

Elusive J&K steel plant

Our political leaders are frugal in announcing new plans and projects when they speak in public rallies. Such announcements are made on spot by catching the mood of the public.

What generally is the fate of projects announced by a responsible minister in the Union or the State? The point will be made by citing the example of a steel mill proposed for our State. In 2008, during his visit to Kashmir, the then Union Minister of Steel Ram Vilas Paswan announced setting up of a steel mill by the steel giant called Steel Authority of India Limited (SAIL). The site was selected at Lassipora in Pulwama district and 200 kanals of prime land was acquired by the Government for the purpose. Five years have gone by, land acquired remains unutilized, steel plant remains a dream.

We cannot presume the causes for the Union Ministry of Steel not to honour the announcement of its Minister and abandon the much talked about steel plant for Jammu and Kashmir. We are also at a loss to understand why the State Government did not expeditiously pursue the matter but chose to sleep over it for a long time till the Chief Minister tumbled on the issue and took it up with New Delhi. Nobody is prepared to explain the causes of abandoning the plant and the public would very much like to know whether it is the physical and climatic conditions or the attitude of the State government or mere callousness of bureaucrats that led to the denial of steel plant for the State. The State Government is reported to have even expressed its willingness to accept the proposal of joint venture once put forward by the steel giant and had even named SICOP as its representative. The steel major of India is silent about its commitment to the State which is more hurting. Why should our Chief Minister have to run for every major or minor project for sanction and funding and expert advice to the Union Government when things should get resolved in normal course? Putting entire burden on the shoulders of the Chief Minister creates unhealthy precedence which nobody will like. We find no reason why SAIL should be apathetic towards our State. Production of a lakh ton of steel per year and opening of employment avenues for our youth remain denied to us for reasons not known to us. If the logistics of establishing steel mill in the State are not up to the mark or if there are physical limitations, this should have been communicated to the State Government in proper time. SAIL has disappointed us.

Now that the Chief Minister has revived the case after it remained in cold store for five long years, we shall appreciate that the SAIL closes down the past chapter and addresses the issue afresh but with a positive and constructive philosophy of helping our State strengthen its economy and helping our youth in finding employment. From what is expressed by knowledgeable circles, the State Government is more than willing to cooperate in the establishment of the proposed steel mill in the valley. Policy planners in the State and in New Delhi are laying stress on the need of industrializing of J&K State if unemployment among educated youth is to be eradicated. The Planning Commission of India has recently announced incentives for expansion of industrial units in all the three regions of the State. That is an encouraging step.

BOPEE

Board of Professional Entrance Examination has created deep concern among students and parents by cancelling all the four papers. Why not order an enquiry into the entire matter. It is a serious matter and postponement of all examination is not the right answer. The Board must reach the roots of unwanted incident because the career of thousands of our youth aspiring to choose a profession is involved. Intriguing is the decision of the Board to cancel the date sheet of all the papers in CET on the mere suspicion of leakage of one paper. There have been instances of this kind with examining bodies but one rarely finds authorities canceling all the entire schedule of CET in all the four papers. Well, the Board authorities may have their way, but definitely there is rot somewhere in the system which needs to be stamped out.

For some years in the past, complaints of leakage of crucial papers for professional and non-professional examinations have been coming in. Unofficially observers have been cautioning civil society of the dangers of this growing disease. As such, we would like to suggest to the State to focus attention on a mechanism that has the potential of busting subversive activities and making secrecy of question papers in crucial examinations fully secured against leakage. A new mechanism has to be devised.

The GOM's recommendations on the CBI functioning - A farce

Arun Jaitely

The Law Minister of the UPA Government along with Law Officers and officials of the PMO were virtually caught red handed in attempting to doctor the CBI status report in the Coal Block allocation scam. The Supreme Court expressed its annoyance at what the government and the CBI had done. It has now called upon the government to file an affidavit detailing the steps that the government intends to take in order to immunize the CBI from political interference. The weak-kneed UPA Government constituted a Group of Ministers to make appropriate recommendations with regard to the functioning of the CBI and the draft affidavit proposed to be filed before the Supreme Court. Media reports have now indicated that the Cabinet has approved the recommendations of the Group of Ministers. These recommendations included greater financial powers to the agency, a provision for time bound sanctions to investigate government officials, appointment of a Director by a collegium and the constitution of a panel of retired judges which will monitor investigations and ensure that there is no extraneous influence.

