP should be according to the NCF formula of C2 (that is, the total cost of production) plus 50 per cent. The actual procurement price should be fixed at the time of harvest, taking into account the escalation in the cost of inputs like diesel since the time the MSP was announced. Unlike in developed countries, where hardly 2 per cent to 3 per cent of the people are farmers, the majority of consumers (over 60 per cent) in India are farmers. Their income security is vital for food security.

Preservation: Safe storage of procured grain is the weakest link in the food security chain. India is yet to develop a national grid of modern grain silos. Post-harvest losses are high in foodgrains and in perishable commodities such as vegetables and fruits. A Rural Godown Scheme was initiated in 1979, but it is yet to take off. The government called off the “Save Grain” campaign some years ago, ending a relevant programme in the context of food security.

Public Distribution: The strengths and weaknesses of India’s public distribution system, the world’s largest, are being discussed widely. Corruption and leakages are widespread. There are States such as Tamil Nadu, Kerala and Chhattisgarh where the PDS is being operated efficiently. The challenge is to learn from the models and convert the unique into the universal.

In the ultimate analysis, what is relevant for human health and productivity is nutrition-security at the level of each child, woman and man. India has to shift from viewing food security at the aggregate level to ensuring nutrition-security at the level of each individual. This will call for concurrent attention being paid to availability, access and absorption. Indian agriculture is in a state of crisis, both from the economic and ecological points of view. Unless attention is paid to soil health care and enhancement, water conservation and efficient use, adoption of climate resilient technologies, timely supply of needed inputs at affordable prices, credit and insurance, and producer-oriented marketing, a higher growth rate in agriculture cannot be realised.

In the area of access, the MGNREGP and the Food Security Act that seeks to ensure 35 kg of staple grain at Rs.3 a kg will help. This has to be combined with efforts to create avenues for market-driven non-farm enterprises. When China started its agricultural reform, a two-pronged strategy was adopted. It involved higher productivity and profitability of small farms and greater opportunities for non-farm employment and income through Township Village Enterprises. In India there is still a gross mismatch between production and post-harvest technologies. This results in the spoilage of foodgrains and missed opportunities for value addition and agro-processing. The use of agricultural biomass is generally wasteful and does not lead to the creation of jobs or income.

In the field of absorption of food in the body, it is important to ensure clean drinking water, sanitation and primary health care. Even in a State like Tamil Nadu where steps have been taken to ensure food availability at affordable cost, a food insecurity analysis done by the M.S. Swaminathan Research Foundation (MSSRF) along with the World Food Programme shows that the level of food security is far better in households with toilets. The Rajiv Gandhi Drinking Water Mission, the Total Sanitation programme and the National Rural Health Mission are all important for food security.

India’s global rank in the areas of poverty and malnutrition will continue to remain unenviable, so long as the country does not enable all its citizens to have a productive and healthy life. The Food Security Act holds out the last chance to save nearly 40 per cent of India’s population from the hunger trap.

FEELING SATED?

A flourishing intellectual cottage industry has grown in India — and across the planet — around the worthy enterprise of measuring and estimating poverty and hunger. Much of the published reams of this debate, to which economists, nutritionists and public planners tirelessly contribute, would appear strangely remote to a person who lives with and battles hunger. She would recognise little in their involved, sophisticated, bitterly contested and often opaque calculus, assumptions, arguments and conclusions. She would not find adequate acknowledgement of the struggles that dispossessed people the world over wage every single day against want and injustice, to feed, clothe and house themselves and the people they love.

The debates would probably seem strangely detached to her from their daily triumphs and defeats, from the profound suffering and powerlessness of...
watching one’s children cry themselves to sleep on a hungry stomach, from the shame of depending on charity, from moral victories and collapse, from the loneliness of migration, from the helplessness of debt bondage, and from love and longing which is so terrible because it is so hopeless.

There are periodic reports of starvation deaths that briefly divert the media from more pressing news such as of the contests of electoral politics that seem unencumbered by concerns for the poor, fashion contests and beauty pageants, cricket, and sensational crimes. The occasional stories of how the other half starves impel a brief flurry of dusty jeep rides for hasty media penetration into the sleepy countryside with intrusive cameras and accusative interrogation.

What typically follows are bitter and angry denials of starvation by the administration; triumphant condemnation by the political opposition; sensational reports of the sale of a child allegedly for a price less than a bottle of packaged mineral water; and fleeting TV images of gaunt and bewildered adult ‘victims’ cradling skeletal forms of starving babies. And before long the matter is forgotten by all except those who have no option but to continue to live with hunger.

