

Torture of Indian prisoners

The fact that eleven Indian prisoners in Kot Lakhpat jail of Pakistan have jointly written a letter to the Indian Human Rights Commission and not to the Government of India speaks tons of their resentment of the Government of India for taking no steps for their release even when they have completed the jail term. Who in India does not know that Pakistani jail authorities brutally torture Indian prisoners and contrive their liquidation? The cases of Sarabjit Singh and Chamel Singh, both of whom were murdered in this prison, is well known. The letter signed by eleven prisoners and clandestinely smuggled out of the jail is a saga of barbaric treatment and inhuman torture perpetrated against the Indian prisoners. The signatories have said that Pakistani authorities allow them neither to live nor to die. They have pleaded that Pakistani authorities are persuaded to put them to death and thus bring to an end their life of misery and pain.

Nobody knows the total number of Indian citizens who are languishing in the said jail. The letter, of which we possess a copy, says that there are no fewer than 17 other Indian prisoners who have been rendered mentally imbalanced and deranged owing to prolonged torture. There are some females among them also and they are in such a bad state that they cannot even sign the letter. Some of them have already completed the term of imprisonment and are overstaying since three or four years. Indian Government is not concerned about them and does not take any step to seek their release on humanitarian grounds. Joint Indian-Pakistani Judicial Committee visited the Lakhpat Jail thrice on June 13, 2008, April 22, 2011 and April 30, 2013. Despite that, the Indian Government did not take any step to ensure that Indian prisoners are not tortured. The letter discloses that a day before writing the letter, an Indian named Zakir Ahmad son of Mumtaz Ahmad died owing to non-availability of medical treatment.

It will be reminded that in connection with the visit of the Pakistani President Asif Ali Zardari to Ajmer, the Indian Government had released a Pakistani prisoner named Dr. Khaleel Chishti. He had been convicted in a case of murder. It was believed that Pakistan would reciprocate the good will and release Sarabjit Singh. That never happened and Dr. Chishti returned to his home a free person. The jail authorities in connivance with other interneers murdered Sarabjit in the Kot Lakhpat.

The Government of India will have to respond to the situation that has been reported about Indian prisoners in Lakhpat jail. Torture of a jailed person is disallowed by international law. It is a legal as well as human issue. Indian Government should have taken up the case with Pakistani authorities with all seriousness. They could also approach the UN Human Rights Commission for intervention. They can reach international human rights organizations to visit Kot Lakhpat and ensure that Indian prisoners are not subjected to acute torture leading to mental derangement or death. Pakistani authorities have to be exposed in the eyes of all human rights organizations around the world. That alone will seek justice to the prisoners especially those who have completed their term of imprisonment. The letter signed by eleven prisoners and smuggled out clandestinely should be made a document on the basis of which international body can be asked to conduct a probe into the treatment of Indian prisoners and suggest remedial measures. The jail authorities responsible for perpetrating torture and other inhuman and criminal acts should be brought to book. This matter is to be taken up by the Home and External Affairs Ministries.

CBI's autonomy

The Coalgate case before the Supreme Court has led to an interesting debate on the question of making or not making the CBI an autonomous organization in letter and in spirit. This debate stemmed from the remark of the Apex Court that the CBI was like a "caged parrot". It is the view of the Apex Court that an organization controlled by the Government agency cannot function impartially. In such circumstances, the CBI will not be able to make impartial investigation into the cases that are of vital national interests. In other words it is said that since the Government appoints CBI Director and his powers are restricted, he is liable to be influenced by the Government in one way or the other. The need is that CBI has to be liberated from the grip of the Government. For this purpose the CBI had demanded that the Director be given full powers. It has also rejected the appointment of Accountability Commission.

However, the Government in a 22-page affidavit has contended that all-powerful Chief of CBI without checks and balances entails the risk of "potential misuse" of power. It believes that all-powerful Chief would not be consonant with the settled Constitutional principle. In regard to prosecution of senior bureaucrats the CBI had suggested constitution of a committee headed by CVC to grant sanction. But the Department of Personnel and Training (DoPT) took a tough stand against this suggestion.