The Government made it appear as though some earth shaking new decision had to be taken on basis of the recommendations of the Group of Ministers. The decision taken at the meeting of the Cabinet does not in any way immunize the CBI from political interference. The issue of CBI's functioning was debated in both Houses of Parliament and was a subject matter of public debate on the draft Lokpal legislation. An essential part of the legislative exercise was to ensure the independence of CBI and how to immunize it from political interference. The Lok Sabha passed the Bill but the Rajya Sabha by majority insisted on certain meaningful amendments which resulted in the government getting the House adjourned. A Select Committee of the Rajya Sabha was constituted which worked for a reasonable period of time inviting public suggestions. On behalf of the Bharatiya Janata Party three of us, Shri Rajiv Pratap Rudy, Shri Bhupendra Yadav and myself made the following suggestions with regard to the functioning of the CBI :- "On the basis of the above we are of the opinion that considering the enormous amount of misuse of political clout the CBI has lost its credibility. It has therefore become important to correct this aberration. The control of CBI thus requires to be transferred from the Deptt. Of Personnel GOI to the Lokpal in relation to all corruption cases which are referred to Lokpal. Alternatively in order to maintain independence of CBI and enable it to get immunity from political interference, we make the following suggestions amongst others:-

- The CBI will have two wings. Director CBI will head the entire organization. Under him a separate Directorate of Prosecution should function.
- The Investigative Wing and Prosecution Wing of the CBI should act independently.
- The Director of CBI and Director of Prosecution should be appointed by a collegium comprising the Prime Minister, Leader of Opposition, Lok Sabha and Chairman of Lokpal.
- Both the Director CBI and Director of Prosecution must have a fixed term.
- Both Director CBI and Director Prosecution shall not be considered for re-employment in government after retirement.
- The power of superintendence and direction of the CBI in relation to Lokpal referred cases must vest with the Lokpal.
- If an officer investigating a case is sought to be transferred for any reason whatsoever, the prior approval of Lokpal should be required.
- The panel of Advocates who appear for and advise the CBI should be independent of the Government. They can be appointed by the Director Prosecution after obtaining prior approval of the Lokpal.

From amongst the above suggestions the Select Committee accepted all the suggestions except one relating to non appointment of the Director CBI and Director Prosecution after retirement in the Government. The said recommendations were placed before the Cabinet on 31/1/2013 and were accepted subject to certain minor modifications. The Select Committee recommendations are a property of the House since the Committee is constituted by the house. The government or any member can only move an amendment to it. Thus, when the Supreme Court passed an order asking the government to outline the steps that it intends to take in order to immunize the CBI from political interference the Government ought to have placed the near unanimous recommendations of the Parliamentary Select Committee to which even the UPA members had consented along with the additional note of the BJP where some extra suggestions were

made to aid the object of securing fairness in the functioning of the CBI. The entire package of arrangement would have ensured the appointment of a Director by an independent process, separation of a Directorate of Prosecution which would function on an independent basis rather than just be an officer on deputation from the Law Ministry. It would have ensured a fixed term for these high officers, there would be no fear or favour inasmuch as senior officers of the CBI are concerned since besides enjoying a fixed tenure they would not be eligible for re-employment in the government. The power of superintendence and direction of the CBI would vest in the Lok Pal with the Supreme Court being the Appellate authority. Officers investigating sensitive cases would not be transferred without the permission of the Lokpal. The panel of advocates who appear and advise the CBI would be independent of government lawyers since there has been a considerable politicization in the appointment of government advocates and law officers. This was a recommendation of the Select Committee. It had been approved by the cabinet on 31st January 2013. Thus, when the Supreme Court asked the government to file an affidavit on the subject there was an existing decision which just had to be placed before the Supreme court. The Group of Minister's recommendation and its approval by the Cabinet ignores all the above suggestions and now merely makes the CBI accountable to a panel of retired judges.