At senior levels of government planning, goal posts are surreptitiously changed to convince the world that India is rapidly vanquishing poverty, justifying even further reduction of the already unconscionably low levels of public investments in food, social security, health care, education, agriculture and housing. Official committees themselves cannot agree on estimates of poverty, which swing wildly from 23 per cent to 40, to 50 to 77 per cent. Economists, nutritionists and planners hotly quarrel about modes of estimating the numbers and levels of hunger and poverty.

Many believe that free markets will ultimately eliminate hunger and want. Solutions that are pressed in governments worldwide to end persisting hunger, usually range from expanding further the reach of international markets and trade, deflationary economic policies cutting back further on public investment for the needs and rights of disadvantaged citizens, and competitive provisioning of public goods like healthcare and education by the private sector. Others promote technical solutions like micro-nutrient fortification, genetic engineering in agriculture or control of populations. But a depleting band of economists and public planners persist in arguing that there is no substitute for large public action, massive State investments in food, agriculture and work, health and education, as well as democratic civic mobilisation for recognition and enforcement of the social and economic rights of disadvantaged people who live with hunger and malnutrition.

Many of these debates are important, but are in constant peril of reducing people living with hunger themselves to statistical ammunition, subjecting both their intense suffering and valiant resistance to the cold economics of costs and benefits. Discussions around poverty and under-nourishment by economists, professionals and planners often portray people living with hunger as helpless, mostly inert, pitiable and passive receptacles of charity and State largesse, and not as active agents with often sturdy spirit and humanity who endure in the most inconceivably difficult circumstances of want and oppression.

It is these debates that lie behind the vastly divergent positions of government and the Congress, and of economists and activists, about what the proposed Food Rights Bill should guarantee to the people of this land. The initial government draft law sought to restrict state responsibility to a truncated Public Distribution System (PDS) for people whom the government estimates to be poor. But others are convinced that the law must create a wide range of obligations for the state to provide food to every child, woman and man who lives with hunger and malnourishment. It is time we asked the opinion of those millions of men, women and children who are forced to sleep hungry every night.

India surges ahead to impatiently claim its long-denied status of a giant economic superpower, with the world’s largest vibrant, talented acquisitive consuming middle class, and confident and predatory Indian business leaders stalking the world for new corporate acquisitions and trophies. We are embarrassed by reminders of a much larger population of people with stagnant or falling living standards, millions of whom struggle daily to strive to feed their families and only sometimes fill their bellies. Inequality without outrage and resistance has always scarred and shamed our country. But until recently at least the poor were around us, in our films, in poetry and literature, in the promises of budget speeches and election slogans, in newspaper reports and television screens. Today they have become invisible. They do not matter anymore. I hope that the proposed food security law can begin to change this.
RTI WILL DIE UNLESS PENDING CASES ARE CLEARED

Shailesh Gandhi

Information Commissioner with the Central Information Commission Shailesh Gandhi says that growing number of pending cases under Right to Information Act in the country poses the threat of killing the very spirit of the law. The national average of disposal of cases under RTI is 600 while in important States such as Uttar Pradesh, Tamil Nadu and Karnataka there is a backlog of six months. With the Central Information Commission the number of pending cases is 11,500.

Maharashtra has 15-18,000 pending cases which is equivalent to one year’s disposal. “Unless the Information Commissioners expedite the cases, RTI will die,” warns Mr. Gandhi who was here over the weekend to participate in various programmes along with social activists Aruna Roy and Nikhil Dey. Gujarat has cases of 1.5 to 2 years pending. “If the cases take years for disposal that will mark the collapse of the justice system. Then it remains only for criminals and influential people to make use of,” he points out.

When Mr. Gandhi, till then an RTI activist, took over as Information Commissioner in September 2008, he had 2,000 files waiting for attention. “My first priority was their disposal. Now I have only cases of less than 60 days with me,” he noted. In 2009 Mr. Gandhi disposed off as many as 5,800 cases. However he rates any Commissioner who disposes off 1,500-2,000 a year as “good Commissioner”. “To me speedy disposal is non-negotiable,” he asserts.

He attributes the growing number of pending cases partly to the fewer number of Information Commissioners appointed by the States. “Arunachal Pradesh, a small State with 12 lakh population and 100 cases a year on an average, has five Commissioners while many larger States have only one each. Even Kerala has five Commissioners,” he points out.

Mr. Gandhi says that there is no excuse for delay on the part of the Commissioners in the disposal of the cases. “After all it is a simple law and you need to look into only one law for taking a decision,” he notes. As for the effectiveness of the RTI Act he says that even when improvement is possible in any given legislation the present Act should not be subjected to any amendment immediately. “Alterations would make the law less comprehensible to the common man,” he warns.

