

Mid Day Meal bungling

The Mid Day Meal project was launched by the Union Ministry of Human Resource Department with good intentions of providing relief to poor students especially in rural areas. The scheme was elaborately defined and norms were set forth for providing mid day meals to poor students. The Ministry was concerned about the health and career of the students. It had come to the notice of the Government that most of the drop out cases happened owing to poverty. But very unfortunately the scheme of Mid Day Meals has been abused in some schools. In a corruption-ridden society, those who are on the ground to enforce the scheme were found deficient in moral values. The result was that corruption brought the scheme into disrepute. Only recently we have learnt of the tragic deaths of school children in Bihar owing to food poisoning. Prior to this episode, other stories of misuse of midday meals did come to notice.

Our State, too, has come under scanner in this regard. We are not talking of corruption in the scheme but of inefficiency and lack of a sense of responsibility. A concerned wing of the HRD Ministry has recently conducted analysis of implementing of mid day meals in the schools of Jammu and Kashmir and has produced a report that brings disappointment. Several shortcomings have been pointed out. As per the guidelines laid down by the HRD Ministry for guiding, monitoring and implementation of the scheme, State Steering-cum-Monitoring Committee headed by Chief Secretary is required to meet at regular intervals to review the scheme and suggest policy measures for effective implementation of the programme. The report says that only 45% schools were inspected during 2012-13 by the concerned authorities in the State. As against total 22878 institutions covered under the scheme the State, district and block officials inspected only 10330. Steering-cum-Monitoring Committee convened neither any State nor District level meeting. The HRD Ministry has found many discrepancies in the implementation of the scheme in our State. According to the HRD Ministry analysis, coverage of children against enrolment under the scheme is 60% as against 75% at the national level. This shows that the utilization of the resources allocated under the scheme is not up to the mark. The consumption of food grains is 70% as against the national average of 84%, and utilization of cooking cost is 71% against the national average of 86%. It has also pointed out lifting of food grains less than the national average in Jammu and Kashmir and attributed the same to the delay in 100% clearance of payment bills. An amount of Rs 233.66 lakh was outstanding against J&K till March 31, 2013.

We are disappointed at the shortcomings in the implementation of the scheme in our State as has been pointed out by the HRD Ministry. These are administrative matters and the inference is that the concerned agencies at the State level have not taken their job seriously. There is lack of interest at Government level. Even apart from the discrepancies noted at Government level, in the operation part of the scheme also there are many scandalous stories afloat. Unauthorized people have been reported to be misusing the scheme. Sub-standard food is provided to the kids. Sanitary conditions are reported to be lacking and complaints of stale foods being served to the school children have come in very often.

In view of the tragedy that has recently happened in Bihar, it has become essential that foolproof security of Mid Day Meals for the school children is ensured. The food should be subjected to random testing by a team of health and sanitary experts. All schools that are covered by midday meals scheme should be brought under the umbrella of to be inspected schools. A higher level combined Education and Medical Department team should be constituted to endorse standardized contents of the midday meals provided to the children. In short there has to be accountability at various levels about the health and welfare of student community in receipt of midday meals.

Operation Sadbhavana

Army units deployed in different parts of the State have built a glorious record of interacting with local civil society to create a sense of pride and glory about the history of our nation. Be it the mountainous and snow-bound hilly areas of Tithval, Gurez, Rajouri and Poonch or be it the plains in Samba and Kathua, army units have extended hand of friendship and good will to the local civilian population in order to build bridges of trust and confidence. Under this impulse, one well-known scheme is titled Operation Sadbhavana. This is the scheme floated by the Northern Command with the clear intention of not allowing the minutest impression of alienation of local civilian population to prevail. At its own expenses, the army takes groups of school going children on tours of prominent historical cities and centres of the country to make them aware that they belong to a great country with great past. Historical places like Taj Mahal, Sikri, Red Fort, Dargah at Jaipur or industrial marvels in other parts of the country will open the vision of our young students in regard to our history past and present.

Such tours help students know the development of the country in various fields as also its glorious past readable from its monuments and historical places. Such tours for young boys and girls are highly educative. It widens their vision and inspires in them nationalism from very childhood. They are groomed to become valuable citizens of the country and make their positive contribution towards the development of the country as a whole. The state is beholden to our army jawans and officers for visionary schemes like Operation Sadbhavana. This is how the fabric of national integrity can be strengthened. We accord hearty welcome to such schemes of great utility to the country.

Adulterated Sick India

Another dead ? So what !