Who will select these retired judges to whom the CBI will be accountable? There are retired Judges and retired Judges. Many are men integrity wedded to judicial values. Yet, there are many who are perpetually seeking post retirement Jobs. Retired judges are an unaccountable institution. Post retirement jobs dished out to many retired judges has almost become an entitlement. Pre retirement conduct at times has been influenced by the desire to get post a retirement job. I have repeatedly said that this trend of giving post retirement jobs to retiring judges requires to be discouraged if the independence of judiciary is to be strengthened. Government selected retired judges do not inspire confidence. A retired judge was recently appointed as a Member of the National Human Rights Commission inviting a note of dissent from both Smt. Sushma Swaraj and myself. His performance as a judge did not justify the post retirement appointment. The Government appeared extra keen to appoint him. Shri Lalu Prasad Yadav as Railway Minister appointed a retired Supreme court judge as an inquiry officer under the Railways Act to probe the burning of Sabarmati Express coaches years after the actual incident. A retired judge disregarded the entire evidence in which the accused had been convicted and produced a report on how the Karsevaks by accident could have burnt the train from within. Yet another retired judge was asked to head the Prime Minister's Working Group on the constitutional relationship between India and the State of Jammu & Kashmir. I was a Member of the Working Group. A report was produced in the name of the Working Group even without a meeting of the Working Group. The state of health of the judge when the report was published did not inspire confidence that the report had actually been authored by him. One cannot forget the learned judge who headed the Commission of Inquiry into the alleged demolition of the disputed structure at Ayodhya on 6th December, 1992. The Commission was converted into a self-perpetuating employment for 17 years. It produced a report which was not implementable and hence not implemented. Such a list is unending. To create an institutional mechanism of unaccountable retired judges appointed by the government to whom the CBI would be accountable will only result in the government perpetuating its political control over the CBI by removing itself from the scene and creating a proxy institution which will act on its behalf. This move should be opposed by one and all.

The UPA has ensured its longevity by misusing the CBI. The role of the CBI in investigating corruption cases against the leaders of SP and BSP had only ensured that these parties continue to support the UPA. The role of the CBI in framing charges against BJP leaders in Gujarat and Rajasthan has demonstrated that the CBI is acting in order to serve the dictates of the Party in power. The recent decision of the Union Cabinet based on GOM recommendations is a camouflage. It creates an illusion by removing the political executive and creating a proxy institution instead. The government's decision is a remedy worse than the existing problem. Let the government place before the Supreme Court the recommendations of the Select Committee, the Cabinet decision of 31st January, 2013 along with the suggestions of other political parties which would result in ensuring immunity of CBI from political interference.

(The author is Leader of opposition in Rajya Sabha.)

New generation preparing for bigger role

Harihar Swarup

The trend of dynastic succession has been visible in India for quite some time and it has touched an all time high in Madhya Pradesh where assembly elections are due in November this year. Sons and daughters of politicians, who have jumped in the political fray, unlike their parents, are well educated, articulate and dedicated but they lack experience. Take, for instance, son of former Madhya Pradesh Chief Minister Digvijaya Singh, who had joined Congress last week. The 27-year-old Jaivardhan, is an MBA degree holder from New York's Colombia university and is likely to contest in the coming assembly election from his father's pocket borough-- Raghogarh.

Jaivardhan is part of Madhya Pradesh's jet set, whose visibility in public functions has been on rise as assembly polls draw near. The group includes Pradesh Congress President, Kantilal Bhuria's son, Vikrant, Industry Minister Kailash Vijayavargiya's son, Akash, Vidhan Sabha Speaker Ishwardas Rohani's son, Alok, Sports Minister Tuko Rao Pawar's son, Vikram and a dozen other children of MLAs, Ministers and MPs.

A number of them, such as Jaivardhan and Vikram are from erstwhile royal families.

