

Money in the “pocket” unspent for 10 years

Looking unusual, out of the ordinary and even surprising that a whooping amount of Rs.44 crore is not spent (read utilized) for as long as 10 years by (the then state) School Education Department in Jammu and Kashmir. Had it not been the austere audit conducted by the Comptroller and Auditor General of India, the whooping amount of Rs. 44.13 crore purported to have been spent by the School Education Department for the specific noble purpose but not spent at all, it would have continued to remain undetected. When money spent is not rightly spent, that is one possibility but the competence and the authority to spend having been demonstrated even if not rightly but what about not knowing how to spend or choosing not to spend at all when the purpose, mode and the end use are distinctly and clearly spelt out.

A flagship scheme of Union Ministry of Human Resources Development launched in 2008 and for which the then State Government of Jammu and Kashmir had submitted the proposal too in early 2009 for having a model school in every educationally backward block resulted in a damp squib in Jammu and Kashmir. The State Government requesting for grant -in-aid for having 24 such schools - 17 new and 7 existing schools to be upgraded but for reasons not known the unit cost was shown double as much as provided for in the scheme. Some correspondence too between the State Education Department and the Union Ministry on certain points and relaxation in norms resulted in the relaxation provided and consequently some changes in the estimated cost per unit were made. Anyway, an amount of Rs.44.13 crore was sanctioned and the State Government too released its stipulated margin of 10 per cent but the entire amount instead of utilizing was kept in a Savings Bank account and no one ever asking the reasons of such an approach to the noble scheme. A classical example of no one's baby and involving non- accountability.

This money was to be spent for establishment of Model School in every Educationally Backward Block in the erstwhile state but with not doing what was expected from the Education Department despite relaxations granted keeping in view the “special category” of the State, sheer injustice has been done with the prospective beneficiaries. It could be interpreted the other way too as being brazen demonstration of prejudice towards the identified backward Blocks in the field of education in Jammu and Kashmir.

Normally, it is not important only what has been pointed out in the audit notes or reports and that too by the apex auditing institution of the country but what is most important is how fast action has been taken, irregularities rectified, accountabilities fixed and such reports submitted to the higher authorities with a copy to the auditors as well. And this all is to be done within a fixed timeline but is that established practice being followed? No money is without its cost, in simpler parlance - the interest. If at nominal rate of 10 per cent only, simple interest is charged on the amount of Rs.44 crore for 10 years, it hardly needs to be elaborated as to what it comes to but will it be calculated and recovered from all those who kept the tax payers' hard money idle for a decade so that as per directives of the CAG of India, the entire unspent amount plus interest was returned to the concerned Union Ministry.

Attack on Councillors in Sopore

It must have shockingly opened the eyes of those misguided and misled people choosing the gun as their aim in life that positive changes are fast taking place in Jammu and Kashmir both politically and economically. Hartals and shut downs over drop of a hat are chapters closed for ever. Democratic process right from grass root levels has been taking place which resulted in overwhelming majority of people, among them many women casting votes to elect their representatives to three tier Panchayati system in Jammu and Kashmir. In other words, any attack on or harm to the elected representatives of the people was tantamount to attack on the common people. If it is not their utter frustration and dejection, what else is it to target Municipal Councillors and a Police personnel in Sopore in Kashmir's Baramulla district. In this cowardly attack, all three of them were martyred.

However, the question is as to what is the vast security apparatus in Kashmir doing in pre-empting such satanic acts of terrorists? It is not the solitary dastardly and treacherous act of the gunmen still active in some parts of the valley and repeated acts over the last few months on pointed soft targets should have enabled the security forces evolve a foolproof mechanism to frustrate and nip such attacks. Had the Chairman Municipal Committee Sopore taken all security precautions and also duly informed the Police about the municipal meeting in his office? We talk of providing PSOs to the people of vulnerable group but what were as many as four PSOs deployed there doing and why did they not retaliate? Before engaging the PSOs, full and proper verification about their antecedents should be made.

Targeting Jammu: Now Gandhinagar Residents?

K B Jandial

On every action of the administration that upsets Jammu, a serious thought comes to the mind of every proud Dogra: why, after abrogation of contentious Article 370 of the Constitution, Jammu is facing the heat of almost every action of UT Govt? Be these inadvertent or designed, the fact remains that the nationalist people of Jammu are feeling traumatized. Couldn't these be avoided?