RTI FOR THE ROAD

Pranav Kulkarni

It is noon and the mercury has crossed the 41-degree mark. But in Bhilwara, Rajasthan, the villagers stand huddled, waiting for “RTI wale”. Soon, a yellow-and-black Tata Sumo trundles into the village, trailed by a group of excited children shouting, “RTI wale aa gaye.” It comes to a halt in front of the village panchayat and out pops a mike and one of the two men in the vehicle begins to speak. “This is Right to Information on wheels. And we are here to show you the path to justice,” says Harinesh Pandya, a volunteer of Mahiti Adhikar Gujarath Pahel (MAGP) that initiated the movement.

Started in March 2008, RTI-on-wheels is an initiative to take the message of the Right to Information Act, 2005, to remote villages of the country. And what started in Gujarat has moved on to 34 districts, 88 gram sabhas and 93 public authorities in Gujarat, Maharashtra and Rajasthan.

Based out of Ahmedabad, MAGP is a forum that promotes RTI and motivates people to obtain and use information as a means to develop and empower. The van, pasted with banners and posters, comes with a laptop with over 143 films on RTI, a sound and mike system, television and CD player. There is also a help desk to draft the applications for the villagers.

At least five days a week, the car visits remote villages in the three states, spreading the message of RTI. Besides using lectures and films to drive home
the message, the volunteers interact with people and fill RTI application forms for them. “Many of the problems are common to most villages. Watershed developments initiatives, road construction, NREGS and so on. For these, we have ready applications. For individual concerns such as property disputes and pension issues, we help them fill the applications,” says Pankti Jog, volunteer, MAGP.

“We started India’s first RTI telephone helpline to provide prompt guidance to citizens about the Act. So far, the RTI helpline has responded to more than 47,000 phone calls. The RTI-on-wheels takes it one step further, reaching out to remote villages,” says Jog.

In the two years of its journey, the RTI-on-wheels has been part of a number of life-changing stories. Ratna Ala’s is one of them. Ala is a visually challenged, middle-aged man who lives in Rangapur in Rajkot district of Rajasthan. The rough, kachha road leading to his village made it impossible for him to walk. One day, he dialled the RTI helpline and with their help filed an application to enquire about the funds allotted for the road. The impact? “Not only did he get details of the funds allotted, even the fraud that the block administration was involved in came to light. The road was constructed and Ala was given the Rahul Mangaonkar Award for the use of RTI. Today, Ala is our activist,” says Pandya.

Magsaysay Award winner Aruna Roy’s foundation Mazdoor Kisan Shakti Sangathan (MKSS) was so impressed with the concept that they invited the vehicle for a demonstration in parts of Rajasthan. The visit to Bhilwara was part of this demonstration. “It is a great initiative. RTI is the second most important movement after the freedom struggle and it is important that every Indian knows and utilises it effectively,” says Lal Singh, member, MKSS.

That means a long ride for the RTI van. “Having covered 1,45,000 km, the RTI-on-wheels has reached over 3,50,000 villagers in two years,” says Pandya.

BABUS KNOW TOO LITTLE

As the five-year-old RTI continued to display precocity, these were two of the cases that pushed the envelope - for better or for worse:

A query that sought information on the Prime Minister’s delegation responsible for the notoriously flawed drafting of the Sharm-el-Sheikh declaration

An application that seeks to get to the bottom of the disaster that struck Delhi’s showpiece metro project when a pillar bracket collapsed on a busy street, killing six people

The first case smacked of over-reach as the Central Information Commission (CIC) directed the Ministry of External Affairs to allow the RTI applicant, Subhash Chandra Agrawal, to inspect sensitive files that had information on India’s relations with Pakistan. The second application, filed by architect Sudhir Vohra, threatens to expose structural design defects that risk the travelling public’s safety. The CIC ordered disclosure brushing aside a range of rather desperate objections raised by the Delhi Metro Rail Corporation (DMRC).

The Sharm-el-Sheikh case was an opportunity for those who oppose transparency to clamour all over again for RTI to be diluted. But the fault lies less in the law and more in the way it was implemented in this case by the CIC, an independent appellate body, and the MEA, the public authority that had been approached for information. The RTI exempts the authorities from disclosing information that would “prejudicially affect ... relations with a foreign state”. This is one of the exempt categories of information listed in Section 8 of the RTI.

This is what the central public information officer (CPIO) of the MEA, Debraj Pradhan (a diplomat of joint secretary rank) should have said when responding to Agrawal’s query in September 2009. He should have cited Section 8 of the RTI Act and refused to disclose the names of officers and the file notings behind the goof-up in the Indo-Pak declaration. Instead, Pradhan appeared to adopt a cavalier attitude to the ministry’s obligations under RTI. He gave Agrawal a list of the entire official delegation; he did not indicate who was responsible for the blunder; he offered no explanation for withholding their file notings.