In nutshell the Government is not prepared to grant full powers to the Chief of CBI that would make it autonomous in letter and in spirit. Its apprehension is that it would be unwise to grant unlimited powers to a functionary of this rank. On the other hand the CBI feels that as long as it is not given full powers and made autonomous in letter and in spirit, it cannot be expected to be impartial in real sense of the term. Now the matter is before the Supreme Court and the nation has to wait for the judgment. All that the Indian nation wants is that accountability of people in authority should be fair and above board. This issue has come up in the background of mega scams that have taken place in the country during last two years. These scams have thrown up the scenario or considerable deficiencies and discrepancies in the existing system. We are confident that the Apex Court will deal this sensitive issue most judiciously and the people of India will not have any grouse or complaint in regard to dispensation of justice.

Can Durga win in UP ?

Amit Kushari, IAS Retd.

The word, 'Durga Shakti' means 'divine power' or power of Goddess Durga who had destroyed the forces of evil to establish the kingdom of good during the Navaratri. This word has now become a household word in India because this is the name of a very honest and upright young IAS officer who is fighting a battle against some evil forces of the UP Govt. Posted as SDM in Noida she was waging a silent war against the sand mafia of Noida. Some powerful Samajwadi party MLAs who have sympathies with the sand mafia ensured that Durga Shakti was thrown out and suspended on flimsy extraneous grounds. UP Govt. had made up an excuse that communal riots could erupt if Durga Shakti was not removed. When the District Magistrate gave a report that there was no apprehension of any riot breaking out in the area because the young SDM had never ordered the demolition of any mosque wall --- the entire UP Govt. fumed with anger.

One minister said, "The DM should also be suspended". Another minister said, "The IAS officers should stay within their limits in a democracy and should never cross swords with the politicians." One ruling party MLA was caught on a camera bragging that since the officer had started needling the sand mining people, he spoke to the Chief Minister, as well as Mr Mulyam Singh Yadav to get her suspended in just 41 minutes! This episode has got so much of publicity that the Union Govt., the Allahabad High Court and the All India IAS Association are all trying

to find out a remedy in the matter so that some relief could be immediately be provided to the young officer. The UP Govt is under so much pressure from all corners that they are also trying to wriggle out of this situation although they are still in denial about the monstrous injustice that was done to the young officer.

In a recent TV interview, retired Cabinet Secretary, Subramaniam, said that what has happened to Durga Shakti is not uncommon in other states of India. Only those cases do

but one can never say that they indulge in Goondagiri like the politicians of the Hindi heartland. Since the people of J&K are, on the whole, far more polite and courteous than people from these states, the politicians are also far more polite and courteous in their behaviour. Very often the political bosses are friendly and helpful. In J&K the situation is totally dissimilar to that of UP. Rather, at times, the politicians were scared of lobbies of powerful IAS officers who formed a coterie around the Chief

Minister. These blue eyed boys dominated not only the politicians but also the rest of the bureaucracy. On one occasion a minister from Jammu district got angry with a senior bureaucrat and threw a file towards him. The bureaucrat was a blue eyed boy of the CM. Nothing happened to the officer, but the Minister from Jammu had to face the music. There were times in J&K, in the past, when a coterie of IAS officers used to decide which Cabinet Minister will get which ministry. That is why I cannot remember any IAS/IPS officer being hounded by the ruling political class of J&K. Most of the cases of harassment were due to politics

In Jammu and Kashmir officers who do not have political patronage suffer due to repeated transfers to unattractive postings.