The UT administration run by bureaucrats (overwhelmingly non-locals having no roots in Jammu, or for that matter, even in Kashmir) is devoid of compassion and empathy for the people. It is mainly because the bureaucrats vested with absolute power has no political inputs and decisions taken purportedly are 'in the interest of UT' and as per Rule Book, interpreting the rules in their own ways, least bothered on their fallout on gullible people. In the absence of political inputs (not even of the ruling BJP), Jammuites accused bureaucratic decisions of a mix of disdain for the people, arrogance & tenacity ('no one knows the governance better than we'), unresponsiveness to people's miseries and unmindful of consequent inconvenience & harassment of the people. Perhaps, they consider them violators, encroachers, spineless or at best favor seekers. They feel more comfortable in delaying decisions or picking up holes in matters that reach their table for approval or decision. They treat it another opportunity to exhibittheir administrative acumen, wisdom and the authority. Yes, nobody can contest it; the bureaucrats are the real rulers in present dispensation and calling shots, Lt. Governor Manoj Sinha's initiatives to reach out to the people, holding public durbars and accelerating pace of development notwithstanding.

Howsoever honest and rule abiding the bureaucratic administration may be, it is no substitute for a political dispensation which has deep roots in the society, politicians' projected image of corruption, favouritism & nepotism notwithstanding. This was felt after six-year long President Rule in J&K in nineties and same is being felt today. People have started remembering the political dispensation.

At J&K 175th Foundation Day function at historic Dogra Sadar Sabha, Jammu to commemorate the establishment of the unified State of Jammu &Kashmir under Maharaja Gulab Singh under Treaty of Amritsar, one speaker after another, coming from different fields: academia, trade & business, Chamber & Commerce, pensioners, social activists, heads of different associations, lawyers, members of DDCs & farmers, opened their saddened hearts to narrate their woes, narrating stories of discrimination they faced and wondered whether they sought abrogation of Article 370 to get this treatment. Even anti-Kashmiri sentiments are now waning as Jammu continued to get rough deal amid NC supremo exploiting the situation asking Jammu to revisit the historic decision of 5th August, 2019 and self-introspect on real-time benefits.

Contractors are sore over their continued unpaid claims despite meeting the Advisor. Over twenty bonafide shopkeepers at Exhibitions Ground are made shelterless after demolition of their shops for an ambitious project without alternate accommodation. Mahajans and Khatrias are debarred from pursuing agricultural avocation by declaring them non-agriculturalists by amending the J&K Revenue Act. After contract of mining of 'bajri' & sand mostly to "outsiders" under e-tendering, Jammu based liquor business is too slipping from locals. Abrogation of Article 370 is turning out to be "goldmine" for non-Jammuites but nobody appears to be worried on these and many other woes.

In a latest dose of harassment to Jammuites, the 'responsive' administration has come up with a unique plan to 'retrieve' 10-ft strip in the front from the plot holders of J&K's oldest well-planned Housing Colony of

Gandhi nagar. Intriguingly, the Housing Board did not issue any individual or public notice about "encroachment" of land that it sought to retrieve through 'arm twisting'. Adopting a strategy of coercion, the Housing Board is withholding the online NOC of those plot holders who have submitted their building plans to JMC for approval to reconstruct or renovate the old structure, forcing them to visit its office. It is here they are told about unauthorised possession of 10ft land in the front and unless they vacate it by reconstructing the boundary wall 10-ft inside their plot, NOC

mu people to move out of the comfortable environs of the old city, and more so, when the site of the proposed colony was almost a jungle. Bakshi started persuading first the Govt officers of all levels and 'forced' them to get plots at very concessional rates (Rs 500, Rs 1500 & Rs 2500 for plots of different sizes) along with other incentives including house building loan. Then, he persuaded the unwilling local prominent citizens, businessmen, veterans, politicians who too fell in line.

The two reputed Town Planners including one Sidique

STRAIGHT TALK

would not be given. Indeed, a clever move. The gullible owners, who had urgency for reconstruction and have arranged money for the purpose, succumbed to arm-twisting and reconstructed their boundary wall 10-ft inside their plot and got NOC. This coercion is publicized in the press as "voluntary surrender of excess land by the owners".

The over-enthusiastic M D Housing Board in an interview on a news web portal, hinted to remove this 'encroachment' soon by force if not vacated by the residents voluntarily. While talking to individual plot holders, he minced no words about the commitment given to higher authorities for vacation of this "grabbed" land in a specified time line. Why this aggression on peaceful permissible possession of the land of Gandhi nagar residents? After 60 years? Are they really "encroachers"? If at all, it is encroachment, then how and why all the building plans of Gandhi Nagar colony running into thousands were approved by JMC with Housing Board's NOCs since inception despite this "encroachment"?