Younger progeny of leaders are in the process of being trained. For example son of Chief Minister Shivraj Singh Chauhan, Kartikey and Union Power Minister Jyotiradiya Scindia's son,

Mahanaryaman have just turned 18. Kartikey, a law student, runs a voter-awareness campaign in his father's constituency. Mahanaryaman has already been addressing public meetings in Gwalior region.

There is no doubt that dynasties abound in India. In regions, there are powerful dynastic patriarchs, for instance, Mulayam Singh Yadav in North, M. Karunanidhi in South, and Naveen Patnaik in East. It has been estimated that a little over 28 per cent of the current MPs are dynasts.

Indian politicians need a strong leader to keep them in order. There must be some in the BJP, who seeing the disarray in their leaderless party, wish Atal Behari Vajpayee had an heir. A reluctant dynast Sonia Gandhi played an important role in undermining authority of Narasimha Rao from behind the scenes. One wonders where the congress would have been, if she had not eventually decided to pull off a coup and take control of the family party.

With the passage of time, the nature and dynamics of these dynasties too changed. The nation watched with disdain how Lalu Prasad Yadav, who had to abdicate his chair, following his involvement in a multi-crore scam, brought his wife in his place. Now he has brought his son in politics with great fanfare.

Historians say it was not Nehru but his daughter who created the dynasty that now dominates the congress. Indra Gand-

hi brought Sanjay Gandhi in politics. When he died in a plane crash, she brought Rajiv Gandhi in public life.

Two stars-Akhilesh Yadav of the Samajwadi party and Sukhbir Singh Badal of the Shiromani Akali Dal-sparkled by steering their parties to impressive victories in Uttar Pradesh and Punjab respectively.

Badal senior was hardly visible, although he is the Chief Minister, as Sukhbir too charge and ran the campaign without the help of his father. That he managed the impossible, by bucking a historical trend and bringing an incumbent government back to power, has sealed succession debate within the party in his favour.

It has been evident for many years that politics has increasingly become a family business in India. But what the recent elections have emphasized is that political parties themselves have become family run companies to be handed over from father to son or daughter, as the case may be. Once upon a time only the Congress could be accused of running on dynasty levers. Now the same charge can be applied to parties across the political spectrum, except the BJP and the Left Parties.

Anyone who dares to challenge the succession line, even if he belongs to ruling family is cut to size swiftly. Raj Thackeray, nephew of the late Shiv Sena Chief Bal Thackeray, and Manpreet Badal, cousin to Sukhbir, were charged with anti-party

Modi's elevation

Modi is undoubtedly dynamic, energetic and is bound to infuse new blood in the party. But on the other hand an individual was given more importance than the ideology of the party. This is electoral politics. So far so good. The politicians should now settle down across the party lines and lay stress on issue based politics than individual based politics. The country is in need of the better infrastructure in the field of road connectivity, drinking water problems, electricity, health facilities, education and employment.

We expect atleast basic minimum needs of our daily life delivered by the parties and politicians. Only time will decide whether Modi will be able to deliver to the expectations of the country.

RTI: Good for others, not me!

Poonam I Kaushish

How much rent does Congress pay for its sprawling office in Lutyens' Delhi? Who are the people who contribute to BJP's coffers? How much money does the BSP spend on Mayawati's personal extravaganzas? What is the tax exemption the NCP has claimed? Who funds the CPM? Whose aircraft is used by Congress President Sonia Gandhi and Gujarat Chief Minister Narendra Modi during election campaigns?

Hurrah! Now the common man can access information on all these and much more for just Rs 10, thanks to the Central Information Commission (CIC) setting a new bench mark in political transparency recently via its landmark 54-page order stating six Parties, Congress, BJP, CPI, CPM, NCP and BSP are answerable under the Right to Information Act (RTI).

Holding that Parties not only performed public duty but were indirectly "substantially financed" by the Central or State Government. Think. Parties receive income-tax exemptions, Government bungalows, land at concessional rates in the heart of a city, free airtime on Doordarshan and All India Radio and electoral rolls. In fact, Government subsidies to the Congress and BJP alone totalled Rs. 255 crore.