Many people ask me whether I have seen any case like that of Durga Shakti in Jammu and Kashmir. Although it is true, that in Jammu and Kashmir officers who do not have political patronage suffer due to repeated transfers to unattractive postings, I cannot recall any case where an honest officer was suspended or hounded by the political bosses in the State Govt. The politicians in J&K may not be embodiments of virtue and honesty (at least some of them)

which almost 100 million children are being provided food all across the country. Indeed the scheme in itself is a great gesture and in turn has helped improve enrolment of children in schools to a considerable level, but the ugly face of the scheme, which was witnessed by whole world couple of weeks back, when nearly two dozen school children died and scores fell ill after eating contaminated mid day meal in Bihar is more worrisome. People were well aware of the material corruption in mid-day meal scheme, but with the surfacing of moral corruption it has dropped the corruption to its lowest ebb, which by all means is far more dangerous and disastrous than the material corruption.

Public Distribution System of the country has already caught the attention of many in past for its failure of not being effective to take care of the countries food reserves and its proper and timely distribution. Almost over 10 million tons of food reserves got spoiled in FCI store for want of proper distribution and care a year before. Almost one third of countries population live below poverty line but still half of them are not able to reap the benefits of govt schemes meant for them only for the fact that govt has failed to provide them BPL ration cards. Though the bill is aimed to cover 75% of rural and 50% of urban population but in absence of the mechanism to identify the deserving families the scheme is not going to prove effective in the initial years of its launch, but with gradual stabilization of system by placing things in place will definitely turn scheme a result oriented one.

Gandhi has said, mother earth has enough resources to satisfy the need of every individual but not enough to fill their greed. Launching of every new scheme in itself becomes a new breeding ground for new kind of mafia, mostly in the shape of own intermediaries from top down to bottom and from the economists point of view if we include the amount of corruption involved from origin to execution of any subsidized scheme, the cost turns out much higher than its prevailing market rate. If any of the schemes launched by govt for the benefit of targeted group is applied and executed in letter and spirit, we may hardly need to revisit them, but the pathetic part of the story is we always end up with what we begin with and thanks to our neck deep corrupt system.

(The author is Assistant Librarian, BGSB University, Rajouri.)

Food Security: A cruel joke

Romesh Pandita

With the promulgation of National Food Security Ordinance 2013 by congress led UPA government, if nothing, has definitely given ignorant parliamentarians in power a reason to be elated and those in opposition, as usual are hell bent to prove the ordinance anti common man. This is for sure that elected representatives occupying cozy arm chairs in parliament are hardly bothered about the food security of a common man, secondly what are the ways and means to ensure two square meals a day to a common man is not their cup of tea for the fact being totally nescient of the ground realities of their individual constituencies and what to talk of other parts of the country. Govt has already started projecting the step as historic and a promise fulfilled in its campaign of right to food, no matter if majority of initiatives proposed have yet to see the light of day. Like every common man, I do pray, let no one go bed empty stomach and if this ordinance could help fill the bellies of over half a billion population of country, I would say the ordinance is no way less than a heavenly blessing.

I am reminded of Karl Marx who in his life time works "The Communist Manifesto" and "Das Kapital", talked about class struggle in society mostly concerning social, political and economic issues. This unending struggle between the haves and have-nots or between those who own and control the means of production and those who neither own anything nor have got anything to offer except labour for production has polarized the whole world from the very beginning even when the concept of capitalism was not in vogue. Since India being a mixed political economy as such the danger of dictatorship by capitalist class to control society for its own benefit only, was refuted from the very beginning. Marx talked, rather predicted that capitalism sow seeds of its own destruction and is ultimately replaced by a new system, which is mostly a revolutionary outcome.

The harsh truth is that over a period of time each single individual all across the globe has grown into a capitalist in itself and as such each individual is bound to control his her social ambit for own benefit only, very much living the Marxian concept, but definitely with negation. Accordingly in the lure of money and power we all are sowing the seeds of our own destruction. People can very much sense that how actually the common man of

RTI amendment

Sir,

The Right to Information (RTI) Act would lose much of its sheen in case Parliament amended the Bill being drafted in this direction.

The proposed amendment will shield the political parties from disclosing their source of funding, and they will not be answerable to RTI queries. Therefore, there will be no check on their spending during elections as well. The Indian political parties are often criticised for spending lavishly during elections and to influence voters by doling out wads of notes.