Poonam I Kaushish

Life in India is cheap, cheaper than the skyrocketing vegetable prices. Wherein babies sell for Rs 20 and ginger costs Rs 200 and lemon Rs 150! Worse, none cares if people die its fewer mouths to feed. Why? Our Sarkar doesn't give a rat's ass about the aam aadmi!

Last week's tragedy in a Bihar school bears this out. More than 20 children died after eating a mid-day meal cooked in oil spiked with pesticide, bought from the principal's husband shop. More scandalous, not only did the State Government ignore repeated warnings about the meals quality but returned Rs 432 crores lying unspent for over five years. Resulting in panicky parents banning children from touching meals State-wide.

Notably Bihar is not an isolated case. Children regularly die or take ill from a scheme touted as one of the flagship anti-poverty programmes to provide one nutritious meal a day to 120 million children across the country from the poorest families.

In Goa 28 kids suffered food-poisoning after eating the mid-day meal at a Government school. In April 11 teenagers took ill in Gujarat's Aswara, near Ahmedabad and 72 in Surat. Last year 132 children fell sick post their meal in Maharashtra's Pune and 50 in Karnataka's Mangalore.

Alas, given our dismal governance standards the deaths were inevitable given the rampant corruption wherein food meant for children is sold in the black market. Worse, dead lizards, frogs, insects and rats are a regular feature in food under this scheme.

Even as our netagan play-out the hackneyed blame game and merrily make political capital out of a tragedy, they forget that sound and fury, signifies nothing.

Thereby, standing testimony to a callous, heartless and selfish country and raising a moot point: Is the aam aadmi's well-being merely about statistics? Or is the Government becoming a maat ka saudagar?

Think. Nearly 50% of the world's hungry live in India, of which over 35% (350 million) are food-insecure, consuming less than 80% of the minimum energy requirements. Over 65% of India's 1.2 billion people lack basic sanitation. Over 900,000 Indians die every year from drinking contaminated water and breathing polluted air.

More than half of the children under five are severely malnourished, or suffer from stunting. Consequently malnutrition causes high rate of infant mortality which, in turn, inhibits population control. Thus, we are busy procreating diseased infants which eventually will translate into a sick nation.

In Mamata Banerjee's Bengal, where administration has collapsed countless infants die in Government hospitals. In Malda's one hospital alone 109 kids died in 2011 and 200 last year. This year, till date the toll is already 52. In UP, scandalously a rickshaw puller was asked to administer an injection to an infant who died soon afterwards.

Underscored a World Health Organization official. "If a child doesn't die within five years of birth due to malnutrition and diarrhea, acute respiratory infection will get him later."

Shockingly, nearly one million Indians die every year due to inadequate healthcare facilities and 700 million have no access to specialist care as 80% of specialists live in urban areas. Experts have predicted 3.75 million deaths due to cardiovascular diseases this year, out of which a whopping 2 million will die due to heart attacks or coronary artery diseases (CAD).

As it stands, India totals one-third of the world's TB cases. And is one of the four countries worldwide along with Nigeria, Pakistan and Afghanistan where polio has not been eradicated.

Clearly, India's public health is in the ICU notwithstanding the Government's cut throat projections and assertions of 'all is well!' How can it be when consistent public investment in health is barely 1% of the GDP? In 2010 the spending was four per cent --- less than many African countries or Afghanistan and a fraction of developed nations, which spend around 10 per cent.

Bluntly, the aam janata does not count. In fact, never has. It is their vote stupid, not them. Look at the daily drudgery and grind for sheer survival. It's not about rummaging in dustbins or satiating our hunger on the enticing neon lights of fast foods. Nor about knocking at the doors of the providers of basic necessities: roti, kapada aur makan along-side bijli, sarak, paani.

The malaise goes far deeper. Touch anything it is adulterated and even poisonous. From the air we breathe, to medicines, spices, vegetables, fruits, milk, tea, coffee, salt et al. Just think of the magnitude. Mobil oil is smeared on vegetables to make them look nice and shiny, spices are spiced up with dyes, used to make chillies redder, or horse dung packaged as dhania (coriander).

Love your morning cup of tea or coffee? Think again, it is laced with coal tar. Bananas and mangoes are exposed to calcium carbide to make them ripen fast. If your milk and by-products like paneer and ice-cream taste soapy its thanks to washing powder and the vanaspati is rancid animal fat. Even money which makes the world go round is fake.

According to food experts,

over 90% of the stuff being sold is adulterated. Asserted a specialist, "Adulteration takes place at every stage --- right from production to the sale point. The toxicity just keeps increasing at every stage. Leading to serious health hazards." All for money and under-hand deals.