Gandhi Nagar Housing Colony was set up by then PM Bakshi Gh. Mohd in late fifties who wanted to develop it as J&K's best housing colony, being the first one after Independence. There was reluctance from Jam-

migrants from outside to prepare its layout, provided lot of open spaces, big parkin every pocket and wide front roads and back lanes. Since the Town Planner had earmarked 50-feet wide arterial roads and 15-feet back lanes, quite wide even by today's standard, the Govt realised the mistake of this "unmaintainable facility" and wisely handed over to the plot holders uniform strips both in the front and rear side. One such Govt order No 36-7-HD-56-C of 7th April, 1961 is in circulation. It accorded sanction for handing over to the concerned plot holders "additional land of 1125 sq. ft. that had become available as a result of reduction of the unnecessary 15-ft wide lane" (back lane) in block 'C' against payment of Rs.313 per plot. Similarly, a strip of 10-ft had become available in the front as a result of "reduction of unnecessary wide arterial roads in the front side" was allowed to be used by the concerned plot holders as part of green patch but the order is not forthcoming. It was done uniformly that is evident from the same alignment of boundary walls of all plots on all roads. And so is the alignment of other civic amenities like drains, street light etc.

After more than sixty years of peaceful permissible possession, the Housing Board, for no reason

or rhyme, has started targeting the residents as "encroachers". It has unleashed a wave of "administrative terror" against the residents of Gandhi nagar besides destabilizing the colony. In several cases, construction had been raised in the front portion including on the additional strip in violation of rules with connivance of the Municipality and tacit approval of Housing Board authorities. They have failed to prevent commercialization of residential area of Gandhi Nagar, and so are in other colonies, and now they are threatening to demolish. Why destabilise a well-established colony?

Residents were wondering as to why the Housing Board has not issued legal notices for this "encroachment". The answer lies in the settled legal position of limitation period to take back possession of this land. The Limitation Act of 1963, now stood extended to J&K UT, debars the Govt to legally seek possession of the land from the bonafide allottees after 30 years of uninterrupted adverse possession. So, even if Govt order of 1961 allowing uninterrupted usage of these strips by the allottees is not forthcoming, the Housing Board has "forfeited its right" to take back this strip in view of the expiry of prescribed limitation period. This explains why the House Board is coercing the gullible residents to voluntarily surrender this strip and not issuing legal notices.

The Supreme Court of India observed in Karnataka Board of Wakt (Wakf) vs. Government of India that, under section 27 and section 65 of the Limitation Act, the right of the original owner of the land extinguishes if he does not interfere within the specified time limit. This time limit differs from private property to Government property. In case of private property, limitation period is 12 years under Article 65 of schedule 1 in case of Govt property it is 30 years under Article 112 of schedule 1 of the Limitation Act. In a recent judgment the Supreme Court bench headed by Justice Indu Malhotra gave judgment in

favor of an old widow whose property was seized by the Himachal Pradesh government for construction of a road. This law comes to the rescue of those who took care of the land for a long period of time uninterrupted and by adverse possession they can gain ownership over the land. So, the Housing Board cannot legally deprive the residents of this land.

The administration didn't share the purpose of depriving people of the strip. However, a press report did mention about a proposal of creating a "cycling track" in Gandhi nagar. Is it prudent to create this track in a 65-year old colony where many structures had come up even in this front which stood regularised under law by payment of compounding fee? Is the Housing Board adventuring to demolish half of the Gandhi nagar Colony in its fancy to create a 'cycling track'? Why can't the authorities think of creating in new colonies or alongside the wide roads like University Road, Sainik Colony road, Roop Nagar colony etc. Why tormenting peacefully living residents of Gandhi nagar?

Many illegal colonies, even on Govt land, had been regularised in the past. But today, the administration is applying different yardstick for different localities. The available strips in front of houses in Trikuta Nagar and Channi Himmat colonies had been regularised on payment of certain charges. But in case of Gandhi nagar, strips in permissible possession of over 60 year are now being "retrieved" under coercion. How come these officers are so ignorant about the law of limitation law and the consequent harassment to the peace loving Dogras unless they are hellbent to teach Jammu a lesson? The BJP leaders to whom the agitated residents have met too have no answers for this ill-advised and ill-conceived Housing Department action. Is pro-people political Lt Governor listening to Jammu's woes and intervene?

(feedback: kbjandial@gmail.com)

Continuing threats to the economy

Bharat Jhunjhunwala

The second wave of Corona virus is further threatening the economy. There is need to review the Budget proposals in the light of this development.