Adding, the Presidents, General Secretaries of these Parties are hereby directed to designate public information officers (PIOs) and Appellate Authorities at their headquarters to put finances, voluntary contributions, including donor details, employees, office-bearers and salaries on their websites in six weeks.

Predictably all hell broke loose. Taking strong umbrage, the Government is considering an ordinance to strike down the CIC order by changing the definition of "public authority" in the Act to exempt Parties. Towards that end the Law Ministry has sent a draft ordinance to the Personnel Department to stall this arm-twisting of answering uncomfortable questions.

This is not all. More scandalous, the UPA has found extraordinary bipartisan support from other Parties who thrive on opacity. Paradoxically, when the Government is busy number-crunching to get crucial legislations passed in the forthcoming Parliament session.

Look at the double irony. The BJP which threatens to make repatriation of black money a poll issue, refused to entertain petitioner Association of Democratic Rights RTI application seeking details of its wealth and assets. The UPA which birthed the RTI Act with fanfare and lists it among its achievements today debunks the law.

Sadly, paisa phenko gaddi pakaro has become the tour de force of Parties and netas and a major fount of money-laundering and corruption. Wherein, Indian democracy is funded almost exclusively by the proceeds of corruption. According to an analysis of I-T returns filed by major Parties by civil society groups, 23 Parties, including Congress and BJP, earned Rs 4,662 crore between 2004 and 2011.

Arguably, why should anyone put his money on a politician or Party. It is surely not for the love of either, but purely as a business proposition, simply quid pro quo. The person helps a Party with funds and, in return, gets his job done. It is not for nothing that businessmen are known as 'king-makers' and the 'power behind the throne'. Specially, a handful of top industrial houses which boast about their clout in the corridors of power --- political insurance.

Donations for 2003-04 show how the fortunes of the ruling Party differ from the one out of power. While the Congress 'officially' received just Rs 2.81 crore, the BJP managed over Rs 11.69 crore. Money was paid through little-known trusts, or in some cases, directly by the business groups.

Interestingly, a cursory glance of affidavits filed with the Election Commission reveal the bizarre realities of politics. It showcases contributions from several business houses that directly benefited from the ruling Party. A metal and mineral baron who funded the BJP in 2000, became the proud owner of 51% of PSU aluminum major Balco for \$121 million sparking off protests for its alleged undervaluation.

Perhaps taking a cue a steel magnate paid Rs 50 lakhs to the Congress in 2003 and within months was inducted into the Party. However, in the 2004 Lok Sabha poll he was one of the highest donors to the BJP even though he contested on Congress ticket and won. Truly, playing both ends against the middle. Shamefully, the BJP was also funded by a Delhi-based builder, who was rewarded with highway construction contracts.

Worse, most politicians regard politics and elections as merely a process that yields public office or Governmental power. They use Parties and polls to amass wealth not only for their Parties and themselves but for future generations as well.

Like politics has become a business --- like businessmen politicians balk at the idea of controls and regulations. That is why no Party, however vocal about the matter while in Opposition, has made a sincere attempt at stanching the flow of black money into the electoral arena.

Of course, Party financing is a black box. Wherein Parties have accumulated unexplained hundreds of crores of rupees and spend crore on candidates and elections, Election Commission stipulation of Rs 40 lakh per MP and Rs 16 lakh per MLA be damned.

See how BJP senior leader Gopinath Munde cocked a snook at the EC boasting that he spent Rs 8 crores to fight the Lok Sabha election in 2009. Multiplied by 10 candidates per 545 Lok Sabha constituency, it adds up to a mind-boggling Rs.44,500 crores. Are we expected to believe that Parties will now spend in white and account for it? Never. What would happen to India's parallel economy?

Alas, with money and muscle becoming the torchbearers of Parties we need to be resolute and not allow our shameless, self-serving netas to push the country towards a feudal democracy. Political accountability is paramount. Remember, the role of a Party is to crystallize and shape political interests, compete aggressively and balance causes. The public interest lies in letting the antagonistic contest between Parties thrive

What next? Undeniably, Parties will continue to stonewall all efforts to clean up the electoral system as over 90 per cent of the money they receive and spend is "black". One way is that donations to all Parties should be made by cheques and their accounts audited by the CAG.