In order to have free and fair elections in the country, Central Information Commissions ruling of 3rd June holding that political parties being public authorities fall within the RTI ambit, must have been a step in that direction.

The political parties do not want to lose the advantage they have right now. So they are in a hurry to get the RTI Act amended.

Yours etc....
Akash Wali
Pamposh Colony, Paloura

II

Sir,

In a free for all democracy like that of ours people have the right to know as to where from the truck loads of currency notes, thousands of liquor cases, hundreds of vehicles, scores of licensed and unlicensed arms and lakhs of gifts come in the constituencies just before elections and how the political parties use all these things to influence the voters and damage the opponents in so called free and fair elections. How 450 out of 545 MPs and more than 30 per cent legislators, as per Association of Democratic Reforms, made it to the Parliament and the assemblies when serious to very serious cases were pending against them? Had there been State funding of elections in India, the affairs would have been different but every body knows that the major political parties in India enjoy the glory of the parallel economy which is one of the reasons of criminalisation of politics.

If the major political parties decide in the national interest that detailed correct and complete accounts shall be maintained by all the participatory parties which shall be open to public scrutiny by the use of RTI or otherwise, then and then alone one can think of fair elections. The question arises as to why the Govt. like other political parties is scared of the CICs ruling if they believe in fairness, transparency and accountability? The Govt does not miss even the slightest chance to tell the people in counting their achievements that it was because of them that the RTI Act was passed in Parliament and it is the same RTI Act which they are trying to defeat. They, while self patting and self praising do not mean what they loudly speak for.

Yours etc....
S.K. Rekhi (Senior)
825-A G. N. Jammu

Don't encourage competitive backwardness

Dr Bharat Jhunjhunwala

Nitish Kumar is emerging as a candidate for the post of Prime Minister. He will have to give direction to the entire country from that position. From this perspective let us examine whether he has been able to give proper direction to Bihar.

The picture of Bihar is surely undergoing change. Roads have become good. Teachers have been appointed to schools. Corruption has been contained somewhat. Government money was being leaked out of the state previously. Now it is circulating within leading to increase in purchasing power of the people. Ordinary folks are encouraged to open a small shop to profit from this boom. Some analysts allege that the claim of 13 percent growth rate has been cooked in the files. Indeed there may be some overstatement but that does not cancel the change that is seen on the ground.

Question is where do we go from here? Nitish Kumar wants the state to be granted 'Special Status' which is presently given to Kashmir, HP, Uttarakhand, Sikkim and seven Northeastern States. Special Status entitles newly established factories to avail of Income Tax and Central Excise exemptions. Also, 90 percent of the plan support received from the Central Government is in the form of grants in comparison to 30 percent grant otherwise. Kumar believes that Special Status will enable the state to attract industries as has happened at Baddi in HP and Rudrapur in Uttarakhand. It is necessary to take a comprehensive view of the development potential of Bihar in order to assess the benefits of Special Status.

Four sources of economic growth are agriculture, manufacturing, government services and market-based services. Share of agriculture in the State income is 35 percent in comparison to 9 percent share of manufacturing. The two service sectors together contribute 56 percent to the income. A substantial part of this is government services. Assuming one-half of the services sector contribution to come from government provision, the share of market-based services would be about 28 percent. Clearly, at 35 percent, agriculture occupies the most important place in Bihar's economy. The State is blessed with many rivers that replenish the groundwater regularly. There are two problems though. First problem is that the irrigation potential is languishing. Knowledgeable sources tell that 21 lac hectares of land was irrigated in the State in 1990. This fell to 12 lac hectares in 2005 mainly because the canal systems were not maintained. This has gone up marginally to about 13 lac hectares in that last six years of Nitish rule. I suspect not much increase may be possible beyond the earlier achievement. There is a long way to go to even reclaim the earlier level. A more important problem is that of declining incomes in the agriculture sector. The share of agriculture in GDP is seen to decline with growth. In the United States this is down to a meager one percent. The share of agriculture in India's GDP was about 50 percent at the time of Independence. It is down to 18 percent now. This happens because only limited amounts of capital can be deployed on a hectare of land. Consequently the productivity cannot exceed a certain level and also the incomes. Thus trying to develop on the back of agriculture is like trying to cross a raging river on a sinking boat.