The challenge today is to restart the cycle of fast economic growth and employment generation that has been hit by demonetization, GST and lockdowns. These actions have hit the small industries in particular. These same small industries were creating most of the employment. Thus, employment generation is no longer taking place, employment in our manufacturing sector is declining, less wages are being paid to the workers, there is less demand in the market, and businesses are less inclined to invest. We should not be misled by the booming Sensex. The big companies and e-commerce companies are doing well. But the economic growth is down because there is little purchasing power in the ground economy.

The Government has tried to restart this fortuitous cycle by making increased investments in infrastructure. This would have

been in the right direction if it would have led to the generation of employment. However, the investments in highways, airports and rail freight corridors are mostly being made by capital-intensive machines. Take the highways for example. The land will be dug by an excavator. Cement will be purchased from the cement factory. The cement factory will use machines to dig the limestone. The cement will be transported in large trucks to the highways. The highway will be made by laying the cement by automatic machines. I reckon that only 15 percent of the Government expenditure goes into the hands of the workers in the entire expenditure chain. The remaining 85 percent money keeps rotating on the top as if 85 percent oil is floating on 15 percent water. This money does not connect with the ground. For this reason the growth rate of the economy is down and is not likely to revive from these investments. Making a shopping mall in the middle of a slum does not lead to an increase in the income of the slum-dwellers.

The present infrastructural investments will not help the

economy for another reason. It is beneficial to make a highway if truck are waiting to ply on them. Our growth rate has been declining over the last six years. The demand for the infrastructure that is being created is less. The tollways may not be able to recover their investments in absence of trucks plying on them. Indeed Surface Transport Minister Nitin Gadkari has said that the toll collections in 2020-21 have been higher than in 2019-20. I think this is because more toll-free roads have been brought under toll. However, these investments will certainly prove beneficial in the long run. But, as famous economist John Maynard Keynes had said, "In the long run we are all dead." The need was to create demand in the economy immediately. Indeed demand for steel and cement in the making of highways will not jumpstart a fortuitous cycle because there will be less employment of workers, less generation of employment and less connection with the ground economy. I am not opposing increased investment in infrastructure. That is certainly needed. I am opposing the particular investments in big

highways made with automatic machines. Need was to make small town roads with labour-intensive methods.

The need was to also support small businesses that employ large numbers of workers. This could be done by increasing the import taxes on items like cloth and rubber chappals that are produced by small industries; and also increasing the rates of GST on large factories making these items. That would have enabled small industries to sell their goods in the market. We must accept that this would lead to an increase in the price of these goods in the market and force the consumer to buy expensive goods made by small industries. This additional burden on the consumer must be thought of like an "employment tax." The protection provided to small industries would have led to the generation of employment which, in turn, would have created demand in the market. Just as a person who has just overcome a sickness needs to be given tonic to revive his working capacity, similarly, the small industries that have just faced the triple problems of demoneti-

zation, GST and lockdown need to be given the tonic of protection to revive their working.

A positive step taken by the Government in the Budget is to monetize the infrastructure projects like highways, electricity transmission lines, rail tracks, ports, airports, etc. The Government plans to either privatize these completed projects or give them out on contracts and raise money. The money raised can be used to invest in other infrastructure projects that are limping due to financial crunch. It would be better though if these new investments were to be made in labour-intensive projects as mentioned above.

The Government has planned to privatize a number of Public Sector Enterprises (PSEs) like Air India, Shipping Corporation of India, IDBI bank, Bharat Earth Movers Limited, Pawan Hans and other companies. The Government has made a target of raising Rs 1.75 lakh crore in the current financial year which is nearly ten times the Rs 20,000 crores generated from this head in the present financial year. It is not impossible though it is difficult

to raise this huge amount.

The Finance Minister has estimated in the Budget that the fiscal deficit in the present year 2020-21 will be 9.5 percent of our GDP. The Government has placed a target of fiscal deficit of 6.8 percent in the coming year 2020-21. This estimate is based on the assumption that the economy will rev up and Rs 1.75 lakh crore will be obtained from disinvestment. The second wave of Corona Pandemic despite the vaccination drive puts the attainment of these estimates in much doubt. The economy can face another crisis in that situation. The Government will have to borrow large amounts to cover this deficit. This borrowing can be made from the Reserve Bank of India or the market. The economy will face price rise if the Reserve Bank prints notes and lend the money to the Government. On the other hand, interest rate will increase if the Government borrows this money from the market. The economy will suffer in both cases.

(The author is formerly Professor of Economics at IIM Bengaluru)

feedbackexcelsior@gmail.com

admissions as well as jobs in government departments.