Who should one turn for redemption and solace? The administrative system has practically collapsed. Arguably, when the bureaucracy comes adulterated in cheap polypacks, what is one to expect? Whereby, nothing moves without greasing of palms. Corruption moves the wheels of industry and synchronizes the gears of finance. We have the culture of plunder and taint at every level. Power is fertile territory for adulteration to feed on.

The Prime Minister talks of providing a transparent, responsive and efficient administration. Brave words. If the Prime Minister is serious, first he has to come to grips with the increasing neta-babu nexus. Which only holds out promises of more misery, more wrenching news and more cries for the Government to act.

Where do we go from here? It all depends on our netagan. The Government can no longer bury its head in the sand. Our leaders need to respect human life. To foresee is to govern. Good governance is not an option, it is a matter of life and death. Time is far gone to aver, Kohi baat nahi, ek aur mar gaya!

If India really wants to develop, it will have to find ways to back up laws with quality action, not shoddy tokenism. If we want to use our finest resource, we have to start taking our citizens seriously and treating them like worthwhile investments. Follow a 'womb to tomb' policy of keeping one well-fed. In the final crunch: Governance cannot be adulterated! INFA

Ethics in sports

Ram Rattan Sharma

George Orwell once commented that serious sport had nothing to do with fair play, it was bound up with hatred, jealousy, boastfulness, disregard of all rules and sadistic pleasures in witnessing violence. The comment is apt in summing up the attitude that governs sports in modern times.

Professional sports is nothing less than a battle and winning is a matter of life and death. This kind of an attitude has seeped through to sports at the amateur level as well. As a result, sports have been increasingly witnessing a complete disregard for sports ethics. Today, the influence of the money factor in sports is so great that not only are contestants ready to go to any lengths to win a match but also they are ready to cheat, lie or commit other crimes, if they have to thus cheating, lying and bribery, violence, doping have become almost essential sports.

Cases of extreme injuries and even deaths as a result of intentional violence have been on the rise. Some sports disciplines such as boxing and soccer have been in particular prone to such violence. French man Battiston was seriously injured in the 1986 soccer world cup by a tackle of the West German goal keeper Schumacher in the 1994 World Cup. Brazil's Leonardo knocked out American tab Romos with his elbow in an act of aggression. May be the

worst instance of violence in recent times has been the killing of Columbian football star, Monica Seles the most successful woman tennis player in 1993, was felled by a knife on the back while on a tennis court by a fan of her main rival. Another incident that drew a lot of international criticism was the attack on the American skater Nancy Kerrigan inspired by professional jealousy. Sports violence is not restricted to a handful of nations. It has become a universal phenomenon. It is not only the contestants who are involved in such acts, the spectators and fans as well commit violence to help their teams or players win or simply out of anger and frustration in ancient Greece and Rome. Now violent games, such as pank rration were invented to delight the people. The violent nature of games such as boxing and motor racing results in great physical damage and even death.

Another serious problem in modern sports is doping or use of drugs to improve one's performance. Today it is major issue of controversy in Olympic Games the Asiad and other major games. Chines sports men and sports women in particular are increasingly being held up on charges of doping. The punishment for use of drugs in sports is severe. However, these have failed to discourage the players from using this. What has also failed to check doping is the harmful effects of use of drugs for

increasing performance. It is shocking to observe that mostly it is the managers of the teams as well as the coaches who are responsible for encouraging the players for taking drugs.

Bribes to players are increasingly on the rise. This practice has been most widely seen in what was once gentleman's game - cricket. Bribes are offered to teams/players so that the other contesting team/players can win a match. A reason for the offering of bribes is the huge amount of money that is spent by fans and groups on betting upon the winner. Another unethical practice is that of cheating by players on the ground or the field itself. There is need to understand why ethical standards in sports have so drastically fallen in modern times. Professional sports to day is not just a game, it is taken very seriously and given all the attention that excelling in a profession demands of a person. It involves a great deal of physical and mental strain. Thus to achieve his aim is nothing less than an obsession for him. The wish to be seen as a legend in the sport concerned is very strong in professional players. Thus when they are not able to achieve their dream, they sometimes take to cheating, lying, doping or outright violence out of psychological stress and frustration. They sometimes though sincerely, try so hard to win that they end up hurting themselves psychologically or even physically.