The Representation of People Act needs to be amended to allow the EC to question the Parties on their expenses and take action on a Party/candidates de-registration when any violation is found. With cost of elections escalating alongside the corrupt political gravy train, State funding is the need of the hour. Unless this is done, there is little hope of minimizing the evil influence of unaccounted money power and vested interests.

Clearly, till Parties put secrecy above accountability and make transparent the way they collect and spend money, corruption will thrive, suborn the civil service and corrode accountability in the system.

True, given that they function as private limited companies, each with its own secret war chests, we have a long way to go. Yet, by bringing Parties under the RTI the CIC has made a beginning. However, given our 'black coal-tarred Parties, it is a moot point whether their licence for brazen electoral corruption and political ghooshkhoris are over? --- INFA

Woes of oldies

Sir, The springs never stay and the autumns never go making human life pleasant and miserable. Where evening of life comes, every dearest of the dear is left in the lurch. In the solitary journey only good or bad deed accompany the soul. With dissolution of joint family system, the agencies of elders have multiplied manifold. In this race of run and hurry, the sons and daughters find no time for their parents. Heart melts when the elders in a family are seen saying that how nice it would have been had they died well before of the age of troubles and disrespect. Actually all this has happened is due to extreme materialism and self-centredness prevailing these days. The golden legends of love, sacrifice and

obedience where in Sarvankumara had carried his blind old parents on shoulders to various places of pilgrimage perhaps have totally vanished. The old age homes are glaring examples of erosion in moral values, love and affection for elders in these days. Not only family parameters have been broken in serving the elders even in social domain the senior citizens with feeble legs and spectacled eyes are seen standing in queues on bank counters and other places of public domain. In the conditions, cultivation of moral and ethical culture is of paramount necessity for mitigation of woes this multitude of humanity suffers.

Yours etc.....
Keshwa Nand Sharma
Salehri, Sunderbani

Sir, Narendra Modi is elevated Chairman Election Committee in the recently concluded BJP National Executive meeting held in Goa. In this conclave individual centric politics took precedence over ideology based politics. The party cadres were forced to name Narendra Modi as the Chairman of the Election Committee. Modi emerged undoubtedly as the most popular leader in the party. Respecting the democracy Mr Rajnath Singh the party president made the appointment. The appointment in itself is debatable.

This is evident from the series of events which took place subsequently. Mr L K Advani the founder member of the party ideologue of Hinduveta was forced to resign from the top party posts. It has opened the pandorabox. On one hand Narendra

Modi is undoubtedly dynamic, energetic and is bound to infuse new blood in the party. But on the other hand an individual was given more importance than the ideology of the party. This is electoral politics. So far so good. The politicians should now settle down across the party lines and lay stress on issue based politics than individual based politics. The country is in need of the better infrastructure in the field of road connectivity, drinking water problems, electricity, health facilities, education and employment.

We expect atleast basic minimum needs of our daily life delivered by the parties and politicians. Only time will decide whether Modi will be able to deliver to the expectations of the country.

Readers Write

Plea for bifurcation of ration cards

Sir, Referring to my write up captioned with the above heading, appearing in your esteemed paper dt 19-4-2013, I categorically explained the loss. I am subjected to due to bifurcation of ration card not being allowed by the CAPD Deptt., though such bifurcation was allowed in the previous verification move of ration cards.

Now with the write up with the same heading, appearing in the relevant column of your esteemed paper dated 21-6-2013 my point gets full support by O P Gupta.

I have already sent an application to the concerned Deptt. But with no action so far. The Minister CAPD Deptt. is requested to pay attention to this genuine demand of ours which is based on legal footings also.

Yours etc.....
S. N. Raina
Jammu

Yours etc.....
Sansar Chand Gupta
House No. 110, Ward No. 4
Mukerjee Bazar, Udhampur