When the CIC took up the matter, the MEA merely said no file notings of the joint statement were available and it was therefore, impossible to identify the officials who drafted it. The then information commissioner Annapurna Dixit controversially directed the MEA in January to allow Agrawal “to inspect the relevant files to locate all information as sought by him”.

That the CIC gave such an over-the-top order, with little regard for foreign relations repercussions, was
because of the MEA’s error of omission. It took the MEA months to wake up to its statutory entitlement of claiming exemption under Section 8. It did so only when appealing in the Delhi high court last month against the CIC’s order. The high court passed a stay order, showing that the RTI-bashing that had followed the CIC’s order was misplaced.

In the metro pillar case, on the other hand, the public authority concerned excessively invoked Section 8. This was part of its attempt to deny structural drawings and calculations to Vohra. The DMRC tried in vain to seek exemption under Section 8(1)(a) saying disclosure would compromise India’s “security interests”. It also claimed exemption under Section 8(1)(h) saying disclosure would “impede the process of investigation”. However, the police told the CIC it had no objection to the divulging of structural information.

The DMRC’s most serious argument was its invocation of Section 8(1)(d) to claim that the requested information was its “intellectual property” and the result of considerable money and time. But once it conceded that it was part of the state structure and claimed that it had copyright over the information in question, Vohra demolished the DMRC’s argument. The CIC upheld his counter this month that Section 9 of the RTI specifically barred the state from denying information on the ground of copyright infringement. Thus, a vigilant applicant helped expand the scope of information available under RTI. This is the way to go for RTI to fulfil its much-touted objective of deepening democracy in the country.

THE RTI SPECTRE

Few of our public institutions foster a culture of transparency and accountability. The Right to Information (RTI) Act was enacted in 2005 to change this tradition of opacity and make governance a transparent process. The Act’s been working reasonably well and has become a useful tool for a large cross-section of civil society to examine the workings of government. Since in the process institutional failings get exposed as well, there is resistance to the RTI culture from various quarters including the government.

Many public institutions that come under the ambit of the Act now want its radical edge blunted. Many state information commissions are starved of funds and personnel, which may lead to a collapse of the institution itself. Pleas to amend the Act must be seen in this context and handled with caution. As Congress president Sonia Gandhi wrote in her letter to the prime minister, “It is important that we adhere strictly to its (RTI Act) original aims and refrain from accepting or introducing changes in the legislation on the way it is implemented that would dilute its purpose.” Sonia’s intervention has come in the wake of a letter written by the chief justice of India (CJI) to the prime minister. The letter states that information concerning the functioning of the judiciary should be exempted from the scope of the Act to safeguard its independence.

The CJI’s apprehensions about possible misuse of information of “a highly confidential and sensitive nature” are valid. But should, for example, information on in-house inquiry proceedings regarding allegations against sitting judges or appointment of judges in high court be considered sensitive and barred from the public eye? Should not the apex court be in the forefront of an initiative to make the working of public institutions transparent? The push to amend the RTI Act came first from the government itself. Last year, the government proposed amendments to the Act so that “frivolous and vexatious” applications could be discarded and disclosure of file notings exempted. The amendments failed to pass muster with state information commissioners, but they could be revived at any time.

To give teeth to the RTI legislation, the government must beef up infrastructure at the information commissions. More personnel and infrastructure must be created fast at the commissions to avoid a breakdown. There are already more than 11,000 cases pending with the Central Information Commission. The situation is worse in many states. The focus must be on a climate of openness, rather than trying to restrict the scope of the RTI Act.
STOP PRESS! NO BREAKING NEWS, PLEASE

Nissim Mannathukkaren

News production and dissemination have taken on the frenetic pace of a T20 match but none of the issues debated fiercely a year ago has any resonance now. Isn’t it time to take another look at the concept of news 24x7?

One of the supposed psychiatric maladies afflicting children in affluent Western societies like that of North America is the one relating to the problems of inattention and hyperactivity. Thus increasing number of children is found to have difficulties in paying attention and having focus, and is often bored easily. These are complemented with hyperactive and impulsive behaviour. This has been controversially theorised in medical science literature as Attention-Deficit Hyperactivity Disorder (ADHD). Controversial because in an age when pharmaceutical MNCs and corporate medicine rule the roost, any benign abnormality can be classified, diagnosed and treated with often harmful consequences. But as the medical community debates the veracity of physiological phenomenon like ADHD it appears that this is a malady that increasingly affects our social health; it is a creature of the socio-economic and technological context in which the unbridled pace of change forces us to have no long term attention to, or focus on anything.