The second sector is that of manufacturing. Bihar appears to have limited potential here because it does not have the raw materials. Main industries are sugar, tannery and breweries which build on agricultural inputs. There are limits to agriculture-based industries. Minerals have gone to Jharkhand. Bihar also does not have electricity to support manufacturing. The installed capacity is mere 1900 MW against 23,100 MW of Gujarat. Even the 1900 MW is not in operation. Only 550 MW is available. It will be difficult to supply electricity to industries even if the entire installed capacity is made operational because 82 percent of the people are without power today and they will have the first claim on the generation. Nitish Kumar signed many MOUs for new plants but it appears these are with companies of doubtful credentials. Nothing has moved on the ground. Third problem is the mindset of bureaucracy is socialist. The businessman is seen as a thief rather than an honoured person. Fourth problem is of critical mass. 'Developed' states already have good supply of skilled labour, roads, spare parts, etc. It is difficult for a new player to enter the competitive arena. Fifth problem is availability of land. It is difficult for the State Government to acquire land in a densely populated state without inviting backlash such as that of Singur. I do not think the tax exemptions from Special Status would compensate for these handicaps enough to actually jumpstart the state's industrialization. Consequently the Special Status may prove as a failed experiment.

The third source of economic growth is government services. This is limited by availability of revenue. The fourth source is market-oriented services such as transport, tourism and software. This sector appears to hold much potential for Bihar. A large workforce of educated Biharis is spread throughout the country. Many would happily come back to their home state if opportunities are available. The requirement of land and electricity in these sectors is about one-tenth of manufacturing. Nitish Kumar may establish software parks near the main cities of the state and invite IT companies. Bihar will be in a string position to exploit this potential if it improves the quality of education. Friends indicate that Nitish has appointed a large number of teachers on contract and they are actually coming to the school. However, the quality has deteriorated. The national experience is that government locks the poor children into poverty by providing them with sub-standard education. Need is to provide vouchers to the students. Back of the envelope calculation indicates that the State Government is spending about Rs 400 per month for the education of each student. This amount may be given to the students in form of a voucher with which they may purchase education from a school of their choice. Private schools have mushroomed. They provide better education. Such a move will improve the education at the grass roots and position the state to benefit from the impending growth in the services sector. Notably, the services sector is not much affected by the Special Status because it does not pay excise duty. In consequence, the Special Status is not likely to deliver in manufacturing and not relevant for services.

Therefore, Nitish Kumar should focus on improvement in quality of education and development of services sectors instead of running after Special Status. Moreover, we should not start a new race for competitive backwardness as we have done for the castes. In order to strengthen his claim to the post of Prime Minister Nitish Kumar will have to demonstrate his capacity to understand these issues and lead the nation through them.

Readers Write

Plea to JU authorities

Sir,

This is to draw the attention of the Jammu University authorities towards the inconvenience faced by students who want to submit examination and re-evaluation forms at cash and form counters. As there are not sufficient cash and form counters on the University Campus students have to be in long queues for a pretty long time, that too in hot and humid conditions. Besides, students coming from far off places have to go through a lot of ordeal as the arduous process consumes their precious time. The university authorities despite knowing the problems should have taken some measures beforehand in this direction.

There is urgent need to overhaul the system keeping in view the increasing number of students and the ordeal they go through during submission of forms. Scope should rather be extended to online mode as is being done by various leading colleges and universities of the country.

It is also submitted that marking system should be made more transparent and efficient so that re-evaluation chances get reduced and consequently the number of failed students will also get reduced.

Yours etc....
Sunil Kumar
Kailash Nagar, Jammu