Often matches between teams representing two nations are taken so seriously that a defeat may be considered nothing less than a loss of prestige and honour of a country and it may inspire a violent expression of patriotism such unethical practices are antithetical to the very principle of sports. So a part from strict penalties and punishments, what can be done to ensure "Clean" Sports? There is need to sincerely understand that sports ought to be played and not fought. Winning and losing must be viewed as part of the game. Thus, what is required is developing a sportsman spirit with in the players, the coaches, the managers as well as sports fans. Resorting to scheming and cheap practices to simply win is not fair towards the players and teams who play the game with honesty. The wrong doors must remember that even these players train hard to physically and mentally equip themselves for a match. Sports must involve real competition that calls into play the talent, stamina, perseverance and determination that the players naturally possess or have acquired from hard training.

Use of wrong means to achieve victory is degrading the very spirit of sports and humanity. Use of drugs in particular ought to be effectively tackled as it shows the way to physical, mental and moral degeneration of man.

(The author is former Deputy Librarian, University of Jammu)

Removing distrust

Sir,

This refers to the news Intellectuals can fill void of mistrust between Valley, rest of country: Justice Kirmani." Just on the same page there is a news "Self Rule, Autonomy cannot resolve Kashmir issue: Vakil." In a way Vakil's observations suggest a solution to the problem indicated by Justice Kirmani. How mistrust got created, who is responsible for increasing this and how can this distrust be mitigated? When India became independent, Indians like other foreigners, were required to obtain a permit for entering the J&K State. This created an impression as if the natives of J&K were unlike people of other States of India as any body belonging to any State of India is free to visit, start profession in, purchase immovable property or settle anywhere he and she likes in any other State of India except in J&K. This impression got further deepened when the natives of other states learnt that the people from J&K can purchase immovable property anywhere in India but not the vice versa. An enemy is enemy and in 1965 and 1971 wars Pakistan used money, religion, ISI, spy agencies and even misguided Kashmiri youth which besides some bigger losses

widened the distrust, existing between the people of Kashmir Valley and those living in other parts of India.

This distrust increased further with the activities of Kashmiri terrorists supported by Pakistans ISI, regular army men war material and money. The ghost created by Kashmiri politicians got captured by Pakistan and used the same for causing death and destruction of Kashmiri Pandits, politicians, defence personal and whosoever which suited their designs. The aboriginal inhabitants of Kashmir, the Pandits had to leave their homes and hearths and settle at Jammu and elsewhere in the country as refugees.

How some people from Valley expect to fill this distrust by involving Indian intellectuals? Why there is no distrust for the people of Jammu and Ladakh? The Kashmiri centric politicians and think tanks shall have to, if they want to fill this distrust, send clear signals of their condemnation for the Kashmiri terrorists and the anti-nationals which will ipsofacto remove the distrust.

Yours etc...
S.K. Rekhi (Senior)
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Relief for acid attack victims

Sir,

The decision of the Supreme Court to make acid attack a non-bailable offence will go a long way in curbing the menace in the country. Many women have suffered terribly because of attack on them by anti-social elements or jilted lovers. The victims have suffered financially, socially and physically. The attack has left them traumatised for ever, their life gone haywire and dreams shattered while the attackers are living a normal life even while undergoing trial.

The measures as outlined by the Supreme Court for rehabilitation of acid victims will help them seek justice from the authorities besides overcoming financial hurdles. These measures will, it is hoped, would make Government sensitive to the needs of the victim, and stop miscreants from indulging in this heinous crime. The society too should be sensitive to the needs of the victims and help them in living a dignified life.

Yours etc...
Ankush Verma
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Cost escalation in infrastructure projects

Rohit Kapoor, Advocate

Delays in execution of mega infrastructure projects have seen a massive Rs 52,446 crore jump in their original cost estimates. The cost escalation has gone up by 36 per cent from Rs 1,45,271 crore to Rs 1,97,716 crore as on May 31, 2012, official figures state. The cost overrun pertains to 28 over projects, railway projects and 84 schemes of ministry of road transport and highways (MORTH). The delayed projects include Udhampur-Srinagar-Baramulla rail line in Jammu & Kashmir where the project cost escalated by a massive 700 per cent to Rs. 17,500 crore. As per the report of Construction Industry Arbitration Council, working under the aegis of Planning Commission of India, crores of Rupees are locked up in commercial disputes in construction sector alone. Because of complexity of such interwoven responsibilities, super-imposed by statutes, monitored by environmentalists, exposed to vagaries of nature and uncertainties of markets, it could be a miracle if any construction project can come out without getting greatly distorted on Time-money or concept scale. All distortions induce strains.