Information overkill

The media, especially television has played a huge role in the perpetration of ADHD. We live in the era of information overkill. One of the fundamental features of our condition is the enormous amount of data and information that we have to digest on a day-to-day basis. Recently the Library of Congress decided to acquire the entire archive of Twitter messages from 2006. Imagine, 500 years from now, researchers trying to study the social life of the 21st century will have to plough through the hourly ramblings of a Preity Zinta and a Lalit Modi. The inevitable outcome of such a dispensation is the material condition of reduced attention.

This has been more than evident if we, for example, look at the media coverage recently and in the past one year. It is difficult to believe that the Shashi Tharoor fiasco happened a few weeks ago. Similarly, all the recent controversies like the Shahrukh Khan-Shiv Sena spat, Bachchan-Narendra Modi issue, Sania Mirza-Shoaib Malik marriage and, of course, Lait Modi and the IPL all seem to have happened eons ago. Besides these there were other important happenings which created a stir in the media like caste census, honour killings and khap panchayat, the sentencing of Kasab, the Liberhan Commission Report, police officer Rathore sex offence case, GM and Bt Brinjal debate and the Telengana stir. And the biggest of them all, the Maoist attacks. None of the troubling conditions that gave rise to most of these issues have been positively eliminated. Still we live from one sensational news item to another. We have to rub our eyes in disbelief at the pace at which news agenda are set up and cast aside. It is not surprising that in the age of T20 cricket, news production and dissemination also resemble the frenetic pace of run-gathering. Just as we cannot remember the scores of a cricket match played a few days ago, we have no recollection of the debates that happened last week. We have been forced to become the protagonist of the film “Memento” (indigenised as “Ghajini”) and write all the pieces of our news on our body to remember them.

So what about events from a year ago when UPA-II assumed office? If we were to cast our glance back to the debates that happened then, we would be struck by the fact that none of them have any resonance now (that is if we remember them) precisely because they were artificially-created ones. Just take for example, the raging debate on television at the time of the elections last year. This was about whether India needed an Obama. Of course, the
The violent explosion of the Maoist attacks in the last one year seems to be cocking a snook at the media’s ivory tower existence. The Maoist ‘problem’ is just one example of the utter unwillingness and failure of the media to read the pulse of the country, especially when it comes to the poor and the vulnerable which constitute the vast majority of it. Just after a non-issue election, there has been a bandwagon of Obamania. Channel after channel seemed to argue that all the problems that India faced were because of the lack of a personality like Obama. No questions were asked about the ingenuity of reducing the complexity of the most diverse nation in the world to the monochromatic politics of the United States. More importantly, the need to go beyond the superficial focus on personalities and understand the complex socio-economic issues that drive societies was completely ignored. The entire focus was on a few figures like the Gandhis and even when less ‘glamorous’ personalities like Mayawati were the focus, it was in the form of a vitriolic dismissal of the individual than a nuanced understanding of Dalit politics. Rather than see the elections as an occasion for a debate on substantive issues, it was reduced to the triviality of who will form the government and who will go with whom.

And a year since the clamour for an Indian Obama, there is not a singular mention of Obama in the media. As if the situation that gave rise to the need for Obama has dissipated. How can it be expected of a media that preposterously and shockingly termed the last general elections as a ‘no-issue’ election? Such a callous disregard for the real problems facing the millions of people in a nation that is still part of the ‘Third World’ is unpardonable. Save for lone voices like P. Sainath, there was hardly a counter view to the media’s ivory tower existence. The Maoist ‘problem’ is just one example of the utter unwillingness and failure of the media to read the pulse of the country, especially when it comes to the poor and the vulnerable which constitute the vast majority of it. Just after a non-issue election, there has been a veritable churning of the social fabric. Only an attention-erasing media (ironically, while seeking attention) can feed us the myth that these issues are produced out of thin air and without a history. Day in and day out, we see the spectacle of an issue being fantastically flashed as ‘breaking news’ and then after a two-day brainstorming with experts and some members of the public, we never get to hear of it again. The eagerness seen in bringing up an issue is strangely missing when it comes to systematically following it up.

**Where’s the follow-up?**

Just consider the media storm that the Lalit Modi fiasco raised and the calmness that pervades now. All the issues that came up like the accountability of BCCI, conflict of interests, insider trading, nepotism and so on have vanished beyond a trace. Of course, the need to follow up does not arise in cases where the news itself is manufactured by the media like the nonsensical wastage of sound bytes and reams of paper on Shoaib Malik’s marital status. The Bhopal gas disaster is a classic case of the media and lost opportunities. When in the United States, smokers are awarded damages to the tune of $300 million (as in the case of Cindy Naugle) against tobacco companies, our media’s utter failure in raising public consciousness and exposing the state-MNC nexus ensured that Union Carbide doled out only alms of $300 each for the victims of Bhopal.