Another important aspect of the new rules should be that screening committee must meet quarterly to finalise gradation certificates or allocate numbers, so that sports persons don't have to wait endlessly. The committee authorised to finalise names must even be open to meet and decide any case on merit basis at any given day of the year, so that deserving sports persons don't have to wait long enough to get justice delivered. Still important is that UT Government must pull up all sports associations for not adhering to the ethics.

Several sports associations are being manned by a particular group since ages, which is why favouritism has started creeping in the sports as well. Now that the Hon'ble Court has asked Board of Control for Cricket in India (BCCI) to take over the control of J&K Cricket Association and run its affairs till new arrangements falls in place, a message must also go to all other sports bodies to mend their ways and do justice with the deserving players without any prejudice. Deserving sports persons must also be included in the bodies so that they decide the fate of their juniors and train them fairly. To sum up, one must ensure that grades, and not links should be the criteria to get jobs under sports category.

(The author is Executive Member Bharatiya Janata Party J&K)

feedbackexcelsior@gmail.com

Sports quota in jobs

‘Grades’ not 'links' should decide about jobs

eral games that had no relevance were introduced by erstwhile State of Jammu and Kashmir Sports Council to benefit a chosen few. Now, while making changes in SRO-349 of 1998 read with SRO 376 of 2004, the committee headed by Principal Secretary, Home Department must fix a genuine criteria for short listing the outstanding sports persons for appointment against the posts earmarked under Sports quota so that no one gets undue benefits or cheats the committee.

The committee members must include even those who obtain certificates besides medal winners, and allocate number to their achievements so that there is no scope of favouring anyone at any given point of time. Principal Secretary Youth Services and Sports, Additional Director General of Police Coordination (PHQ) J&K, Commissioner Secretary GAD, Secretary Department of Law, Justice and Parliamentary Affairs, Director General Youth Services & Sports J&K and Secretary Sports Council J&K have been members of the committee.

To widen the scope of employment and encourage sports, besides government

departments this scheme must also be extended to Public Sector Undertakings (PSU), autonomous institutions and to the departments that have their own rules. The Union Territory of Jammu and Kashmir is in dire need of such a fair scheme so that sports persons are encouraged, who in turn will set a precedence for youth to follow and not get disillusioned by anti-social elements.

The sports gradation policy, that is being revised, must also reserve government jobs for technical graduates and other graduates and their eligibility must be determined on the basis of their merit in sports as per the grading criteria. The committee constituted must also delete non-recognised sports and include internationally played games like athletics, archery, badminton, basketball, boxing, cricket, chess, cycling, fencing, football, golf, gymnastics, handball, hockey, judo, kabaddi, kayaking, canoeing, shooting, squash, swimming, rowing, table tennis, volleyball, weightlifting, wrestling and alike, that the committee deems apt.

Special emphasis must be paid on the sports bodies promoting sports in UT of Jammu and Kashmir. Many of them don't

conduct elections, submit accounts or don't have adequate coaches and infrastructure to train sports persons. There are still many organisations that are being controlled by a single entity or Government officials, who even misuse their positions or cast an influence on the selectors. These all must be done away with so that deserving and genuine players are provided an opportunity and win medals for the UT of Jammu and Kashmir.

Sports quota is considered as a very important quota that is being pursued in almost every state and UT. Those eligible must be provided with government jobs in UT or their names should be recommended to the Central Government or army and other belt forces, which otherwise also have this quota fixed in their rules. However, a recommendation by the UT of Jammu and Kashmir will make all the difference and help those living in remote areas to get better opportunities. The committee constituted for deciding merit must also ensure that games, that have been included during past some time but don't get due representation from across the UT, are excluded.

Boys and girls who excelled or have even participated in

University Games, school games, Asian Games, Federation Cup, South Asia Federation Games, World Cup, Olympics, or Commonwealth Games besides other such events must be given preference based on the numbers allocated to their achievements including certificates and medals. Other than these events, those who have participated in UT or national events, represented their university in inter-university sports competition or any state school team in inter-state school competitions organised by the All-India School Games Federations besides received National Award, are also included for the jobs.

Gatka, the traditional fighting style of the Nihang Sikh warriors from Punjab, which was largely used in self-defence and stands recognised as an art form, has now been included in the Khelo India Youth Games scheduled to be held at Haryana this year. To add to this recognition, Gatka has already been listed in Punjab Government's State Sports Policy which allows its practitioners to avail three per cent reserved seats in universities and state government jobs. The UT of Jammu and Kashmir must also include Gatka achievements at national levels for university

(The views expressed by the authors are their personal)