Construction of infrastructure projects which occupies the major portion of the National plan outlays has always been the concern of everyone because of the inordinate delays in the completion of the projects leading to heavy cost overruns. During the life cycle of a contract, changes occur with regard to time frame, specifications, additional items, cost etc. There can be many factors for such changes. Some deviations are covered by express terms of contract others are not. There are hidden risks lurking in just about every contract. FIDIC contracts are being executed in the country. No upper limit of delay damages in these agreements make the Employer vulnerable to un-limited damages when time ceases to be essence of contract after grant of extension expressly or by implication.

It has been observed that Government and industry focus their time, attention and key resources on soliciting, proposing, negotiating, and forming the contract simply said, getting the deal. While project management and earned value management have received significant focus and attention in recent years for the value-added capabilities they can provide, few organizations have paid much attention to Pre-post award - contract Legal management and closeout activities, which are equally vital for a successful contract.

Legal management of a contract is continuous monitoring and assessing of all the events taking place during execution of a contract. During the subsistence of a contract, many a time innocuous appearing mails/letters are actually premeditated and are to be used as evidence. Not replied or real intentions not understood, do cause problems later on. With a view to prevent adverse legal implications "Pre & Post award -Contract Legal Management / Contract lifecycle Legal Management" can improve exposure to financial and legal risks. It has been observed in Public and Government Sector that they seek requisite legal aid only after they receive intimation of claims or many a time when they are brought before the Court or Arbitral Tribunal. Parties beginning with friendly relations are at each other's neck and the mood often is to demand "Pound of Flesh". This leads to "Differences and Disputes".

There is one more significant factor to be noticed. There is progressively stiff increase in money cost. Projects were delayed in past but over the delayed period money's value remained steady so no big burden was felt. Now with cost of money becoming so high rising upwards, time has become a sensitive issue. Time is indicated as the essence of a contract. There are circumstances compelling extension of time which is granted but Time does mean money. The rate of inflation erodes the profit of Contractor and hence longer he has to stay, more sensitive he becomes to Time factor and puts up claim for Damages/ Compensation.

Intense legal scrutiny is required at the time of preparation of Detailed Project Reports (D.P.R.'s) particularly in the context of delayed execution and change in specifications- both these elements are virtually in-avoidable in Mega projects. Delivering high value deposition summaries requires litigation expertise. Abstraction and summarization of large contracts help owners and others connected with the work to understand their rights and responsibility as a party to the contract. However, this component is by and large missing during execution of a contract with the result; owners end up in paying huge sums as compensation to contractors. Delay Claims Analysis (DLA) has, therefore, become elementary. The objective and emphasis is to avoid litigation and/or its adverse consequences eliminated/reduced.

"Pre & Post award -Contract Legal Management / Contract lifecycle Legal Management" includes Preparation of Risk and Obligation summaries of a contract and each of its stipulations; suggesting measures to eliminate owner's liabilities in the event of delayed execution of works; track and Manage Contract Life Cycle in its legal perspective; Focus on Contract Compliance in its legal/ Contractual perspective; Observing and notifying delays that may escalate project cost particularly in terms of compensation etc. Escalation in cost has left many construction projects abandoned/in-complete and has the adverse impact on other projects and economy of the State. So an effort is required to minimize such adverse implications. Focus on Contract Compliance through "Pre & Post award -Contract Legal Management / Contract lifecycle Legal Management" can ensure timely dispute resolution, cost efficient and scheduled completion of projects/transactions. This will streamline the Legal review process to help reduce risks and costs, improving focus on other areas.

(The author is Consultant Regd with ADB for Pacific Region.)

Readers Write

II

Sir,

Please refer to the news item 'Make acid attacks on women non bailable offence': SC' (DE, July 19,2013). The land mark decision of the Apex Court to ban sale of acid and other corrosive substances to a person under the age of eighteen will go a long way in prevention of such attacks on the girls and women. The court has also directed the States and Union Territories to frame rules to make acid attacks a non bailable offence and pay a compensation of at least three lakh as an after care and rehabilitation cost for such victims.

An acid attack is only a little less than murder. The victims of acid attack have to bear the scars till they live. Some of them lose their eye sight, beauty and every thing. On the one hand, they fight for their life and on the other; they require a huge amount to bear medical and rehabilitation charges. The Central Govt, the State Govt and the society at large should come forward to help the acid victims and provide them sympathy. The victims of such attacks also need to be provided training in vocational courses to enable them to earn their livelihood and live a respectable life. Acid and other such substances should only be sold if the buyer is accompanied by a prominent person to act as a witness and only on the production of a photo identity card containing residential address as ordered by the Court. Enforcement of the directions passed by the Apex Court should be implemented strictly to prevent such attacks in future and violators need to be dealt with sternly.

Yours etc...
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