Despite these media effects the common criticism of media sensationalism misses the point that media is not an entity that exists in a vacuum. The growth of inattention and hyperactivity occurs in a material context in which there is a proliferation of a host of mass media technologies and social networking venues like the internet, mobile phones, p2p video streaming, Facebook, Twitter, You Tube and so on. This is further made possible by their burgeoning commercial possibilities. As the French philosopher Henri Lefebvre argued, our everyday life has degenerated because of the relentless incursion of technology into the every pore of its being. The growth of technologies does not necessarily translate into more leisure time, but for him, leisure itself begins to take on the form of monotonous labour. We constantly fritter ourselves in one digital technology or the other. It is in this context of intense competition for our attention that the media has to ‘produce’ news ‘24/7’ leading to news that has the shelf life of ice cream in room temperature.

It is time to stop going with the flow. At least some media establishment has to summon the courage to go against the grain to stop time and reflect on the news of at least the last few months. It is literally time to stop press. But not to broadcast another sensational piece of news, but to give it a break until we pursued and brought to a closure some of the pressing issues facing the nation.
Years ago, a newspaper editor taught me a few principles of story writing. “Never make direct personal attacks. Twist the knife ever so tenderly and you will be surprised at the results,” he advised. His own favourite story was his description of Shiv Sena lion Balasaheb Thackeray as “the gentle Mr. Thackeray.” The media veteran earned a torrent of abuse for it!

Rookie reporters also learnt other dos and don’ts: Attribute, confirm and hear out the other side — rules that could be set aside only when the story was a major scoop needing protection and secrecy.

But that was another world and another time, and as much hit me like a thunderbolt as the IPL mega scam exploded on television and print media alike. TV is by definition loud, fast and sensational. It is futile to expect a delicately mannered anchor with a commitment to facts and fairplay to beat the competition, much less bring the coveted TRPs. Most certainly not when a story breaks with the force of an avalanche as happened when Minister of State Shashi Tharoor was revealed to be complicit in a deal that offered a bounty to his lady friend. The Shashi Tharoor-Sunanda Pushkar story was god’s own gift to the TV channels and they grabbed it with both hands, delving into Ms. Pushkar’s past with all the finesse of a rampaging bull.

Reporting epidemic

In the days since, the IPL reporting fever has spread like an epidemic, taking in its embrace mainstream newspapers as well as reputed magazines. Over the past week, scoops and stories have tumbled out at a breathless pace, some of them truly able to expose the rot behind the glamour and glitz of cricket’s brashy new offspring but many others irresponsibly speculative. By all accounts, IPL is a humungous wheels-within-wheels affair.

Just how many people it will eventually implicate, if it does so at all, is anybody’s guess given the complex pattern of franchise ownership, benami stake-holdings and a score of affiliated legal and illegal activities, ranging from telecast rights to money laundering, betting, match-fixing and so forth.

When imagination takes flight in this volatile situation, the results can be tragi-comic. A reported e-mail sent from Minister Praful Patel’s office to Mr. Tharoor had two newspapers reach opposite conclusions. One held Mr. Patel guilty of helping Mr. Tharoor. The other accused him of trying to mislead the former Minster into giving up the Kochi Consortium bid.

A weekly magazine in its last issue dug its nails deep into Sunanda Pushkar, turning Mr. Tharoor’s companion into a virago with an insatiable appetite for men, power and money. The author might have been Ms. Pushkar herself, considering the easy and expert access she seemed to have had to her subject’s mind. The “belle from Bomai (in Kashmir)” was apparently so devilishly clever that she mapped out her future while still a teenager in college, taking the “marriage route” to escape the dreariness of everyday valley life, ensnaring her husband’s best friend on the way and chasing after the good life with a “vampire-like” thirst that ironically, by the author’s own admission, did not get her subject too far. For, despite “clawing her way” into Dubai’s event management and entertainment circles and charming a variety of sponsors (she had them “eating out of her hands”), not to mention a talent for acquiring a procession of “companions”, Ms. Pushkar, the author says, struggled to stay afloat for the most part, “orbiting into the inner circles of the mega rich” as recently as 2009. The author concludes that though aided by “heavy make-up,
false eyelashes and seductive couture,” Ms. Pushkar ought to be reconciled to the fact that pedigree-obsessed Delhi would not accept a “wannabe”.

With so much venom packed into the narrative, it is hardly any surprise that the Pushkar profile and its author have become the toast of the glitter-twitter world. Author and gossip queen Shobaa De posted the “juicy, masaledaar” piece on her website. Complimenting the “hugely talented” author on her “delicious” reportage, she wished she had written it herself.

**Salacious details**

Not to be outdone, a Mumbai tabloid gave out salacious details of a surgery performed on Ms. Pushkar by plastic surgeon Ashok Gupta. Dr. Gupta, a 2009 Padma awardee, confirmed to the paper that Ms. Pushkar came under the knife. Not only this, he supplied the “before” and “after” photographs to prove the transformation. So much for the Hippocratic oath and so much for the Padma awards!

It is not my case that Mr. Tharoor and Ms. Pushkar are innocent of all wrongdoing. Far from it. However, their “sins” do not fall in the same category. Mr. Tharoor can be accused of a corrupt practice but not Ms. Pushkar who, as a private citizen, was free to accept job and equity offers, provided she did not run afoul of the law. To be sure, there are legitimate questions about whether her professional qualifications were such as to earn her a large “sweat” equity.

## FOREIGN PARTICIPATION IN MEDIA

**Dr. N. Bhaskara Rao**

Public discussion on whether foreign participation should be allowed in media enterprises, has quite overlooked the fact that increasingly, the pace and path of the media is being determined by advertising, and is influenced by market research and media planning strategies in which corporates, Indian and foreign, have invested heavily

The Indian media scene has gone through a dramatic shift recently both in terms of content and control. While media content is more and more market driven, control has now shifted, although indirectly to “foreign corporates”. And yet our political masters continue to revive irrelevant debates like the one of 1955 cabinet decision against foreign capital into Indian print media when in fact the ‘foreign factor’ is already moderating the priorities of most media in the country. The debate on foreign equity perhaps is meant to sideline the core of the issue – the direction of Indian media. Today advertising and market research in many ways determine the scope of media. Both these functions are in the hands of corporates controlled by foreign corporates.

Firstly, the share of advertising in total revenue of media has increased from 25-30 per cent some decades ago to 45–55 per cent today. In fact, in the case of television channels, advertising has largely determined the priorities and preoccupations. Even in the case of some big newspapers, revenue from advertising constitutes as much per cent of total revenue.

Secondly, advertising through newspapers and television today is mostly by multinationals and big corporates. In fact, the top 15 advertisers account for three-fourth of advertising revenue of newspapers and television channels. Except for Dabur, Tata, Bajaj and Videocon, all other top advertisers belong to multinational category. There has been a wave of foreign brands recently – all giving a big boost to media as well as consumerism.

Thirdly, advertising agency business in the country has been getting concentrated in fewer hands in the last couple of years. The top five advertising agencies, with major holding from outside the country, account for well over half of advertising business in the country and this has been on the increase. The entry of foreign advertising agencies has been going on parallelly with the entry of foreign brands and increasing share of foreign corporates in the total advertising in the country. Now global conglomerates like WPP, TWT, O&M,
BBDO, DDB-Needham, JWT have gained majority control in Indian advertising and the bulk of the market share too. A little over half of Indian advertising now is accounted for by overseas-based agencies, whose majority control in India is with foreigners. In fact, there may be two agencies in the top 20 which have no foreign partnership.

Fourthly, market research is a basis for proliferation of brands and consumerism as well as, for the preoccupation and priorities of media and the very scope and character of advertising. Until a few years ago we had about six or seven market research agencies owned mostly by Indians. Today top seven or eight market research agencies, accounting for more than two-thirds either have already been taken over by one or other foreign corporate or they have acquired significant interests. In fact, with recent mergers and acquisitions, a monopolistic trend is already evident.

More specifically, market research agencies are the ones which also conduct “readership” surveys and issues ratings of television viewership and thereby directly influence advertising agencies as well as the media. The methodology being followed for readership surveys and TV ratings is not without. As the one who was involved in launching India specific readership and rating studies 25 years ago, I feel guilty for what is happening today, particularly the way the findings of these surveys are being used both by newspapers and TV channels. The “TRP trap”, as I call the phenomena, has larger and long range implications to India than we seem to realise. The distortions are already evident today in our media scene. This dilemma is causing concern of late even in the US at the highest policy levels.

Fifth, with media becoming complex and also specialized, two “new” mediating functionaries have emerged in the last two years with serious consequences for the nature and character of the Fourth Estate. Both these functionaries of media planning and public relations in a way erode core prerogatives of the media functionaries and their editorial control. And the fact that both these functions have become corporatised with foreign agencies having managing control, should cause some concern in the country before it is too late.

Media planners are the ones involved these days in buying wholesale space and time for advertising and selling the same retail on their terms. They are yet to expand nationally. Think of the implications - particularly because of the fact that some of these corporates are controlled by foreign agencies and they have been in business in a big way trying to determine the terms of advertising in India. This amounts in a way to undoing what Doordarshan initially did in terms of providing level playing opportunities to small and regional advertisers.

In the case of “public relations”, functioning of these experts implies certain interference with the functioning, particularly of reporters and editors. For, the function of PR is to ensure coverage for a particular viewpoint. Disinformation being talked about recently is a part of this new phenomena. Today majority control of these PR corporates in India, some six or seven leading ones operating nationally, is with foreign agencies. In fact, some of these have entered India as a part of one or other advertising agency having already a majority foreign equity. Most of these PR agencies mostly cater to the interests of foreign corporates or their collaborators in India. Many Indian concerns, including some public utilities, are avail these PR agencies to make their presence in the media.

Giving out the finding of their analysis in this regard, P.N. Vasanti, director of Centre for Media Studies, has said “Communication business has now moved into foreigners’ control and this reflects on the scope of contents of newspapers, even more so in the case of television channels”. Even Doordarshan’s programming today is based on the guiding formula and criteria promoted by foreign-dominated agencies having their interest in big corporates”. Against this background, a debate on the entry of foreign capital into print media is irrelevant.
When death takes away a distinguished personality from our midst it has become very common to pay tribute to his memory by stating that it has left a void which can hardly be filled. If we look at the services which the late Mr K.M. Mathew rendered to journalism during the half-century he was closely associated with the Malayala Manorama, we will discover the versatility of his talents, the breadth of his interests, and the innovative nature of the various new journalistic ventures he started during this period.

Most people will remember Mr K.M. Mathew as a skilled expert in journalistic management. From a circulation of about 31,000 at the time of the demise of his illustrious father Mr K.C. Mammen Mapillai, he raised the Manorama to the status of the largest circulation-daily in an Indian language. This certainly was a great achievement. But what made him truly great was the fact that he stood for certain great moral values and principles and never sacrificed any of them for commercial reasons. I had the privilege of knowing him during our college years, and I can say with full confidence that those who have admired Mr Mathew have done so because of his innate gentlemanliness and goodness.

The most important contribution which Mr Mathew made to public life in Kerala, I would say, was the promotion of harmony and cooperation between different caste groups in the state. The Manorama under the leadership of his father had become a virulent critic of the Diwan of Travancore Sir C.P. Ramasamy Iyer in the pre-independence period. Iyer had warned Mr Mammen Mapillai that his newspaper and the bank of which he was chairman, the Travancore National and Quilon Bank, would have to pay a very heavy price for it; but Mr Mammen Mapillai was not willing to change his support to the state Congress movement for responsible government. Ultimately the newspaper as well as the bank were closed down by the government.

Politics in Travancore during the pre-independence period was largely led by leaders of caste organisations representing the interest of certain important castes in the state, but after independence, when Travancore became part of the new Indian state, Mr Mathew realised the importance of eliminating caste and caste-based leadership as a factor in politics, and supporting the state Congress as a full-fledged political party. Though not directly involved in politics, those who knew about his work from behind the scenes understood the importance of his contribution to the elimination of caste-based political leadership in the state.

In this connection I am reminded of the effective role Mr Mathew played in defusing tension in Kerala that arose from the discovery of an old church building in a place called Nilakkal in north Travancore. Some of the leaders of the Hindu and Christian communities took a very uncompromising stand about rebuilding the church there, as it was on the way to the pilgrimage to the famous Sabarimala temple. However, through quiet diplomacy and very skilful handling of the situation, a few people like Mr Mathew were successful in finding a compromise which was acceptable to both the communities, and today the church in Nilakkal has become the symbol of communal and caste harmony in the state.

I should also mention the personal contribution which Mr. Mathew made to encourage talent in elocution among the young students of the state. The All Kerala Balajana Sakhyam, founded by Mr Mammen Mapillai, became very active among the student community in Kerala because of the assistance and patronage which the Manorama could extend to the young students. Mr Mathew was present on most occasions at the awards ceremony as a gesture of encouragement to the competitors. The annual elocution competition held all over Kerala, and the final award of prizes to the winners in the elocution competition, have become an excellent location for training in speech-making for the state’s young students.
This latest publication (318 pages, 10 chapter) of CMS Academy was released in August 2009 at India International Centre, New Delhi

Dr. N. Bhaskara Rao has been a fountainhead of poll surveys and psephology in India. Backed by an excellent academic background in political science and sociology and a Ph.D. in communication, he belongs to the avant-garde in India, which ventured over three decades ago to apply survey research to the Indian electoral scene in a big way. He initiated poll surveys as a part of market research at ORG as its Chief and refined further at CMS and MDRA.

Dr. Abid Hussain
Former Ambassador to USA, October 16, 2002

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